

# San Bernardino County Interstate 40 Bridge and Rock Slope Protection Replacements

SAN BERNARDINO COUNTY, CALIFORNIA  
DISTRICT 8 –SBD–040 (PM R104.6/R120.5)  
08-1L800/0820000156

## Initial Study with Mitigated Negative Declaration



Prepared by the  
State of California, Department of Transportation



June 2025

# General Information about This Document

## What's in this document:

The California Department of Transportation (Caltrans) has prepared this Initial Study (IS), which examines the potential environmental impacts of the alternatives being considered for the proposed project located in San Bernardino County. Caltrans is the lead agency under the California Environmental Quality Act (CEQA). The document tells you why the project is being proposed, what alternatives have been considered for the project, how the existing environment could be affected by the project, the potential impacts of each of the alternatives, and the proposed avoidance, minimization, and/or mitigation measures.

The required submittal to the State Clearinghouse (SCH) for public review and comment on the Initial Study with a Proposed Mitigated Negative Declaration prepared for this project was transmitted on March 24, 2025. The SCH notice on CEQANet was published on March 25, 2025, with March 25, 2025 to April 23, 2025 identified as the State review period. Comments received during this period are included in Chapter 3. Elsewhere throughout this document, a vertical line in the margin indicates a change made since the draft document circulation. Minor editorial changes and clarifications have not been so indicated. Additional copies of this document and the related technical studies are available for review at Caltrans District 8 Office (464 West Fourth Street, San Bernardino, 92401).

## Alternative Formats:

For individuals with sensory disabilities, this document can be made available in Braille, in large print, on audiocassette, or on computer disk. To obtain a copy in one of these alternate formats, please call or write to Caltrans, Attn: James Shankel (909) 472-5831 (Voice), or use the California Relay Service 1 (800) 735-2929 (TTY to Voice), 1 (800) 735-2922 (Voice to TTY), 1 (800) 855-3000 (Spanish TTY to Voice and Voice to TTY), 1-800-854-7784 (Spanish and English Speech-to-Speech) or 711.

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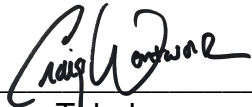
Restore Rock Slope Protection at Ardis Ditch Bridges (PM R118.66, Bridge # 54-0201 L/R), Tank Tower Ditch Bridges (PM R119.50, Bridge # 54-0202 L/R), and Homer Wash Bridges (PM R120.47, Bridge # 54-0203 L/R), and Replace Woods Wash Bridges (PM R104.89, Bridge # 54-0802 L/R) on Interstate 40 (I-40) West of the City of Needles in San Bernardino County

### **Initial Study with Mitigated Negative Declaration**

Submitted Pursuant to: (State) Division 13, California Public Resources Code

THE STATE OF CALIFORNIA  
Department of Transportation

Responsible Agencies: California Transportation Commission, California Department of Fish and Wildlife, State Historic Preservation Officer, Colorado River Regional Water Quality Control Board



For

\_\_\_\_\_  
Antonia Toledo  
Acting Deputy District Director, Environmental Planning  
District 8  
California Department of Transportation  
CEQA Lead Agency

6/26/2025

\_\_\_\_\_  
Date

The following persons may be contacted for more information about this document:  
James Shankel 464 West 4<sup>th</sup> Street MS-820 San Bernardino, CA 92401 (909)472-5831 james.shankel@dot.ca.gov

# Mitigated Negative Declaration

Pursuant to: Division 13, Public Resources Code

## Project Description

The California Department of Transportation (Caltrans) proposes to Restore Rock Slope Protection at Ardis Ditch Bridges (PM R118.66, Bridge # 54-0201 L/R), Tank Tower Ditch Bridges (PM R119.50, Bridge # 54-0202 L/R), and Homer Wash Bridges (PM R120.47, Bridge # 54-0203 L/R), and Replace Woods Wash Bridges (PM R104.89, Bridge # 54-0802 L/R) on Interstate 40 (I-40) West of the City of Needles in San Bernardino County.

## Determination

Caltrans has prepared an Initial Study for this project and, following public review, has determined from this study that the proposed project would not have a significant effect on the environment for the following reasons:

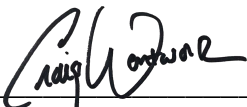
The proposed project would have no effect on Agriculture and Forestry Resources, Air Quality, Cultural Resources, Energy, Geology and Soils, Hazards and Hazardous Materials, Geology and Soils, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire.

In addition, the proposed project would have less than significant effects to Aesthetics, Greenhouse Gas Emissions, Hydrology and Water Quality, and Mandatory Findings of Significance.

With the following mitigation measures incorporated, the proposed project would have less than significant effects to: Biological Resources.

- **BIO-Mitigation-1: Natural Communities Mitigation:** Compensatory mitigation for permanent impacts to catclaw acacia – desert lavender – chuparosa scrub is anticipated, with resource agency approval, through on-site restoration activities, suitable mitigation/conservation bank credits, suitable in-lieu fee program credits, and/or other mitigation acceptable to the resource agencies involved as applicable.
- **BIO-Mitigation-2: Natural Communities Mitigation:** Compensatory mitigation for permanent impacts to desert willow – smoketree wash woodland is anticipated, with resource agency approval, through on-site restoration activities, suitable mitigation/conservation bank credits, suitable in-lieu fee program credits, and/or other mitigation acceptable to the resource agencies involved as applicable.

- **BIO-Mitigation-3: Jurisdictional Mitigation:** Compensatory mitigation for permanent impacts to jurisdictional features are anticipated, with resource agency approval, through on-site restoration activities, suitable mitigation/conservation bank credits, suitable in-lieu fee program credits, and/or other mitigation acceptable to the resource agencies involved as applicable. Caltrans shall notify CDFW pursuant to Fish and Game Code section 1602 and obtain authorization prior to initiating Project activities within any river, stream, or lake. After construction activities are complete, temporarily impacted aquatic resources will be restored to original and permanently impacted resources will be restored at a minimum 3:1 ratio through suitable methods such as on-site restoration activities, suitable CDFW-approved mitigation/conservation bank credits, permittee-responsible mitigation, or through a combination of any of these.



For

\_\_\_\_\_  
Antonia Toledo  
Acting Deputy District Director, Environmental Planning  
District 8  
California Department of Transportation

6/26/2025

\_\_\_\_\_  
Date

# Table of Contents

General Information about This Document.....	i
Mitigated Negative Declaration .....	iii
Table of Contents.....	v
List of Tables.....	vii
List of Figures.....	vii
<b>Chapter 1</b> Proposed Project.....	1
1.1 INTRODUCTION.....	1
1.2 PURPOSE AND NEED .....	5
1.2.1 Purpose .....	5
1.2.2 Need.....	5
1.3 PROJECT DESCRIPTION.....	6
1.4 PROJECT ALTERNATIVES.....	7
1.4.1 No-Build Alternative .....	7
1.4.2 Build Alternative.....	7
1.5 ALTERNATIVES CONSIDERED BUT ELIMINATED FROM FURTHER DISCUSSION .....	8
1.6 PERMITS AND APPROVALS NEEDED .....	8
<b>Chapter 2</b> California Environmental Quality Act (CEQA) Evaluation.....	9
2.1 CEQA ENVIRONMENTAL CHECKLIST .....	9
2.1.1 Aesthetics .....	10
2.1.2 Agriculture and Forestry Resources .....	11
2.1.3 Air Quality .....	14
2.1.4 Biological Resources .....	16
2.1.5 Cultural Resources .....	43
2.1.6 Energy .....	46
2.1.7 Geology and Soils .....	47
2.1.8 Greenhouse Gas Emissions .....	51
2.1.9 Hazards and Hazardous Materials .....	53
2.1.10 Hydrology and Water Quality.....	56
2.1.11 Land Use and Planning .....	60
2.1.12 Mineral Resources .....	61
2.1.13 Noise .....	62

2.1.14	Population and Housing .....	64
2.1.15	Public Services.....	65
2.1.16	Recreation.....	66
2.1.17	Transportation .....	67
2.1.18	Tribal Cultural Resources.....	69
2.1.19	Utilities and Service Systems .....	71
2.1.20	Wildfire .....	73
2.1.21	Mandatory Findings of Significance.....	76
2.2	CLIMATE CHANGE .....	79
2.2.1	Regulatory Setting .....	79
2.2.2	Environmental Setting.....	81
2.2.3	Project Analysis .....	85
2.2.4	Greenhouse Gas Reduction Strategies .....	86
2.2.5	Adaptation .....	89
2.2.6	References .....	93
<b>Chapter 3</b>	<b>Comments and Coordination.....</b>	<b>97</b>
3.1	Native American Tribes.....	97
3.2	U.S. Fish and Wildlife Service.....	97
3.3	Public Participation.....	98
3.3.1	Comment No. 1: Ponderosa & Table Top.....	99
3.3.2	Comment No. 2: The Metropolitan Water District of Southern California.....	102
3.3.3	Comment No. 3: California Department of Fish and Wildlife.....	105
<b>Chapter 4</b>	<b>List of Preparers .....</b>	<b>139</b>
<b>Chapter 5</b>	<b>Distribution List.....</b>	<b>140</b>
5.1	Public Agencies, Elected Officials, and Service Providers .....	140
5.2	Interested Parties, Property Owners, and Members of the Public.....	141
<b>Appendix A</b>	<b>Avoidance, Minimization and/or Mitigation Summary.....</b>	<b>142</b>
<b>Appendix B</b>	<b>List of Technical Studies .....</b>	<b>158</b>

## List of Tables

Table 1.6-1. Permits and Approvals .....	8
Table 2.1.4-1. Anticipated Permanent Impacts to Desert Tortoise Critical Habitat .....	20
Table 2.1.4-2. California Essential Habitat Connectivity Project Bridge Locations .....	32
Table 2.1.4-3. Desert Connectivity Project Species with Potential to be Found in BSA .....	32
Table 2.1.4-4 Areas of Conservation Emphasis in BSA .....	34
Table 2.2.2-1 Regional and Local Greenhouse Gas Reduction Plans .....	84
Table 3.3-1 Comments Received .....	98

## List of Figures

Figure 1.1-1. Project Location Map .....	2
Figure 1.1-2. Woods Wash Bridges Vicinity Map .....	3
Figure 1.1-3. Ardis Ditch, Tank Tower Ditch, and Homer Wash Bridges Vicinity Map ....	4
Figure 2.1.10-1. National Flood Hazard Layer Map .....	59
Figure 2.1.20-1 CalFire Fire Hazard Severity Zones Map .....	74
Figure 2.2.2-1 U.S. 2022 Greenhouse Gas Emissions.....	82
Figure 2.2.2-2 California 2021 Greenhouse Gas Emissions by Economic Sector.....	83
Figure 2.2.2-3 Change in California GDP, Population, and GHG Emissions since 2000 .....	83

# **Chapter 1      Proposed Project**

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## **1.1 INTRODUCTION**

The California Department of Transportation (Caltrans) is the lead agency under the California Environmental Quality Act (CEQA). The proposed project has four locations along Interstate 40 (I-40) in unincorporated areas of San Bernardino County near Needles. Each location contains two bridges over a wash, separated by a wide unpaved median. All 4 project locations are within rural and undeveloped areas in the Mojave Desert. The project proposes to mitigate scour and increase the climate resilience of the existing structures through rock slope protection replacement at Ardis Ditch, Tank Tower Wash, and Homer Wash, as well as a bridge replacement at Woods Wash. The project locations and vicinities are shown in Figure 1.1-1, Figure 1.1-2, and Figure 1.1-3.

The project is included in the 2024 State Highway Operation and Protection Program (SHOPP).

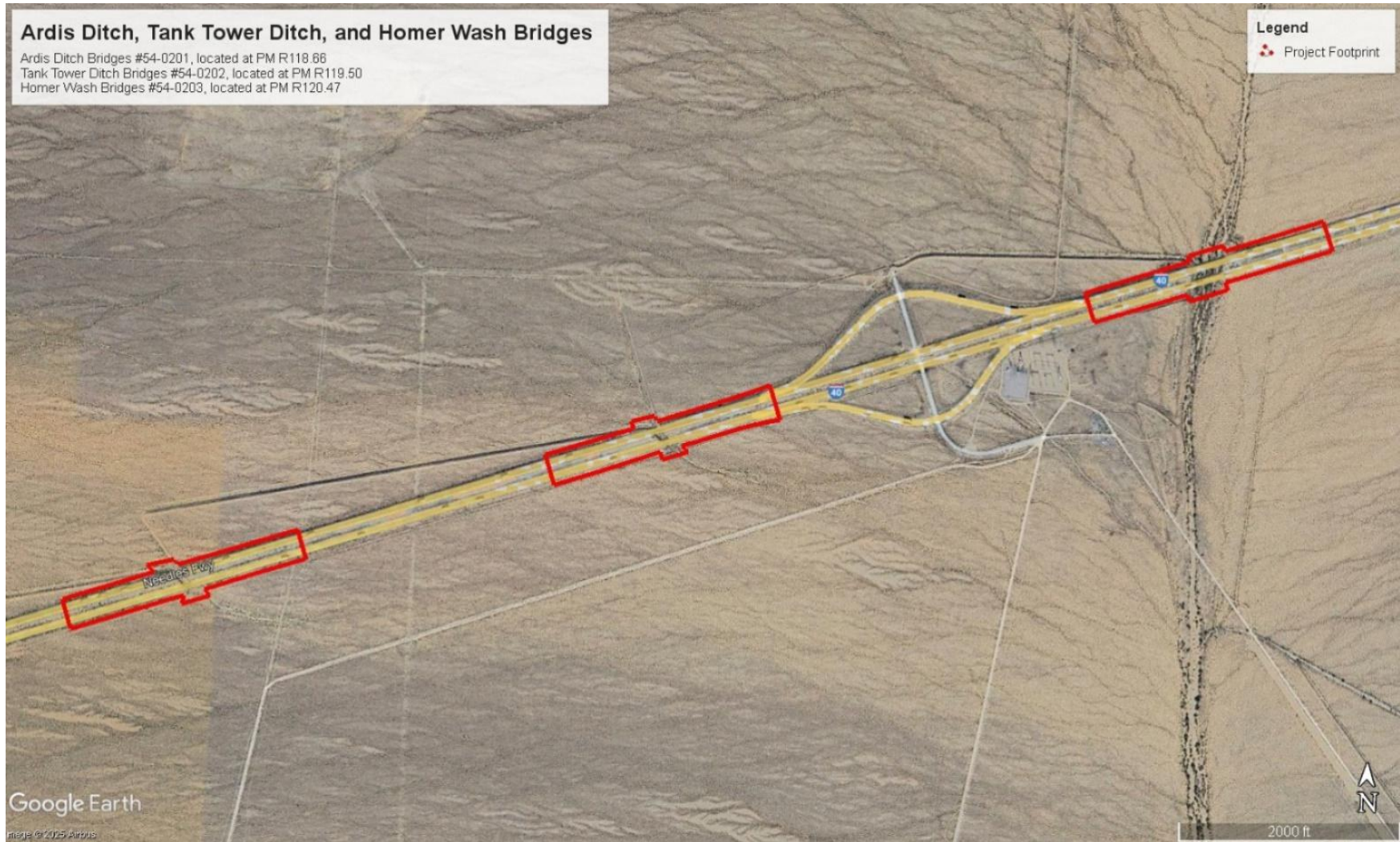
Figure 1.1-1. Project Location Map



**Figure 1.1-2. Woods Wash Bridges Vicinity Map**



**Figure 1.1-3. Ardis Ditch, Tank Tower Ditch, and Homer Wash Bridges Vicinity Map**



## 1.2 PURPOSE AND NEED

### 1.2.1 Purpose

The purpose of the project is:

- To preserve the structural integrity of the left and right Woods Wash Bridges (Bridge # 54-0804 L/R) to prevent bridge failure.
- To preserve the structural integrity of six structures: Ardis Ditch Bridges (Bridge # 54-0201 L/R), Tank Tower Ditch Bridges (Bridge # 54-0202 L/R), and Homer Wash Bridges (54-0203 L/R) to prevent critical scour at existing footings and abutments.

### 1.2.2 Need

Per the last bridge needs assessment completed by Caltrans Headquarters Structural Maintenance and Investigation (SMI) Office for Woods Wash Bridges (Bridge # 54-0804 L/R), it was noted that the existing structure abutments, bent caps, and spread footings are all under-designed and do not meet the current seismic design criteria. Bridge replacement was recommended at an SMI strategy meeting held on July 20, 2020 to maintain the structural integrity of the Woods Wash Bridges.

The existing Rock Slope Protection (RSP) for the six bridges at Ardis Ditch, Tank Tower Ditch, and Homer Wash was placed when the structures were originally constructed and does not meet the current RSP design standards. The structures have been classified as scour critical. If the RSP is not reconstructed, the structural integrity of the bridges could be compromised.

#### **Woods Wash Bridges No. 54-0804 L/R:**

Per the Bridge Inspection Records Information System (BIRIS) report dated 07/06/2020, structure replacement with new slab bridges meeting current design standards was recommended for the existing Woods Wash bridges along with 10 other distressed bridges between Post Miles 100.45 and 104.90. The basis for this recommendation is as follows: - These bridges were designed for HS-20 loading, which is a Gross Vehicle Weight Rating (GVWR) of 72 kips per truck. Weigh-in-motion (WIM) data suggests that these bridges see about 900 trucks per day that exceed the design load, and about 380 trucks per day exceed the legal load limit of 80 kips.

- As a result, the extensive deck crack networks, and visible flexing under heavy loads that all bridges experience with the high amount of heavy truck traffic on I-40 are driving deterioration.
- About 10 to 20 percent of the deck cracks are through cracks which are visible on the soffit with moderate to heavy efflorescence and rust staining on all bridges.

- There is inadequate seismic design capacity in the spread footings, columns, drop caps and abutments of all bridges, making them vulnerable in earthquakes.
- The bridges are all deemed scour critical.

In addition, the hydraulic inspection report dated 06/30/2016 assessed the bridge to be Scour Critical due to the vulnerability of the spread footings and abutments to scour and undermining.

### **Ardis Ditch Bridges No. 54-0201 L/R, Tank Tower Ditch Bridges No. 54-0202 L/R, & Homer Wash Bridges No. 54-0203 L/R:**

Per each location’s BIRIS report dated 02/27/2019, it is recommended to remove old RSP along both banks and install adequate RSP for scour mitigation. Included in each report is a Bridge Scour Evaluation–Plan of Action dated October 2016 with a Scour Evaluation Summary. It summarizes that the existing RSP was evaluated along both abutments and the medians between the left and right bridges. There are voids and missing RSP all along the banks of the abutments and the medians. The abutments are especially vulnerable since there is very little ground cover over the spread footings, and inadequate RSP on the abutment banks. It was determined that the RSP is inadequate for a 200- year flood event. The Hydraulic Bridge Inspection Reports (BIR) dated June 2016 assessed the bridges to be Scour Critical (Item 113=3) due to the vulnerability of the abutments to scour and undermining. The Item 113 Code for Scour Vulnerability has been changed to a 3, “Bridge is scour critical; bridge foundations determined to be unstable for assessed or calculated scour conditions.”

The plan also calls for a monitoring program along with the RSP replacement recommendation. Ardis Ditch, Tank Tower Ditch and Homer Wash are dry flash flood washes with no sign of scour at the time of inspection. District Maintenance crews will be monitoring the washes during and after each storm.

## **1.3 PROJECT DESCRIPTION**

This section describes the proposed project and the project alternatives developed to meet the purpose and need of the project, while avoiding or minimizing environmental impacts. The alternatives are the Build Alternative and the No-Build Alternative.

The project is located in San Bernardino County on Interstate 40 (I-40) from 0.30 miles west of Woods Wash Bridge (Post Mile [PM] R104.6) to Homer Wash Bridge (PM R120.5) and consists of the following four locations.

- Woods Wash Bridge (Bridge # 54-0804 L/R) at PM R104.89
- Ardis Ditch Bridge (Bridge # 54-0201 L/R) at PM R118.66
- Tank Tower Ditch Bridge (Bridge # 54-0202 L/R) at PM R119.50
- Homer Wash Bridge (Bridge # 54-0203 L/R) at PM R120.47

Within the limits of the proposed project, I-40 is a four-lane divided freeway with an unpaved median. The purpose of the project is to preserve the structural integrity of the existing bridges to prevent bridge failure and critical scour.

## **1.4 PROJECT ALTERNATIVES**

### **1.4.1 No-Build Alternative**

The No-Build Alternative would take no action to preserve the structural integrity of existing bridges on I-40 and would take no action to prevent bridge failure or critical scour. Woods Wash Bridge would remain at its current configuration, and the existing structure abutments, bent caps, and spread footings would remain under designed and below the current seismic criteria. Ardis Ditch Bridge, Tank Tower Ditch Bridge, and Homer Wash Bridge would remain scour critical, threatening their structural integrity, and the existing RSP would continue to age. No ground disturbance or environmental impacts would be directly associated with the No-Build Alternative. However, damage to the facility from storm events could lead to impacts on the project area. The No-Build Alternative would not fulfill the Purpose and Need of the project, and under the No-Build Alternative, the structural integrity of the existing facilities would not be preserved.

### **1.4.2 Build Alternative**

The Build Alternative proposes to replace the existing Woods Wash Bridge (Bridge # 54-0804 L/R) with new structures. The new structures would be supported by five piers on four pile extensions. The new structure would be at a higher elevation than the existing to satisfy minimum freeboard requirements for distance between water and the bottom of the bridge decks. The roadway profile would be adjusted accordingly to match the new taller bridges in the approach and departure directions for both the left and right Woods Wash Bridges, and existing guardrail that would be impacted by the bridge replacement would be replaced and upgraded to standard.

The Build Alternative also proposes to replace the existing and increase the total amount of Rock Slope Protection (RSP) for scour mitigation at Ardis Ditch, Tank Tower Ditch, and Homer Wash. At each location, the project would:

- Remove existing RSP along both banks at abutments, including the median areas between left and right bridges.
- Use structural backfill to build up bank slopes to 2:1 and regrade the median and outside shoulders with 6:1 or flatter side slopes.
- Place filter fabric and new RSP on banks beyond the upstream and downstream limits of the left and right bridges. The RSP would be keyed into the channel at a minimum of 5 vertical feet below the proposed channel elevation.

Unpaved areas that are disturbed during the course of construction would be treated with non-irrigated erosion control to match adjacent undisturbed areas. Temporary

erosion control would be provided during construction, and permanent erosion control would be applied to all disturbed soil areas at the completion of all soil-disturbing activities. All proposed improvements for the Build Alternative would remain within the existing Caltrans Right of Way.

## 1.5 ALTERNATIVES CONSIDERED BUT ELIMINATED FROM FURTHER DISCUSSION

The project originally had proposed RSP replacement only at Woods Wash Bridge, but a Bridge Needs Report approved February 22, 2023 from the Caltrans Office of Structures Maintenance and Investigations (SMI) later classified the Bridge Health and Scour for the Woods Wash Bridges as poor, which classified the bridges as scour critical. The Bridge Needs Report further detailed that bridge replacement was recommended, and so the Project Development Team (PDT) moved forward to request funding to address these critical bridge needs. Several variations on the bridge design, plans for the existing rock slope protection, construction staging, and traffic control were explored when the bridge replacement work was added to the project, and the design will continue to be refined in Design phase.

At all four locations, the original scope had proposed only to replace the existing RSP. However, upon further analysis by Caltrans Structure Hydraulics, it was determined that additional RSP needed to be placed at Ardis Ditch, Tank Tower Ditch, and Homer Wash.

## 1.6 PERMITS AND APPROVALS NEEDED

The following permits, licenses, agreements, and certifications (PLACs) are required for project construction:

**Table 1.6-1. Permits and Approvals**

<b>Agency</b>	<b>PLAC</b>	<b>Status</b>
California Department of Fish and Wildlife	1600-Lake and Streambed Alteration Agreement	Application to be submitted during Design phase
California Department of Fish and Wildlife	2081-Incidental Take Permit	Application to be submitted during Design phase
US Army Corps of Engineers	Approved Jurisdictional Delineation (AJD)	Application to be submitted during Design phase
US Fish and Wildlife Service	Programmatic Biological Opinion	Received February 28, 2025
Colorado River Regional Water Quality Control Board	Water Discharge Requirement (WDR)	Application to be submitted during Design phase

# **Chapter 2      California Environmental Quality Act (CEQA) Evaluation**

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## **2.1 CEQA ENVIRONMENTAL CHECKLIST**

This checklist identifies physical, biological, social, and economic factors that might be affected by the proposed project. In many cases, background studies performed in connection with the projects will indicate that there are no impacts to a particular resource. A NO IMPACT answer in the last column reflects this determination. The words "significant" and "significance" used throughout the following checklist are related to CEQA, not NEPA, impacts. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

Project features, which can include both design elements of the project, and standardized measures that are applied to all or most Caltrans projects such as Best Management Practices (BMPs) and measures included in the Standard Plans and Specifications or as Standard Special Provisions, are considered to be an integral part of the project and have been considered prior to any significance determinations documented below; see Chapters 1 and 2 for a detailed discussion of these features. The annotations to this checklist are summaries of information contained in Chapter 2 in order to provide the reader with the rationale for significance determinations; for a more detailed discussion of the nature and extent of impacts, please see Chapter 2. This checklist incorporates by reference the information contained in Chapters 1 and 2.

## 2.1.1 Aesthetics

Except as provided in Public Resources Code Section 21099, would the project:

Question	CEQA Determination
a) Have a substantial adverse effect on a scenic vista?	No Impact
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	Less Than Significant Impact
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Less Than Significant Impact
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	No Impact

### CEQA Significance Determinations for Aesthetics

A Visual Impact Assessment Questionnaire (VIAQ) was approved December 5, 2024 and determined that no further technical studies were required. No visual resource-related regulatory requirements apply to the proposed project. Negligible visual changes to the environment are proposed. None or minimal public concern has been identified.

#### a) No Impact

The project is located in the high desert basin with expansive views in all directions. Viewsheds range from 50 miles or more to distant mountain ranges. The main views are of the desert basin and distant mountain ranges. The VIAQ determined that the project would be highly compatible with the existing visual character. The proposed project is replacing existing structures and would not impair views of the desert basin or mountain ranges. No impacts are anticipated to scenic vistas.

#### b) Less Than Significant Impact

I-40 is not officially designated but is eligible as a state scenic highway throughout the project area. The VIAQ determined that the project would have little impact to visual character. The project is not anticipated to have adverse effects to the historic resources in the area, and the project does not contain lookout or outcropping areas. Tree removal is not anticipated and will be studied further if determined to be necessary in the Design phase. The project will alter traffic during construction but will have a low level of impact once completed. All

disturbed soil areas which will not be paved or covered in RSP or other permanent material will be treated with non-irrigated erosion control. Tree removal will be avoided where feasible. No significant impacts are anticipated to scenic resources within a state scenic highway.

**c) Less Than Significant Impact**

The project is located in a non-urbanized area. The VIAQ determined that the project would have little impact to visual character. At Ardis Ditch, Tank Tower Ditch, and Homer Wash, the existing rock slope protection (RSP) is partially visible by the public from the roadway. The proposed project would increase the square footage of the RSP at Ardis Ditch, Tank Tower Ditch, and Homer Wash, and increase the profile of the existing bridges at Woods Wash. No new structures are proposed that would obstruct public views. The project is not anticipated to substantially degrade the existing visual character or quality of public views of the site and its surroundings.

**d) No Impact**

The project is not anticipated to create a new source of substantial light of glare which would adversely affect day or nighttime views in the area.

**Avoidance, Minimization, and/or Mitigation Measures**

Avoidance, minimization, and/or mitigation measures are not required for Aesthetics.

## 2.1.2 Agriculture and Forestry Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

Question	CEQA Determination
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?	No Impact
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	No Impact

### CEQA Significance Determinations for Agriculture and Forestry Resources

#### a) No Impact

The proposed project is not located within any areas surveyed by the Farmland Mapping and Monitoring Program of the California Resources Agency. The project is entirely within existing Caltrans Right of Way. No conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use is anticipated.

**b) No Impact**

The proposed project is not in an area zoned for agricultural use according to the San Bernardino Countywide Plan Land Use Element. The project is also entirely within existing Caltrans Right of Way. No conflicts with existing zoning for agricultural use or a Williamson Act contract are anticipated.

**c) No Impact**

The proposed project is zoned as Open Space as shown in the San Bernardino Countywide Plan Land Use Maps, and the Open Space land use designation does include timbering as permitted by federal or state regulations. The project area does not fit the definition of forest land under PRC Section 12220(g), timberland under PRC 4526, or timberland zoned Timberland Production under Government Code Section 51104(g). A Vegetation Mapping Report was approved October 16, 2023 for the project in support of the Natural Environment Study. The project is located in a desert area with disturbed areas along road margins and within the median, and developed areas primarily composed of the existing I-40 facility. Outside of these areas, the dominant vegetation community is creosote bush – white bursage scrub (*Larrea tridentata* – *Ambrosia dumosa* Shrubland Alliance) which makes up approximately 81% of the area within 300 feet of the project limits. Project activities would be entirely within existing Caltrans Right of Way. No impact to existing zoning or rezoning of forest land or timberland is anticipated.

**d) No Impact**

The proposed project is not located in or near forest land and is located entirely within existing Caltrans Right of Way. No loss of forest land or conversion of forest land to non-forest use is anticipated.

**e) No Impact**

The proposed project is not located in or near Farmland or forest land and is located entirely within existing Caltrans Right of Way. No conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use is anticipated.

**Avoidance, Minimization, and/or Mitigation Measures**

Avoidance, minimization, and/or mitigation measures are not required for Agriculture and Forestry Resources.

### 2.1.3 Air Quality

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

Question	CEQA Determination
a) Conflict with or obstruct implementation of the applicable air quality plan?	No Impact
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	No Impact
c) Expose sensitive receptors to substantial pollutant concentrations?	No Impact
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	No Impact

### CEQA Significance Determinations for Air Quality

An Air Quality Review Memorandum was approved for the project February 12, 2024. The project falls under the exempt project category “Widening narrow pavements or reconstructing bridges (no additional travel lanes)” as listed in 40 Code of Federal Regulations (CFR) 93.126 (Table 2) or Table 1 of the Caltrans Carbon Monoxide Protocol. Therefore, no air quality study was required. Federal Air Conformity Determination does not apply.

#### a) No Impact

The project is included in the 2025 Federal Transportation Improvement Program (FTIP) ID SBDLS07 under the 2024 State Highway Operation and Protection Program (SHOPP) grouped project listing for bridge rehabilitation and reconstruction. Caltrans 2024 Standard Specifications (or most recent) require all projects to comply with applicable air-pollution-control rules, regulations, ordinances, and statutes. The project is not anticipated to conflict with or obstruct implementation of the applicable air quality plan.

#### b) No Impact

The project does not propose any capacity increases or operational changes to the existing I-40 facility. Emissions would temporarily increase during construction. Caltrans 2024 Standard Specification (or most recent) would be implemented to avoid and minimize any potential impacts to ambient air quality and criteria pollutants. The project is not anticipated to result in a cumulatively

considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

**c,d) No Impact**

The project is located in areas designated as Open Space as shown in the San Bernardino Countywide Plan. The project may result in some odors and emissions during construction. No residential or commercial areas or development are located near Ardis Ditch, Tank Tower Ditch, or Homer Wash. Woods Wash is located roughly half a mile from Essex Rest Area. The project is not anticipated to expose sensitive receptors to substantial pollutant concentrations. The project is not anticipated to result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

**Avoidance, Minimization, and/or Mitigation Measures**

Avoidance, minimization, and/or mitigation measures are not required for Air Quality.

## 2.1.4 Biological Resources

Would the project:

Question	CEQA Determination
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, or NOAA Fisheries?	Less Than Significant with Mitigation Incorporated
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Less Than Significant with Mitigation Incorporated
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less Than Significant with Mitigation Incorporated
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Less Than Significant Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	No Impact

### CEQA Significance Determinations for Biological Resources

A Natural Environment Study (NES) was approved for the proposed project on September 24, 2024 and was updated with a NES Addendum which was approved December 17, 2024. The NES incorporated the following technical studies: a Desert Tortoise Focused Survey Report, approved October 2023; a Jurisdictional Delineation, approved September 14, 2023; and a Vegetation Mapping Report, approved October 16, 2023. The Project Impact Area (PIA or project footprint) included the existing lanes of I-40, the disturbed shoulders, the washes underneath the bridges, and all other areas where construction activities are likely to occur. The overall Biological Study Area (BSA) included the PIA and a 500-foot buffer. The Jurisdictional Delineation survey area (JDSA) included the PIA and a 50-foot buffer. The Desert Tortoise Survey Report

survey area (DTSA) and Vegetation Mapping Report survey area (VSA) included the PIA and a 300-foot buffer.

A literature search of the following databases was also conducted:

- US Fish and Wildlife Service (USFWS) Information for Planning and Consultation System (IPaC)
- California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB) and Biogeographic Information and Observation System (BIOS)
- California Native Plant Society (CNPS) Geographic Information System
- United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey Geographic Information System
- USFWS National Wetland Inventory (NWI) Wetlands Mapper

**a) Less Than Significant with Mitigation Incorporated**

The NES compiled a list of special-status plant and animal species with the potential to occur within or immediately adjacent to the PIA. Special-status species are those that:

- Have been designated as either rare, threatened, or endangered by CDFW or USFWS, and are protected under either federal or California ESAs;
- Are candidate species being considered or proposed for listing under these same acts;
- Are fully protected by California Fish and Game Code, Sections 3511, 4700, 505, or 5515;
- Are monitored by the CNDDDB or the CNPS and are considered to be those of greatest conservation need; and/or
- Are of expressed concern to resource and regulatory agencies, or local jurisdictions.

**Special Status Animal Species**

Wildlife species observed during surveys and habitat assessments include Great Basin whiptail (*Aspidoscelis tigris tigris*), round-tailed ground squirrel (*Xeroperophilus tereticaudus*), and coyote (*Canis latrans*). The Project is entirely within Desert Tortoise Critical Habitat. Surveys found potential burrowing owl burrows at three of the locations, a desert tortoise carcass at Ardis ditch, potential desert tortoise burrows at Woods Wash, and a Black-throated sparrow nest at Ardis Ditch. CNDDDB also has observations of Desert Tortoise at all four bridge locations.

## *Monarch Butterfly*

Monarch butterfly (*Danaus plexippus*) is a federal Candidate Endangered species. Milkweed is required for monarch habitat for egg laying and to provide food for larvae. The project is not within the Monarch Butterfly Nationwide Candidate Conservation Agreement with Assurance with integrated Candidate Conservation Agreement (CCAA/CCA or Agreement) Proposed Enrolled Acres.

No monarch butterflies were observed during June 2023 surveys. However, two species of milkweed were documented within or near the BSA. A total of five rush milkweed (*Asclepias subulate*) and one climbing milkweed (*Funastrum cynanchoides* var. *hartwegii*) were documented within the BSA and were found mostly near the road and within the washes. Ardis Ditch had one rush milkweed. Tank Tower Ditch had four rush milkweeds. Homer Wash had one climbing milkweed. Furthermore, the Department of Environmental Analysis (DEA) GIS mapped a historical presence of milkweed less than two miles from Ardis Ditch, Tank Tower Ditch, and Homer Wash. The most recent milkweed plant observed besides the ones found during 2023 surveys was from 2018. The combination of historical presence of milkweed in the area and the 2023 survey results indicates that there is a potential for monarchs to be present in the BSA. However, while milkweed was found, no monarchs were observed even though it was the active monarch season for the desert region.

The project has the potential to directly impact monarch butterfly host plants during construction due to disturbances associated with the removal and replacement of RSP and the Woods Wash Bridge, temporary construction access to the channels, equipment staging areas, disposal/borrow sites, shoulder backing, ground disturbance, and vegetation removal. Indirect impacts may occur due to non-native species introduction and increased dust, modified hydrology, and increased risk of wildfires. The project is anticipated to have No Effect to the monarch butterfly.

Threats to monarch butterfly include future development, habitat degradation, human and vehicular traffic, and climate change, among others. These threats all exist within and in the vicinity of the PIA and under pre-Project conditions. The current project will occur both within and outside of Caltrans Right of Way, which includes areas that are already developed and disturbed. Based on the lack of recent sightings of milkweed in the BSA, cumulative impacts are not anticipated for the monarch butterfly.

Caltrans standard BMPs, the BMPs in the Stormwater Pollution Prevention Plan (SWPPP), the Caltrans 2024 Standard Specifications (or most recent), and **BIO-General-1, BIO-General-7, BIO-General-8, BIO-General-16, BIO-Plant-PSM-3, BIO-Arthropod-1, BIO-Arthropod-PSM-2, and BIO-Arthropod-PSM-3** will be implemented to avoid and minimize impacts during construction. No compensatory mitigation is anticipated at this time. If the monarch butterfly's

status changes from Candidate to Listed under FESA, Caltrans will coordinate with USFWS to determine appropriate measures at that time.

### *Desert Tortoise*

Desert tortoise (*Gopherus agassizii*) is a federally Threatened and State Threatened species. The desert tortoise spends up to 95% of its life underground. It lives in a variety of habitats from sandy flats to rocky foothills, including alluvial fans, washes, and canyons where suitable soils for den construction might be found. Their diet generally consists of wildflowers, grasses, and cacti. The Mojave and Sonoran deserts are where the desert tortoise is usually found, specifically in southeastern California.

The Desert Tortoise Survey Report utilized a literature search of the CNDDDB, USFWS Range-Wide Monitoring data conducted within the Fenner Critical Habitat Unit (CHU) and Chemehuevi CHU, the USFWS Species Occurrence Data, and the USFWS IPaC for desert tortoise on May 18 and 30, 2023. The literature review identified one record of desert tortoise within the BSA which was created to encapsulate a portion of the species range and is not indicative of an individual occurrence within the desert tortoise survey area. CNDDDB and USFWS range-wide monitoring have documented multiple other records of desert tortoise within 5 miles of the DTSA.

A field survey was also conducted from May 22 to 24, 2023. No live desert tortoises were observed during the focused protocol-level desert tortoise survey. Despite the DTSA being within USFWS-designated critical habitat for desert tortoise, minimal desert tortoise sign was observed within the BSA: one carcass (Class 5: disarticulated and scattered) and two burrows (Class 4: good condition and may be from a desert tortoise). There is existing exclusion fencing surrounding Ardis Ditch, Tank Tower Ditch, and Homer Wash which is generally in decent condition with some small areas beginning to show signs of erosion near drainage features. The exclusion fencing does not cross any of the wash/ditch locations, which allows for wildlife movement under I-40. The DTSA contains considerable amounts of trash, non-native plants, and other anthropogenic disturbances. Species known to prey upon desert tortoises, such as the common raven and coyote, were observed within the DTSA during the field survey.

Suitable habitat for desert tortoise is present within the BSA, therefore desert tortoises have the potential to occur within the BSA. During construction, the project has the potential to directly impact desert tortoises via crushing or other forms of injury while they are traversing the PIA. Burrows may also be destroyed from project activities. Indirect effects may occur from temporary surface/vibration disturbances which may deter individuals from inhabiting or foraging in areas near construction activities. Additional indirect impacts could occur from construction-related dust, trash, sedimentation, and erosion along the site edges, which have the potential to alter offsite conditions. Noxious weed

seeds could also be spread during construction activities to offsite habitats occupied by desert tortoise during travel to and from the site. Conversion of native vegetation to invasive non-native vegetation could result in reptiles being unable to find sufficient amounts of food. Establishment of non-native plants can also increase the risk of fires, which could harm reptiles and obligate habitats that desert tortoises require for livelihood. Loss or degradation of vegetation may also indirectly impact desert tortoises.

Permanent impacts are analyzed as portions of the PIA where shoulder backing occurs and any area where the RSP footprint is increased. Temporary impacts are analyzed as portions of the PIA that will contain no permanent structures or materials and are planned to be restored to pre-Project conditions. Temporary impacts that were evaluated include staging areas, ground disturbance, and vegetation removal. This project anticipates a total of 1.18 acres of permanent impacts to desert tortoise critical habitat, as detailed below in Table 2.1.4-1. This project anticipates approximately 70 acres of temporary impacts across all four bridge locations. These numbers are subject to change based on updated project footprints in later phases and after coordination with agencies.

Threats to desert tortoise include future development, habitat degradation, human and vehicular traffic, climate change, among others. These threats all exist within and in the vicinity of the PIA and under pre-Project conditions. The current project will occur within the Caltrans ROW, which includes areas that are already developed and disturbed and with permanent desert tortoise fence to keep desert tortoises from accessing the shoulder. Based on the current state of the project location the Project is not anticipated to have adverse cumulative effects on this species. The location of the shoulder backing is in areas that are already inaccessible to desert tortoise and will not further degrade high-quality habitat.

**Table 2.1.4-1. Anticipated Permanent Impacts to Desert Tortoise Critical Habitat**

Location	Acres of Permanent Impact
Woods Wash	0.00 acres
Ardis Ditch	0.13 acres
Tank Tower Ditch	0.28 acres
Homer Wash	0.77 acres

Caltrans will utilize standard BMPs and the avoidance and minimization measures listed below to ensure the project will have *May Affect*, *Likely to Adversely Affect* to desert tortoise individuals and *No Effect* to desert tortoise critical and suitable habitat. Caltrans has determined that there will be *no take* of desert tortoise under CESA. By conducting further preconstruction surveys, erecting temporary desert tortoise exclusion fence, and having biological

monitors present on site, desert tortoises are not anticipated to be impacted by project activities. Furthermore, the shoulder backing will occur in areas already disturbed and developed with low to marginal habitat. Therefore, the shoulder backing will not degrade high-quality desert tortoise habitat. The presence of permanent desert tortoise fencing currently limits desert tortoise access to these areas. A Desert Tortoise Programmatic Biological Opinion was submitted for USFWS concurrence on December 18, 2024. Concurrence was received February 28, 2025, which included additional protective measures **BIO-Reptile-6**, **BIO-Reptile-7**, and **BIO-DT-2** agreed to by Caltrans and USFWS during consultation.

Caltrans standard BMPs, the BMPs in the anticipated stormwater pollution prevention plan (SWPPP), Caltrans 2024 Standard Specifications (or most recent), **BIO-General-1**, **BIO-General-6 through 8**, **BIO-General-10 through 12**, **BIO-General-14**, **BIO-General-16**, **BIO-General-PSM-17**, **BIO-Reptile-1 through 8**, **BIO-DT-1**, and **BIO-DT-2** will be implemented to avoid and minimize impacts to desert tortoise during construction. No compensatory mitigation is anticipated at this time.

### *Burrowing Owl*

Burrowing owl (*Athene cunicularia*) is a CDFW Species of Special Concern. It is found within coastal prairie; coastal scrub; Great Basin grassland; Great Basin scrub; Mojavean desert scrub; Sonoran Desert scrub; and valley and foothill grassland, often within dry annual or perennial grasslands, deserts, and scrublands with low-growing vegetation. This species depends on other mammal burrows, particularly the California ground squirrel.

Each bridge location contains a disturbed median and is surrounded by desert scrub. Minimal evidence of animal burrows were observed within the drainage features, which are subject to flooding and contain loose sandy soils. Sensitive biological resources during the focused protocol-level desert tortoise survey were observed, including four potential burrowing owl burrows. No sign was observed at any of the potential burrowing owl burrows.

The NES determined that burrowing owls do have the potential to occur within the BSA and in the vicinity of the project. Impacts to vegetation communities that could provide suitable foraging habitat for burrowing owls and suitable burrows may occur in association with the project due to disturbances associated with construction along with a permanent loss of foraging habitat.

Temporary impacts involving ground disturbance and vegetation removal could impact species in the area. The Project is not anticipated to substantially reduce foraging habitat and burrowing habitat for burrowing owls. Any foraging individuals would avoid the work area during construction. Therefore, substantial impacts to these species are not anticipated. Suitable burrowing owl habitat is present in the BSA and PIA, as burrowing owls have been known to burrow in

the gore areas and adjacent to roads. Furthermore, there are burrows within the PIA and BSA that potentially be used for burrowing owl burrows.

There could be temporary impacts on these species if nesting occurs within the BSA, including loss of nesting habitat, nest destruction, nest abandonment, disturbance from construction noise and activities, increased risk of predation and degradation of suitable habitat. The avoidance and minimization efforts listed below, including preconstruction burrowing owl surveys and monitoring, would ensure impacts to burrowing owls, should they be present, do not occur.

Threats to burrowing owl include future development, habitat degradation, human and vehicular traffic, climate change, among others. These threats all exist within and in the vicinity of the PIA and under pre-Project conditions. The current project will occur within the Caltrans ROW, which includes areas that are already developed and disturbed. Based on the current state of the project location, the Project is not anticipated to have adverse cumulative effects on this species. The location of the shoulder backing is in areas that will not further degrade high-quality habitat.

Caltrans anticipates the Project will not cause the burrowing owl to trend towards State or federal listing.

Caltrans standard BMPs, the BMPs in the anticipated stormwater pollution prevention plan (SWPPP), Caltrans 2024 Standard Specifications (or most recent), **BIO-General-1, BIO-General-2, BIO-General-6 through 8, and BIO-Avian-2 through 4** will be implemented to avoid and minimize impacts to burrowing owl during construction. No compensatory mitigation is anticipated at this time.

#### *Southwestern Willow Flycatcher*

Southwestern willow flycatcher (*Empidonax traillii extimus*) is a State and federally listed Endangered species. The BSA is located within its the known historical range. Habitat requirements for the southwestern willow flycatcher includes dense riparian vegetation near permanent or semi-permanent sources of water or saturated soil, such as cottonwood (*Populus* spp.), willow (*Salix* spp.) and salt cedar (*Tamarix* spp.) vegetation communities along rivers and streams below 8,500 ft AMSL. The southwestern willow flycatcher typically breeds within dense tree or shrubby riparian vegetation that is equal to or greater than 10 ft tall.

No southwestern willow flycatchers were observed during 2023 studies. There is desert willow -smoketree wash woodland and catclaw acacia – desert lavender – chuparosa scrub within the BSA for Homer Wash. These two vegetation communities may be considered riparian communities. Riparian trees were also present within the mapped riparian habitats associated within streambeds within the BSA. Eight smoketrees and ten catclaw acacias were observed within the

BSA. Southwestern willow flycatcher was documented within the 7.5' USGS quadrangle.

The Project has the potential to directly impact southwestern willow flycatcher and their habitats by the removal of suitable habitat for construction. Potential impacts to suitable habitat may occur in association with the Project due to disturbances associated with bridge replacement, driving/parking off pavement, disposal/borrow sites, equipment staging areas, work within the wash, ground disturbance, and vegetation removal. Temporary impacts for the Project are anticipated within staging areas, construction access points, and temporary access ways. Permanent impacts are anticipated for shoulder backing.

Based on the results of the biological surveys and literature search, southwestern willow flycatcher does have the potential to occur within the BSA and in the vicinity. Impacts to vegetation communities that could provide suitable foraging habitat for avian species may occur in association with the Project due to disturbances with shoulder backing and bridge repair. Project activities are proposed to occur within Caltrans ROW. Permanent, direct impacts to southwestern willow flycatcher individuals are not anticipated to occur due to the lack of observation during surveys. Permanent indirect impacts may occur due to transforming the vegetation into non-native, invasive vegetation that are not consumed by foraging southwestern willow flycatchers.

Caltrans anticipates *No Effect* and *No Take* to southwestern willow flycatcher.

Caltrans standard BMPs, the BMPs in the anticipated stormwater pollution prevention plan (SWPPP), Caltrans 2024 Standard Specifications (or most recent), **BIO-General-1**, **BIO-General-6 through 8**, and **BIO-Avian-1** will be implemented to avoid and minimize impacts to Southwestern Willow Flycatcher during construction. No compensatory mitigation is anticipated at this time.

#### *Other Special-Status Bird Species*

The species listed below were not observed during the 2023 surveys. No species of concern or special status species were observed during the 2023 surveys.

- Costa's hummingbird (*Calypte costae*): Bird of Conservation Concern
- Lawrence's goldfinch (*Spinus lawencei*): Bird of Conservation Concern
- Le Conte's thrasher (*Toxostoma lecontei*): Bureau of Land Management (BLM) Sensitive, California Department of Fish and Wildlife (CDFW) Species of Special Concern, Bird of Conservation Concern

The Project has the potential to directly impact special-status bird species and their habitats by the removal of suitable habitat for construction. Potential impacts to suitable may occur in association with the Project due to disturbances associated with vegetation removal, ground disturbance, shoulder backing, equipment staging areas, and driving/parking off pavement.

Threats to migratory and special-status bird species, include future development, habitat degradation, human and vehicular traffic, climate change, among others. These threats all exist within and in the vicinity of the PIA and under pre-Project conditions. The current project will occur within the Caltrans ROW, which includes areas that are already developed and disturbed. Based on lack of recent observations of special-bird species in the project site, the Project is not anticipated to have adverse cumulative effects on these species. Caltrans anticipates *No Take* for birds protected under the Migratory Bird Treaty Act and project activities will not cause species to trend towards becoming listed under FESA or CESA.

Caltrans standard BMPs, the BMPs in the anticipated stormwater pollution prevention plan (SWPPP), Caltrans 2024 Standard Specifications (or most recent), **BIO-General-1**, **BIO-General-6 through 8**, and **BIO-Avian-1** will be implemented to avoid and minimize impacts to special-status bird species during construction. No compensatory mitigation is anticipated at this time.

### *Mountain Lion*

Mountain lions (*Puma concolor*) are a State Candidate Threatened species. They are habitat generalists, utilizing many brushy or forested habitats if adequate cover is present. They use rocky cliffs, ledges, and vegetated ridgetops that provide cover when hunting prey, which most frequently consists of mule deer. Den sites may be located on cliffs, rocky outcrops, caves, in dense thickets, or under fallen logs. In Southern California, most cubs are reared in thick brush. They prefer vegetated ridgetops and stream courses as travel corridors and hunting routes. Home range size varies by sex, age, and the distribution of prey. Mountain lions are capable of long-distance movements, and often move in response to changing prey densities.

The project is within the Mojave National Preserve Landscape Block. The block shows potential habitat patches for mountain lions, suggesting that mountain lions may have suitable habitat within the area. No mountain lions or signs of mountain lions were observed during the 2023 surveys.

The Project has the potential to directly impact mountain lions and their habitats by the removal of suitable habitat. Potential impacts to suitable habitats may occur in association with the Project due to disturbances associated with driving/parking off pavement, disposal/borrow sites, equipment staging areas, shoulder backing, ground disturbance, and vegetation removal.

Temporary impacts are anticipated within staging areas, construction access points, and temporary access ways. Permanent impacts for the Project are anticipated within shoulder backing and any extension to the RSP. This project may be within potential movement corridors. Very little is known about the movement patterns of the mountain lion within this area. It is known that mountain lions will follow prey across landscapes. The four bridges do provide

wash areas with fencing to facilitate wildlife movement within the BSA. Thus, the highway is not a barrier to the mountain lion and the bridge work will not cause a new movement barrier.

Threats to mountain lion include future development, habitat degradation, human and vehicular traffic, climate change, among others. These threats all exist within and in the vicinity of the PIA and under pre-Project conditions. The current project will occur within Caltrans ROW, which includes areas that are already developed and disturbed. Based on lack of recent observations of the mountain lion within the project site, the Project is not anticipated to have adverse cumulative effects on this species.

Caltrans has determined the project will have No Take to mountain lion.

Caltrans standard BMPs, the BMPs in the anticipated stormwater pollution prevention plan (SWPPP), Caltrans 2024 Standard Specifications (or most recent), and **BIO-General-7** will be implemented to avoid and minimize impacts to mountain lions during construction. No compensatory mitigation is anticipated at this time.

#### *Pallid Bat*

Pallid bat (*Antrozous pallidus*) is a CDFW Species of Special Concern. The habitat for pallid bat occurs throughout Southern California, from the coast to mixed-conifer forests, grasslands, shrublands, woodlands, and forests. The species is most common in open, dry habitats with rocky areas for roosting. It is a yearlong resident throughout most of its range. The species is not thought to migrate; therefore, maternity colonies and winter roosts are expected to occur within the vicinity of one another. Roost sites include rock crevices, old buildings, bridges, caves, mines, and hollow trees.

Each bridge location contains a disturbed median and is surrounded by desert scrub. No pallid bat species were observed during biological field surveys. In addition, a bat assessment was conducted on May 12, 2025, and found no signs of bat presence. Furthermore, the bridge design does not facilitate daytime roosting given the lack of weep holes, joints, hinges or other structures that can be used by bats for daytime roosting. Bats may still use the bridge for night roosting. No guano or staining was observed at any of the bridges.

Although no signs of bat presence were identified at any of the bridges, the Project area was found to support a potential habitat core for pallid bat (see Table 2.1.4-3). In addition, the Project area is located within CNDDDB's current range for Townsend's big-eared bat (*Corynorhinus townsendii*), a CDFW Species of Special Concern.

The bridges and culverts on-site could provide refuge and serve as potential roosting sites for bats. In addition, the Project may impact potentially suitable habitat for bats.

Caltrans standard BMPs, the BMPs in the anticipated stormwater pollution prevention plan (SWPPP), Caltrans 2024 Standard Specifications (or most recent), and **BIO-Bat-1** will be implemented to avoid and minimize impacts to bat species during construction. No compensatory mitigation is anticipated at this time.

#### *Other Special-Status Mammal Species*

The species discussed below were not observed during the 2023 surveys.

- American Badger (*Taxidea taxus*), CDFW Species of Special Concern
- Desert Kit Fox (*Vulpes macrotis*), California Desert Connectivity Project Species of Concern

Two burrows were observed during 2023 surveys. According to the “Linkage Network for California Deserts”, the American badger has a potential habitat core with some move-through habitat and the kit fox has a potential habitat core within the BSA. Therefore, there is potentially suitable habitat within the BSA and PIA for the bridge locations.

The Project has the potential to directly impact special-status mammals and their habitats by the removal of suitable habitat for construction. Potential impacts to suitable may occur in association with the Project due to disturbances associated with driving/parking off pavement, disposal/borrow sites, equipment staging areas, shoulder backing, ground disturbance, and vegetation removal. Temporary impacts for the Project are considered as portions of the Project area that will contain no permanent structures or materials and are planned to be restored to pre- Project conditions, including staging areas, construction access points, and temporary access ways. Permanent impacts for the Project are portions of the Project where permanent structures or materials are to be placed within a biological resource. These include shoulder backing and any areas with an extension of the existing RSP. Indirect impacts may result to special-status mammal species through increased human and vehicular activity, noise, and dust; ground vibrations; and habitat degradation and habitat loss. Additionally, subsidized resource such as supplemental water and trash may attract predators to the Project area that could lead to loss of individuals and habitat degradation. These indirect impacts have the potential to degrade habitat, alter adult behavior, and result in lower fitness, and/or result in abandonment of young. The aforementioned indirect impacts (with the exception of habitat loss) are temporary and are expected to occur only during the duration of Project activities. Caltrans does not anticipate activities to cause the American badger and desert kit fox to trend towards becoming listed.

Threats to special-status mammal species include future development, habitat degradation, human and vehicular traffic, climate change, among others. These threats all exist within and in the vicinity of the PIA and under pre-Project conditions. The current project will occur both within and outside of the Caltrans

ROW, which includes areas that are already developed and disturbed. Based on lack of recent observations of these species in the project site, the Project is not anticipated to have adverse cumulative effects on this species.

Caltrans standard BMPs, the BMPs in the anticipated stormwater pollution prevention plan (SWPPP), Caltrans 2024 Standard Specifications (or most recent), **BIO-General-1, BIO-General-4, BIO-General-6 through 8, BIO-General-12, BIO-General-14, BIO-Kit Fox-1, and BIO-Kit Fox-2** will be implemented to avoid and minimize impacts to special-status mammal species during construction. No compensatory mitigation is anticipated at this time.

## **b) Less Than Significant with Mitigation Incorporated**

A Natural Environment Study (NES) was approved for the proposed project on September 24, 2024 and was updated with a NES Addendum which was approved December 17, 2024. The NES incorporated the following technical studies: a Desert Tortoise Focused Survey Report, approved October 2023; a Jurisdictional Delineation, approved September 14, 2023; and a Vegetation Mapping Report, approved October 16, 2023. The Project Impact Area (PIA or project footprint) included the existing lanes of I-40, the disturbed shoulders, the washes underneath the bridges, and all other areas where construction activities are likely to occur. The overall Biological Study Area (BSA) included the PIA and a 500-foot buffer. The Jurisdictional Delineation survey area (JD SA) included the PIA and a 50-foot buffer. The Desert Tortoise Survey Report and Vegetation Mapping Report survey areas included the PIA and a 300-foot buffer.

### **Vegetation Communities**

The vegetation within the BSA is desert vegetation, with creosote bush – white bursage scrub (*Larrea tridentata* – *Ambrosia dumosa* Shrubland Alliance) being the dominant vegetation community. This vegetation community was mapped in multiple areas within the BSA, including throughout the BSA at Woods Wash, within the BSA outside of the wash at Ardis Ditch, throughout the BSA at Tank Tower, and within the BSA outside of the wash at Homer Wash. Two land use types were also observed throughout the BSA including disturbed, which was primarily located along road margins and within the median, and developed which was primarily comprised of I-40. The Project is not located within mapped Joshua tree distribution.

Desert willow – smoketree wash woodland (*Chilopsis linearis* – *Psoralea argemonea* Woodland Alliance) was identified within the BSA and is categorized as a California Sensitive Natural Community. It and catclaw acacia – desert lavender – chuparosa scrub (*Senegalia greggii* – *Hyptis emoryi* - *Justicia californica* Shrubland Alliance) are regulated under CDFW 1600 jurisdiction. Wetlands and waters of the United States are also considered sensitive by both federal and State agencies. A more in-depth discussion can be found in the wetlands discussion below. No listed plant species were observed within the BSA.

Within the BSA, catclaw acacia – desert lavender – chuparosa scrub (*Senegalia greggii* – *Hyptis emoryi* - *Justicia californica* Shrubland Alliance) was dominated by catclaw acacia with white bursage, cheesebush, sweetbush, sparse creosote bush, and sparse smoketree, and was mapped within the BSA in the northern section of Homer Wash. Ten catclaw trees were observed within the Project area, all within Homer Wash. Approximately 2.44 total acres were mapped within the BSA.

Desert willow – smoketree wash woodland (*Chilopsis linearis* – *Psoralea argemone* Woodland Alliance) within the BSA was dominated by smoketree and catclaw acacia, and also consisted of cheesebush and creosote bush. This community was mapped within the BSA at Homer Wash. Approximately 2.82 total acres were mapped within the BSA.

All vegetation communities and land use types within the BSA are listed below.

- Catclaw acacia – desert lavender – chuparosa scrub (*Senegalia greggii* – *Hyptis emoryi* - *Justicia californica* Shrubland Alliance)
  - Global rarity rank G4
  - State rarity rank S4
  - Not considered a sensitive community
- Cheesebush – sweetbush scrub (*Ambrosia salsola* – *Bebbia juncea* Shrubland Alliance)
  - Global rarity rank G4
  - State rarity rank S4
  - Not considered a sensitive community
- Creosote bush - white bursage scrub (*Larrea tridentata* - *Ambrosia dumosa* Shrubland Alliance)
  - Global rarity rank G5
  - State rarity rank S5
  - Not considered a sensitive community
- Desert-willow - smoketree wash woodland (*Chilopsis linearis* – *Psoralea argemone* Woodland Alliance)
  - Global rarity rank G4
  - State rarity rank S3
  - Considered a sensitive community
- White bursage scrub (*Ambrosia dumosa* Shrubland Alliance)
  - Global rarity rank G5

- State rarity rank S5
- Not considered a sensitive community
- Disturbed land use type consists of areas where the native vegetation community has been heavily influenced by human actions, such as grading, trash dumping, off road use, but is not developed.
- Developed land use type consists of areas where human disturbance has resulted in permanent impacts such as roads and buildings.

During surveys and habitat assessments, several plant species, including rush milkweed (*Asclepias subulate*), fourwing saltbush (*Atriplex canescens*), and pygmy poppy (*Eschscholzia minutiflora*) were found within the survey areas. Mustard (*Brassica sp.*) is a non-native plant that is considered invasive and was observed within the survey areas.

Potential impacts to vegetation communities may occur in association with the Project due to disturbances associated with RSP, bridge removal and replacement, temporary construction access to the channel, equipment staging area, disposal/borrow sites, shoulder backing, ground disturbance, and vegetation removal.

Temporary impacts for the Project are considered as portions of the Project area that will contain no permanent structures or materials and are planned to be restored to pre-Project conditions, including staging areas, construction access points, and temporary access ways. Permanent impacts for the Project are portions of the Project where permanent structures or materials are to be placed. These include shoulder backing and extending the current RSP footprint.

Indirect impacts may result to vegetation communities due to nonnative species introduction and increased dust, both of which could reduce the quality of habitat or affect the survival and reproductive fitness of the plant species comprising the communities. Indirect impacts may include modified hydrology, dust, and an increased risk of wildfire.

Of the 2.44 acres of catclaw acacia – desert lavender – chuparosa scrub identified within the BSA, only 0.823 acres are anticipated to be temporarily impacted by project activities. Of the 2.82 acres of desert-willow smoketree wash woodland identified within the BSA, only 1.534 acres are anticipated to be temporarily impacted by project activities. These numbers are subject to verification by the agencies and may change with the final project design.

The project will implement avoidance and minimization efforts and Caltrans Standard Best Management Practices (BMPs) to prevent the importation of invasive plant materials and further degradation of the vegetation. Caltrans will pursue a 1600 permit and will coordinate with CDFW to review areas where 1600 resources occur within the Project Area. Caltrans Standard BMPs, the BMPs in the anticipated stormwater pollution prevention plan (SWPPP), Caltrans 2024

Standard Specifications (or most recent), **BIO-General-1, BIO-General-4, BIO-General-7 through 11, BIO-General-16, BIO-Plant-PSM-3, BIO-Mitigation-1, and BIO-Mitigation-2** must be implemented to avoid, minimize, and/or mitigate impacts during construction.

**c) Less than Significant with Mitigation Incorporated**

The BSA is located within the Southern Mojave Watershed (Hydrological Unit Code [HUC]-8 18100100) in the Lower Watson Wash watershed (HUC-10 #1810010033) and the Upper Homer Wash watershed (HUC-10 #1810010038; NRCS et al. 2023). Within the Lower Watson Wash watershed, the BSA is located in the Lower Woods Wash subwatershed (HUC-12 #181001003305). Within the Upper Homer Wash watershed, the BSA is located in the Town of Camino-Homer Wash subwatershed (HUC-12 # 181001003801).

Flows from Woods Wash appear to flow south to Watson Wash, which continues flowing south until just north of Cadiz Dry Lake. Ardis Ditch, Tank Tower Ditch, and Homer Wash appear to flow south and meet up further south at Homer Wash. Homer Wash continues to flow south to where it terminates at Danby Dry Lake, located approximately 45 miles south.

Surface hydrology of this area is influenced by the amounts of storm water runoff, where precipitation rates exceed those of infiltration, and storm groundwater runoff where groundwater runoff consists of delayed, post-storm runoff that originates from temporary groundwater storage. Some groundwater infiltration during storm events is captured within small groundwater bodies which form springs that can continue to seep or flow through the summer and into the fall.

All features recorded within the BSA consist of natural ephemeral drainages, which are linear features that only convey stormwater runoff for short periods of time during and immediately following rain events. Four named ephemeral drainages occur within the BSA: Woods Wash, Ardis Ditch, Tank Tower Ditch, and Homer Wash. The majority of the ephemeral drainages are either unvegetated or partially vegetated and contain upland vegetation species. Homer Wash contained two riparian vegetation communities that consisted of catclaw acacia – desert lavender – chuparosa scrub, and desertwillow- smoketree wash woodlands.

Potential direct impacts to jurisdictional features may occur in association with the Project due to disturbances associated with driving/parking off pavement, equipment staging areas, shoulder backing, access road construction, ground disturbance, and vegetation removal. No parcels outside of the Caltrans ROW are anticipated to be impacted. Temporary impacts are anticipated in areas which contain no permanent structures or materials and are planned to be restored to pre-Project conditions, including staging areas, construction access points, and temporary access ways. Permanent impacts are anticipated where permanent structures or materials are to be placed within an aquatic resource.

These include road widening, road realignment, and shoulder backing. Indirect impacts may result to the jurisdictional features due to nonnative species introduction and increased dust, both of which could reduce the quality of habitat or affect the survival and reproductive fitness of the plant species comprising the community. Indirect impacts may include modified hydrology, dust, and an increased risk of wildfire.

Indirect impacts may result to jurisdictional features due to nonnative species introduction and increased dust, both of which could reduce the quality of habitat or affect the survival and reproductive fitness of the plant species comprising the communities. Indirect impacts may include modified hydrology, dust, and an increased risk of wildfire.

Section 404 Permit for Discharge of Dredge or Fill Material, Section 401 Water Quality Certification, and Section 1602 Lake and Streambed Alteration Agreement are anticipated for this project.

Caltrans standard Best Management Practices (BMPs), the BMPs in the stormwater pollution prevention plan (SWPPP), the 2024 Caltrans Standard Specifications (or most recent), and **BIO-General-1, BIO-General-8, BIO-General-9, BIO-General-16, and BIO-Mitigation-3** will be implemented to minimize effects during construction.

#### **d) Less Than Significant Impact**

The project is within the Mojave Desert EcoRegion Section, and the Bullion Mountains-Bristol Lake and the Providence Mountains-Lanfair Valley EcoRegion Subsections. The project is not within National Marine Fisheries Service (NMFS) jurisdiction. No protected fish species or fish habitat is present in the PIA. Desert Tortoise Critical Habitat is found within the BSA and PIA. The project is within the California Essential Habitat Connectivity Project (CEHC) and a Linkage Network for the California Desert Connectivity Project.

#### **California Essential Habitat Connectivity Project**

The CEHC is made up of Natural Landscape Blocks (NLBs) and the Essential Connectivity Areas (ECAs) which connect those blocks. These areas are prioritized for land conservation and management actions to maintain and enhance ecological connectivity. The proposed project bridge locations are located in the CEHC Natural Landscape Blocks and Essential Connectivity Areas, as detailed below in Table 2.1.4-2.

**Table 2.1.4-2. California Essential Habitat Connectivity Project Bridge Locations**

<b>Bridge</b>	<b>CEHC</b>	<b>NLBs</b>	<b>ECAs</b>
Woods Wash	Yes	Yes	Mid Hills/Ivanpah Valley/New York Mountains-Calico Mountains
Ardis Ditch	Yes	Yes	No
Tank Tower	Yes	Yes	No
Homer Wash	Yes	Yes	No

**California Desert Connectivity Project**

The BSA is located within the California Desert Connectivity Project Mojave National Preserve Landscape Block, but no specific linkage planning areas are within the PIA. The Mojave National Preserve Landscape Block is connected to the Kingston Mesquite Mountains Landscape Block, the Twentynine Palms and Newberry Rodman Landscape Block, and the Stepladder Turtle Mountains Landscape Block. The species listed in Table 2.1.4-3 have potential to occur in the BSA and are part of the Desert Connectivity Project.

Potential habitat is all habitats within the potential range of a species that can support the species in the long or short term. Move-through habitat is defined as habitat that can support a species’ movement from one area to the other, but not necessarily support breeding or long-term survival. A potential habitat patch is defined as an area of suitable habitat large enough to support successful reproduction by a pair of individuals (perhaps more if home ranges overlap greatly), but smaller than a potential core area. A potential habitat core is defined as a contiguous area of suitable habitat large enough to sustain at least 50 individuals. Potential cores are probably capable of supporting the species for several generations.

**Table 2.1.4-3. Desert Connectivity Project Species with Potential to be Found in BSA**

<b>Common Name</b>	<b>Scientific Name</b>	<b>Habitat Resource</b>
Mountain lion	<i>Puma concolor</i>	Potential habitat patch
American badger	<i>Taxidea taxus</i>	Potential habitat core with move through habitat
Kit fox	<i>Vulpes macrotis</i>	Potential habitat core
Ringtail	<i>Bassariscus astutus</i>	Potential habitat
Bighorn sheep	<i>Ovis canadensis nelsoni</i>	Potential habitat patch
Mule deer	<i>Odocoileus hemionus</i>	Potential habitat core
Round-tailed ground squirrel	<i>Xerospermophilus tereticaudus</i>	Move-through habitat

Little pocket mouse	<i>Perognathus longimembris</i>	Potential habitat core
Desert pocket mouse	<i>Chaetodipus penicillatus</i>	Potential habitat core and move- through habitat
Southern grasshopper mouse	<i>Onychomys torridus</i>	Potential habitat core
Pallid bat	<i>Antrozous pallidus</i>	Potential habitat core
Burrowing owl	<i>Athene cunicularia</i>	Potential habitat core
Loggerhead shrike	<i>Lanius ludovicianus</i>	Potential habitat core and move- through habitat
Le Conte's thrasher	<i>Toxostoma lecontei</i>	Potential habitat core
Bendire's thrasher	<i>Toxostoma bendirei</i>	Potential habitat core
Cactus wren	<i>Campylorhynchus brunneicapillus</i>	Potential habitat core and move- through habitat
Black-tailed gnatcatcher	<i>Polioptila melanura</i>	Move through habitat
Greater roadrunner	<i>Geococcyx californianus</i>	Potential habitat core
Desert tortoise	<i>Gopherus agassizii</i>	Potential habitat core
Chuckwalla	<i>Sauromalus obseus</i>	Potential habitat core
Mojave fringe-toed lizard	<i>Uma scoparia</i>	Move through habitat
Desert night lizard	<i>Xantusia vigilis</i>	Potential habitat
Desert spiny lizard	<i>Sceloporus magister</i>	Potential habitat core
Great Basin collared lizard	<i>Crotaphytus bicinctores</i>	Potential habitat core and move- through habitat
Rosy boa	<i>Lichanura trivirgata</i>	Potential habitat core and move- through habitat
Mojave rattlesnake	<i>Crotalus scutulatus</i>	Potential habitat core and move- through habitat
Bernardino dotted blue	<i>Euphilotes bernardino</i>	Potential habitat
Desert hairstreak	<i>Callophrys sheridanii</i>	Potential habitat
Desert metalmark	<i>Apodemia mejicanus deserti</i>	Potential Habitat
Mohave yucca	<i>Yucca schidigera</i>	Potential habitat
Blackbrush	<i>Coleogyne ramosissima</i>	Potential habitat
Big galleta grass	<i>Pleuraphis rigida</i>	Potential habitat
Cat Claw acacia	<i>Senegalia greggii</i>	Potential Habitat
Paperbag bush	<i>Scutellaria mexicana</i>	Potential habitat

### **Areas of Conservation Emphasis**

The California Department of Fish and Wildlife (CDFW) Areas of Conservation Emphasis (ACE) evaluates an area's relative contribution to terrestrial connectivity based on statewide, regional, and other connectivity analyses with Rank 1 being low potential and Rank 5 being high potential. The proposed bridge locations are shown in the ACE dataset as detailed below in Table 2.1.4-4.

**Table 2.1.4-4 Areas of Conservation Emphasis in BSA**

<b>Bridge</b>	<b>ACE Rank</b>	<b>Description</b>
Woods Wash	2	Large Natural Habitat Areas
Ardis Ditch	4 within PIA, 3 directly adjacent	Conservation Planning Linkages (Connections with implementation flexibility adjacent)
Tank Tower Ditch	4	Conservation Planning Linkages
Homer Wash	4	Conservation Planning Linkages

The project may interrupt habitat connectivity during construction when work is being done in the washes. The project does not propose new barriers to wildlife movement and would replace existing exclusionary fencing to funnel wildlife to cross under washes. The project is not anticipated to interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

#### **e) No Impact**

San Bernardino County Development Code Chapter 88.01 regulates the removal of trees and plants as part of its land use and development authority. All work for the proposed project would not be subject to the San Bernardino County Development Code Chapter 88.01 and would occur within existing Caltrans Right of Way. The project would not conflict with any local policies or ordinances protecting biological resources.

#### **f) No Impact**

The project is not within an applicable Habitat Conservation Plan or Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

### **Avoidance, Minimization, and/or Mitigation Measures**

**BIO-General-1: Equipment Staging, Storing, and Borrow Sites:** All staging, storing, and borrow sites require the approval of the Caltrans Biologist. Stockpiles shall be maintained to avoid the spread of invasive plants and shall not be placed at locations

subject to Fish and Game Code section 1602. Materials, including spoils and equipment, shall not be placed at locations subject to Fish and Game Code section 1602.

**BIO-General-2: Temporary Artificial Lighting Restrictions:** Artificial lighting must be directed at the job site to minimize light spillover onto the surrounding habitat if project activities occur at night. Artificial lighting must be turned on an hour prior to sunset.

**BIO-General-4: Preconstruction Surveys:** Three days prior to construction, preconstruction American badger, rare plants, and sensitive natural community surveys must be conducted by the qualified biologist, up to the limits of the Caltrans ROW and following current American badger survey protocols. Sensitive natural communities and rare plants outside of the approved Project Impact Area (PIA) and within Caltrans ROW must be flagged for visual identification to construction personnel for work avoidance. Sensitive Natural Communities and rare plants for avoidance detected shall be flagged or fenced off with ESA high visibility fencing. If any bighorn sheep, mountain lion, desert kit fox, or American badger or signs of American badger, catclaw acacia – desert lavender – chuparosa scrub, Desert willow – smoketree wash woodland, or other Natural community, other than what is described on the plans and specifications, are located, the Resident Engineer and Caltrans Biologist must be contacted and additional measures and/or agency coordination shall be required, which could include compensatory mitigation for impacts to those species and/or habitats.

If special-status plant species are observed during the preconstruction rare plant survey(s) within the development area of the Project, the Project shall be designed to reduce impacts to these species through the establishment of buffers, to the extent feasible. Buffer distances will be determined by the qualified biologist, typically 50 feet or greater from an identified special-status plant species, unless the qualified biologist determines a reduced buffer would suffice to avoid impacts to the species.

If avoidance of special-status plant species is not feasible, a Special-Status Plant Relocation Plan shall be developed and implemented. The Special-Status Plant Relocation Plan shall address mitigation for special-status plants, including as applicable but not limited to: topsoil salvage to preserve seed bank and management of salvaged topsoil; seed collection, storage, possible nursery propagation, and planting; salvage and planting of bulbs as feasible; location of onsite receptor sites; land protection instruments for receptor areas; and funding mechanisms. The Special-Status Plant Relocation Plan shall include methods, monitoring, reporting, success criteria, adaptive management, and contingencies for achieving success. The plan shall be prepared for CDFW's review, approval, and implementation prior to the commencement of initial site clearing activities. All special-status plant species identified on site shall be mapped onto a site-specific aerial photograph and topographic map and included on the construction, grading, fuel modification, and landscape plans.

Should permanent loss of sensitive species and/or habitats occur the ratio of acquisition to loss must be at a minimum of 1:1. The ratio shall be higher for occupied and irreplaceable habitats. Caltrans will achieve the needed mitigation, with resource

agency approval, through on-site restoration activities, suitable mitigation/conservation bank credits, suitable in-lieu fee program credits, and/or other mitigation acceptable to the resource agencies involved as applicable.

**BIO-General-6: Species Avoidance:** If during project activities insect host plants, nesting birds, burrowing owl, desert tortoise, bighorn sheep, mountain lion, desert kit fox, or American badger burrows are discovered within the Project Site, all construction activities must stop within 10 feet for rare insect host plants, 100 feet for non-passerine nesting birds, 300 feet for nesting passerine species, 500 feet for raptors or federal/State listed birds, 265 feet for burrowing owls, 500 feet for desert kit fox, 500 feet for desert tortoises, and 16 to 25 feet around single American badger burrows and 65 feet around clusters of American badger burrows. The Caltrans Biologist and Resident Engineer must be notified. Coordination with CDFW and USFWS shall be required prior to restarting activities, if full avoidance is not achievable.

**BIO-General-7: Worker Environmental Awareness Program (WEAP):** A qualified biologist must present a biological resource information program/WEAP for rare insect host plant species, protected natural communities, desert tortoise, special-status mammal species, burrowing owls, nesting birds, and other sensitive biological resources prior to project activities to all personnel that will be present within the project limits for longer than 30 minutes at any given time.

**BIO-General-8: Biological Monitoring:** The qualified biologist must monitor project activities weekly to ensure that measures are being implemented and documented, and daily for any nesting birds observed during pre-construction surveys until the young have fledged or the nest is deemed inactive. If preconstruction surveys find special-status mammals, burrowing owls, or desert tortoise, more frequent monitoring may be required at the discretion of the Caltrans biologist or as required by the Burrowing Owl Plan.

**BIO-General-9: Environmentally Sensitive Area (ESA):** To address impacts to catclaw acacia – desert lavender – chuparosa scrub, and desert willow – smoketree wash woodland, delineate this area as an ESA as shown on the plans or described in the specifications.

**BIO-General-10: ESA Fence Monitoring:** Integrity inspections of temporary high-visibility fence, temporary desert tortoise fence, and enclosures (onsite cleared areas) must occur throughout the duration of the project weekly, prior to commencing project activities, and after activities are completed. If, during construction, the fence fails, work must stop until it is repaired, and the qualified biologist inspects (and clears) the job site.

**BIO-General-11: ESA Fence Removal:** All temporary fencing must be removed as a last order of work. During removal, a qualified biologist must be present.

**BIO-General-12: Animal Entrapment:** To prevent inadvertent entrapment of desert tortoise and special-status mammal species during project activities, all excavated steep-walled holes, bores, excavations, or trenches more than 6 inches deep must be

covered at the close of each working day by plywood (or similar material) or provided with one or more escape ramps constructed of earth fill or wood planks, sloped at a 3:1 ratio. At the beginning of each working day, all such holes or trenches must be inspected to ensure no animals have been trapped during the previous night. Before such holes or trenches are filled, they must be thoroughly inspected for trapped animals. Trapped animals must be released by the qualified biologist. Any CESA-listed species will require a 2081 permit before releasing.

**BIO-General-14: Predator Prevention:** Project personnel are prohibited from feeding wildlife or bringing pets onto the job site.

**BIO-General-16: Invasive Weed Control:** To address impacts to natural communities of concern, desert tortoise critical habitat, and rare insect host plant species, a qualified biologist must identify invasive species within the Project Impact Area (PIA) during access road construction, shoulder backing, ground disturbance, and vegetation removal. Treatment and disposal methods must be approved by the Caltrans biologist prior to vegetation removal. A specific targeted approach shall be implemented for any herbicide application by avoiding species that are not intended to be removed and by reducing herbicide application to the smallest possible radius around plant species that are selected for application. All herbicides utilized adjacent to Fish and Game Code section 1602 resources and other sensitive aquatic habitat areas shall be registered for aquatic use by the California Department of Pesticide Regulation (CDPR). Herbicide sprays in these areas shall only be used when wind speeds measure less than 10 mph. The mixture shall contain a dye (registered for aquatic use by CDPR) to show overspray and shall be conducted in a manner to minimize overspray onto adjacent native vegetation.

**BIO-Plant-PSM-3: Top Soil Conservation:** Prior to any ground disturbance activities, the top soil, or duff, of a project must be scraped and stored to be redistributed on the project site after construction activities are completed.

**BIO-General-PSM-17: Grading:** Any grading completed by the contractor shall be backfilled to the original grade prior to completing project activities.

**BIO-Arthropod-1: Rare Insect Host Plant Preconstruction Clearance Survey, Flagging, and Fencing:** No more than 3 days prior to project activities, a qualified biologist must perform a preconstruction survey for rare insect host plants within the Project Impact Area (PIA) and up to the limits of the Caltrans ROW. Should any rare insect host plants be found, the Resident Engineer and Caltrans Biologist must be contacted, and host plants must be flagged by the qualified biologist for visual identification to construction personnel for work avoidance. Should multiple plants in a single location be found, the groupings must be fenced with Environmentally Sensitive Area (ESA) temporary high visibility fencing.

**BIO-Arthropod-PSM-2: Plant Seed Mix:** Seed mixes must contain a diverse array of pollinator plant species native to California. No tropical milkweed (*Asclepias curassavica*) shall be used in the seed mix.

**BIO-Arthrood-PSM-3: Milkweed Removal:** Any milkweed removal shall take place after the milkweed has gone to seed.

**BIO-Reptile-1: Equipment Flagging:** Project personnel must attach surveyor flagging tape to a conspicuous place on each piece of equipment to remind the operator to check under the equipment for desert tortoise before operating equipment at any time.

**BIO-Reptile-2: Pre-Project Surveys:** To assess the number of desert tortoise that may be potentially impacted by project activities, pre-project surveys for desert tortoise must be conducted within the Project Impact Area (PIA) and up to the limits of the Caltrans ROW where Project activities could affect desert tortoise. Desert tortoise surveys shall be conducted by the qualified biologist in accordance with the USFWS 2009 desert tortoise methodology (see: <https://www.fws.gov/sites/default/files/documents/Desert-Tortoise-Field-Manual.pdf>). The survey must utilize perpendicular survey routes and 100-percent visual coverage for desert tortoise and their sign.

**BIO-Reptile-3: Construction Monitoring:** Project activities must be monitored by a qualified biologist weekly to ensure that measures are being implemented and documented.

**BIO-Reptile-4: Authorized Biologist Clearance Surveys:** Clearance desert tortoise surveys must be conducted by the qualified biologist 3 days prior to project activities within the project footprint before temporary desert tortoise fence is erected. If a desert tortoise is located, an incidental take permit (ITP) for desert tortoise shall be obtained prior to initiation of all ground disturbing activities. The Project proponent shall adhere to measures and conditions set forth within the ITP. Mitigation for direct impacts shall be fulfilled through conservation of suitable Mojave Desert tortoise habitat through the purchase of mitigation bank credits or land acquisition determined through coordination with USFWS and the California Department of Fish and Wildlife.

**BIO-Reptile-5: Trash/Predation:** The contractor must implement measures to reduce the attractiveness of job sites to ravens, coyotes, and other subsidized predators by controlling trash and educating workers.

**BIO-Reptile-6: Temporary Demarcation:** Temporary demarcation in the form of temporary desert tortoise fence must be established following the most recent USFWS for construction fencing around the entire project footprint, as shown on the plans prior to construction, to exclude desert tortoise. All temporary demarcation materials must be removed once construction has been completed.

**BIO-Reptile-7: Permanent fencing:** Permanent desert tortoise fencing must be repaired at Ardis Ditch, Tank Tower Ditch, and Homer Wash. The permanent desert tortoise fence at Woods Wash must be replaced and properly installed (e.g., properly buried and not bent at a 90-degree angle). All four bridge locations must have permanent desert tortoise fence on either side of the roadways while ensuring connectivity via tie-ins to culverts and the washes, or other USFWS approved connectivity strategies.

**BIO-Reptile-8: Rock Slope Protection:** To prevent trapping of desert tortoise, interstitial spaces within rock slope protection must be filled with a substrate (e.g., Class IV, Method B, or substrate sand).

**BIO-DT-1: Agency Notification and Reporting Requirements:** If any desert tortoises within or near the job site are found alive, injured, or dead during the implementation of the project, the Resident Engineer and Caltrans Biologist must be immediately notified. The Caltrans Biologist must then notify CDFW and USFWS. Veterinary treatment and/or final deposition must follow CDFW and USFWS approval. All work within the location must stop until agency approval is acquired. Work may continue at other bridge locations.

**BIO-DT-2: Desert Tortoise Impacts:** Prior to completion of Project-related activities, Caltrans will contact regulatory agencies to identify how on-site temporary impacts will be offset. If on-site restoration is used, Caltrans will work with regulatory agencies to identify actions to be performed to restore affected areas to pre-project conditions.

**BIO-Avian-1: Preconstruction Nesting Bird Surveys:** Regardless of the time of year, a pre-construction survey shall be performed to verify absence of nesting birds. Pre-construction nesting bird surveys must be conducted 3 days prior to construction by a qualified biologist to locate and avoid nesting birds. If an active avian nest is located, a no construction buffer shall be established and monitored by the qualified biologist daily until the young have fledged or the nest is deemed inactive. The Project site will need to be re-surveyed if there is a lapse in construction activities for more than 3 days.

**BIO-Avian-2: Preconstruction Burrowing Owl Survey:** To avoid construction-level impacts to unidentified burrowing owls on-site, qualified biologists shall conduct focused burrowing owl surveys during the breeding and non-breeding season in accordance with the Staff Report on Burrowing Owl Mitigation (CDFG, 2012). The survey shall cover the Project site and a 500-meter buffer, where legally accessible. A preconstruction survey shall be conducted within 14 to 30 days prior to vegetation removal or ground disturbing activities (see below).

Pre-construction take avoidance surveys for this species shall be conducted within 14 to 30 days prior to vegetation removal or ground disturbing activities and 24 hours prior to vegetation removal or ground disturbing activities to determine the presence or absence of this species within the Project footprint. A report shall be submitted to CDFW by a qualified Contractor Supplied Biologist. The Project footprint shall be clearly demarcated in the field by the Project engineers and biologist prior to the commencement of the pre-construction take avoidance surveys. The surveys shall follow the guidance of the Staff Report on Burrowing Owl Mitigation (CDFG, 2012).

If preconstruction surveys confirm occupied burrowing owl habitat, project activities shall be immediately halted within 265 feet of the burrows until BIO-Avian-PSM-3 is completed and CDFW approves of the Burrowing Owl Plan.

Depending on the Project activity type and associated disturbance, a minimum avoidance buffer distance of 50 meters (165 feet) to 100 meters (330 feet) during the nonbreeding season (September through January) and 100 meters (330 feet) to 250 meters (825 feet) during the breeding season (February through August) shall be maintained between active burrows and construction activities. A qualified biologist shall monitor the burrowing owls for any sign of distress and adjust the buffers as necessary to ensure no take occurs.

If active burrows are present within the Project footprint and complete avoidance is infeasible, the Project proponent shall not undertake Project activities and Project activities shall be postponed until the appropriate authorization (i.e. CESA incidental take permit under the California Fish and Game Code § 2081) is obtained.

Should permanent loss of western burrowing owl habitat occur the ratio of acquisition to loss must be at a minimum of 1:1. The ratio shall be higher for occupied and irreplaceable habitats. Caltrans will achieve the needed mitigation, with resource agency approval, through on-site restoration activities, suitable mitigation/conservation bank credits, suitable in-lieu fee program credits, and/or other mitigation acceptable to the resource agencies involved as applicable.

**BIO-Avian-PSM-3: Burrowing Owl Plan:** If the presence of burrowing owl is found during the burrowing owl surveys, the Qualified Biologist shall coordinate with CDFW and prepare a Burrowing Owl Plan that shall be submitted to CDFW for review and approved prior to commencing project activities and implementing the measures of the Burrowing Owl Plan. The Burrowing Owl Plan shall describe proposed avoidance, monitoring, relocation, minimization, and/or mitigation actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures if avoidance is proposed. If impacts to occupied burrowing owl habitat or burrows cannot be avoided, the Burrowing Owl Plan shall also describe minimization and compensatory mitigation actions that will be implemented. Proposed implementation of burrow exclusion (i.e., passive relocation) and closure shall only be considered as a last resort, after all other options have been evaluated as exclusion is not in itself an avoidance minimization, or mitigation method and has the possibility to result in Take. The Burrowing Owl Plan shall identify compensatory mitigation for the temporary or permanent loss of occupied burrow(s) and habitat consistent with the "Mitigation Impacts" section of the 2012 Staff Report on Burrowing Owl Mitigation and Caltrans shall implement CDFW approved mitigation prior to the initiation of Project activities where burrows are found. Work on other bridges may continue so long as the burrowing owl surveys were negative.

**BIO-Avian-PSM-4: Work Areas:** Confine all work activities to a predetermined work area. Prior to the initiation of ground-disturbing activities, the project footprint, including laydown and staging areas, will be clearly delineated using high-visibility temporary fencing.

**BIO-Kit Fox-1: Preconstruction Kit Fox Survey and Monitoring:** A qualified biologist must conduct preconstruction surveys for desert fox within the project site and biological study area, up to the limits of the Caltrans ROW, no more than 30 days prior to the commencement of ground-breaking activities. Dens will be classified as inactive, potentially active, or definitely active. Should dens be deemed active, additional surveys are required. If desert kit fox is present, the additional measures may be required.

**BIO-Kit Fox-2: Desert Kit Fox Den Complex Monitoring, Passive Relocation, and Stop Work Restrictions:** All desert kit fox den complexes in the project site identified as potentially active or definitely active must be monitored in accordance with CDFW guidelines. If once the monitoring is concluded, no desert kit fox tracks are found at the burrow entrance, or no photos of the target species using the den are observed, the den can be excavated and backfilled by hand. If a den is identified as being active, it must further be classified as non-natal or natal den. Potential natal den complexes are to be monitored for a minimum of 3 additional days using infrared wildlife cameras and/or tracking medium to determine their status. If the den complex is determined to be natal during the denning period (February - June), a 200-foot non-disturbance buffer zone will be established surrounding natal dens, and monitoring by infrared cameras or weekly visits by a qualified biologist will continue until it has been determined that the young have dispersed. The final buffer distance may be determined in consultation with the BLM and CDFW. If the den complex within the project site is determined to be non-natal, passive hazing techniques must be used to discourage desert kit fox from using the den complex. Desert kit fox must be excluded from all den complexes within the project site portion of the Project disturbance area. Inactive dens that are within the project site must immediately be excavated by hand and backfilled to prevent reuse by desert kit fox. If desert kit fox tracks are observed or desert kit fox is captured in camera photos, then various passive hazing techniques will be implemented to deter desert kit fox from using the den complex. If desert kit fox are present and passive relocation techniques fail, the BLM and CDFW may be contacted to explore other relocation options such as trapping. If during construction activities a desert kit fox is within the project site, all construction activities must stop, and the qualified biologist must be notified. Consultation with resource agencies may be required, as appropriate.

**BIO-Bat-1: Bat Pre-Construction Surveys:** All suitable roosting and foraging habitat for local or migratory bat species known to the Project area, including special-status species, found within the Project site and adjacent land shall be surveyed two weeks prior to initial site clearing activities. The surveys shall be completed by a qualified Contractor Supplied Bat Biologist. Surveys shall include determination of the approximate size of the colony(s) and species present. If a bat colony is found, further surveys shall be conducted. The surveys shall include a combination of nighttime emergence counts and acoustic techniques (full spectrum bat acoustic detectors) appropriate for the roosting habitat and time of year, visual and aural surveys (observation during foraging period), and inspection for suitable habitat and bat sign (e.g. guano).

If roosting bats, of any status, are found during the surveys, the bats and roosts shall be avoided to the maximum extent practicable with consideration of the most disturbing

Project activities and their effect (e.g. demolition and night-time lighting). A Bat Management Plan prepared by the qualified bat biologist identifying situation-specific and species-specific avoidance and minimization measures to reduce impacts to roosting and foraging bats shall be prepared for CDFW's review, approval, and implementation prior to the commencement of initial site clearing activities.

The Bat Management Plan shall include, as appropriate to the findings of the surveys and roosting habitat affected, a construction schedule to avoid roosting season, spatial and temporal avoidance measures, non-disturbance buffers, passive exclusion of bats outside of the maternity season (if necessary), and identification of species-specific replacement or alternative habitat to mitigate for permanent maternity or night roosting habitat loss. If roosts cannot be avoided or it is determined that construction activities will cause roost abandonment, a mitigation plan addressing exclusion and passive relocation procedures and impact compensation will be developed. The mitigation plan will be developed in consultation with CDFW and the qualified bat biologist. Roost and foraging habitat shall be replaced in-kind prior to any exclusion or in a timing approved by CDFW. Any exclusion and passive relocation efforts shall avoid periods of sensitive activity (e.g. hibernation or maternity season) and may require several seasons for bats to discover alternative roosting sites.

**BIO-Mitigation-1: Natural Communities Mitigation:** Compensatory mitigation for permanent impacts to catclaw acacia – desert lavender – chuparosa scrub is anticipated, with resource agency approval, through on-site restoration activities, suitable mitigation/conservation bank credits, suitable in-lieu fee program credits, and/or other mitigation acceptable to the resource agencies involved as applicable.

**BIO-Mitigation-2: Natural Communities Mitigation:** Compensatory mitigation for permanent impacts to desert willow – smoketree wash woodland is anticipated, with resource agency approval, through on-site restoration activities, suitable mitigation/conservation bank credits, suitable in-lieu fee program credits, and/or other mitigation acceptable to the resource agencies involved as applicable.

**BIO-Mitigation-3: Jurisdictional Mitigation:** Compensatory mitigation for permanent impacts to jurisdictional features are anticipated, with resource agency approval, through on-site restoration activities, suitable mitigation/conservation bank credits, suitable in-lieu fee program credits, and/or other mitigation acceptable to the resource agencies involved as applicable. Caltrans shall notify CDFW pursuant to Fish and Game Code section 1602 and obtain authorization prior to initiating Project activities within any river, stream, or lake. After construction activities are complete, temporarily impacted aquatic resources will be restored to original and permanently impacted resources will be restored at a minimum 3:1 ratio through suitable methods such as on-site restoration activities, suitable CDFW-approved mitigation/conservation bank credits, permittee-responsible mitigation, or through a combination of any of these.

## 2.1.5 Cultural Resources

Would the project:

Question	CEQA Determination
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	No Impact
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	No Impact

### CEQA Significance Determinations for Cultural Resources

A Historic Property Survey Report (HPSR) was approved June 27, 2023, and updated with a Supplemental HPSR (SHPSR) approved January 8, 2025. The HPSR included an Area of Potential Effects (APE) map approved June 2023 and an Archaeological Survey Report (ASR) approved June 2023.

The APE for the project was established in four parts around each of the four locations and included the direct project footprint, including cut and fill limits and all work and staging areas, plus additional areas beyond the direct footprint to account for potential indirect effects. The APE is fully contained within the existing Caltrans Right of Way. The horizontal APE limit generally corresponds to the existing I-40 Right of Way, approximately 100 feet from edge of pavement to the north and south. The east and west aspects of the APE are between 2100 and 3100 feet, all centered on each of the four work locations. The vertical extent of the APE at Ardis Ditch, Tank Tower Ditch, and Homer Wash is set at 10 feet below the channel surface for the burial of the new RSP, and at Woods Wash it extends to 50 feet below current grade for foundation work.

A records search for previous project EA 08-0R141 (I-40 Needles Regrade Median) was received and incorporated into the Caltrans Cultural Resources Database (CCRD), which completely encompasses the APE for the proposed project.

#### a) No Impact

The HPSR and SHPSR determined that two properties within the APE are considered eligible for inclusion in the National Register of Historic Places (NRHP). Desert Training Center/California-Arizona Maneuver Area (DTC/C-AMA) [CHL-985] and Camps Clipper and Essex (CA-SBr-12917H) were considered eligible because evaluation was not possible, as per Section 106 Programmatic Agreement Stipulation VIII.C.4. Route 66 is also mapped through the entire project location. The eight bridges included in the project scope were listed as Category 5 (previously determined not eligible for listing in the NRHP) in the Caltrans Historic Bridge Inventory and that those determinations remain valid.

The DTC/C-AMA encompasses the entire Project APE and stretches from Indio, California eastward toward Prescott, Arizona and from Yuma, Arizona to Searchlight, Nevada covering approximately 18,000 square miles and is listed as CHL-985. This is a historic-period military training/maneuver area known as the Desert Training Center/ California-Arizona Maneuver Area (DTC/C-AMA; Lerch 1997). The DTC/C-AMA is currently being documented as a historical cultural landscape composed of numerous site types. Camps Clipper and Essex, individually eligible and contributing features to the eligibility of the DTC/C-AMA, are mapped within the boundaries of the Woods Wash section of the APE. There are no artifacts or features of the DTC/C-AMA within the APE. There is no direct effect to this resource. The proposed project work is replacement of existing bridges and RSP. The HPSR determined that there is no potential to indirectly affect this resource.

Camps Clipper and Essex (CA-SBr-12917H) is a WWII historic-period military training camp and temporary camp area known as Camp Essex and Camp (temporary) Clipper. There are artifacts, stone lined walkways and tent pads, and features of the camps located within and out mostly outside of the Caltrans ROW on Bureau of Land Management (BLM) administered land. There are no artifacts or features of Camps Clipper and Essex within the APE. The HPSR determined that there is no potential to directly or indirectly affect this resource. Further consultation with Caltrans Headquarters Cultural Studies Office on July 18, 2024 confirmed that the revisions to the project for the bridge replacement would have no effect to Camps Clipper & Essex.

The HPSR and SHPSR determined that a Finding of No Historic Properties Affected is appropriate for this undertaking because there are no historic properties within the revised APE and the identified historic properties, DTC/C-AMA, and Camps Clipper & Essex will not be affected. As per Caltrans standards, CR-1 would be implemented in the event that previously unidentified cultural materials are unearthed during construction.

**b) No Impact**

The ASR did not identify any historical or prehistoric materials or archaeological resources within the project area. The project is not anticipated to cause substantial adverse change in the significance of an archaeological resource. As per Caltrans standards, CR-1 would be implemented in the event that previously unidentified cultural materials are unearthed during construction.

**c) No Impact**

The proposed project is within the existing Caltrans Right of Way in previously disturbed areas, and the scope of the project is to remove and replace existing structures. The project is not anticipated to disturb human remains, including those interred outside of dedicated cemeteries. As per Caltrans standards, CR-2 would be implemented in the event that human remains are found.

## **Avoidance, Minimization, and/or Mitigation Measures**

Caltrans 2024 Standard Specifications and Best Management Practices (BMPs) would be implemented to avoid or minimize any potential impacts to cultural resources. In addition, the standard project measures below would apply to any unanticipated discovery of cultural materials during project activities.

**CR-1:** Stop work if buried cultural resources are encountered during construction until a qualified archaeologist can evaluate the nature and significance of the find. In the event that human remains, including isolated, disarticulated bones or fragments, are discovered during construction-related activity, cease in the vicinity of the human remains.

**CR-2:** In the event that human remains are discovered, the county coroner shall be notified immediately and ALL construction work activities within 60 feet of the discovery shall stop. Pursuant to Public Resources Code Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Most Likely Descendent (MLD). The person who discovered will contact the District 8 District Environmental Branch Chief (DEBC) Gabrielle Duff at (909)501-5142 and Native American Coordinator (DNAC) Julie Scrivner at (909)260-8265. Further provisions of PRC 5097.98 are to be followed as applicable.

## 2.1.6 Energy

Would the project:

Question	CEQA Determination
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	No Impact
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	No Impact

### CEQA Significance Determinations for Energy

#### a) No Impact

The project does not propose to increase the capacity or permanently alter the operations of the existing I-40 facilities. Caltrans 2024 Standard Specifications (or most recent) will be implemented to avoid and minimize any potential wasteful, inefficient, or unnecessary consumption of energy resources during project construction.

#### b) No Impact

The project is located entirely within existing Caltrans Right of Way and proposes replace existing structures. The project would not impede the development of renewable energy sites. The project is not anticipated to interfere with implementation of any state or local plan for renewable energy or energy efficiency.

### Avoidance, Minimization, and/or Mitigation Measures

Avoidance, minimization, and/or mitigation measures are not required for Energy.

## 2.1.7 Geology and Soils

Would the project:

Question	CEQA Determination
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	No Impact
ii) Strong seismic ground shaking?	No Impact
iii) Seismic-related ground failure, including liquefaction?	No Impact
iv) Landslides?	No Impact
b) Result in substantial soil erosion or the loss of topsoil?	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	No Impact

### CEQA Significance Determinations for Geology and Soils

- a) The project is located within an Unevaluated Area of the California Geological Survey (CGS) California Earthquake Hazards Zone Application (EQ Zapp) quads “Fenner” and “West of Flattop Mountain”. No fault zones, liquefaction zones, or other seismic hazard zones are mapped within or adjacent to the project. A Preliminary Foundation Report was approved for Woods Wash Bridges on August 29, 2024, which was based on a review of 1968 and 1970 As-built plants, bridge inspection records, Planning Study Plans dated January 11, 2024, preliminary foundation design data included in the geotechnical work request dated January 11, 2024, and a subsurface exploration performed from June 11 to

June 20, 2024. Further geotechnical studies may be performed to refine the design of the proposed bridges.

**i) No Impact**

The project is not located on or within 50 feet of a known earthquake fault, as delineated on the most recent CGS Alquist-Priolo Site Investigation Reports, and is not located within 1000 feet of any documented Holocene or younger aged faults. The project is not anticipated to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault.

**ii) No Impact**

The project is not located within any seismic hazard zone delineated in EQ Zapp. However, the project area is susceptible to strong ground shaking in the event of a major earthquake. The project proposes to build the replacement bridges at Woods Wash to meet the most current seismic design criteria. The project is not anticipated to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking.

**iii) No Impact**

The project is not located within a liquefaction zone delineated in EQ Zapp. Test borings from the 1967 and 2024 subsurface explorations at Woods Wash indicated medium dense soils from the surface to about 10 feet below grade, which increased to dense and very dense below that. Depth to groundwater at the two nearest state wells were well over 40 feet (406.8 feet and 535.7 feet). The project is not anticipated to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving liquefaction.

**iv) No impact**

All project locations are within very flat terrain and are not located within a landslide zone delineated in EQ Zapp. The steepest slopes in the project limits are the embankments of the channels, which the project proposes to protect with new rock slope protection. The project is not anticipated to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides.

**b) No Impact**

The project proposes to remove existing RSP, demolish the existing Woods Wash Bridges, and adjust the existing roadway profile at Woods Wash to accommodate the new Woods Wash Bridges, which would disturb soil. The project would implement temporary erosion control during construction.

Permanent erosion control would be applied to all disturbed soil areas at the completion of soil disturbing activities. The project also proposes to replace existing degraded RSP and install new RSP at piers and abutments at Ardis Ditch Bridges, Tank Tower Ditch Bridges, and Homer Wash Bridges, which would help to protect the channel from soil erosion and loss of topsoil. The project is not anticipated to result in substantial soil erosion or the loss of topsoil.

**c) No Impact**

The project locations are within alluvial valleys within the Mojave Desert geomorphic province. The Preliminary Foundation Report approved for Woods Wash indicated medium dense soils from the surface to about 10 feet below grade, which increased to dense and very dense below that. Based on the depth to groundwater and density of subsurface soils, the site is not susceptible to liquefaction or related seismic hazards, including seismic total or differential ground settlement, seismic downdrag, or lateral spreading. The project would not require the use of groundwater. The project is not located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

**d) No Impact**

The project is located mostly on silty sand and would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) and is not anticipated to create substantial direct or indirect risks to life or property.

**e) No Impact**

The project work consists of bridge replacement, roadway adjustment, and rock slope protection. Septic tanks, alternative wastewater disposal systems, and sewers are not required for project operation.

**f) No Impact**

Woods Wash Bridges are located in an area of Unknown or Poorly Studied paleontological potential containing young alluvial fan deposits overlying intermediate alluvial fan deposits. Ardis Ditch, Tank Tower Ditch, and Homer Wash are located in an area of Low paleontological potential containing marine and nonmarine (continental) sedimentary rocks. All project work is proposed in previously disturbed locations in existing Caltrans Right of Way. The project is not anticipated to directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

## **Avoidance, Minimization, and/or Mitigation Measures**

Avoidance, minimization, and/or mitigation measures are not required for Geology and Soils.

## 2.1.8 Greenhouse Gas Emissions

Would the project:

Question	CEQA Determination
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Less Than Significant Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Less Than Significant Impact

### CEQA Significance Determinations for Greenhouse Gas Emissions

#### a) Less Than Significant Impact

The proposed project is not anticipated to increase operational GHG emissions and is estimated to emit a total of 458 tons of CO<sub>2e</sub> over the course of 362 working days of construction. The project is not anticipated to have a significant impact on greenhouse gas emissions. Implementation of Caltrans 2024 Standard Specifications (or most recent), BMPs, and **GHG-1** through **GHG-3** will be implemented to avoid and minimize any potential impacts to greenhouse gas emissions.

#### b) Less Than Significant Impact

SCAG Connect SoCal 2024 contains a variety of strategies that contribute to or are related to GHG reductions. The proposed project would have no impact on growth and would not conflict with the goals of Priority Development Areas or Sustainable Development. The project does not propose to increase capacity, and operational emissions are expected to remain the same, so the project would not conflict with the goals of Air Quality and Clean Transportation. The project would not conflict with the adoption of zero-emission technologies for Goods Movement. The proposed project is consistent with SCAG Connect SoCal 2024.

The San Bernardino Countywide Policy Plan contains goals to reduce Vehicle Miles Traveled (VMT) and to improve Complete Streets, transit, and active transportation. The proposed project would increase the resilience of the existing facilities by increasing resistance to scour at all four locations and increasing the freeboard elevation at Woods Wash. The proposed project does not propose capacity increases and would enhance safety for all users of I-40, including those not traveling in single-occupancy vehicles. The proposed project is consistent with the San Bernardino Countywide Policy Plan.

The project is not anticipated to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse

gases. Implementation of Caltrans 2024 Standard Specifications (or most recent), BMPs, and **GHG-1** through **GHG-3** will be implemented to avoid and minimize any potential impacts to greenhouse gas emissions.

### **Avoidance, Minimization, and/or Mitigation Measures**

Caltrans 2024 Standard Specifications (or most recent), BMPs, and the measures below will be implemented to avoid and minimize any potential impacts to greenhouse gas emissions.

**GHG-1:** For improved fuel efficiency from construction equipment: Maintain equipment in proper tune and working condition, use right sized equipment for the job, and use equipment with new technologies where possible.

**GHG-2:** Reduce construction waste through reuse or recycling of materials, and submit disposal documentation as per Caltrans Standard Specification 14-11.13B(6).

**GHG-3:** Use recycled water or reduce consumption of water for construction per Caltrans Standard Specifications 10-4 and 10-6.

## 2.1.9 Hazards and Hazardous Materials

Would the project:

Question	CEQA Determination
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	No Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two nautical miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	No Impact

### CEQA Significance Determinations for Hazards and Hazardous Materials

An Initial Site Assessment (ISA) Checklist was prepared October 9, 2024 and determined that the project is Low Risk for potential hazardous waste involvement.

#### a) No Impact

The project proposes only to replace existing facilities and would not necessitate or increase any existing routine transport, use, or disposal of hazardous materials.

**b) No Impact**

The project does not propose to store hazardous materials or change the operation of the existing I-40 facility. A Traffic Management Plan (TMP) has been developed, will continue to be refined through Design phase, and will be implemented during construction to manage the safe and efficient flow of traffic during construction. The project is not anticipated to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

**c) No Impact**

There are no schools located within one-quarter mile of the project area.

**d) No Impact**

A Geotracker and EnviroStor database search was conducted in support of the ISA Checklist and determined that the project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**e) No Impact**

The project is not located within an airport land use plan or within two nautical miles of a public airport or public use airport.

**f) No Impact**

The project proposes to replace existing facilities only and does not propose to eliminate or alter access to emergency evacuation routes. During construction, **TRAF-1** would be implemented to avoid and minimize any potential impacts to emergency access. The project is not anticipated to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

**g) No Impact**

The project would not considerably alter the surrounding landscape, introduce new structures, or bring new traffic into a fire hazard severity zone. The project proposes to preserve the structural integrity of the existing I-40 bridge facilities. The project is not anticipated to expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires

## **Avoidance, Minimization, and/or Mitigation Measures**

Caltrans 2024 Standard Specifications (or most recent), Best Management Practices (BMPs), and the measures below will be implemented to avoid, minimize, and/or mitigate any potential impacts to Hazards and Hazardous Materials.

**HAZ-1: Local Material:** Caltrans Standard Special Provision (SSP) 6-1.03 will be implemented to require conditions for use of local materials from non-commercial sources.

**HAZ-2: Earth Material Containing Lead:** Caltrans SSP 7-1.02K(6)(j)(iii) will be implemented to manage the handling, removal, and disposing of unregulated earth material containing lead. A Lead Compliance Plan (LCP) is required.

**HAZ-3: NESHAP Notification:** Caltrans SSP 14-9.02 will be implemented to require National Emission Standards for Hazardous Air Pollutants (NESHAP) notification 15 days prior to the start of demolition or rehabilitation activities, even if the activities will not disturb asbestos-containing material.

**HAZ-4: Treated Wood Waste:** Caltrans SSP 14-11.14 will be implemented to manage the handling, removal, and disposal of treated wood waste.

**HAZ-5: Residue Containing Lead from Paint and Thermoplastic:** Caltrans SSP 36-4 will be implemented to manage the handling, removal, and disposal of residue from grinding or cold planing containing lead from paint and thermoplastic. A Lead Compliance Plan (LCP) is required.

**TRAF-1: Traffic Management Plan (TMP):** A Traffic Management Plan (TMP) has been prepared and will continue to be refined in Design phase to manage the safe and efficient flow of traffic during construction. The TMP would allow for continuous access to and through the site for emergency vehicles.

## 2.1.10 Hydrology and Water Quality

Would the project:

Question	CEQA Determination
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Less Than Significant Impact
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	
(i) result in substantial erosion or siltation on- or off-site;	Less Than Significant Impact
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	No Impact
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	No Impact
(iv) impede or redirect flood flows?	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	No Impact

### CEQA Significance Determinations for Hydrology and Water Quality

#### a) Less Than Significant Impact

Project work is located within washes at all four work locations. Activities in the washes may include removing existing RSP, installing new RSP, temporary access, and clearing and grubbing. To meet water quality discharge requirements, temporary erosion control will be applied to disturbed soil areas during construction and permanent erosion control will be applied to all disturbed soil areas at the completion of all soil disturbing activities. A Storm Water Data Report (SWDR) will be prepared for the project to meet the demands of the storm water management requirements to control pollutant discharge and to meet

permit requirements. Storm Water Compliance will be updated during the PS&E phase of the project. All applicable construction activities will be reviewed in the development and preparation of the Storm Water Pollution Prevention Plan (SWPPP). The SWDR will be approved for the Project Approval and Environmental Document (PA&ED) phase. 1600, 401, and Waste Discharge Requirement (WDR) permits are anticipated for the project. The project is not anticipated to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

**b) No Impact**

Depth to groundwater is roughly 90-100 feet along the project limits. The project proposes to increase the footprints of the existing RSP at Ardis Ditch, Tank Tower Ditch, and Homer Wash to provide additional protection for abutments and piers. The RSP will be partially grouted with filter fabric underneath the rocks and is not considered an impervious surface. The project is not anticipated to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

The project would maintain the existing drainage pattern and flowline of the four washes. The RSP additions are not considered an impervious surface. The project is not anticipated to substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces.

**c)**

**(i) Less Than Significant Impact**

The project would implement temporary erosion control during construction and apply permanent erosion control at the end of ground-disturbing activities. The project purpose includes the prevention of critical scour. The project is not anticipated to result in substantial erosion or siltation on- or off-site.

**(ii) No Impact**

The project does not propose an increase in impervious surface and would protect the channel embankments from critical scour. The project is not anticipated to substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite.

**(iii) No Impact**

The project does not propose an increase in impervious surface or change in the existing drainage pattern. The project is not anticipated to create or contribute runoff water which would exceed the capacity of existing or

planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

**(iv) No Impact**

The project does not propose to alter or block the drainage pattern of the existing washes. The project is not anticipated to impede or redirect flood flows

**d) No Impact**

The project is not located within a tsunami or seiche zone. The project is located in a Zone D Area of Undetermined Flood Hazard as shown in the Flood Insurance Rate Map (FIRM)/ Federal Emergency Management Administration (FEMA) National Flood Hazard Layer (NFHL) panels 06071C4925H and 06071C4975H, shown below in Figure 2.1.10-1. The project proposes to replace existing structures and would not introduce new pollutants to the project area. Project structures are being designed to have sufficient drainage capacity to handle the 200-year storm event. The project is not anticipated to, risk release of pollutants due to project inundation from flood hazard, tsunami, or seiche zones.

**e) No Impact**

The project will comply with the NPDES, General Permit, and Caltrans' Stormwater Management Plan. The project does not propose to deplete or impede recharging of groundwater. The project is not anticipated to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan

**Avoidance, Minimization, and/or Mitigation Measures**

Avoidance, minimization, and/or mitigation measures are not required for Hydrology and Water Quality.

**Figure 2.1.10-1. National Flood Hazard Layer Map**



0 5 10 20 Miles

0 5 10 20 Kilometers

**Legend**

- Postmile
- Project Area
- County Line

**FEMA NFHL Flood Hazard Zones**

- A
- AE
- AO 1% Annual Chance Flood Hazard
- AE Special Floodway
- AE Regulatory Floodway
- X 0.2% Annual Chance Flood Hazard
- Area with Reduced Risk Due to Levee

**National Flood Hazard Layer Map**

San Bernardino Route 40 RSP Replacement

08-SBD-40 PM104.8/120.5

EA 08-1L800

## 2.1.11 Land Use and Planning

Would the project:

Question	CEQA Determination
a) Physically divide an established community?	No Impact
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	No Impact

### CEQA Significance Determinations for Land Use and Planning

The project locations are designated in the San Bernardino County General Plan Land Use Maps (updated October 2020) as Open Space land use, as are the surrounding areas. Mojave National Preserve is located north of I-40, adjacent to Caltrans Right of Way. The Essex Eastbound and Westbound Rest Areas are located about half a mile to the east of the Woods Wash Bridge.

#### **a,b) No Impact**

The project would take place entirely within existing Caltrans Right of Way and would replace existing structures on the existing I-40 facility. The project is also located within Open Space land use. No residential, commercial, or other development besides the I-40 exist within the project area. The project is not anticipated to physically divide an established community or cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

### Avoidance, Minimization, and/or Mitigation Measures

Avoidance, minimization, and/or mitigation measures are not required for Land Use and Planning.

## 2.1.12 Mineral Resources

Would the project:

Question	CEQA Determination
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	No Impact
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	No Impact

### CEQA Significance Determinations for Mineral Resources

#### a,b) No Impact

The project is not located in a Mineral Resource Zone (MRZ) as shown in the San Bernardino Countywide Plan Natural Resources Element MRZ maps. Project ground disturbance and excavation would take place in previously disturbed areas. The project is not anticipated to result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. The project is not anticipated to result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

### Avoidance, Minimization, and/or Mitigation Measures

Avoidance, minimization, and/or mitigation measures are not required for Mineral Resources.

## 2.1.13 Noise

Would the project result in:

Question	CEQA Determination
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	No Impact
b) Generation of excessive groundborne vibration or groundborne noise levels?	No Impact
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two nautical miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	No Impact

### CEQA Significance Determinations for Noise

A Noise Review Memorandum was approved October 9, 2024, and determined that the project falls under Type III project categories of 23CFR772.7 in the Traffic Noise Analysis Protocol dated April 2020. Per the Traffic Noise Analysis Protocol, Type III projects do not require a noise analysis. The project is considered exempt, and no noise study is needed.

#### **a,b) No Impact**

The project is a Type III project which are generally considered not to generate permanent increases in ambient noise levels. Caltrans Standard Specification 14-8.02 will be implemented to control and monitor noise resulting from work activities and limit noise to 86 dBA Lmax at 50 feet from the job site between 9:00 p.m. to 6:00 a.m. unless otherwise adjusted. The project is not anticipated to generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. The project is not anticipated to generate excessive groundborne vibration or groundborne noise levels.

#### **c) No Impact**

The project is not located within the vicinity of a private airstrip, airport land use plan, or within two nautical miles of a public airport or public use airport.

## **Avoidance, Minimization, and/or Mitigation Measures**

Avoidance, minimization, and/or mitigation measures are not required for Noise.

## 2.1.14 Population and Housing

Would the project:

Question	CEQA Determination
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	No Impact
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	No Impact

### CEQA Significance Determinations for Population and Housing

#### a) No Impact

The project proposes to replace existing structures only in the same locations as existing. The project would not change access for the existing I-40 facility. The project is not anticipated to induce substantial unplanned population growth in an area, either directly or indirectly.

#### b) No Impact

No relocations are proposed for the project. The project is located entirely within existing Caltrans Right of Way. The project is not anticipated to displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

### Avoidance, Minimization, and/or Mitigation Measures

Avoidance, minimization, and/or mitigation measures are not required for Population and Housing.

## 2.1.15 Public Services

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

Question	CEQA Determination
a) Fire protection?	No Impact
b) Police protection?	No Impact
c) Schools?	No Impact
d) Parks?	No Impact
e) Other public facilities?	No Impact

### CEQA Significance Determinations for Public Services

#### a-e) No Impact

The project proposes to replace existing structures only and is not anticipated to alter access or induce growth in the project area. The project would not result in the provision or new or physically altered governmental facilities or the need for new or physically altered governmental facilities, apart from the proposed work on the existing I-40 itself.

### Avoidance, Minimization, and/or Mitigation Measures

Avoidance, minimization, and/or mitigation measures are not required for Public Services.

## 2.1.16 Recreation

Question	CEQA Determination
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	No Impact
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	No Impact

### CEQA Significance Determinations for Recreation

#### a) No Impact

Woods Wash is located adjacent to Mojave National Preserve. The project is located entirely within existing Caltrans Right of Way. The project does not propose to increase capacity and would replace existing structures only. The project is not anticipated to increase the use of existing neighborhood and regional parks or other recreational facilities.

#### b) No Impact

The project does not include recreational facilities. The project does not propose to increase capacity and is not anticipated to induce growth. The project is not anticipated to require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

### Avoidance, Minimization, and/or Mitigation Measures

Avoidance, minimization, and/or mitigation measures are not required for Recreation.

## 2.1.17 Transportation

Would the project:

Question	CEQA Determination
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	No Impact
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	No Impact
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	No Impact
d) Result in inadequate emergency access?	No Impact

### CEQA Significance Determinations for Transportation

#### a) No Impact

Bicycle access is allowed within the project limits. This access is temporary from post mile R104.6 to R115.12 while repairs are needed on the parallel alternative route, Route 66, and this access is permanent from post mile R115.12 to R120.5 because there is no parallel alternative route. Transit does not serve this area. Pedestrian access is prohibited on I-40. The project is not anticipated to conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. **TRAF-1** would be implemented to avoid and minimize potential impacts to circulation during construction.

#### b) No Impact

The project does not increase capacity or alter the operations of the existing I-40 facility and would have no impact on vehicle miles traveled. The project is not anticipated to conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

#### c) No Impact

The project would slightly raise the profile of the existing Woods Wash Bridges and would adjust the roadbed in the approach and departure directions accordingly. No other changes to geometric design features are proposed. The project is located entirely within existing Caltrans Right of Way and no land use changes are anticipated. The project is not anticipated to substantially increase hazards due to a geometric design or incompatible uses.

#### **d) No Impact**

The project proposes a staging plan for the Woods Wash Bridges replacement which involves lane closures for half of the bridges in stages and would maintain at least one lane of traffic for each direction throughout the duration of construction. After construction, the lane configuration, geometry, and access of the existing I-40 facility would remain the same as before the project. The project is not anticipated to result in inadequate emergency access. **TRAF-1** would be implemented to avoid and minimize potential impacts to emergency access during construction.

#### **Avoidance, Minimization, and/or Mitigation Measures**

**TRAF-1: Traffic Management Plan (TMP):** A Traffic Management Plan (TMP) has been prepared and will continue to be refined in Design phase to manage the safe and efficient flow of traffic during construction. The TMP would allow for continuous access to and through the site for emergency vehicles.

## 2.1.18 Tribal Cultural Resources

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

Question	CEQA Determination
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	No Impact
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	No Impact

## CEQA Significance Determinations for Tribal Cultural Resources

### a,b) No Impact

A Historic Property Survey Report (HPSR) was approved June 27, 2023, and updated with a Supplemental HPSR (SHPSR) approved January 8, 2025. A letter requesting a Sacred Land File (SLF) search was sent to the Native American Heritage Commission (NAHC) September 14, 2022. A Negative SLF search was returned on November 6, 2022, as well as a contact list. After consultation with the District Native American Coordinator (DNAC), the following tribes were contacted: Fort Mojave Indian Tribe, Twentynine Palms Band of Mission Indians, and Chemehuevi Reservation. Initial letters were sent out on November 14, 2022.

- Chemehuevi Reservation: Initial letter was sent to Ron Escobar, Environmental Director, and follow up was sent January 9, 2023. Mr. Escobar responded the same day asking to be kept apprised of the project and to have a copy of the cultural resource investigation. The completed ASR was sent to Mr. Escobar.
- Fort Mojave Indian Tribe: Initial letter was sent to Linda Otero, Director AhaMaKav Cultural Society, and follow up was sent January 9, 2023. A response was received January 10, 2023 stating that FMIT had received the letter. There has been no further response to date.

- Twentynine Palms Band of Mission Indians: Initial letter was sent to Sarah Bliss, Cultural Resource Manager, and follow up was sent January 9, 2023 and May 10, 2023. There has been no response to date.

The project area would have no impact to historical resources listed in the California Register of Historical Resources, in a local register of historical resources as defined in PRC 5020.1(k), or resources determined to be significant under PRC 5024.1.

## **Avoidance, Minimization, and/or Mitigation Measures**

Caltrans 2024 Standard Specifications and Best Management Practices (BMPs) would be implemented to avoid or minimize any potential impacts to tribal cultural resources. In addition, the standard project measures below would apply to any unanticipated discovery of tribal cultural materials during project activities.

**CR-1:** Stop work if buried cultural resources are encountered during construction until a qualified archaeologist can evaluate the nature and significance of the find. In the event that human remains, including isolated, disarticulated bones or fragments, are discovered during construction-related activity, cease in the vicinity of the human remains.

**CR-2:** In the event that human remains are discovered, the county coroner shall be notified immediately and ALL construction work activities within 60 feet of the discovery shall stop. Pursuant to Public Resources Code Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Most Likely Descendent (MLD). The person who discovered will contact the District 8 District Environmental Branch Chief (DEBC) Gabrielle Duff at (909)501-5142 and Native American Coordinator (DNAC) Julie Scrivner at (909)260-8265. Further provisions of PRC 5097.98 are to be followed as applicable.

## 2.1.19 Utilities and Service Systems

Would the project:

Question	CEQA Determination
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	No Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	No Impact
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	No Impact
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	No Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	No Impact

### CEQA Significance Determinations for Utilities and Service Systems

**a) No Impact**

The project does not anticipate utility relocations. The I-40 itself would not require new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities.

**b) No Impact**

The project is replacing existing structures and would not require a permanent water supply to serve the I-40. The project is also not anticipated to induce growth which might need water supplies.

**c) No Impact**

The project is replacing existing structures and would not generate wastewater demand. The project is not anticipated to result in a determination by any

wastewater treatment provider on whether it has adequate capacity to serve the project.

**d) No Impact**

The project is replacing existing structures and would not generate solid waste during operation. During construction, the project would generate solid waste, which would be handled and disposed of as per Caltrans 2024 Standard Specifications (or most recent). Removed materials would be reused where feasible. The project is not anticipated to generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

**e) No Impact**

The project will comply with all federal, state, and local management and reduction statutes and regulations related to solid waste through the implementation of Caltrans 2024 Standard Specifications.

**Avoidance, Minimization, and/or Mitigation Measures**

Avoidance, minimization, and/or mitigation measures are not required for Utilities and Service Systems.

## 2.1.20 Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

Question	CEQA Determination
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	No Impact
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	No Impact
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	No Impact
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	No Impact

### CEQA Significance Determinations for Wildfire

The project is not located in a Very High Fire Hazard Severity Zone (VHFHSZ) as shown in the CalFire Fire Hazard Severity Zone Maps in Figure 2.1.20-1.

**Figure 2.1.20-1 CalFire Fire Hazard Severity Zones Map**



0 10 20 40 Miles

0 10 20 40 Kilometers

**Legend**

- Postmile
- Project Area
- - - County Line

**Fire Hazard Zone**

- Moderate
- High
- Very High

**Fire Hazard Severity Zones Map**  
 San Bernardino Route 40 RSP Replacement  
 08-SBD-40 PM104.8/120.5  
 EA 08-1L800

**a) No Impact**

The project proposes to replace existing facilities only and does not propose to eliminate or alter access to emergency evacuation routes. The project is not anticipated to an adopted emergency response plan or emergency evacuation plan.

**b) No Impact**

The project would not considerably alter the surrounding landscape, introduce new structures, or bring new traffic into a fire hazard severity zone. The project proposes to preserve the structural integrity of the existing I-40 bridge facilities. The project is not anticipated to exacerbate wildfire risks or expose users of I-40 to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

**c) No Impact**

The project is replacing existing rock slope protection and bridge structures and would not require the installation of additional infrastructure. Maintenance requirements would remain the same or similar to existing. The project is not anticipated to require the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

**d) No Impact**

The project purpose is to preserve the structural integrity of the eight identified bridges and to prevent critical scour. The project is expected to stabilize the embankments of the washes and enhance the bridges' resilience to scour during rain events, including post-fire rain events. The project is not anticipated to expose people or structures to significant risks, including downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes.

**Avoidance, Minimization, and/or Mitigation Measures**

Caltrans 2024 Standard Specifications (or most recent), Best Management Practices (BMPs), and the following measure would be implemented to avoid, minimize, and/or mitigate any potential impacts to Wildfire.

**TRAF-1: Traffic Management Plan (TMP):** A Traffic Management Plan (TMP) has been prepared and will continue to be refined in Design phase to manage the safe and efficient flow of traffic during construction. The TMP would allow for continuous access to and through the site for emergency vehicles.

## 2.1.21 Mandatory Findings of Significance

Question	CEQA Determination
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	Less Than Significant Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	Less Than Significant Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	No Impact

### CEQA Significance Determinations for Mandatory Findings of Significance

#### a) Less Than Significant Impact

The project would have No Effect on listed fish population species, designated critical habitat, essential fish habitat, anadromous fish species, marine mammals, or their corresponding habitats. The project is not anticipated to have impacts to Migratory Bird Treaty Act species or their respective habitats.

The project is anticipated to have May Affect, Likely to Adversely Affect to desert tortoise individuals and No Effect to desert tortoise critical and suitable habitat. 28.36 acres of temporary impacts and 1.18 acres of permanent impacts to desert tortoise critical habitat are estimated, subject to change based on project design refinements in design phase and continuing coordination with agencies. **BIO-General-1, BIO-General-6 through 8, BIO-General-10 through 12, BIO-General-14, BIO-General-16, BIO-General-PSM-17, BIO-Reptile-1 through 8, BIO-DT-1, and BIO-DT-2** would be implemented to avoid, minimize, and/or mitigate any potential impacts to desert tortoise. The project is anticipated to have No Effect on other USFWS critical habitat or other protected species, including monarch butterfly and Southwestern willow flycatcher.

The project anticipates No Take of the following California Endangered Species Act endangered, threatened, or candidate species: desert tortoise, burrowing

owl, Le Conte's Thrasher, Southwestern willow flycatcher, American badger, and mountain lion.

The project would have No Adverse Effect to historical resources in the project area.

The project is not anticipated to have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

#### **b) Less Than Significant Impact**

The project is located within two historic properties, Desert Training Center/California-Arizona Maneuver Area and Camps Clipper and Essex, which have previously experienced impacts due to the construction of I-40 and other development. The project area is located mostly within previously disturbed areas. The HPSR and SHPSR prepared for the project determined that a Finding of No Historic Properties Affected is appropriate for this undertaking because there are no historic properties within the revised APE and the identified historic properties, DTC/C-AMA, and Camps Clipper & Essex will not be affected. Therefore, cumulatively considerable impacts to historical resources are not anticipated.

Natural communities such as catclaw acacia – desert lavender – chuparosa scrub and desert-willow smoketree wash woodland have experienced cumulative impacts from development and human activity including the construction of I-40. The estimated project acreage of impacts to these natural communities is low and will be avoided, minimized, and/or mitigated in accordance with **BIO-General-1, BIO-General-4, BIO-General-7 through 11, BIO-General-16, BIO-Plant-PSM-3, and BIO-Mitigation-1.**

Permanent impacts to potentially jurisdictional Waters of the U.S., Waters of the State, and CDFW jurisdictional areas are anticipated as part of the proposed activities within the Project Impact Area (PIA). Riparian habitat impacts will be offset through on-site restoration, suitable mitigation/conservation bank credits, and/or suitable in-lie fee program credits, in accordance with **BIO-Mitigation-1 through 3.** The project is not anticipated to have significant adverse cumulative effects to CDFW jurisdiction, bank-to-bank plus associated riparian vegetation.

Special-status plants and animals have experienced cumulative impacts from development, habitat degradation, human and vehicular traffic, and other factors in the project area such as the development of I-40 and Historic Route 66. The proposed project would occur within Caltrans Right of Way mostly in areas that are already developed and disturbed. The estimated acreage of impacts to

desert tortoise critical habitat is low and impacts to desert tortoise will be avoided, minimized, and/or mitigated in accordance with **BIO-General-1, BIO-General-6 through 8, BIO-General-10 through 12, BIO-General-14, BIO-General-16, BIO-General-PSM-17, BIO-Reptile-1 through 8, BIO-DT-1, and BIO-DT-2.**

Cumulatively considerable impacts to natural communities of concern, jurisdictional resources, and special-status plants and animals are not anticipated.

**c) No Impact**

Potential impacts to human beings were analyzed for Aesthetics, Air Quality, Geology and Soils, Hazards and Hazardous Materials, Noise, Population and Housing, Public Services, Transportation, and Wildfire. The project area does not contain residential, commercial, or other development aside from the existing I-40. **HAZ-1 through 5** would implement Caltrans Standard Special Provisions for the handling of potentially hazardous waste in construction for worker and traveler safety. The project is not anticipated to have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

**Avoidance, Minimization, and/or Mitigation Measures**

Caltrans 2024 Standard Specifications (or most recent) and Best Management Practices (BMPs) would be implemented to avoid and minimize any potential environmental impacts. In addition, the Project would also implement the following measures, as discussed above: **BIO-General-1, BIO-General-4, BIO-General-6 through 12, BIO-General-14, BIO-General-16, BIO-General-PSM-17, BIO-Reptile-1 through 8, BIO-DT-1, BIO-DT-2, BIO-Plant-PSM-3, BIO-Mitigation-1 through 3, and HAZ-1 through 5.**

## 2.2 CLIMATE CHANGE

Climate change refers to long-term changes in temperature, precipitation, wind patterns, and other elements of the Earth's climate system. The Intergovernmental Panel on Climate Change, established by the United Nations and World Meteorological Organization in 1988, is devoted to greenhouse gas (GHG) emissions reduction and climate change research and policy. Climate change in the past has generally occurred gradually over millennia, or more suddenly in response to cataclysmic natural disruptions. The research of the Intergovernmental Panel on Climate Change and other scientists over recent decades, however, has unequivocally attributed an accelerated rate of climatological changes over the past 150 years to GHG emissions generated from the production and use of fossil fuels.

Human activities generate GHGs consisting primarily of carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), tetrafluoromethane, hexafluoroethane, sulfur hexafluoride (SF<sub>6</sub>), and various hydrofluorocarbons (HFCs). CO<sub>2</sub> is the most abundant GHG; while it is a naturally occurring and necessary component of Earth's atmosphere, fossil-fuel combustion is the main source of additional, human-generated CO<sub>2</sub> that is the main driver of climate change. In the U.S. and in California, transportation is the largest source of GHG emissions, mostly CO<sub>2</sub>.

The impacts of climate change are already being observed in the form of sea level rise, drought, extended and severe fire seasons, and historic flooding from changing storm patterns. The most important strategy to address climate change is to reduce GHG emissions. Additional strategies are necessary to mitigate and adapt to these impacts. In the context of climate change, "mitigation" involves actions to reduce GHG emissions to lessen adverse impacts that are likely to occur. "Adaptation" is planning for and responding to impacts to reduce vulnerability to harm, such as by adjusting transportation design standards to withstand more intense storms, heat, and higher sea levels. This analysis will include a discussion of both in the context of this transportation project.

### 2.2.1 Regulatory Setting

For a full list of laws, regulations, and guidance related to climate change (GHGs and adaptation), please refer to [Caltrans' Standard Environmental Reference \(SER\), Chapter 16, Climate Change](#).

#### 2.2.1.1 Federal

Please note: The NEPA Phase II regulations that required climate change to be analyzed have been rescinded pursuant to the Removal of NEPA Implementing Regulations CEQ Interim Rule (effective April 11, 2025). However, mention of these regulations were included in the Draft Environmental Document prior to the rescission of the NEPA Phase II regulations. Therefore, it has been retained in the Final Environmental Document for informational purposes.

To date, no nationwide numeric mobile-source GHG reduction targets have been established; however, federal agencies are mandated to consider the effects of climate change in their environmental reviews.

The National Environmental Policy Act (NEPA) (42 United States Code [USC] Part 4332) is the basic national charter for protection of the environment which establishes policy, sets goals, and provides direction for carrying out the policy. NEPA requires federal agencies to assess the environmental effects of their proposed actions prior to making a decision on the action or project. In May 2024, the White House Council on Environmental Quality (CEQ) issued the National Environmental Policy Act Implementing Regulations Revisions Phase 2 (89 Fed. Reg. 35442). The CEQ regulations do not establish numeric thresholds of significance, but mandate that federal agencies consider the effects of climate change in their environmental reviews, including direct, indirect, and cumulative impacts. The CEQ regulations further require that agencies quantify greenhouse gas emissions, where feasible, from the proposed action and alternatives. The regulations also direct agencies to identify reasonable alternatives that reduce climate change-related effects.

The Federal Highway Administration (FHWA) recognizes the threats that extreme weather, sea level rise, and other changes in environmental conditions pose to valuable transportation infrastructure and those who depend on it. FHWA therefore supports a sustainability approach that assesses vulnerability to climate risks and incorporates resilience into planning, asset management, project development and design, and operations and maintenance practices (FHWA 2022). This approach encourages planning for sustainable highways by addressing climate risks while balancing environmental, economic, and social values— “the triple bottom line of sustainability” (FHWA n.d.). Program and project elements that foster sustainability and resilience also support economic vitality and global efficiency, increase safety and mobility, enhance the environment, promote energy conservation, and improve the quality of life.

Early efforts by the federal government to improve fuel economy and energy efficiency to address climate change and its associated effects include The Energy Policy and Conservation Act of 1975 (42 USC Section 6201); and Corporate Average Fuel Economy (CAFE) Standards. The U.S. Department of Transportation’s National Highway Traffic and Safety Administration (NHTSA) sets and enforces corporate average fuel economy (CAFÉ) standards for on-road motor vehicles sold in the United States. The Environmental Protection Agency (U.S. EPA) calculates average fuel economy levels for manufacturers, and also sets related GHG emissions standards for vehicles under the Clean Air Act. Raising CAFE standards leads automakers to create a more fuel-efficient fleet, which improves our nation’s energy security, saves consumers money at the pump, and reduces GHG emissions (U.S. DOT 2014). These standards are periodically updated and published through the federal rulemaking process.

### **2.2.1.2 State**

California has been innovative and proactive in addressing GHG emissions and climate change by passing multiple Senate and Assembly bills and executive orders (EOs).

In 2005, EO S-3-05 initially set a goal to reduce California’s GHG emissions to 80 percent below year 1990 levels by 2050, with interim reduction targets. Later EOs and Assembly and Senate bills refined interim targets and codified the emissions reduction goals and strategies. The California Air Resources Board (ARB) was directed to create a climate change scoping plan and implement rules to achieve “real, quantifiable, cost-effective reductions of greenhouse gases.” Ongoing GHG emissions reduction was also mandated in Health and Safety Code (H&SC) Section 38551(b). In 2022, the California Climate Crisis Act was passed, establishing state policy to reduce statewide human-caused GHG emissions by 85 percent below 1990 levels, achieve net zero GHG emissions by 2045, and achieve and maintain negative emissions thereafter.

Beyond GHG reduction, the State maintains a climate adaptation strategy to address the full range of climate change stressors, and passed legislation requiring state agencies to consider protection and management of natural and working lands as an important strategy in meeting the state’s GHG reduction goals.

## **2.2.2 Environmental Setting**

The proposed project is in a rural area, and each location is within an area designated as Open Space land use. Little to no services, residents, or businesses exist along I-40 in San Bernardino County and none exist within or adjacent to the project limits. The nearest alternate route is the historic Route 66, which connects to I-40 approximately 54 miles west of Woods Wash, and again approximately 3 miles west of Ardis Ditch. Another alternate route exists using another branch of Route 66 which connects to I-40 approximately 11 miles west of Ardis Ditch, then connects to SR-95, which then intersects back with I-40 approximately 12 miles east of Homer Wash. Heavy-duty trucks comprised 37-54% of the traffic on I-40 within San Bernardino County when the Transportation Concept report for I-40 was approved in 2016. The Connect SoCal 2024 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) by Southern California Association of Governments (SCAG) guides transportation development in the project area. The San Bernardino Countywide Plan addresses GHGs in the project area.

### **2.2.2.1 GHG Inventories**

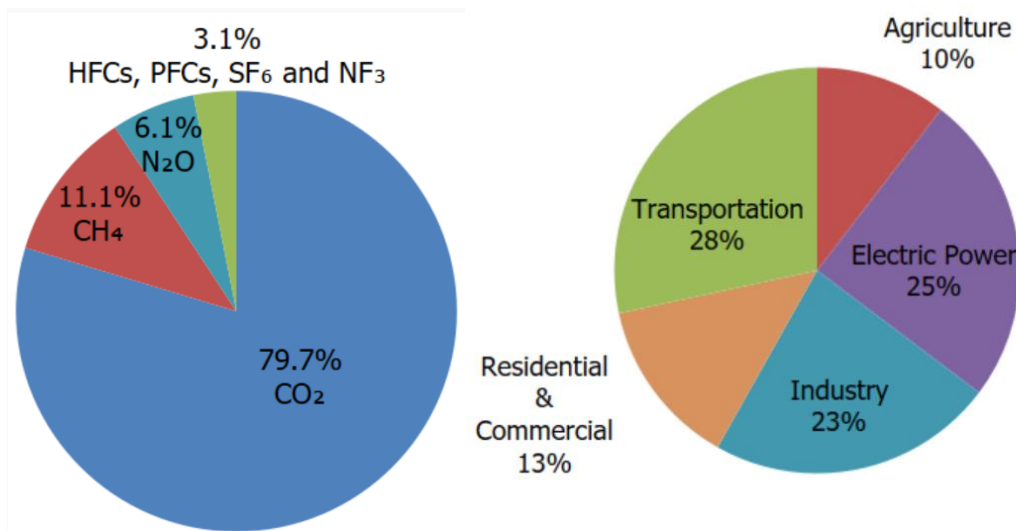
A GHG emissions inventory estimates the amount of GHGs discharged into the atmosphere by specific sources over a period of time. Tracking annual GHG emissions allows countries, states, and smaller jurisdictions to understand how emissions are changing and what actions may be needed to attain emission reduction goals. U.S. EPA is responsible for documenting GHG emissions nationwide, and the ARB does so for the state of California, as required by H&SC Section 39607.4. Cities and other local jurisdictions may also conduct local GHG inventories to inform their GHG reduction or climate action plans.

## **National GHG Inventory**

The annual GHG inventory submitted by the U.S. EPA to the United Nations provides a comprehensive accounting of all human-produced sources of GHGs in the United States. Total national GHG emissions from all sectors in 2022 were 5,489.0 million metric tons (MMT), factoring in deductions for carbon sequestration in the land sector. (Land Use, Land Use Change, and Forestry provide a carbon sink equivalent to 15% of total U.S. emissions in 2022 [U.S. EPA 2024a].) While total GHG emissions in 2022 were 17% below 2005 levels, they increased by 1% over 2021 levels. Of these, 80% were CO<sub>2</sub>, 11% were CH<sub>4</sub>, and 6% were N<sub>2</sub>O; the balance consisted of fluorinated gases. From 1990 to 2022, CO<sub>2</sub> emissions decreased by only 2% (U.S. EPA 2024a).

The transportation sector's share of total GHG emissions remained at 28% in 2022 and continues to be the largest contributing sector (Figure 2.2.2-1). Transportation activities accounted for 37% of U.S. CO<sub>2</sub> emissions from fossil fuel combustion in 2022. This is a decrease of 0.5% from 2021 (U.S. EPA 2024a, 2024b)).

**Figure 2.2.2-1 U.S. 2022 Greenhouse Gas Emissions**

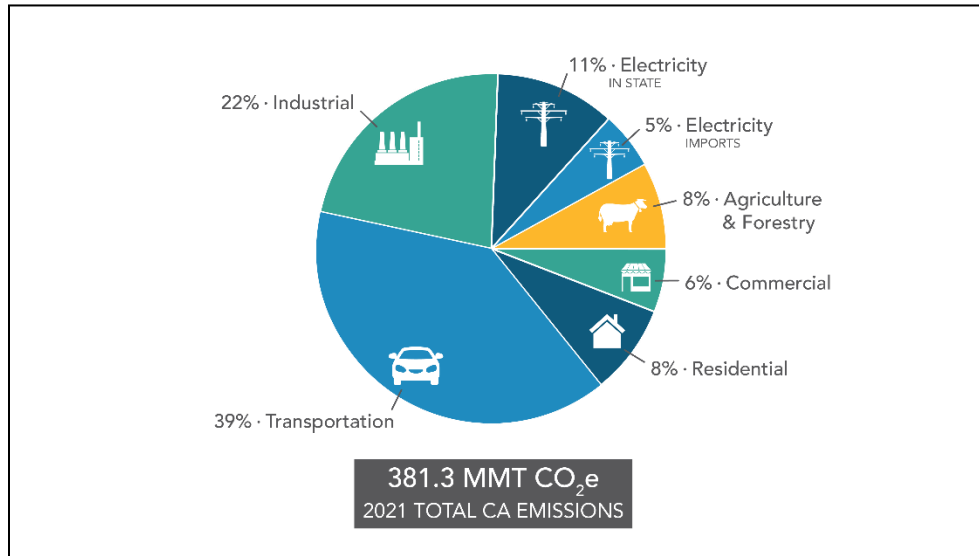


(Source: U.S. EPA 2024b)

## **State GHG Inventory**

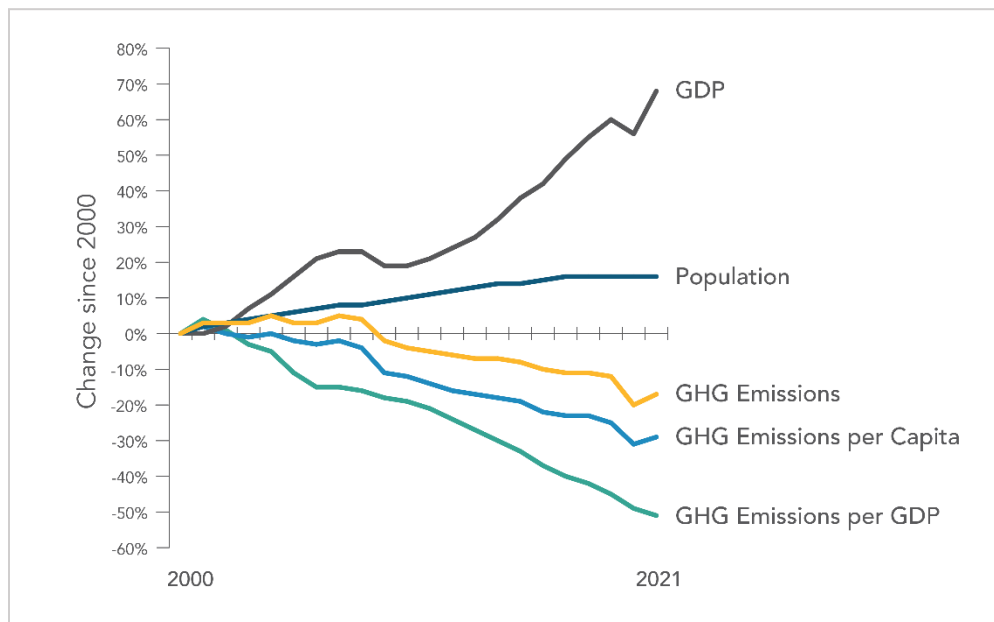
ARB collects GHG emissions data for transportation, electricity, commercial/residential, industrial, agricultural, and waste management sectors each year. It then summarizes and highlights major annual changes and trends to demonstrate the state's progress in meeting its GHG reduction goals. Overall statewide GHG emissions declined from 2000 to 2021 despite growth in population and state economic output (Figure 2.2.2-3). Transportation emissions remain the largest contributor to GHG emissions in the state (Figure 2.2.2-2) (ARB 2023).

**Figure 2.2.2-2 California 2021 Greenhouse Gas Emissions by Economic Sector**



(Source: ARB 2023)

**Figure 2.2.2-3 Change in California GDP, Population, and GHG Emissions since 2000**



(Source: ARB 2023)

AB 32 required ARB to develop a Scoping Plan that describes the approach California will take to achieve the goal of reducing GHG emissions to 1990 levels by 2020, and to update it every 5 years. The AB 32 Scoping Plan and the subsequent updates contain the main strategies California will use to reduce GHG emissions. ARB adopted the first

scoping plan in 2008. The second updated plan, California’s 2017 Climate Change Scoping Plan, adopted on December 14, 2017, reflects the 2030 target established in EO B-30-15 and SB 32. The *2022 Scoping Plan for Achieving Carbon Neutrality*, adopted September 2022, assesses progress toward the statutory 2030 reduction goal and defines a path to reduce human-caused emissions to 85 percent below 1990 levels and achieve carbon neutrality no later than 2045, in accordance with AB 1279 (ARB 2022a).

### 2.2.2.2 Regional Plans

As required by *The Sustainable Communities and Climate Protection Act of 2008*, ARB sets regional GHG reduction targets for California’s 18 metropolitan planning organizations (MPOs) to achieve through planning future projects that will cumulatively achieve those goals, and reporting how they will be met in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). Targets are set at a percent reduction of passenger vehicle GHG emissions per person from 2005 levels. The proposed project is included in the RTP/SCS for Southern California Association of Governments (SCAG). The regional reduction target for SCAG is 19 percent by 2035 (ARB 2021).

**Table 2.2.2-1 Regional and Local Greenhouse Gas Reduction Plans**

Title	GHG Reduction Policies or Strategies
<i>Southern California Association of Governments (SCAG) 2024-2050 Connect SoCal Regional Transportation Plan/Sustainable Communities Strategy (adopted September 2024)</i>	<ul style="list-style-type: none"> <li>• System Preservation and Resilience</li> <li>• Complete Streets</li> <li>• Transit and Multimodal Integration</li> <li>• Transportation System Management</li> <li>• Transportation Demand Management</li> <li>• Air Quality</li> <li>• Clean Transportation</li> <li>• Goods Movement</li> </ul>
<i>San Bernardino County Countywide Policy Plan</i>	<ul style="list-style-type: none"> <li>• Policy NR 1.7 Greenhouse gas reduction targets</li> <li>• Policy NR 1.8 Construction and Operations</li> </ul>
<i>San Bernardino County Regional Greenhouse Gas Reduction Plan (March 2021)</i>	<ul style="list-style-type: none"> <li>• OnRoad-1 Alternative Fueled Transit Fleets</li> <li>• OnRoad-2 Encourage Use of Mass Transit</li> <li>• OnRoad-3 Transportation Demand Management and Synchronization</li> <li>• OnRoad-4 Expand Bike Routes</li> <li>• OnRoad-5 Community Fleet Electrification</li> </ul>

### **2.2.3 Project Analysis**

GHG emissions from transportation projects can be divided into those produced during operation and use of the State Highway System (SHS) (operational emissions) and those produced during construction. The primary GHGs produced by the transportation sector are CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, and HFCs. CO<sub>2</sub> emissions are a product of burning gasoline or diesel fuel in internal combustion engines, along with relatively small amounts of CH<sub>4</sub> and N<sub>2</sub>O. A small amount of HFC emissions related to refrigeration is also included in the transportation sector. (GHGs differ in how much heat each traps in the atmosphere, called global warming potential, or GWP. CO<sub>2</sub> is the most important GHG, so amounts of other gases are expressed relative to CO<sub>2</sub>, using a metric called “carbon dioxide equivalent”, or CO<sub>2</sub>e. The global warming potential of CO<sub>2</sub> is assigned a value of 1, and the GWP of other gases is assessed as multiples of CO<sub>2</sub>.)

The CEQA Guidelines generally address greenhouse gas emissions as a cumulative impact due to the global nature of climate change (Pub. Resources Code, § 21083(b)(2)). As the California Supreme Court explained, “because of the global scale of climate change, any one project's contribution is unlikely to be significant by itself.” (Cleveland National Forest Foundation v. San Diego Assn. of Governments (2017) 3 Cal.5th 497, 512.) In assessing cumulative impacts, it must be determined if a project's incremental effect is “cumulatively considerable” (CEQA Guidelines Sections 15064(h)(1) and 15130).

To make this determination, the incremental impacts of the project must be compared with the effects of past, current, and probable future projects. Although climate change is ultimately a cumulative impact, not every individual project that emits greenhouse gases must necessarily be found to contribute to a significant cumulative impact on the environment.

#### **2.2.3.1 Operational Emissions**

The purpose of the proposed project is to preserve the structural integrity of the existing identified structures and will not increase the vehicle capacity of the roadway. This type of project generally causes minimal or no increase in operational GHG emissions. Because the project would not increase the number of travel lanes on Interstate 40 (I-40), no increase in vehicle miles traveled (VMT) would occur. While some GHG emissions during the construction period would be unavoidable, no increase in operational GHG emissions is expected.

#### **2.2.3.2 Construction Emissions**

Construction GHG emissions would result from material processing and transportation, on-site construction equipment, and traffic delays due to construction. These emissions will be produced at different levels throughout the construction phase; their frequency and occurrence can be reduced through innovations in plans and specifications and by implementing better traffic management during construction phases. While construction

GHG emissions are only produced for a short time, they have long-term effects in the atmosphere, so cannot be considered “temporary” in the same way as criteria pollutants that subside after construction is completed.

Use of long-life pavement, improved traffic management plans, and changes in materials can also help offset GHG emissions produced during construction by allowing longer intervals between maintenance and rehabilitation activities.

GHG emissions for construction activities were estimated using preliminary design data and the Caltrans Construction Emissions Tool (Cal-CET) on October 29, 2024. The project is estimated to emit 3507 pounds of CO<sub>2</sub> Equivalent (CO<sub>2e</sub>) per day for a period of 380 working days (WD). The total estimated construction emissions for the project are estimated at 635 tons CO<sub>2e</sub>.

All construction contracts include Caltrans Standard Specifications related to air quality. Section 7-1.02A and 7 1.02C, Emissions Reduction, requires contractors to comply with all laws applicable to the project and to certify they are aware of and will comply with all ARB emission reduction regulations. Section 14-9.02, Air Pollution Control, requires contractors to comply with all air pollution control rules, regulations, ordinances, and statutes. Certain common regulations, such as equipment idling restrictions, that reduce construction vehicle emissions also help reduce GHG emissions.

### **2.2.3.3 CEQA Conclusion**

The proposed project is not anticipated to increase operational GHG emissions and is estimated to emit a total of 635 tons of CO<sub>2e</sub> over the course of 380 working days of construction. With the implementation of construction GHG measures, the project is not anticipated to have a significant impact on greenhouse gas emissions.

The project is not anticipated to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Caltrans is firmly committed to implementing measures to help reduce GHG emissions. These measures are outlined in the following section.

## **2.2.4 Greenhouse Gas Reduction Strategies**

### **2.2.4.1 Statewide Efforts**

In response to Assembly Bill 32, the Global Warming Solutions Act, California is implementing measures to achieve emission reductions of GHGs that cause climate change. Climate change programs in California are effectively reducing GHG emissions from all sectors of the economy. These programs include regulations, market programs, and incentives that will transform transportation, industry, fuels, and other sectors to take California into a sustainable, cleaner, low-carbon future, while maintaining a robust economy (ARB 2022b).

Major sectors of the California economy, including transportation, will need to reduce emissions to meet 2030 and 2050 GHG emissions targets. The Governor's Office of Planning and Research identified five sustainability pillars in a 2015 report: (1) Increasing the share of renewable energy in the State's energy mix to at least 50 percent by 2030; (2) Reducing petroleum use by up to 50 percent by 2030; (3) Increasing the energy efficiency of existing buildings by 50 percent by 2030; (4) Reducing emissions of short-lived climate pollutants; and (5) Stewarding natural resources, including forests, working lands, and wetlands, to ensure that they store carbon, are resilient, and enhance other environmental benefits (OPR 2015).

The transportation sector is integral to the people and economy of California. To achieve GHG emission reduction goals, it is vital that the state build on past successes in reducing criteria and toxic air pollutants from transportation and goods movement. GHG emission reductions will come from cleaner vehicle technologies, lower-carbon fuels, and reduction of vehicle miles traveled (VMT). Reducing today's petroleum use in cars and trucks is a key state goal for reducing greenhouse gas emissions by 2030 (California Environmental Protection Agency 2015).

In addition, SB 1386 (Wolk 2016) established as state policy the protection and management of natural and working lands and requires state agencies to consider that policy in their own decision making. Trees and vegetation on forests, rangelands, farms, and wetlands remove carbon dioxide from the atmosphere through biological processes and sequester the carbon in above- and below-ground matter.

Subsequently, Governor Gavin Newsom issued Executive Order N-82-20 to combat the crises in climate change and biodiversity. It instructs state agencies to use existing authorities and resources to identify and implement near- and long-term actions to accelerate natural removal of carbon and build climate resilience in our forests, wetlands, urban greenspaces, agricultural soils, and land conservation activities in ways that serve all communities and in particular low-income, disadvantaged, and vulnerable communities. To support this order, the California Natural Resources Agency released *Natural and Working Lands Climate Smart Strategy* (California Natural Resources Agency 2022).

#### **2.2.4.2 Caltrans Activities**

Caltrans continues to be involved on the Governor's Climate Action Team as the ARB works to implement EOs S-3-05 and S-01-07 and help achieve the targets set forth in AB 32. EO B-30-15, issued in April 2015, and SB 32 (2016), set an interim target to cut GHG emissions to 40 percent below 1990 levels by 2030. The following major initiatives are underway at Caltrans to help meet these targets.

#### **Climate Action Plan for Transportation Infrastructure**

*The California Action Plan for Transportation Infrastructure* (CAPTI) builds on executive orders signed by Governor Newsom in 2019 and 2020 targeted at reducing GHG emissions in transportation, which account for more than 40 percent of all polluting

emissions, to reach the state's climate goals. Under CAPTI, where feasible and within existing funding program structures, the state will invest discretionary transportation funds in sustainable infrastructure projects that align with its climate, health, and social equity goals (California State Transportation Agency 2021).

### **California Transportation Plan**

The California Transportation Plan (CTP) is a statewide, long-range transportation plan to meet our future mobility needs and reduce GHG emissions. It serves as an umbrella document for all the other statewide transportation planning documents. The CTP 2050 presents a vision of a safe, resilient, and universally accessible transportation system that supports vibrant communities, advances racial and economic justice, and improves public and environmental health. The plan's climate goal is to achieve statewide GHG emissions reduction targets and increase resilience to climate change. It demonstrates how GHG emissions from the transportation sector can be reduced through advancements in clean fuel technologies; continued shifts toward active travel, transit, and shared mobility; more efficient land use and development practices; and continued shifts to telework (Caltrans 2021a).

### **Caltrans Strategic Plan**

The *Caltrans 2024–2028 Strategic Plan* outlines goals centered on safety, climate action, and stewardship. Climate-related strategies include implementing the Caltrans Climate Action Plan; expanding climate education, training, and outreach; strengthening partnerships to support climate resilience; promoting sustainable transportation solutions that reduce emissions; and continuing to engage underserved and disproportionately impacted communities in climate planning and implementation.

### **Caltrans Policy Directives and Other Initiatives**

Caltrans Director's Policy 30 (DP-30) Climate Change (June 22, 2012) established a policy to ensure coordinated efforts to incorporate climate change into Caltrans decisions and activities. Other Director's policies promote energy efficiency, conservation, and climate change, and commit Caltrans to sustainability practices in all planning, maintenance, and operations. *Caltrans Greenhouse Gas Emissions and Mitigation Report* (Caltrans 2020) provides a comprehensive overview of Caltrans' emissions and current Caltrans procedures and activities that track and reduce GHG emissions. It identifies additional opportunities for further reducing GHG emissions from Department-controlled emission sources, in support of Caltrans and State goals.

#### **2.2.4.3 Project-Level GHG Reduction Strategies**

The following measures will also be implemented in the project to reduce GHG emissions and potential climate change impacts from the project.

**GHG-1:** For improved fuel efficiency from construction equipment: Maintain equipment in proper tune and working condition, use right sized equipment for the job, and use equipment with new technologies where possible.

**GHG-2:** Reduce construction waste through reuse or recycling of materials, and submit disposal documentation as per Caltrans Standard Specification 14-11.13B(6).

**GHG-3:** Use recycled water or reduce consumption of water for construction per Caltrans Standard Specifications 10-4 and 10-6.

## **2.2.5 Adaptation**

Reducing GHG emissions is only one part of an approach to addressing climate change. Caltrans must plan for the effects of climate change on the state's transportation infrastructure and strengthen or protect the facilities from damage. Climate change is expected to produce increased variability in precipitation, rising temperatures, rising sea levels, variability in storm surges and their intensity, and in the frequency and intensity of wildfires. Flooding and erosion can damage or wash out roads; longer periods of intense heat can buckle pavement and railroad tracks; storm surges combined with a rising sea level can inundate highways. Wildfire can directly burn facilities and indirectly cause damage when rain falls on denuded slopes that landslide after a fire. Effects will vary by location and may, in the most extreme cases, require that a facility be relocated or redesigned. Furthermore, the combined effects of transportation projects and climate stressors can exacerbate the impacts of both on vulnerable communities in a project area. Accordingly, Caltrans must consider these types of climate stressors in how highways are planned, designed, built, operated, and maintained.

### **2.2.5.1 Federal Efforts**

Under NEPA Assignment, Caltrans is obligated to comply with all applicable federal environmental laws and FHWA NEPA regulations, policies, and guidance.

The *Fifth National Climate Assessment*, published in 2023, presents the most recent science and “analyzes the effects of global change on the natural environment, agriculture, energy production and use, land and water resources, transportation, human health and welfare, human social systems, and biological diversity; [It] analyzes current trends in global change, both human-induced and natural, and projects major trends for the subsequent 25 to 100 years ... to support informed decision-making across the United States.” Building on previous assessments, it continues to advance “an inclusive, diverse, and sustained process for assessing and communicating scientific knowledge on the impacts, risks, and vulnerabilities associated with a changing global climate” (U.S. Global Change Research Program 2023).

The U.S. Department of Transportation recognizes the transportation sector's major contribution of GHGs that cause climate change and has made climate action one of the department's top priorities (U.S. DOT 2023). FHWA's policy is to strive to identify the risks of climate change and extreme weather events to current and planned transportation systems. FHWA has developed guidance and tools for transportation

planning that fosters resilience to climate effects and sustainability at the federal, state, and local levels (FHWA 2022).

The National Oceanic and Atmospheric Administration provides sea level rise projections for all U.S. coastal waters to help communities and decision makers assess their risk from sea level rise. Updated projections through 2150 were released in 2022 in a report and online tool (NOAA 2022).

### **2.2.5.2 State Efforts**

Climate change adaptation for transportation infrastructure involves long-term planning and risk management to address vulnerabilities in the transportation system. A number of state policies and tools have been developed to guide adaptation efforts.

*California's Fourth Climate Change Assessment* (Fourth Assessment) (2018) provides information to help decision makers across sectors and at state, regional, and local scales protect and build the resilience of the state's people, infrastructure, natural systems, working lands, and waters. The Fourth Assessment reported that if no measures are taken to reduce GHG emissions by 2021 or sooner, the state is projected to experience an up to 8.8 degrees Fahrenheit increase in average annual maximum daily temperatures; a two-thirds decline in water supply from snowpack resulting in water shortages; a 77% increase in average area burned by wildfire; and large-scale erosion of up to 67% of Southern California beaches due to sea level rise. These effects will have profound impacts on infrastructure, agriculture, energy demand, natural systems, communities, and public health (State of California 2018).

Sea level rise is a particular concern for transportation infrastructure in the coastal zone. Major urban airports will be at risk of flooding from sea level rise combined with storm surge as early as 2040; San Francisco airport is already at risk. Miles of coastal highways vulnerable to flooding in a 100-year storm event will triple to 370 by 2100, and 3,750 miles will be exposed to temporary flooding. The Fourth Assessment's findings highlight the need for proactive action to address these current and future impacts of climate change.

To help actors throughout the state address the findings of California's Fourth Climate Change Assessment, AB 2800's multidisciplinary Climate-Safe Infrastructure Working Group published *Paying it Forward: The Path Toward Climate-Safe Infrastructure in California*. This report provides guidance on assessing risk in the face of inherent uncertainties still posed by the best available climate change science. It also examines how state agencies can use infrastructure planning, design, and implementation processes to respond to the observed and anticipated climate change impacts (Climate-Safe Infrastructure Working Group 2018).

EO S-13-08, issued in 2008, directed state agencies to consider sea level rise scenarios for 2050 and 2100 during planning to assess project vulnerabilities, reduce risks, and increase resilience to sea level rise. It gave rise to the 2009 *California Climate Adaptation Strategy*, the Safeguarding California Plan, and a series of technical reports

on statewide sea level rise projections and risks, including the *State of California Sea-Level Rise Guidance Update* in 2018. The reports addressed the full range of climate change impacts and recommended adaptation strategies. The current *California Climate Adaptation Strategy* incorporates key elements of the latest sector-specific plans such as the *Natural and Working Lands Climate Smart Strategy*, *Wildfire and Forest Resilience Action Plan*, *Water Resilience Portfolio*, and the CAPTI (described above). Priorities in the 2023 *California Climate Adaptation Strategy* include acting in partnership with California Native American Tribes, strengthening protections for climate-vulnerable communities that lack capacity and resources, implementing nature-based climate solutions, using best available climate science, and partnering and collaboration to best leverage resources (California Natural Resources Agency 2023).

EO B-30-15 recognizes that effects of climate change threaten California's infrastructure and requires state agencies to factor climate change into all planning and investment decisions. Under this EO, the Office of Planning and Research published *Planning and Investing for a Resilient California: A Guidebook for State Agencies*, to encourage a uniform and systematic approach to building resilience.

SB 1 Coastal Resources: Sea Level Rise (Atkins 2021) established statewide goals to "anticipate, assess, plan for, and, to the extent feasible, avoid, minimize, and mitigate the adverse environmental and economic effects of sea level rise within the coastal zone." As the legislation directed, the Ocean Protection Council collaborated with 17 state planning and coastal management agencies to develop the *State Agency Sea-Level Rise Action Plan for California* in February 2022. This plan promotes coordinated actions by state agencies to enhance California's resilience to the impacts of sea level rise (California Ocean Protection Council 2022).

### **2.2.5.3 Caltrans Adaptation Efforts**

#### **Caltrans Vulnerability Assessments**

Caltrans completed climate change vulnerability assessments to identify segments of the State Highway System vulnerable to climate change effects of precipitation, temperature, wildfire, storm surge, and sea level rise.

The climate change data in the assessments were developed in coordination with climate change scientists and experts at federal, state, and regional organizations at the forefront of climate science. The findings of the vulnerability assessments guide analysis of at-risk assets and development of Adaptation Priority Reports as a method to make capital programming decisions to address identified risks.

#### **Caltrans Sustainability Programs**

The Director's Office of Equity, Sustainability and Tribal Affairs supports implementation of sustainable practices at Caltrans. The *Sustainability Roadmap* is a periodic progress report and plan for meeting the Governor's sustainability goals related to EOs B-16-12, B-18-12, and B-30-15. The Roadmap includes designing new buildings for climate

change resilience and zero-net energy, and replacing fleet vehicles with zero-emission vehicles (Caltrans 2023).

#### **2.2.5.4 Project Adaptation Analysis**

##### **Sea Level Rise**

The proposed project is outside the coastal zone and not in an area subject to sea level rise. Accordingly, direct impacts to transportation facilities due to projected sea level rise are not expected.

##### **Precipitation and Flooding**

All eight identified bridges cross over washes in a desert environment, therefore resiliency against precipitation and flooding was a major factor in the proposed project's purpose, need, and design. All eight identified bridges cross over washes in a desert environment, therefore resiliency against precipitation and flooding was a major factor in the proposed project's purpose, need, and design.

The proposed RSP and bridge replacements would be designed to be able to handle the 200-year flood event. The proposed work would increase and preserve the resiliency of the existing I-40 facilities to changes in precipitation and flooding exacerbated by climate change.

##### **Wildfire**

The proposed project limits are not located in or near an area identified as a Fire Hazard Severity Zone by CalFire as shown in Figure 2.1.20-1.

The Caltrans District 8 Climate Change Vulnerability Assessment Map for Wildfire Exposure displays exposure in 2010-2039, 2040-2069, and 2070-2099 for the Representative Concentration Pathway (RCP) 8.5 scenario, which assumes high GHG emissions through the end of the century, and for the RCP 4.5 scenario, which assumes that global annual GHG emissions will peak around 2040 and then begin to decline.

Woods Wash was shown as having no wildfire exposure for 2010-2039, 2040-2069, and 2070-2099 in both RCP 8.5 and RCP 4.5. Ardis Ditch, Tank Tower Ditch, and Homer Wash were shown as having no wildfire exposure in the same scenarios except for the 2070-2099 RCP 8.5 scenario, which showed all three locations as having Moderate wildfire exposure.

The proposed structures consist mainly of nonflammable materials such as boulders, steel, and concrete. The project would also use steel posts for guardrails and would install vegetation control underneath the guardrail. Wildfire combined with heavier precipitation events can lead to flash floods and mudslides that can severely impact the highway system. The replacement structures will be designed for the 200-year flood event to resist scour and protect the structural integrity of the identified bridges.

During construction, Caltrans standard Best Management Practices (BMPs) and Caltrans Standard Specifications will be implemented to avoid and minimize the risk of fires. Caltrans standards require a fire prevention plan as per Cal/OSHA requirements, require posting contact information for the nearest fire suppression agencies, prohibit the setting of any open fires that are not part of the work, and require any fires directly or indirectly caused by job site activities to be extinguished.

## **Temperature**

The Caltrans District 8 Climate Change Vulnerability Assessment estimated that for the RCP 8.5 scenario, the project area could experience temperature increases at all four locations.

Woods Wash is estimated to experience an increase of 6.11°F in the average 7-day maximum temperature and 3.9°F in the average minimum temperature by 2055, and an increase of 10.3°F in the average 7-day maximum temperature and 7.5°F in the average minimum temperature by 2085.

Ardis Ditch is estimated to experience an increase of 6.16°F in the average 7-day maximum temperature and 3.8°F in the average minimum temperature by 2055, and an increase of 10°F in the average 7-day maximum temperature and 7.3°F in the average minimum temperature by 2085.

Tank Tower Ditch and Homer Wash are both estimated to experience an increase of 6.22°F in the average 7-day maximum temperature and 3.8°F in the average minimum temperature by 2055, and an increase of 10°F in the average 7-day maximum temperature and 7.1°F in the average minimum temperature by 2085.

The project will factor temperature changes due to climate change into the selection of roadway and structural materials in order to select the materials most appropriate for the project as is required during design.

## **2.2.6 References**

California Air Resources Board (ARB). 2008. *Climate Change Scoping Plan Appendices. Volume II: Analysis and Documentation*. Appendix I, p. I-19. December. <https://ww3.arb.ca.gov/cc/scopingplan/document/scopingplandocument.htm>. Accessed: June 14, 2024.

California Air Resources Board (ARB). 2021. *SB 375 Regional Plan Climate Targets*. <https://ww2.arb.ca.gov/our-work/programs/sustainable-communities-program/regional-plan-targets>. Accessed: June 14, 2024.

California Air Resources Board (ARB). 2022a. *2022 Scoping Plan for Achieving Carbon Neutrality*. Executive Summary. <https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents>. Accessed: June 14, 2024.

- California Air Resources Board (ARB). 2022b. *Climate Change*. <https://ww2.arb.ca.gov/our-work/topics/climate-change>. Accessed: June 14, 2024.
- California Air Resources Board (ARB). 2023. *California Greenhouse Gas Emissions Inventory Data—2023 Edition, 2000-2021*. <https://ww2.arb.ca.gov/ghg-inventory-data>. Accessed: June 14, 2024.
- California Department of Transportation (Caltrans). 2019. *Caltrans Climate Change Vulnerability Assessments. District 8 Technical Report*. September 2019. Prepared by WSP. <https://dot.ca.gov/programs/transportation-planning/2019-climate-change-vulnerability-assessments>.
- California Department of Transportation (Caltrans). 2020. *Caltrans Greenhouse Gas Emissions and Mitigation Report*. Final. August. Prepared by ICF, Sacramento, CA. <https://dot.ca.gov/programs/public-affairs/mile-marker/summer-2021/ghg>. Accessed: June 14, 2024.
- California Department of Transportation (Caltrans). 2021a. *California Transportation Plan 2050*. February. <https://dot.ca.gov/programs/transportation-planning/division-of-transportation-planning/state-planning-equity-and-engagement/california-transportation-plan>. Accessed: June 14, 2024.
- California Department of Transportation (Caltrans). 2024. *Caltrans 2024-2028 Strategic Plan*. <https://dot.ca.gov/-/media/dot-media/programs/risk-strategic-management/documents/2024-28-caltrans-strategic-plan-final-a11y.pdf> Accessed: June 18, 2025.
- California Department of Transportation. 2023. *Sustainable Operations at Caltrans*. <https://dot.ca.gov/programs/esta/sustainable-caltrans>. Accessed: June 14, 2024.
- California Governor's Office of Planning and Research (OPR). 2015. *A Strategy for California @ 50 Million*. November. <https://opr.ca.gov/planning/environmental-goals/>. Accessed: June 14, 2024.
- California Natural Resources Agency. 2022. *Nature-Based Climate Solutions: Natural and Working Lands Climate Smart Strategy*. <https://resources.ca.gov/Initiatives/Expanding-Nature-Based-Solutions>. Accessed: June 14, 2024.
- California Natural Resources Agency. 2023. *California Climate Adaptation Strategy*. <https://climateresilience.ca.gov/overview/index.html>. Accessed: June 14, 2024.
- California Ocean Protection Council. 2022. *State Agency Sea-Level Rise Action Plan for California*. February. <https://www.opc.ca.gov/climate-change/sea-level-rise-2/>. Accessed: June 14, 2024.
- California State Transportation Agency. 2021. *Climate Action Plan for Transportation Infrastructure (CAPTI)*. <https://calsta.ca.gov/subject-areas/climate-action-plan>. Accessed: June 14, 2024.

Climate-Safe Infrastructure Working Group. 2018. *Paying it Forward: The Path Toward Climate-Safe Infrastructure in California*. September.

[https://resources.ca.gov/CNRALegacyFiles/docs/climate/ab2800/AB2800\\_Climate-SafeInfrastructure\\_FinalNoAppendices.pdf](https://resources.ca.gov/CNRALegacyFiles/docs/climate/ab2800/AB2800_Climate-SafeInfrastructure_FinalNoAppendices.pdf). Accessed: June 14, 2024.

Federal Highway Administration (FHWA). 2022. *Sustainability*.

<https://www.fhwa.dot.gov/environment/sustainability/resilience/>. Last updated July 29, 2022. Accessed: June 14, 2024.

Federal Highway Administration (FHWA). No date. *Sustainable Highways Initiative*.

<https://www.fhwa.dot.gov/environment/sustainability/initiative/>. Accessed: June 14, 2024.

National Oceanic and Atmospheric Administration (NOAA). 2022. *2022 Sea Level Rise Technical Report*. <https://oceanservice.noaa.gov/hazards/sealevelrise/sealevelrise-tech-report.html>. Accessed: November 13, 2023.

San Bernardino County. San Bernardino Countywide Plan.

<https://countywideplan.sbcounty.gov/>. Accessed: February 28, 2025.

State of California. 2018. *California's Fourth Climate Change Assessment*.

<http://www.climateassessment.ca.gov/>. Accessed: June 14, 2024.

Southern California Association of Governments. 2024. *Connect SoCal 2024 Regional Transportation Plan/Sustainable Communities Strategy*. <https://scag.ca.gov/connect-socal>. Accessed: February 28, 2025.

U.S. Department of Transportation (U.S. DOT). 2014. *Corporate Average Fuel Economy (CAFE) Standards*.

<https://www.transportation.gov/mission/sustainability/corporate-average-fuel-economy-cafe-standards>. Accessed: June 14, 2024.

U.S. Department of Transportation. 2023. *Climate Action*. January.

<https://www.transportation.gov/priorities/climate-and-sustainability/climate-action>. Accessed: June 14, 2024.

U.S. Environmental Protection Agency (U.S. EPA). 2021. *Final Rule to Revise Existing National GHG Emissions Standards for Passenger Cars and Light Trucks Through Model Year 2026*. December.

<https://www.epa.gov/regulations-emissions-vehicles-and-engines/final-rule-revise-existing-national-ghg-emissions>. Accessed: June 14, 2024.

U.S. Environmental Protection Agency. 2024a. *Data Highlights*. Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2022.

<https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks>. Accessed: June 14, 2024.

U.S. Environmental Protection Agency. 2024b. *Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2022*. <https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks>. Accessed: June 14, 2024.

U.S. Global Change Research Program. 2023. *Fifth National Climate Assessment*. <https://nca2023.globalchange.gov/chapter/front-matter/>. Accessed: June 14, 2024.

## **Chapter 3      Comments and Coordination**

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Early and continuing coordination with the general public and public agencies is an essential part of the environmental process. It helps planners determine the necessary scope of environmental documentation, as well as the level of analysis required, and to identify potential impacts and avoidance, minimization, and/or mitigation measures and related environmental requirements. Agency and tribal consultation and public participation for this project have been accomplished through a variety of formal and informal methods, including Project Development Team (PDT) meetings and interagency coordination meetings. In addition to consultation with agencies, the environmental document process included providing the public an opportunity to review and comment on the document during the public review period. This chapter summarizes the results of efforts to identify, address, and resolve project -related issues through early and continuing coordination.

### **3.1 Native American Tribes**

A letter requesting a Sacred Land File (SLF) search was sent to the Native American Heritage Commission (NAHC) September 14, 2022. A Negative SLF search was returned on November 6, 2022, as well as a contact list. After consultation with the District Native American Coordinator (DNAC), the following tribes were contacted: Fort Mojave Indian Tribe, Twentynine Palms Band of Mission Indians, and Chemehuevi Reservation. Initial letters were sent out on November 14, 2022.

- Chemehuevi Reservation: Initial letter was sent to Ron Escobar, Environmental Director, and follow up was sent January 9, 2023. Mr. Escobar responded the same day asking to be kept apprised of the project and to have a copy of the cultural resource investigation. The completed ASR was sent to Mr. Escobar.
- Fort Mojave Indian Tribe: Initial letter was sent to Linda Otero, Director AhaMaKav Cultural Society, and follow up was sent January 9, 2023. A response was received January 10, 2023 stating that FMIT had received the letter. There has been no further response to date.
- Twentynine Palms Band of Mission Indians: Initial letter was sent to Sarah Bliss, Cultural Resource Manager, and follow up was sent January 9, 2023 and May 10, 2023. There has been no response to date.

### **3.2 U.S. Fish and Wildlife Service**

Official U.S. Fish and Wildlife Service (USFWS) List of Proposed, Candidate, Threatened, and Endangered Species and Critical Habitats were obtained through the USFWS Information for Planning and Consultation (IPaC) System on September 17, 2024 for each of the four locations in support of the Natural Environment Study (NES) approved September 24, 2024. The NES was updated December 17, 2024, and new species lists for each location were received on December 9, 2024.

A Desert Tortoise Programmatic Biological Opinion was submitted for USFWS concurrence on December 18, 2024. Concurrence was received February 28, 2025, which included additional protective measures BIO-Reptile-6, BIO-Reptile-7, and BIO-DT-2 agreed to by Caltrans and USFWS during consultation.

### 3.3 Public Participation

The required submittal to the State Clearinghouse (SCH) for public review and comment on the Initial Study with a Proposed Mitigated Negative Declaration prepared for this project was transmitted on March 24, 2025. The SCH notice on CEQANet was published on March 25, 2025, with March 25, 2025 to April 23, 2025 identified as the State review period. No newspaper notice was published. No request was received to hold a public hearing or meeting in conjunction with circulation of the Initial Study with a Proposed Mitigated Negative Declaration prepared for this project, accordingly, no meetings were held. Accessible attachments available via the notice on CEQANet included the Initial Study with a Proposed Mitigated Negative Declaration itself and a Public Notice document.

Comments received during the public review period consisted of one letter and two emails, which are provided on the following pages along with responses to the comments. The comments and responses received during the public review period are presented in the chronological order in which the comment was received (see summary table below and the section that follows). Comments and responses were numbered to correlate. For example, the comment from Ponderosa & Table Top is 1-1, with 1 being the unique identifier and “-1” referring to the first comment. In order to assist in the location of comments and responses, the respective names of the authors of the comment are indicated prior to each comment response.

**Table 3.3-1 Comments Received**

<b>Number</b>	<b>Commenter</b>	<b>Date</b>
1	Ponderosa & Table Top	March 24, 2025
2	The Metropolitan Water District of Southern California	March 25, 2025
3	California Department of Fish and Wildlife	April 22, 2025

### **3.3.1 Comment No. 1: Ponderosa & Table Top**

**From:** [Todd Westfall](#)  
**To:** [Ho, Vivian@DOT](mailto:Ho,Vivian@DOT)  
**Subject:** I-40 Bridge Replacement and Rock Slope Protection near Needles CA.  
**Date:** Monday, March 24, 2025 4:12:22 PM

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**EXTERNAL EMAIL.** Links/attachments may not be safe.

Good afternoon,

1-1

Ponderosa has received the notice for the I-40 Bridge Replacement and Rock Slope Protection near Needles CA.

Based on the location you provided in the received attachment we do not have any facilities within the project area in the State ROW.

Thank you,

Todd

**Todd Westfall**

Director of Operations | Ponderosa & Table Top

d: 559.868.6307 | m: 559.903.0896 | e: [toddw@ponderosatel.com](mailto:toddw@ponderosatel.com)

<https://www.goponderosa.com/>

<http://www.tabletoptelephone.com/>

## **Response to Comment 1-1**

Thank you for your comment, letting us know Ponderosa and Table Top has no facilities within the Project area in the State ROW.

**3.3.2 Comment No. 2: The Metropolitan Water District of Southern California**

**From:** [Saito,Christine.H](#)  
**To:** [Ho,Vivian@DOT](#)  
**Subject:** Request for Proposed ISMND/EA [I-40 Bridge and Rock Slope Protection Replacements near Needles]  
**Date:** Tuesday, March 25, 2025 11:08:07 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[Caltrans\\_I-40 Bridge & Rock Slope Protection Replacement\\_NOI.pdf](#)

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**EXTERNAL EMAIL. Links/attachments may not be safe.**

Dear Vivian,

2-1

MWD received the attached notice, I would like to request a copy of the Initial Study with Proposed Mitigated Negative Declaration (ISMND) & other project information associated with it.

Please forward to my attention at: [csaito@mwdh2o.com](mailto:csaito@mwdh2o.com)

Thank you so much for your assistance.

Best regards,

Christine Saito  
Environmental Planning Section  
The Metropolitan Water District of Southern California  
700 North Alameda Street  
Los Angeles, CA 90012  
Work: 213-217-5661  
Email: [csaito@mwdh2o.com](mailto:csaito@mwdh2o.com)

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## **Response to Comment 2-1**

Caltrans responded to Ms. Saito's email on March 25, 2025 with the CEQA Submit URL to download a copy of the Draft IS/MND. Caltrans received an update on March 27, 2025 indicating not able to access the link, but confirmed they were able to locate a copy of the Draft IS/MND by going directly to the CEQAnet website. Caltrans responded on March 27, 2025 acknowledging that a copy of the Draft IS/MND had been located and also provided a direct link to the project's posting on the CEQAnet website.

**3.3.3 Comment No. 3: California Department of Fish and Wildlife**



State of California – Natural Resources Agency  
 DEPARTMENT OF FISH AND WILDLIFE  
 Inland Deserts Region  
 3602 Inland Empire Boulevard, Suite C-220  
 Ontario, CA 91764  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



April 22, 2025

Vivian Ho  
 Senior Environmental Planner  
 California Department of Transportation, District 8  
 464 W Fourth Street  
 San Bernardino, CA, 92401

Subject: Initial Study/Mitigated Negative Declaration  
 San Bernardino County Interstate 40 Bridge and Rock Slope Protection  
 Replacements (Project) State Clearinghouse No. 2025031015

Dear Vivian Ho:

The California Department of Fish and Wildlife (CDFW) received an Initial Study/Mitigated Negative Declaration (IS/MND) from California Department of Transportation (Caltrans), District 8 for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

## CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may

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<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW’s lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in “take” as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

**PROJECT DESCRIPTION SUMMARY**

**Proponent:** Caltrans, District 8

**Objective:** The objective of the Project is to conduct bridge removal and replacement, Rock Slope Protection (RSP) removal and replacement, and bridge repair on 8 bridges on Interstate 40 (I-40), from Woods Wash Bridge at Postmile (PM) R104.89 to Homer Wash Bridge at PM R120.47, in San Bernardino County. The Project scope consists of 1) removal and replacement of the Woods Wash Bridges; 2) removal and replacement of existing RSP at the 8 bridge locations; 3) regrading work in the channel; and 4) cold plane and overlay travel lanes and shoulders. The Project will also include driving/parking off-pavement, construction of access roads, disposal/borrow site(s), equipment staging areas, drainage/culvert work, shoulder backing, ground disturbance, vegetation removal, and night work.

**Location:** The Project is located in San Bernardino County on I-40 from 0.30 miles west of Woods Wash Bridge (PM R104.6) to Homer Wash Bridge (PM R120.5) and consists of the following four locations:

Location Name	Bridge No.	I-40 PM	GPS Coordinates (Latitude, Longitude)
Woods Wash Bridge	54-0804 L/R	R104.89	34.80809 N, -115.23031 W
Ardis Ditch Bridge	54-0201 L/R	R118.66	34.83896 N, -114.99194 W
Tank Tower Bridge	54-0202 L/R	R119.50	34.84288 N, -114.97781 W
Homer Wash Bridge	54-0203 L/R	R120.47	34.84787 N, -114.96091 W

3-1 [ **Timeframe:** The IS/MND does not provide a timeframe for construction. CDFW recommends that the final IS/MND includes anticipated start and end dates for this Project.

**COMMENTS AND RECOMMENDATIONS**

CDFW offers the comments and recommendations below to assist Caltrans in adequately identifying and/or mitigating the Project’s significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

## I. Mitigation Measure or Alternative and Related Impact Shortcoming

### COMMENT #1: Burrowing Owl (*Athene cunicularia hypugaea*)

#### Section #2.1.4, Pages #24-25

**Issue:** On October 10, 2024, the Fish and Game Commission determined that western burrowing owl warrants protection as a candidate species under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.). During the candidacy period, western burrowing owl will be afforded the same protection as threatened and endangered species under CESA. The Project may impact burrowing owls and its habitat. CDFW is concerned that the IS/MND does not sufficiently identify Project impacts to burrowing owl since no burrowing owl habitat assessments or focused surveys were conducted.

**Specific impact:** The IS/MND identifies that at least four potential burrowing owl burrows were observed during the 2023 surveys within and adjacent to the Project Impact Area (PIA) and loss of nesting habitat, nest destruction, nest abandonment, disturbance from construction noise and activities, increased risk of predation and degradation of suitable burrowing owl habitat may occur from Project activities.

**Why impact would occur:** The Natural Environment Study (NES) prepared for the Project determined that burrowing owls do have the potential to occur within the PIA and in the vicinity of the Project. Impacts to vegetation communities that could provide suitable foraging habitat for burrowing owls and suitable burrows may occur in association with the Project due to disturbances associated with construction along with a permanent loss of foraging habitat. Additionally, the California Natural Diversity Database (CNDDDB) dataset, [Burrowing Owl Predicted Range](#) (CDFW 2024) display a high potential for burrowing owl presence within the Project area. Project construction may result in direct mortality, population decline, or local extirpation of burrowing owl not previously identified. Burrowing owls also have a high potential to move into disturbed areas since they are adapted to highly modified habitats (Chipman et al., 2008; Coulombe, 1971).

**Evidence impact would be significant:** Habitat loss is a threat to burrowing owls (CDFG, 2012). Burrowing owls are dependent on burrows at all times of the year for survival and/or reproduction, evicting them from nesting, roosting, and satellite burrows may lead to indirect impacts or take. Loss of access to burrows will likely result in varying levels of increased stress on burrowing owls and could depress reproduction, increase predation, increase energetic costs, and introduce risks posed by having to find and compete for available burrows (CDFG, 2012). Burrowing

owls are also dependent on adjacent habitat, and forage within 600 meters of nest burrows (Rosenberg and Haley, 2004). As a candidate species, Western Burrowing Owl is granted full protection of a threatened species under CESA. Take is defined in Fish and Game Code section 86 as “hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill.” CESA allows CDFW to authorize project proponents to take state-listed threatened, endangered, or candidate species if certain conditions are met. Take must be incidental to an otherwise lawful activity. The issuance of a permit cannot jeopardize the continued existence of the species, and the impacts must be minimized and fully mitigated.

**Recommended Potentially Feasible Mitigation Measure to reduce impacts to less than significant:** CDFW recommends that prior to commencing Project activities, focused and pre-construction surveys for burrowing owl be conducted by a qualified biologist in accordance with the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012 or most recent version). The surveys shall include 100 percent coverage of the Project site and 500-meter buffer in adjacent habitat. To support Caltrans in reducing impacts to burrowing owl to a level less than significant, CDFW offers the following mitigation measure:

***BIO-Burrowing Owl-4 (New)***

***To avoid construction-level impacts to unidentified burrowing owls on-site, qualified biologists shall conduct focused burrowing owl surveys during the breeding and non-breeding season in accordance with the Staff Report on Burrowing Owl Mitigation (CDFG, 2012). The survey shall cover the Project site and a 500-meter buffer, where legally accessible. A preconstruction survey shall be conducted within 14 days prior to the start of construction activities (see below).***

***Pre-construction take avoidance surveys for this species shall be conducted within 14 days prior to the start of ground disturbance and 24 hours prior to construction to determine the presence or absence of this species within the Project footprint. A report shall be submitted by a qualified and agency-approved biologist to CDFW. The Project footprint shall be clearly demarcated in the field by the Project engineers and biologist prior to the commencement of the pre-construction take avoidance surveys. The surveys shall follow the guidance of the Staff Report on Burrowing Owl Mitigation (CDFG, 2012).***

***Depending on the Project activity type and associated disturbance, a minimum avoidance buffer distance of 50 meters (165 feet) to 100 meters (330 feet) during the nonbreeding season (September through January) and 100 meters (330 feet) to 250 meters (825 feet) during the breeding season (February through August) shall be maintained between active burrows and construction***

3-2  
cont.

***activities. A qualified biologist shall monitor the burrowing owls for any sign of distress and adjust the buffers as necessary to ensure no take occurs.***

***If active burrows are present within the Project footprint and complete avoidance is infeasible, the Project proponent shall not undertake Project activities and Project activities shall be postponed until the appropriate authorization (i.e. CESA incidental take permit under the California Fish and Game Code § 2081) is obtained.***

***Should permanent loss of western burrowing owl habitat occur the ratio of acquisition to loss must be at a minimum of 1:1. The ratio shall be higher for occupied and irreplaceable habitats. The mitigation lands may require habitat enhancements including enhancement or expansion of burrows for breeding, shelter and dispersal opportunity, and removal or control of population stressors. Permanent protection of mitigation land shall be established through a conservation easement deeded to a nonprofit conservation organization or public agency with a conservation mission, and include development and implementation of a mitigation land management plan to address long-term ecological sustainability and maintenance of the site for burrowing owls, and funding for the maintenance and management of mitigation land through the establishment of a long-term funding mechanism such as an endowment.***

## **COMMENT #2: Nesting Birds**

### **Section #2.4.3, Page #27**

**Issue:** The Project includes suitable habitat for nesting birds. Consequently, measure **BIO-Avian-1: Preconstruction Nesting Bird Preconstruction Surveys** considers a preconstruction nesting bird survey during the nesting season. However, measure **BIO-Avian-1** defines the nesting season as generally being from February 1 to September 30, but the timing of the bird nesting season varies greatly depending on several factors, such as the bird species, weather conditions in any given year, and long-term climate changes (e.g., drought, warming, etc.). CDFW staff have observed that changing climate conditions may result in the nesting bird season occurring earlier and/or later in the year than historical nesting season dates. CDFW recommends the completion of a nesting bird survey regardless of time of year to ensure compliance with all applicable laws pertaining to nesting and to avoid take of nests.

**Specific impact:** The IS/MND identifies the Project has the potential to directly impact special-status bird species and their habitats by the removal of suitable habitat for construction. Potential impacts to suitable nesting bird habitat may occur

in association with the Project due to disturbances associated with vegetation removal, ground disturbance, shoulder backing, equipment staging areas, and driving/parking off pavement.

**Evidence impact would be significant:** It is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Fish and Game Code sections 3503, 3503.5, and 3513 afford protective measures for all nests, all eggs, and any raptors or migratory birds as follows: Fish and Game Code section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird except as provided by the rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. § 703 et seq.).

**Recommended potentially feasible mitigation measure:** CDFW recommends the inclusion of the Mitigation Measure below, as revised (edits are in ~~strikethrough~~ and additions are in ***bold italics***) in the final MND to ensure impacts to birds are mitigated to a level of less than significant.

***BIO-Avian-1: Preconstruction Nesting Bird Surveys (Revised)***

If ~~Project activities cannot avoid the nesting season, generally regarded as February 1 through September 30, then~~ ***Regardless of the time of year, a pre-construction survey shall be performed to verify absence of nesting birds.*** ~~Preconstruction~~ nesting bird surveys must be conducted 3 days prior to construction by a qualified biologist to locate and avoid nesting birds. If an active avian nest is located, a no construction buffer ***shall*** ~~may~~ be established and monitored by the qualified biologist daily until the young have fledged or the nest is deemed inactive. ***The Project site will need to be re-surveyed if there is a lapse in construction activities for more than 3 days.***

3-3

**COMMENT #3: Sensitive and Native Plant Species**

**Issue:** CDFW is concerned that the Project may affect sensitive plant species with the potential to occur within the Project area. CNDDDB, Calscap and Calflora identify several sensitive plant species including Abrams' spurge (*Euphorbia abramsiana*) with a California rare plant ranking 2B.2, Emory's crucifixion-thorn (*Castela emoryi*) with a California rare plant ranking 2B.2, and Playa milk-vetch (*Astragalus*

*allochrous* var. *playanus*) with a California rare plant ranking 2B.2 that have potential suitable habitat in the Project area.

**Specific Impact:** Vegetation removal, and other ground disturbances are likely to result in direct mortality of sensitive plants.

**Why impact would occur:** Take of any CESA-listed plant species that results from the Project is prohibited, except as authorized by State law (Fish & Game Code, §§ 2080, 2085; California Code of Regulations, tit. 14, § 786.9). Plants constituting California Rare Plant Ranks 1A, 1B, 2A, and 2B generally meet the criteria of a CESA-listed species and should be considered as endangered, rare or threatened species for the purposes of CEQA analysis. Likewise, CDFW considers State listed communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S1, S2, and S3 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDDB and are included in the [California Native Plant Society Vegetation Manual](#).

**Evidence impact would be significant:** According to a search on CNDDDB, Calscape, and Calflora, the Project has suitable habitat for at least 26 native and rare plant species. However, rare plant surveys have not been conducted in accordance with CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* (CDFW, 2018).

**Recommended Potentially Feasible Mitigation Measure to reduce impacts to less than significant:** To avoid impacts to sensitive plant species, CDFW recommends the adoption of MM BIO- 1 below.

***BIO-Plant-1 Botanical Field Surveys (New)***

***Prior to Project implementation, and during the appropriate season, a qualified biologist shall conduct botanical field surveys within the Project area following protocols set forth in the California Department of Fish and Wildlife's (CDFW) 2018 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018). The surveys shall be conducted by a CDFW approved botanist(s) experienced in conducting floristic botanical field surveys, knowledgeable of plant taxonomy and plant community ecology and classification, familiar with the plants of the area, including special status and locally significant plants, and familiar with the appropriate state and federal statutes related to plants and plant collecting. The botanical field surveys shall be conducted at the appropriate time of year when plants will both be evident and identifiable (usually, during flowering or fruiting) and, in a manner, which maximizes the***

3-4  
cont.

***likelihood of locating special-status plants and sensitive natural communities that may be present. Botanical field surveys shall be conducted floristic in nature, meaning that every plant taxon that occurs in the Project area is identified to the taxonomic level necessary to determine rarity and listing status.***

***If special-status plant species are observed during the preconstruction rare plant survey(s) within the development area of the Project, the Project shall be designed to reduce impacts to these species through the establishment of buffers, to the extent feasible. Buffer distances will be determined by the qualified biologist, typically 50 feet or greater from an identified special-status plant species, unless the qualified biologist determines a reduced buffer would suffice to avoid impacts to the species.***

***If avoidance of special-status plant species is not feasible, a Special-Status Plant Relocation Plan shall be developed and implemented. The Special-Status Plant Relocation Plan shall address mitigation for special-status plants, including but not limited to: topsoil salvage to preserve seed bank and management of salvaged topsoil; seed collection, storage, possible nursery propagation, and planting; salvage and planting of bulbs as feasible; location of onsite receptor sites; land protection instruments for receptor areas; and funding mechanisms. The Special-Status Plant Relocation Plan shall include methods, monitoring, reporting, success criteria, adaptive management, and contingencies for achieving success. The plan shall be prepared for CDFW's review, approval, and implementation prior to the commencement of initial site clearing activities. All special-status plant species identified on site shall be mapped onto a site-specific aerial photograph and topographic map and included on the construction, grading, fuel modification, and landscape plans.***

#### **COMMENT #4: Bats**

##### **Initial Study/Mitigated Negative Declaration**

**Issue:** The Project may impact potentially suitable habitat for bats and avoidance and minimization measures were not proposed within the IS/MND to avoid impacts to bats.

**Specific Impact:** On page 36 of the IS/MND, the Project area was reported to support a potential habitat core for pallid bat (*Antrozous pallidus*) in addition the Project area is located within CNDDDB's current range for Townsend's big-eared bat (*Corynorhinus townsendii*), a Species of Special Concern (SSC). However, avoidance and minimization measures were not proposed within the IS/MND.

**Why Impact Would Occur:** The bridges and culverts on-site could provide refuge and serve as potential roosting sites for bats.

**Evidence impact would be significant:** Bats are considered non-game mammals and are afforded protection by State law from take and/or harassment (Fish & G. Code, § 4150; Cal. Code of Regs, § 251.1). Several bat species are considered Species of Special Concern. Impacts on SSC could require a mandatory finding of significance under CEQA (CEQA Guidelines, § 15065). Impacts on bats, either directly or indirectly through disturbances to roosts and loss of habitat, could be a significant impact.

**Recommended potentially feasible mitigation measure to reduce impacts to less than significant:** CDFW offers the following Mitigation Measure for inclusion in the Final IS/MND.

***BIO-Bat-1: Bat Pre-Construction Surveys (New)***

***All suitable roosting and foraging habitat for local or migratory bat species known to the Project area, including special-status species, found within the Project site and adjacent land shall be surveyed throughout one year, prior to initial site clearing activities. The surveys shall be completed by a qualified bat biologist whose resume shall be reviewed and approved by CDFW. Surveys shall include determination of the approximate size of the colony(s) and species present. The surveys shall include a combination of nighttime emergence counts and acoustic techniques (full spectrum bat acoustic detectors) appropriate for the roosting habitat and time of year, visual and aural surveys (observation during foraging period), and inspection for suitable habitat and bat sign (e.g. guano). Surveys shall be conducted during the spring, summer, fall, and winter to determine how the habitat is used by bats throughout the year, including foraging patterns and habitat, and the presence overwintering bats, with at least two surveys conducted during the maternity season to determine a pre- and post-volant count of colonies present.***

***If roosting bats, of any status, are found during the surveys, the bats and roosts shall be avoided to the maximum extent practicable with consideration of the most disturbing Project activities and their effect (e.g. demolition and night-time lighting). A Bat Management Plan prepared by the qualified bat biologist identifying situation-specific and species-specific avoidance and minimization measures to reduce impacts to roosting and foraging bats shall be prepared for CDFW's review, approval, and implementation prior to the commencement of initial site clearing activities.***

***The Bat Management Plan shall include, as appropriate to the findings of the surveys and roosting habitat affected, a construction schedule to avoid***

3-5

3-5  
cont.

***roosting season, spatial and temporal avoidance measures, non-disturbance buffers, passive exclusion of bats outside of the maternity season (if necessary), and identification of species-specific replacement or alternative habitat to mitigate for permanent maternity or night roosting habitat loss. If roosts cannot be avoided or it is determined that construction activities will cause roost abandonment, a mitigation plan addressing exclusion and passive relocation procedures and impact compensation will be developed. The mitigation plan will be developed in consultation with CDFW and the qualified bat biologist. Roost and foraging habitat shall be replaced in-kind prior to any exclusion or in a timing approved by CDFW. Any exclusion and passive relocation efforts shall avoid periods of sensitive activity (e.g. hibernation or maternity season) and may require several seasons for bats to discover alternative roosting sites.***

## **II. Additional Comments**

### **COMMENT #5: Desert Kit Fox (*Vulpes macrotis*)**

Desert kit fox is protected as a fur-bearing mammal under title 14 of the California Code of Regulations (Chap. 5, §460) and may not be taken at any time. Because desert kit fox exhibits high fidelity to natal dens, it is crucial to adequately assess whether desert kit fox is present on the Project site well in advance of commencing Project activities. If desert kit fox is found on-site during breeding season, it could delay Project activities until appropriate buffers can be established on the Project site.

3-6

Desert kit foxes also have the potential to move onto the Project site between the time that the biological surveys were originally conducted in 2023. CDFW considers the Project as having the potential to impact desert kit fox. While CDFW appreciates the inclusion of mitigation measure BIO-Kit Fox-2: Desert Kit Fox Den Complex Monitoring, Passive Relocation, and Stop Work Restrictions, CDFW recommends the IS/MND also include an analysis of impacts to desert kit fox, including the findings from focused surveys for desert kit fox covering the entirety of the Project footprint, and to incorporate appropriate avoidance, minimization, and mitigation measures based on findings from the surveys considering the IS/MND identifies a potential habitat core for Desert kit fox within the Project area (Section #2.1.4, page #28).

### **COMMENT #6: Staging Areas**

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CDFW appreciates the incorporation of BIO-General-1, regarding equipment staging and storing, and stockpiling of materials. CDFW recommends the revisions below

(edits are in ~~strike through~~ and **bold italics**) in consideration of Fish and Game Code section 1602.

**BIO-General-1: Equipment Staging, Storing, and Borrow Sites (Revised)**

All staging, storing, and borrow sites require the approval of the Caltrans Biologist. ***Stockpiles shall be maintained to avoid the spread of invasive plants and shall not be placed at locations subject to Fish and Game Code section 1602. Materials, including spoils and equipment, shall not be placed at locations subject to Fish and Game Code section 1602.***

**COMMENT #7: Invasive Weed Control**

CDFW appreciates the incorporation of Bio-General-16, regarding the control of invasive plants. CDFW recommends the revisions below (edits are in ~~strike through~~ and **bold italics**) in consideration of fish and wildlife resources.

***BIO-General-16: Invasive Weed Control (Revised)***

To address impacts to natural communities of concern, desert tortoise critical habitat, and rare insect host plant species, a qualified biologist must identify invasive species within the PIA during access road construction, shoulder backing, ground disturbance, and vegetation removal. Treatment and disposal methods must be approved by the Caltrans biologist prior to vegetation removal. ***A specific targeted approach shall be implemented for any herbicide application by avoiding species that are not intended to be removed and by reducing herbicide application to the smallest possible radius around plant species that are selected for application. All herbicides utilized adjacent to Fish and Game Code section 1602 resources and other sensitive aquatic habitat areas shall be registered for aquatic use by the California Department of Pesticide Regulation (CDPR). Herbicide sprays in these areas shall only be used when wind speeds measure less than 10 mph. The mixture shall contain a dye (registered for aquatic use by CDPR) to show overspray and shall be conducted in a manner to minimize overspray onto adjacent native vegetation.***

**COMMENT #8: Preconstruction Surveys and Species Avoidance**

CDFW appreciates the incorporation of BIO-General-4: Preconstruction Surveys and BIO-General-6: Species Avoidance. CDFW recommends the revisions below (edits are in ~~strike through~~ and additions in **bold italics**) in consideration of special status species and vegetation communities.

***BIO-General-4: Preconstruction Surveys (Revised)***

Three days prior to construction, preconstruction American badger, rare plants, and sensitive natural community surveys must be conducted by the qualified biologist, up to the limits of the Caltrans Row and following current American badger survey protocols. Sensitive natural communities and rare plants outside of the approved PIA and within Caltrans ROW must be flagged for visual identification to construction personnel for work avoidance. Sensitive Natural Communities and rare plants for avoidance detected shall be flagged or fenced off with ESA high visibility fencing. If an **any bighorn sheep, mountain lion**, desert kit fox, or American badger or signs of American badger, catclaw acacia – desert lavender – chuparosa scrub, Desert willow – smoketree wash woodland, or other Natural community, other than what is described on the plans and specifications, are located, the Resident Engineer and Caltrans Biologist must be contacted and additional measures and/or agency coordination **shall** may be required, **which could include compensatory mitigation for impacts to those species and/or habitats.**

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**Should permanent loss of sensitive species and/or habitats occur the ratio of acquisition to loss must be at a minimum of 1:1. The ratio shall be higher for occupied and irreplaceable habitats. Permanent protection of mitigation land shall be established through a conservation easement deeded to a nonprofit conservation organization or public agency with a conservation mission, and include development and implementation of a mitigation land management plan to address long-term ecological sustainability and maintenance of the site, and funding for the maintenance and management of mitigation land through the establishment of a long-term funding mechanism such as an endowment.**

**BIO-General-6: Species Avoidance (Revised)**

If during Project activities insect host plants, nesting birds, burrowing owl, desert tortoise, **bighorn sheep, mountain lion, desert kit fox**, or American badger burrows are discovered within the Project Site, all construction activities must stop within 10 feet for rare insect host plants, 100 feet for non-passerine nesting birds, 300 feet for nesting passerine species, 500 feet for raptors or federal/State listed birds, 265 feet for burrowing owls, **500 feet for desert kit fox**, ~~50~~**500** feet for desert tortoises, and 16 to 25 feet around single American badger burrows and 65 feet around clusters of American badger burrows. The Caltrans Biologist and Resident Engineer must be notified. Coordination with CDFW and USFWS **shall** may be required prior to restarting activities, **if full avoidance is not achievable.**

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**COMMENT #9: Desert Tortoise (*Gopherus agassizii*)**

CDFW appreciates the incorporation of BIO-Reptile 4, and BIO-DT-2, regarding desert tortoise. CDFW recommends the revisions below (edits are in ~~strikethrough~~ and additions in ***bold italics***) in consideration of fish and wildlife resources.

***BIO-Reptile-4: Authorized Biologist Clearance Surveys (Revised)***

Clearance desert tortoise surveys must be conducted by the qualified biologist 3 days prior to Project activities within the Project footprint before temporary desert tortoise fence is erected. If a desert tortoise is located, ~~the Resident Engineer and Caltrans Biologist must be contacted, and additional measures and/or agency coordination may be required. Desert tortoise removed from work areas may be moved from harm's way to the nearest suitable habitat or translocated, following most recent CDFW and USFWS guidelines. A CDFW 2081 permit will be required if a desert tortoise is handled. Work on other bridges may continue if no desert tortoises are found within the Project footprint.~~ **An incidental take permit (ITP) for desert tortoise shall be obtained prior to initiation of all ground disturbing activities. The Project proponent shall adhere to measures and conditions set forth within the ITP. Mitigation for direct impacts shall be fulfilled through conservation of suitable Mojave Desert tortoise habitat through the purchase of mitigation bank credits or land acquisition determined through coordination with USFWS and the California Department of Fish and Wildlife.**

***BIO-DT-2: Desert Tortoise Impacts (Revised)***

Prior to completion of Project related activities, areas permanently impacted by the Project will be mitigated at a ***minimum 3 4:1*** ratio. Temporary impacts will be restored to their original condition.

**COMMENT #10: Aquatic Resources Restoration**

CDFW appreciates the incorporation of BIO-General 18 regarding aquatic resources restoration. CDFW recommends the revisions below (edits are in ~~strikethrough~~ and additions in ***bold italics***) in consideration of fish and wildlife resources.

***BIO-General-18: Aquatic Resources Restoration (Revised)***

***Caltrans shall notify CDFW pursuant to Fish and Game Code section 1602 and obtain authorization prior to initiating Project activities within any river, stream, or lake.*** After construction activities are complete, temporarily impacted aquatic resources will be restored to original and permanently impacted resources will be restored at a ***minimum 3 4:1*** ratio ***through on-site restoration activities, suitable CDFW-approved mitigation/conservation bank credits, permittee-responsible mitigation, or through a combination of any of these.***

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## ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

3-12

## ENVIRONMENTAL DOCUMENT FILING FEES

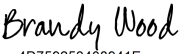
The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

## CONCLUSION

CDFW appreciates the opportunity to comment on the IS/MND to assist Caltrans in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Gabriella Tolley, Environmental Scientist, at [Gabriella.Tolley@wildlife.ca.gov](mailto:Gabriella.Tolley@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
4D759253408941E...

Brandy Wood  
Environmental Project Manager

ec: Office of Planning and Research, State Clearinghouse, Sacramento

## REFERENCES

Calflora. California Native Plant Database. California Native Plant Database, Calflora, 2025. Retrieved April 4-11, 2025, from <https://www.calflora.org/app/taxon?crn=12015>.

Calscape. Calscape Native Plant Database. Calscape, 2025. Retrieved April 4-11, 2025, from [https://calscape.org/Senegalia-greggii-\(Catclaw\)](https://calscape.org/Senegalia-greggii-(Catclaw)).

California Department of Fish and Wildlife. BIOS / California Natural Diversity Database (CNDDDB) Government [ds45]: Dataset I-40 Woods Wash to Homer Wash, California. 2025. California Department of Fish and Wildlife. Retrieved April 4-11, 2025, from <https://apps.wildlife.ca.gov/bios6/Default.aspx>.

Planning and Research. California Environmental Quality Act (CEQA) Net Web Portal Search Results. State Clearing House No. 2025031015. Retrieved April 4, 2025, <https://ceqanet.opr.ca.gov/Project/2025031015>.

CDFW recommends the following language be incorporated into the final IS/MND for the Project.

Mitigation Measure		Timing	Responsible Party
<b>BIO-Burrowing Owl-4</b>	<p>To avoid construction-level impacts to unidentified burrowing owls on-site, qualified biologists shall conduct focused burrowing owl surveys during the breeding and non-breeding season in accordance with the Staff Report on Burrowing Owl Mitigation (CDFG, 2012). The survey shall cover the Project site and a 500-meter buffer, where legally accessible. A preconstruction survey shall be conducted within 14 days prior to the start of construction activities (see below).</p> <p>Pre-construction take avoidance surveys for this species shall be conducted within 14 days prior to the start of ground disturbance and 24 hours prior to construction to determine the presence or absence of this species within the Project footprint. A report shall be submitted by a qualified and agency-approved biologist to CDFW. The Project footprint shall be clearly demarcated in the field by the Project engineers and biologist prior to the commencement of the pre-construction take</p>	Prior to commencing ground or vegetation disturbing activities	Project Proponent

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	<p>avoidance surveys. The surveys shall follow the guidance of the Staff Report on Burrowing Owl Mitigation (CDFG, 2012).</p> <p>Depending on the Project activity type and associated disturbance, a minimum avoidance buffer distance of 50 meters (165 feet) to 100 meters (330 feet) during the nonbreeding season (September through January) and 100 meters (330 feet) to 250 meters (825 feet) during the breeding season (February through August) shall be maintained between active burrows and construction activities. A qualified biologist shall monitor the burrowing owls for any sign of distress and adjust the buffers as necessary to ensure no take occurs.</p> <p>If active burrows are present within the Project footprint and complete avoidance is infeasible, the Project proponent shall not undertake Project activities and Project activities shall be postponed until the appropriate authorization (i.e. CESA incidental take permit under the California Fish and Game Code § 2081) is obtained.</p> <p>Should permanent loss of western burrowing owl habitat</p>		
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	<p>occur the ratio of acquisition to loss must be at a minimum of 1:1. The ratio shall be higher for occupied and irreplaceable habitats. The mitigation lands may require habitat enhancements including enhancement or expansion of burrows for breeding, shelter and dispersal opportunity, and removal or control of population stressors. Permanent protection of mitigation land shall be established through a conservation easement deeded to a nonprofit conservation organization or public agency with a conservation mission, and include development and implementation of a mitigation land management plan to address long-term ecological sustainability and maintenance of the site for burrowing owls, and funding for the maintenance and management of mitigation land through the establishment of a long-term funding mechanism such as an endowment.</p>		
<p><b>BIO-Avian-1:          Preconstruction          Nesting Bird          Surveys</b></p>	<p>Regardless of the time of year, a pre-construction survey shall be performed to verify absence of nesting birds. Preconstruction nesting bird surveys must be conducted 3 days prior to construction by a qualified</p>	<p>Prior to commencing ground or vegetation disturbing activities</p>	<p>Project Proponent</p>

	<p>biologist to locate and avoid nesting birds. If an active avian nest is located, a no construction buffer shall be established and monitored by the qualified biologist daily until the young have fledged or the nest is deemed inactive. The Project site will need to be re-surveyed if there is a lapse in construction activities for more than 3 days.</p>		
<p><b>BIO-Plant-1          Botanical Field          Surveys</b></p>	<p>Prior to Project implementation, and during the appropriate season, a qualified biologist shall conduct botanical field surveys within the Project area following protocols set forth in the California Department of Fish and Wildlife's (CDFW) 2018 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018). The surveys shall be conducted by a CDFW approved botanist(s) experienced in conducting floristic botanical field surveys, knowledgeable of plant taxonomy and plant community ecology and classification, familiar with the plants of the area, including special status and locally significant plants, and familiar with the appropriate state and federal statutes related to</p>	<p>Prior to commencing ground or vegetation disturbing activities.</p>	<p>Project Proponent</p>

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	<p>plants and plant collecting. The botanical field surveys shall be conducted at the appropriate time of year when plants will both be evident and identifiable (usually, during flowering or fruiting) and, in a manner, which maximizes the likelihood of locating special-status plants and sensitive natural communities that may be present. Botanical field surveys shall be conducted floristic in nature, meaning that every plant taxon that occurs in the Project area is identified to the taxonomic level necessary to determine rarity and listing status.</p> <p>If special-status plant species are observed during the preconstruction rare plant survey(s) within the development area of the Project, the Project shall be designed to reduce impacts to these species through the establishment of buffers, to the extent feasible. Buffer distances will be determined by the qualified biologist, typically 50 feet or greater from an identified special-status plant species, unless the qualified biologist determines a reduced buffer would suffice to avoid impacts to the species.</p> <p>If avoidance of special-status plant species is not feasible, a</p>		
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	<p>Special-Status Plant Relocation Plan shall be developed and implemented. The Special-Status Plant Relocation Plan shall address mitigation for special-status plants, including but not limited to: topsoil salvage to preserve seed bank and management of salvaged topsoil; seed collection, storage, possible nursery propagation, and planting; salvage and planting of bulbs as feasible; location of onsite receptor sites; land protection instruments for receptor areas; and funding mechanisms. The Special-Status Plant Relocation Plan shall include methods, monitoring, reporting, success criteria, adaptive management, and contingencies for achieving success. The plan shall be prepared for CDFW's review, approval, and implementation prior to the commencement of initial site clearing activities. All special-status plant species identified on site shall be mapped onto a site-specific aerial photograph and topographic map and included on the construction, grading, fuel modification, and landscape plans.</p>		
<p><b>BIO-Bat-1: Bat Pre-Construction Surveys</b></p>	<p>All suitable roosting and foraging habitat for local or migratory bat species known to the Project area, including special-status species, found</p>	<p>Prior to commencing ground or vegetation disturbing activities</p>	<p>Project Proponent</p>

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	<p>within the Project site and adjacent land shall be surveyed throughout one year, prior to initial site clearing activities. The surveys shall be completed by a qualified bat biologist whose resume shall be reviewed and approved by CDFW. Surveys shall include determination of the approximate size of the colony(s) and species present. The surveys shall include a combination of nighttime emergence counts and acoustic techniques (full spectrum bat acoustic detectors) appropriate for the roosting habitat and time of year, visual and aural surveys (observation during foraging period), and inspection for suitable habitat and bat sign (e.g. guano). Surveys shall be conducted during the spring, summer, fall, and winter to determine how the habitat is used by bats throughout the year, including foraging patterns and habitat, and the presence overwintering bats, with at least two surveys conducted during the maternity season to determine a pre- and post-volant count of colonies present.</p> <p>If roosting bats, of any status, are found during the surveys, the bats and roosts shall be avoided to the maximum</p>		
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	<p>extent practicable with consideration of the most disturbing Project activities and their effect (e.g. demolition and night-time lighting). A Bat Management Plan prepared by the qualified bat biologist identifying situation-specific and species-specific avoidance and minimization measures to reduce impacts to roosting and foraging bats shall be prepared for CDFW's review, approval, and implementation prior to the commencement of initial site clearing activities.</p> <p>The Bat Management Plan shall include, as appropriate to the findings of the surveys and roosting habitat affected, a construction schedule to avoid roosting season, spatial and temporal avoidance measures, non-disturbance buffers, passive exclusion of bats outside of the maternity season (if necessary), and identification of species-specific replacement or alternative habitat to mitigate for permanent maternity or night roosting habitat loss. If roosts cannot be avoided or it is determined that construction activities will cause roost abandonment, a mitigation plan addressing exclusion and passive relocation procedures and impact compensation will be developed. The mitigation</p>		
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	<p>plan will be developed in consultation with CDFW and the qualified bat biologist. Roost and foraging habitat shall be replaced in-kind prior to any exclusion or in a timing approved by CDFW. Any exclusion and passive relocation efforts shall avoid periods of sensitive activity (e.g. hibernation or maternity season) and may require several seasons for bats to discover alternative roosting sites.</p>		
<p><b>BIO-General-1: Equipment Staging, Storing, and Borrow Sites</b></p>	<p>All staging, storing, and borrow sites require the approval of the Caltrans Biologist. Stockpiles shall be maintained to avoid the spread of invasive plants and shall not be placed at locations subject to Fish and Game Code section 1602. Materials, including spoils and equipment, shall not be placed at locations subject to Fish and Game Code section 1602.</p>	<p>During Project activities</p>	<p>Project Proponent</p>
<p><b>BIO-General-16: Invasive Weed Control</b></p>	<p>To address impacts to natural communities of concern, desert tortoise critical habitat, and rare insect host plant species, a qualified biologist must identify invasive species within the PIA during access road construction, shoulder backing, ground disturbance, and vegetation removal. Treatment and disposal methods must be approved by the Caltrans biologist prior</p>	<p>During Project activities</p>	<p>Project Proponent</p>

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	<p>to vegetation removal. A specific targeted approach shall be implemented for any herbicide application by avoiding species that are not intended to be removed and by reducing herbicide application to the smallest possible radius around plant species that are selected for application. All herbicides utilized adjacent to Fish and Game Code section 1602 resources and other sensitive aquatic habitat areas shall be registered for aquatic use by the California Department of Pesticide Regulation (CDPR). Herbicide sprays in these areas shall only be used when wind speeds measure less than 10 mph. The mixture shall contain a dye (registered for aquatic use by CDPR) to show overspray and shall be conducted in a manner to minimize overspray onto adjacent native vegetation</p>		
<p><b>BIO-General-4: Preconstruction Surveys</b></p>	<p>Three days prior to construction, preconstruction American badger, rare plants, and sensitive natural community surveys must be conducted by the qualified biologist, up to the limits of the Caltrans Row and following current American badger survey protocols. Sensitive natural communities and rare plants outside of the approved PIA and within</p>	<p>Prior to commencing ground or vegetation disturbing activities</p>	<p>Project Proponent</p>

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	<p>Caltrans ROW must be flagged for visual identification to construction personnel for work avoidance. Sensitive Natural Communities and rare plants for avoidance detected shall be flagged or fenced off with ESA high visibility fencing. If any bighorn sheep, mountain lion, desert kit fox, or American badger or signs of American badger, catclaw acacia – desert lavender – chuparosa scrub, Desert willow – smoketree wash woodland, or other Natural community, other than what is described on the plans and specifications, are located, the Resident Engineer and Caltrans Biologist must be contacted and additional measures and/or agency coordination shall be required, which could include compensatory mitigation for impacts to those species and/or habitats.</p> <p>Should permanent loss of sensitive species and/or habitats occur the ratio of acquisition to loss must be at a minimum of 1:1. The ratio shall be higher for occupied and irreplaceable habitats. Permanent protection of mitigation land shall be established through a conservation easement deeded to a nonprofit conservation organization or</p>		
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	public agency with a conservation mission, and include development and implementation of a mitigation land management plan to address long-term ecological sustainability and maintenance of the site, and funding for the maintenance and management of mitigation land through the establishment of a long-term funding mechanism such as an endowment.		
<b>BIO-General-6: Species Avoidance</b>	If during Project activities insect host plants, nesting birds, burrowing owl, desert tortoise, bighorn sheep, mountain lion, desert kit fox, or American badger burrows are discovered within the Project Site, all construction activities must stop within 10 feet for rare insect host plants, 100 feet for non-passerine nesting birds, 300 feet for nesting passerine species, 500 feet for raptors or federal/State listed birds, 265 feet for burrowing owls, 500 feet for desert kit fox, 500 feet for desert tortoises, and 16 to 25 feet around single American badger burrows and 65 feet around clusters of American badger burrows. The Caltrans Biologist and Resident Engineer must be notified. Coordination with CDFW and USFWS shall be required prior to restarting	During Project activities	Project Proponent

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	activities, if full avoidance is not achievable.		
<b>BIO-Reptile-4: Authorized Biologist Clearance Surveys</b>	Clearance desert tortoise surveys must be conducted by the qualified biologist 3 days prior to Project activities within the Project footprint before temporary desert tortoise fence is erected. If a desert tortoise is located, An incidental take permit (ITP) for desert tortoise shall be obtained prior to initiation of all ground disturbing activities. The Project proponent shall adhere to measures and conditions set forth within the ITP. Mitigation for direct impacts shall be fulfilled through conservation of suitable Mojave Desert tortoise habitat through the purchase of mitigation bank credits or land acquisition determined through coordination with USFWS and the California Department of Fish and Wildlife.	Prior to commencing ground or vegetation disturbing activities	Project Proponent
<b>BIO-General-18: Aquatic Resources Restoration</b>	Caltrans shall notify CDFW pursuant to Fish and Game Code section 1602 and obtain authorization prior to initiating Project activities within any river, stream, or lake. After construction activities are complete, temporarily impacted aquatic resources will be restored to original and permanently impacted resources will be restored at a minimum 3:1 ratio through on-	Prior to or after commencing Project depending on mitigation type	Project Proponent

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	site restoration activities, suitable CDFW-approved mitigation/conservation bank credits, permittee-responsible mitigation, or through a combination of any of these.		
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### **Response to Comment 3-1**

Thank you for the comment. The anticipated timeframe for construction will be more clearly defined during the design phase of the project, but if the current projected construction schedule holds all the way through the design phase of the project, construction is currently anticipated to occur between early 2027 and the latter half of 2028, subject to all the design and environmental requirements that will apply to this project.

### **Response to Comment 3-2**

Thank you for the comment. The CDFW-recommended new measure **BIO-Burrowing Owl-4**, has been combined with **BIO-Avian-2: Preconstruction Burrowing Owl Survey** in the Final Initial Study/Mitigated Negative Declaration (IS/MND) to enhance efforts to avoid, minimize, and/or mitigate any potential impacts to Burrowing Owl.

Language stating “preconstruction survey shall be conducted within 14 days” has been revised to “preconstruction survey shall be conducted within 14 to 30 days”. Language stating “qualified and agency-approved biologist” has been revised to “a qualified Contractor Supplied Biologist”. Language referring to specific methods such as mitigation lands and conservation easements was not included. Caltrans will determine suitable methods for mitigation for any potential unanticipated impacts in partnership with the applicable resource agencies. The NES and IS/MND have concluded that the project would not have a significant impact to Burrowing Owls as the drainage features are subject to flooding and contain loose sandy soils in the direct project impact area. Project activities would accommodate the results of the preconstruction surveys, and disturbed areas would be treated with erosion control containing a suitable mix of native seed.

### **Response to Comment 3-3**

Thank you for the comment. The CDFW-recommended revisions to **BIO-Avian-1: Preconstruction Nesting Bird Surveys** have been incorporated into the Final IS/MND to enhance efforts to avoid, minimize, and/or mitigate any potential impacts to nesting birds. The NES and IS/MND have concluded that the project would not have a significant impact to nesting birds as project activities would avoid any potential nesting birds if found.

### **Response to Comment 3-4**

Thank you for the comment.

While Caltrans does use the California Native Plant Society to determine potential rare plants within the project impact area, these plants do not have legal status unless otherwise stated. The plants listed in this comment are not California Endangered Species Act (CESA)-listed and are not, by themselves, 1600 resources. Caltrans has

estimated impacts to plant species and will be applying for the appropriate permits as soon as plans are finalized.

CDFW states, “Plants constituting California Rare Plant Ranks 1A, 1B, 2A, and 2B generally meet the criteria of a CESA-listed species and should be considered as endangered, rare or threatened species for the purposes of CEQA analysis.” The NES and IS/MND did analyze special status species including those described, but they are considered special-status plant species and not specifically CESA listed species.

CDFW-recommended new measure, **BIO-Plant-1 Botanical Field Surveys**, has been partially combined with **BIO-General-4: Preconstruction Surveys** in the Final IS/MND. Recommendations by CDFW to conduct botanical field surveys within the Project area prior to project implementation was not included in **BIO-General-4: Preconstruction Surveys** because this work has already been completed by Caltrans for the Vegetation Mapping Report. Recommendations by CDFW pertaining to establishing buffers and when a Special-Status Plant Relocation Plan might be needed has been included in measure **BIO-General-4: Preconstruction Surveys**.

### **Response to Comment 3-5**

Thank you for the comment. A bat assessment was conducted on May 12, 2025, and found no signs of bat presence. The bridge design does not facilitate daytime roosting given the lack of weep holes, joints, hinges or other structures that can be used by bats for daytime roosting. Bats may still use the bridge for night roosting. No guano or staining was observed at any of the bridges.

A discussion on bat species, including the bat assessment conducted on May 12, 2025, and the CDFW-recommended addition of measure **BIO-Bat-1: Bat Pre-Construction Surveys**, have been incorporated into the Final IS/MND.

Please note, language in CDFW’s recommended **BIO-Bat-1: Bat Pre-Construction Surveys** that states “qualified bat biologist whose resume shall be reviewed and approved by CDFW” has been revised to “a qualified Contractor Supplied Bat Biologist.” In addition, since no signs of bat presence were identified at any of the bridges, measure **BIO-Bat-1: Bat Pre-Construction Surveys** has been revised to state preconstruction bat surveys shall be conducted two weeks prior to initial site clearing activities instead of throughout one year prior to initial site clearing activities.

### **Response to Comment 3-6**

Thank you for the comment. Focused kit fox preconstruction surveys are already planned to be performed as per **BIO-Kit Fox-1** and **BIO-Kit Fox-2**. It is also noted, as mentioned in the NES prepared for the project, no signs of kit fox were incidentally observed during the numerous project surveys that were conducted for the Project Approval and Environmental Document (PA&ED) phase. Due to this outcome, the need to conduct focused kit fox surveys during the PA&ED phase was found to not be warranted.

### **Response to Comment 3-7**

Thank you for the comment. The CDFW-recommended revisions to **BIO-General-1: Equipment Staging, Storing, and Borrow Sites** have been incorporated into the Final IS/MND in consideration of Fish and Game Code Section 1602.

### **Response to Comment 3-8**

Thank you for the comment. The CDFW-recommended revisions to **BIO-General-16: Invasive Weed Control** have been incorporated into the Final IS/MND in consideration of fish and wildlife resources.

### **Response to Comment 3-9**

Thank you for the comment. The CDFW-recommended revisions to **BIO-General-4: Preconstruction Surveys** and **BIO-General-6: Species Avoidance** have been incorporated into the Final IS/MND in consideration of special status species and vegetation communities. Please note that language pertaining to mitigation land and conservation easements has not been included. Caltrans will determine suitable methods for mitigation for any potential unanticipated impacts in partnership with the applicable resource agencies.

### **Response to Comment 3-10**

Thank you for the comment. The CDFW-recommended revisions to **BIO-Reptile-4: Authorized Biologist Clearance Surveys** have been incorporated into the Final IS/MND in consideration of fish and wildlife resources. **BIO-DT-2: Desert Tortoise Impacts** has been revised to note that specific methods and ratios for offsetting temporary impacts will be determined in coordination with the appropriate agencies.

### **Response to Comment 3-11**

Thank you for the comment. CDFW had recommended revisions to **BIO-General-18: Aquatic Resources Restoration**, which was included in the Environmental Commitments Records, but not in the body of the IS/MND. Caltrans has reviewed the language provided by CDFW and found it is applicable to the project. Therefore, Caltrans has incorporated the language into the Final IS/MND as part of **BIO-Mitigation-3: Jurisdictional Mitigation**. Measure **BIO-General-18: Aquatic Resources Restoration** has been removed from the Environmental Commitments Records.

### **Response to Comment 3-12**

Thank you for the comment. Please refer to Section 2.1.4 Biological Resources (a) and (b) of this document. Although sensitive natural communities were detected during field

surveys, no information was required to be reported to the California Natural Diversity Database.

The payment for the CDFW Environmental Document Filing Fee will be provided by the lead agency in conjunction with the filing of the Notice of Determination with the State Clearinghouse.

### **Response to Comment 3-13**

Thank you for the comment. CDFW's recommended revisions to existing measures and the addition of new measures have been included in the Final IS/MND where appropriate and is further discussed above in responses to comments 3-2 through 3-11.

## **Chapter 4 List of Preparers**

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The following Caltrans personnel participated in the preparation of this Initial Study (IS) with Mitigated Negative Declaration (MND):

- Vivian Ho, Associate Environmental Planner
- Shawn Oriaz, Senior Environmental Planner
- James Shankel, Acting Environmental Office Chief
- Bahram Karimi, Associate Environmental Planner, Paleontology
- Tyrha Delger, Associate Environmental Planner, Biological Studies and Surveys
- Chun-Sheng Wang, Senior Environmental Scientist, Biological Studies and Surveys
- Sarah Bailey, Associate Environmental Planner, Regulatory Permits
- Adam Compton, Senior Environmental Scientist, Regulatory Permits
- Ashley Bowman, Associate Environmental Planner, Archaeology
- Gabrielle Duff, Senior Environmental Scientist, Cultural Studies
- Edison Jaffery, Transportation Engineer, Environmental Engineering
- Lisa Farzana, Transportation Engineer, Environmental Engineering
- Meenu Chandan, Transportation Engineer, Environmental Engineering
- Paul Phan, Senior Transportation Engineer, Environmental Engineering
- Morgan Itzel, Associate Landscape Architect
- Steven Magallanes, Senior Landscape Architect

# Chapter 5 Distribution List

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## 5.1 Public Agencies, Elected Officials, and Service Providers

Supervisor Paul Cook  
San Bernardino County  
385 N. Arrowhead Avenue  
Fifth Floor  
San Bernardino, CA 92415-0110

Environmental Management Division  
County of San Bernardino  
Department of Public Works  
825 East Third Street  
San Bernardino, CA 92415-0835

San Bernardino County  
County Administrative Office  
385 N. Arrowhead Avenue  
San Bernardino, CA 92415

Mayor Janet Jernigan  
City of Needles  
817 Third Street  
Needles, CA 92363

Metropolitan Water District of Southern California  
PO Box 54153  
Los Angeles, CA 90054-0153

Bryan D. Church  
LUMEN  
1550 Marlborough Ave, Suite 100  
Riverside, CA 92507

Supervisor Dawn Rowe  
San Bernardino County  
385 N. Arrowhead Avenue  
Fifth Floor  
San Bernardino, CA 92415-0110

San Bernardino County  
Department of Public Works-  
Water and Sanitation  
222 W. Hospitality Lane  
San Bernardino, CA 92415

Captain Ross Tarangle  
San Bernardino County  
Sherriff's Department  
1111 Bailey Avenue  
Needles, CA 92363

Patrick Martinez  
City Manager  
817 Third Street  
Needles, CA 92363

Ponderosa Telephone Company  
PO Box 21  
O'Neals, CA 93645

Raymond McPadden  
Superintendent, Mojave National Preserve  
2701 Barstow Road  
Barstow, CA 92311

San Bernardino County  
Department of Public Works-Transportation  
825 East Third Street San Bernardino, CA 92415

Lyanna Monell  
San Bernardino County  
Clerk of the Board  
385 N. Arrowhead Avenue  
San Bernardino, CA 92415

Asst Chief Bill Villarino  
San Bernardino County  
Fire Protection District  
Division 4  
598 S Tippecanoe Avenue  
San Bernardino, CA 92408

Joseph Forkert  
AT&T Consultant & Liaison  
22311 Brookhurst Street,  
Suite 203  
Huntington Beach, CA 92646

Southern California Edison  
P.O. Box 976  
Rosemead, CA 91770

## 5.2 Interested Parties, Property Owners, and Members of the Public

Gordon Le Etta Trust  
PO Box 104  
Bayview, ID 83803-0104

Desert, California  
Conservancy  
Po Box 1544  
Palm Springs, CA 92263-1544

Tong, Nhiem  
12219 Chapman Ave  
Garden Grove, CA 92840-3716

Desert, California  
Conservancy  
PO Box 1544  
Joshua Tree Ca 92252-0849

Jensen, William F  
PO Box 88  
Millville, CA 96062-0088

American Towers Inc  
PO Box 723597  
Atlanta, GA 31139-0597

DTL LLC  
1041 S Rutland Rd  
Mount Juliet, TN 37122-4902

United States of America  
6221 Box Springs Blvd  
Riverside, CA 92507-0714

Giordano, O C  
5310 Huntington Dr S  
Los Angeles, CA 90032-1723

650 Analytics Llc  
555 Bryant St # 182  
Palo Alto, CA 94301-1704

Atchison Topeka & Santa  
Fe RR Co  
31125 Watson Rd  
Essex, Ca 92332-

Miller, Bonnie  
19723 Sweet Brier Pl  
Cottonwood, CA 96022-7633

Do, Van Hong  
12219 Chapman Ave  
Garden Grove, CA 92840-3716

United States of America  
600 Harrison St  
San Francisco, CA 94107-1387

Zeinaty, Bishara  
31251 Goffs Rd  
Essex, CA 92332-9701

## **Appendix A Avoidance, Minimization and/or Mitigation Summary**

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To ensure the Avoidance, Minimization, and/or Mitigation measures identified in this Initial Study with Mitigated Negative Declaration are implemented at the appropriate times, the measures have been compiled into the following Environmental Commitments Record (ECR). During project design, avoidance, minimization, and /or mitigation measures will be incorporated into the project's final plans, specifications, and cost estimates, as appropriate. All permits will be obtained prior to implementation of the project. The ECR is a working document. As measures are implemented and completed, all related fields in the ECR will be populated as applicable.

Permit Type	Agency	Date Received	Expiration	Notes
1600	California Department of Fish & Wildlife	TBD	TBD	
401	Colorado River Regional Water Quality Control Board	TBD	TBD	
404	U.S. Army Corps of Engineers	TBD	TBD	

Date of ECR: June 2025  
Date of FED: June 2025

## ENVIRONMENTAL COMMITMENTS RECORD

### SBD I-40 Bridge and Rock Slope Protection Replacements

08-SBd-040

PM R104.6/R120.5

Project Phase:  
 PA/ED (DED/FED)  
 PS&E Submittal \_\_\_\_\_ %  
 Construction

EA 08-1L800  
PN 0820000156  
Generalist: Vivian Ho  
ECL: \_\_\_\_\_

Avoidance, Minimization, and/or Mitigation Measures	Page	Environmental Analysis Source	Responsible for Development and/or Implementation of Measure	Timing/Phase	SSP or NSSP:	Action(s) Taken to Implement Measure/if checked No, add Explanation here	PS&E Task Complete	Construction Task Complete	Environmental Compliance	
							Date / Initials	Date / Initials	YES	NO
<b>CULTURAL RESOURCES</b>										
<b>CR-1:</b> Stop work if buried cultural resources are encountered during construction until a qualified archaeologist can evaluate the nature and significance of the find. In the event that human remains, including isolated, disarticulated bones or fragments, are discovered during construction-related activity, cease in the vicinity of the human remains.	45, 70	Final Environmental Document (June 2025)	District Cultural Studies/ District Design/ Resident Engineer/ Contractor	Design/Construction						
<b>CR-2:</b> In the event that human remains are discovered, the county coroner shall be notified immediately and ALL construction work activities within 60 feet of the discovery shall stop. Pursuant to Public Resources Code Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Most Likely Descendent (MLD). The person who discovered will contact the District 8 District Environmental Branch Chief (DEBC) Gabrielle Duff at (909)501-5142 and Native American Coordinator (DNAC) Julie Scrivner at (909)260-8265. Further provisions of PRC 5097.98 are to be followed as applicable.	45, 70	Final Environmental Document (June 2025)	District Cultural Studies/ District Design/ Resident Engineer/ Contractor	Final Design, Construction						
<b>BIOLOGICAL RESOURCES</b>										
<b>BIO-General-1: Equipment Staging, Storing, and Borrow Sites:</b> All staging, storing, and borrow sites require the approval of the Caltrans Biologist. Stockpiles shall be maintained to avoid the spread of invasive plants and shall not be placed at locations subject to Fish and Game Code section 1602. Materials, including spoils and equipment, shall not be placed at locations subject to Fish and Game Code section 1602.	34	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-General-2: Temporary Artificial Lighting Restrictions:</b> Artificial lighting must be directed at the job site to minimize light spillover onto the surrounding habitat if	35	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						

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project activities occur at night. Artificial lighting must be turned on an hour prior to sunset.										
<p><b>BIO-General-4: Preconstruction Surveys:</b> Three days prior to construction, preconstruction American badger, rare plants, and sensitive natural community surveys must be conducted by the qualified biologist, up to the limits of the Caltrans ROW and following current American badger survey protocols. Sensitive natural communities and rare plants outside of the approved Project Impact Area (PIA) and within Caltrans ROW must be flagged for visual identification to construction personnel for work avoidance. Sensitive Natural Communities and rare plants for avoidance detected shall be flagged or fenced off with ESA high visibility fencing. If any bighorn sheep, mountain lion, desert kit fox, or American badger or signs of American badger, catclaw acacia – desert lavender – chuparosa scrub, Desert willow – smoketree wash woodland, or other Natural community, other than what is described on the plans and specifications, are located, the Resident Engineer and Caltrans Biologist must be contacted and additional measures and/or agency coordination shall be required, which could include compensatory mitigation for impacts to those species and/or habitats.</p> <p>If special-status plant species are observed during the preconstruction rare plant survey(s) within the development area of the Project, the Project shall be designed to reduce impacts to these species through the establishment of buffers, to the extent feasible. Buffer distances will be determined by the qualified biologist, typically 50 feet or greater from an identified special-status plant species, unless the qualified biologist determines a reduced buffer would suffice to avoid impacts to the species.</p> <p>If avoidance of special-status plant species is not feasible, a Special-Status Plant Relocation Plan shall be developed and implemented. The Special-Status Plant Relocation Plan shall address mitigation for special-status plants, including as applicable but not limited to: topsoil salvage to preserve seed bank and management of salvaged topsoil; seed collection, storage, possible nursery propagation, and planting; salvage and planting of bulbs as feasible; location of onsite receptor</p>	35	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						

Date of ECR: June 2025  
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<p>sites; land protection instruments for receptor areas; and funding mechanisms. The Special-Status Plant Relocation Plan shall include methods, monitoring, reporting, success criteria, adaptive management, and contingencies for achieving success. The plan shall be prepared for CDFW's review, approval, and implementation prior to the commencement of initial site clearing activities. All special-status plant species identified on site shall be mapped onto a site-specific aerial photograph and topographic map and included on the construction, grading, fuel modification, and landscape plans.</p> <p>Should permanent loss of sensitive species and/or habitats occur the ratio of acquisition to loss must be at a minimum of 1:1. The ratio shall be higher for occupied and irreplaceable habitats. Caltrans will achieve the needed mitigation, with resource agency approval, through on-site restoration activities, suitable mitigation/conservation bank credits, suitable in-lieu fee program credits, and/or other mitigation acceptable to the resource agencies involved as applicable.</p>										
<p><b>BIO-General-6: Species Avoidance:</b> If during project activities insect host plants, nesting birds, burrowing owl, desert tortoise, bighorn sheep, mountain lion, desert kit fox, or American badger burrows are discovered within the Project Site, all construction activities must stop within 10 feet for rare insect host plants, 100 feet for non-passerine nesting birds, 300 feet for nesting passerine species, 500 feet for raptors or federal/State listed birds, 265 feet for burrowing owls, 500 feet for desert kit fox, 500 feet for desert tortoises, and 16 to 25 feet around single American badger burrows and 65 feet around clusters of American badger burrows. The Caltrans Biologist and Resident Engineer must be notified. Coordination with CDFW and USFWS shall be required prior to restarting activities, if full avoidance is not achievable.</p>	36	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<p><b>BIO-General-7: Worker Environmental Awareness Program (WEAP):</b> A qualified biologist must present a biological resource information program/WEAP for rare insect host plant species, protected natural communities, desert tortoise, special-status mammal species, burrowing owls,</p>	36	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						

Date of ECR: June 2025  
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nesting birds, and other sensitive biological resources prior to project activities to all personnel that will be present within the project limits for longer than 30 minutes at any given time.										
<b>BIO-General-8: Biological Monitoring:</b> The qualified biologist must monitor project activities weekly to ensure that measures are being implemented and documented, and daily for any nesting birds observed during pre-construction surveys until the young have fledged or the nest is deemed inactive. If preconstruction surveys find special-status mammals, burrowing owls, or desert tortoise, more frequent monitoring may be required at the discretion of the Caltrans biologist or as required by the Burrowing Owl Plan.	36	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-General-9: Environmentally Sensitive Area (ESA):</b> To address impacts to catclaw acacia – desert lavender – chuparosa scrub, and desert willow – smoketree wash woodland, delineate this area as an ESA as shown on the plans or described in the specifications.	36	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-General-10: ESA Fence Monitoring:</b> Integrity inspections of temporary high-visibility fence, temporary desert tortoise fence, and enclosures (onsite cleared areas) must occur throughout the duration of the project weekly, prior to commencing project activities, and after activities are completed. If, during construction, the fence fails, work must stop until it is repaired, and the qualified biologist inspects (and clears) the job site.	36	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-General-11: ESA Fence Removal:</b> All temporary fencing must be removed as a last order of work. During removal, a qualified biologist must be present.	36	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-General-12: Animal Entrapment:</b> To prevent inadvertent entrapment of desert tortoise and special-status mammal species during project activities, all excavated steep-walled holes, bores, excavations, or trenches more than 6 inches deep must be covered at the close of each working day by plywood (or similar material) or provided with one or more escape ramps constructed of earth fill or wood planks, sloped at a 3:1 ratio. At the beginning of each working day, all such holes or trenches must be inspected to ensure	36	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						

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no animals have been trapped during the previous night. Before such holes or trenches are filled, they must be thoroughly inspected for trapped animals. Trapped animals must be released by the qualified biologist. Any CESA-listed species will require a 2081 permit before releasing.										
<b>BIO-General-14: Predator Prevention:</b> Project personnel are prohibited from feeding wildlife or bringing pets onto the job site.	37	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-General-16: Invasive Weed Control:</b> To address impacts to natural communities of concern, desert tortoise critical habitat, and rare insect host plant species, a qualified biologist must identify invasive species within the Project Impact Area (PIA) during access road construction, shoulder backing, ground disturbance, and vegetation removal. Treatment and disposal methods must be approved by the Caltrans biologist prior to vegetation removal. A specific targeted approach shall be implemented for any herbicide application by avoiding species that are not intended to be removed and by reducing herbicide application to the smallest possible radius around plant species that are selected for application. All herbicides utilized adjacent to Fish and Game Code section 1602 resources and other sensitive aquatic habitat areas shall be registered for aquatic use by the California Department of Pesticide Regulation (CDPR). Herbicide sprays in these areas shall only be used when wind speeds measure less than 10 mph. The mixture shall contain a dye (registered for aquatic use by CDPR) to show overspray and shall be conducted in a manner to minimize overspray onto adjacent native vegetation.	37	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-Plant-PSM-3: Top Soil Conservation:</b> Prior to any ground disturbance activities, the top soil, or duff, of a project must be scraped and stored to be redistributed on the project site after construction activities are completed.	37	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-General-PSM-17: Grading:</b> Any grading completed by the contractor shall be backfilled to the original grade prior to completing project activities.	37	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						

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<b>BIO-Arthropod-1: Rare Insect Host Plant Preconstruction Clearance Survey, Flagging, and Fencing:</b> No more than 3 days prior to project activities, a qualified biologist must perform a preconstruction survey for rare insect host plants within the Project Impact Area (PIA) and up to the limits of the Caltrans ROW. Should any rare insect host plants be found, the Resident Engineer and Caltrans Biologist must be contacted, and host plants must be flagged by the qualified biologist for visual identification to construction personnel for work avoidance. Should multiple plants in a single location be found, the groupings must be fenced with Environmentally Sensitive Area (ESA) temporary high visibility fencing.	37	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-Arthropod-PSM-2: Plant Seed Mix:</b> Seed mixes must contain a diverse array of pollinator plant species native to California. No tropical milkweed ( <i>Asclepias curassavica</i> ) shall be used in the seed mix.	37	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-Arthropod-PSM-3: Milkweed Removal:</b> Any milkweed removal shall take place after the milkweed has gone to seed.	38	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-Reptile-1: Equipment Flagging:</b> Project personnel must attach surveyor flagging tape to a conspicuous place on each piece of equipment to remind the operator to check under the equipment for desert tortoise before operating equipment at any time.	38	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-Reptile-2: Pre-Project Surveys:</b> To assess the number of desert tortoise that may be potentially impacted by project activities, pre-project surveys for desert tortoise must be conducted within the Project Impact Area (PIA) and up to the limits of the Caltrans ROW where Project activities could affect desert tortoise. Desert tortoise surveys shall be conducted by the qualified biologist in accordance with the USFWS 2009 desert tortoise methodology (see: <a href="https://www.fws.gov/sites/default/files/documents/Desert-Tortoise-Field-Manual.pdf">https://www.fws.gov/sites/default/files/documents/Desert-Tortoise-Field-Manual.pdf</a> ). The survey must utilize perpendicular survey routes and 100-percent visual coverage for desert tortoise and their sign.	38	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						

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<b>BIO-Reptile-3: Construction Monitoring:</b> Project activities must be monitored by a qualified biologist weekly to ensure that measures are being implemented and documented.	38	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-Reptile-4: Authorized Biologist Clearance Surveys:</b> Clearance desert tortoise surveys must be conducted by the qualified biologist 3 days prior to project activities within the project footprint before temporary desert tortoise fence is erected. If a desert tortoise is located, an incidental take permit (ITP) for desert tortoise shall be obtained prior to initiation of all ground disturbing activities. The Project proponent shall adhere to measures and conditions set forth within the ITP. Mitigation for direct impacts shall be fulfilled through conservation of suitable Mojave Desert tortoise habitat through the purchase of mitigation bank credits or land acquisition determined through coordination with USFWS and the California Department of Fish and Wildlife.	38	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-Reptile-5: Trash/Predation:</b> The contractor must implement measures to reduce the attractiveness of job sites to ravens, coyotes, and other subsidized predators by controlling trash and educating workers.	38	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-Reptile-6: Temporary Demarcation:</b> Temporary demarcation in the form of temporary desert tortoise fence must be established following the most recent USFWS for construction fencing around the entire project footprint, as shown on the plans prior to construction, to exclude desert tortoise. All temporary demarcation materials must be removed once construction has been completed.	38	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-Reptile-7: Permanent Fencing:</b> Permanent desert tortoise fencing must be repaired at Ardis Ditch, Tank Tower Ditch, and Homer Wash. The permanent desert tortoise fence at Woods Wash must be replaced and properly installed (e.g., properly buried and not bent at a 90-degree angle). All four bridge locations must have permanent desert tortoise fence on either side of the roadways while ensuring connectivity via tie-ins to culverts and the washes, or other USFWS approved connectivity strategies.	38	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						

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<b>BIO-Reptile-8: Rock Slope Protection:</b> To prevent trapping of desert tortoise, interstitial spaces within rock slope protection must be filled with a substrate (e.g., Class IV, Method B, or substrate sand).	39	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-DT-1: Agency Notification and Reporting Requirements:</b> If any desert tortoises within or near the job site are found alive, injured, or dead during the implementation of the project, the Resident Engineer and Caltrans Biologist must be immediately notified. The Caltrans Biologist must then notify CDFW and USFWS. Veterinary treatment and/or final deposition must follow CDFW and USFWS approval. All work within the location must stop until agency approval is acquired. Work may continue at other bridge locations.	39	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-DT-2: Desert Tortoise Impacts:</b> Prior to completion of Project-related activities, Caltrans will contact regulatory agencies to identify how on-site temporary impacts will be offset. If on-site restoration is used, Caltrans will work with regulatory agencies to identify actions to be performed to restore affected areas to pre-project conditions.	39	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-Avian-1: Preconstruction Nesting Bird Surveys:</b> Regardless of the time of year, a pre-construction survey shall be performed to verify absence of nesting birds. Pre-construction nesting bird surveys must be conducted 3 days prior to construction by a qualified biologist to locate and avoid nesting birds. If an active avian nest is located, a no construction buffer shall be established and monitored by the qualified biologist daily until the young have fledged or the nest is deemed inactive. The Project site will need to be re-surveyed if there is a lapse in construction activities for more than 3 days.	39	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-Avian-2: Preconstruction Burrowing Owl Survey:</b> To avoid construction-level impacts to unidentified burrowing owls on-site, qualified biologists shall conduct focused burrowing owl surveys during the breeding and non-breeding season in accordance with the Staff Report on Burrowing Owl Mitigation (CDFG, 2012). The survey shall cover the Project site and a 500-meter buffer, where legally accessible. A	39	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						

Date of ECR: June 2025  
 Date of FED: June 2025

## ENVIRONMENTAL COMMITMENTS RECORD

### SBD I-40 Bridge and Rock Slope Protection Replacements

08-SBd-040

PM R104.6/R120.5

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- PA/ED (DED/FED)
  - PS&E Submittal \_\_\_\_\_ %
  - Construction

EA 08-1L800  
 PN 0820000156  
 Generalist: Vivian Ho  
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<p>preconstruction survey shall be conducted within 14 to 30 days prior to vegetation removal or ground disturbing activities (see below).</p> <p>Pre-construction take avoidance surveys for this species shall be conducted within 14 to 30 days prior to vegetation removal or ground disturbing activities and 24 hours prior to vegetation removal or ground disturbing activities to determine the presence or absence of this species within the Project footprint. A report shall be submitted to CDFW by a qualified Contractor Supplied Biologist. The Project footprint shall be clearly demarcated in the field by the Project engineers and biologist prior to the commencement of the pre-construction take avoidance surveys. The surveys shall follow the guidance of the Staff Report on Burrowing Owl Mitigation (CDFG, 2012).</p> <p>If preconstruction surveys confirm occupied burrowing owl habitat, project activities shall be immediately halted within 265 feet of the burrows until BIO-Avian-PSM-3 is completed and CDFW approves of the Burrowing Owl Plan.</p> <p>Depending on the Project activity type and associated disturbance, a minimum avoidance buffer distance of 50 meters (165 feet) to 100 meters (330 feet) during the nonbreeding season (September through January) and 100 meters (330 feet) to 250 meters (825 feet) during the breeding season (February through August) shall be maintained between active burrows and construction activities. A qualified biologist shall monitor the burrowing owls for any sign of distress and adjust the buffers as necessary to ensure no take occurs.</p> <p>If active burrows are present within the Project footprint and complete avoidance is infeasible, the Project proponent shall not undertake Project activities and Project activities shall be postponed until the appropriate authorization (i.e. CESA incidental take permit under the California Fish and Game Code § 2081) is obtained.</p> <p>Should permanent loss of western burrowing owl habitat occur the ratio of acquisition to loss must be at a minimum of 1:1. The ratio shall be higher for occupied and irreplaceable</p>										

Date of ECR: June 2025  
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## ENVIRONMENTAL COMMITMENTS RECORD

### SBD I-40 Bridge and Rock Slope Protection Replacements

08-SBd-040

PM R104.6/R120.5

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habitats. Caltrans will achieve the needed mitigation, with resource agency approval, through on-site restoration activities, suitable mitigation/conservation bank credits, suitable in-lieu fee program credits, and/or other mitigation acceptable to the resource agencies involved as applicable.										
<b>BIO-Avian-PSM-3: Burrowing Owl Plan:</b> If the presence of burrowing owl is found during the burrowing owl surveys, the Qualified Biologist shall coordinate with CDFW and prepare a Burrowing Owl Plan that shall be submitted to CDFW for review and approved prior to commencing project activities and implementing the measures of the Burrowing Owl Plan. The Burrowing Owl Plan shall describe proposed avoidance, monitoring, relocation, minimization, and/or mitigation actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures if avoidance is proposed. If impacts to occupied burrowing owl habitat or burrows cannot be avoided, the Burrowing Owl Plan shall also describe minimization and compensatory mitigation actions that will be implemented. Proposed implementation of burrow exclusion (i.e., passive relocation) and closure shall only be considered as a last resort, after all other options have been evaluated as exclusion is not in itself an avoidance minimization, or mitigation method and has the possibility to result in Take. The Burrowing Owl Plan shall identify compensatory mitigation for the temporary or permanent loss of occupied burrow(s) and habitat consistent with the "Mitigation Impacts" section of the 2012 Staff Report on Burrowing Owl Mitigation and Caltrans shall implement CDFW approved mitigation prior to the initiation of Project activities where burrows are found. Work on other bridges may continue so long as the burrowing owl surveys were negative.	40	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-Avian-PSM-4: Work Areas:</b> Confine all work activities to a predetermined work area. Prior to the initiation of ground-disturbing activities, the project footprint, including laydown	40	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						

Date of ECR: June 2025  
 Date of FED: June 2025

## ENVIRONMENTAL COMMITMENTS RECORD

### SBD I-40 Bridge and Rock Slope Protection Replacements

08-SBd-040

PM R104.6/R120.5

Project Phase:  
 PA/ED (DED/FED)  
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 Construction

EA 08-1L800  
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and staging areas, will be clearly delineated using high-visibility temporary fencing.										
<b>BIO-Kit Fox-1: Preconstruction Kit Fox Survey and Monitoring:</b> A qualified biologist must conduct preconstruction surveys for desert fox within the project site and biological study area, up to the limits of the Caltrans ROW, no more than 30 days prior to the commencement of ground-breaking activities. Dens will be classified as inactive, potentially active, or definitely active. Should dens be deemed active, additional surveys are required. If desert kit fox is present, the additional measures may be required.	41	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-Kit Fox-2: Desert Kit Fox Den Complex Monitoring, Passive Relocation, and Stop Work Restrictions:</b> All desert kit fox den complexes in the project site identified as potentially active or definitely active must be monitored in accordance with CDFW guidelines. If once the monitoring is concluded, no desert kit fox tracks are found at the burrow entrance, or no photos of the target species using the den are observed, the den can be excavated and backfilled by hand. If a den is identified as being active, it must further be classified as non-natal or natal den. Potential natal den complexes are to be monitored for a minimum of 3 additional days using infrared wildlife cameras and/or tracking medium to determine their status. If the den complex is determined to be natal during the denning period (February - June), a 200-foot non-disturbance buffer zone will be established surrounding natal dens, and monitoring by infrared cameras or weekly visits by a qualified biologist will continue until it has been determined that the young have dispersed. The final buffer distance may be determined in consultation with the BLM and CDFW. If the den complex within the project site is determined to be non-natal, passive hazing techniques must be used to discourage desert kit fox from using the den complex. Desert kit fox must be excluded from all den complexes within the project site portion of the Project disturbance area. Inactive dens that are within the project site must immediately be excavated by hand and backfilled to prevent reuse by desert kit fox. If desert kit fox tracks are observed or desert kit fox is captured in camera photos, then	41	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						

Date of ECR: June 2025  
 Date of FED: June 2025

## ENVIRONMENTAL COMMITMENTS RECORD

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PM R104.6/R120.5

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various passive hazing techniques will be implemented to deter desert kit fox from using the den complex. If desert kit fox are present and passive relocation techniques fail, the BLM and CDFW may be contacted to explore other relocation options such as trapping. If during construction activities a desert kit fox is within the project site, all construction activities must stop, and the qualified biologist must be notified. Consultation with resource agencies may be required, as appropriate.										
<p><b>BIO-Bat-1: Bat Pre-Construction Surveys:</b> All suitable roosting and foraging habitat for local or migratory bat species known to the Project area, including special-status species, found within the Project site and adjacent land shall be surveyed two weeks prior to initial site clearing activities. The surveys shall be completed by a qualified Contractor Supplied Bat Biologist. Surveys shall include determination of the approximate size of the colony(s) and species present. If a bat colony is found, further surveys shall be conducted. The surveys shall include a combination of nighttime emergence counts and acoustic techniques (full spectrum bat acoustic detectors) appropriate for the roosting habitat and time of year, visual and aural surveys (observation during foraging period), and inspection for suitable habitat and bat sign (e.g. guano).</p> <p>If roosting bats, of any status, are found during the surveys, the bats and roosts shall be avoided to the maximum extent practicable with consideration of the most disturbing Project activities and their effect (e.g. demolition and night-time lighting). A Bat Management Plan prepared by the qualified bat biologist identifying situation-specific and species-specific avoidance and minimization measures to reduce impacts to roosting and foraging bats shall be prepared for CDFW's review, approval, and implementation prior to the commencement of initial site clearing activities.</p> <p>The Bat Management Plan shall include, as appropriate to the findings of the surveys and roosting habitat affected, a construction schedule to avoid roosting season, spatial and temporal avoidance measures, non-disturbance buffers, passive exclusion of bats outside of the maternity season (if</p>	41	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						

Date of ECR: June 2025  
 Date of FED: June 2025

## ENVIRONMENTAL COMMITMENTS RECORD

### SBD I-40 Bridge and Rock Slope Protection Replacements

08-SBd-040

PM R104.6/R120.5

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 Construction

EA 08-1L800  
 PN 0820000156  
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necessary), and identification of species-specific replacement or alternative habitat to mitigate for permanent maternity or night roosting habitat loss. If roosts cannot be avoided or it is determined that construction activities will cause roost abandonment, a mitigation plan addressing exclusion and passive relocation procedures and impact compensation will be developed. The mitigation plan will be developed in consultation with CDFW and the qualified bat biologist. Roost and foraging habitat shall be replaced in-kind prior to any exclusion or in a timing approved by CDFW. Any exclusion and passive relocation efforts shall avoid periods of sensitive activity (e.g. hibernation or maternity season) and may require several seasons for bats to discover alternative roosting sites.										
<b>BIO-Mitigation-1: Natural Communities Mitigation:</b> Compensatory mitigation for permanent impacts to catclaw acacia – desert lavender – chuparosa scrub is anticipated, with resource agency approval, through on-site restoration activities, suitable mitigation/conservation bank credits, suitable in-lieu fee program credits, and/or other mitigation acceptable to the resource agencies involved as applicable.	ii, 42	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-Mitigation-2: Natural Communities Mitigation:</b> Compensatory mitigation for permanent impacts to desert willow – smoketree wash woodland is anticipated, with resource agency approval, through on-site restoration activities, suitable mitigation/conservation bank credits, suitable in-lieu fee program credits, and/or other mitigation acceptable to the resource agencies involved as applicable.	ii, 42	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>BIO-Mitigation-3: Jurisdictional Mitigation:</b> Compensatory mitigation for permanent impacts to jurisdictional features are anticipated, with resource agency approval, through on-site restoration activities, suitable mitigation/conservation bank credits, suitable in-lieu fee program credits, and/or other mitigation acceptable to the resource agencies involved as applicable. Caltrans shall notify CDFW pursuant to Fish and Game Code section 1602 and obtain authorization prior to initiating Project activities within any river, stream, or lake. After construction activities are complete, temporarily	iii,42	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						

Date of ECR: June 2025  
 Date of FED: June 2025

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impacted aquatic resources will be restored to original and permanently impacted resources will be restored at a minimum 3:1 ratio through suitable methods such as on-site restoration activities, suitable CDFW-approved mitigation/conservation bank credits, permittee-responsible mitigation, or through a combination of any of these.										
<b>TRAFFIC AND TRANSPORTATION/BICYCLE AND PEDESTRIAN FACILITIES</b>										
<b>TRAF-1: Traffic Management Plan (TMP):</b> A Traffic Management Plan (TMP) has been prepared and will continue to be refined in Design phase to manage the safe and efficient flow of traffic during construction. The TMP would allow for continuous access to and through the site for emergency vehicles.	55, 69, 75	Final Environmental Document (June 2025)	District Design / District Traffic Management / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>GREENHOUSE GAS EMISSIONS</b>										
<b>GHG-1:</b> For improved fuel efficiency from construction equipment: Maintain equipment in proper tune and working condition, use right sized equipment for the job, and use equipment with new technologies where possible.	52, 88	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>GHG-2:</b> Reduce construction waste through reuse or recycling of materials, and submit disposal documentation as per Caltrans Standard Specification 14-11.13B(6).	52, 89	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>GHG-3:</b> Use recycled water or reduce consumption of water for construction per Caltrans Standard Specifications 10-4 and 10-6.	52, 89	Final Environmental Document (June 2025)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						
<b>HAZARDOUS WASTE / MATERIALS</b>										
<b>HAZ-1: Local Material:</b> Caltrans Standard Special Provision (SSP) 6-1.03 will be implemented to require conditions for use of local materials from non-commercial sources.	55	Final Environmental Document (June 2025)	District Design / District Environmental Engineering / Resident Engineer / Contractor	Final Design, Construction	SSP 6-1.03					
<b>HAZ-2: Earth Material Containing Lead:</b> Caltrans SSP 7-1.02K(6)(j)(iii) will be implemented to manage the handling, removal, and disposing of unregulated earth material containing lead. A Lead Compliance Plan (LCP) is required.	55	Final Environmental Document (June 2025)	District Design / District Environmental Engineering / Resident Engineer / Contractor	Final Design, Construction	SSP 7-1.02K(6)(j)(iii)					

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### SBD I-40 Bridge and Rock Slope Protection Replacements

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PM R104.6/R120.5

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<b>HAZ-3: NESHAP Notification:</b> Caltrans SSP 14-9.02 will be implemented to require National Emission Standards for Hazardous Air Pollutants (NESHAP) notification 15 days prior to the start of demolition or rehabilitation activities, even if the activities will not disturb asbestos-containing material.	55	Final Environmental Document (June 2025)	District Design / District Environmental Engineering / Resident Engineer / Contractor	Final Design, Construction	SSP 14-9.02					
<b>HAZ-4: Treated Wood Waste:</b> Caltrans SSP 14-11.14 will be implemented to manage the handling, removal, and disposal of treated wood waste.	55	Final Environmental Document (June 2025)	District Design / District Environmental Engineering / Resident Engineer / Contractor	Final Design, Construction	SSP 14-11.14					
<b>HAZ-5: Residue Containing Lead from Paint and Thermoplastic:</b> Caltrans SSP 36-4 will be implemented to manage the handling, removal, and disposal of residue from grinding or cold planing containing lead from paint and thermoplastic. A Lead Compliance Plan (LCP) is required.	55	Final Environmental Document (June 2025)	District Design / District Environmental Engineering / Resident Engineer / Contractor	Final Design, Construction	SSP 36-4					

## **Appendix B List of Technical Studies**

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The following studies and/or technical analyses were prepared and are incorporated by reference into this Initial Study with Mitigated Negative Declaration.

Air Quality Review Memorandum and Transportation Air Quality Conformity Checklist (October 29, 2024)

Natural Environment Study (NES) (September 24, 2024)

NES Addendum (December 17, 2024)

Desert Tortoise Focused Survey Report (October 2023)

Jurisdictional Delineation (September 14, 2023)

Vegetation Mapping Report (October 16, 2023)

Noise Review Memorandum (October 9, 2024)

Visual Impact Assessment Questionnaire (VIAQ) (December 5, 2024)

Initial Site Assessment (ISA) Checklist (October 9, 2024)

Historical Property Survey Report (HPSR) (June 27, 2023)

Supplemental HPSR (January 8, 2025)

Archaeological Survey Report (ASR) (June 2023)

Please note, many state and federal laws limit the disclosure of sensitive cultural and tribal resource information to the public. Additional information regarding confidentiality of these resources can be found in the [Standard Environmental Reference Volume 2](#) in Section 3.4.13 and Section 5.3.6.