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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

November 12, 2025

Rebeka Riesen
District 9 Environmental Division
California Department of Transportation
500 South Main Street
Bishop, California 93514-3423

Subject: Cache Creek Pavement Project
EA 09-38310 (Project)
Initial Study with Proposed Mitigated Negative Declaration (MND)
SCH No.: 2025100478

Dear Rebeka Riesen:

The California Department of Fish and Wildlife (CDFW) received an MND prepared by the California Department of Transportation (Caltrans), as lead agency, for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1]

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife resources. Likewise, CDFW appreciates 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 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

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

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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 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.

In these roles, CDFW is responsible for providing, as available, biological expertise during public agency environmental review efforts (i.e., CEQA), focusing specifically on project activities that have the potential to adversely affect fish and wildlife resources. CDFW provides recommendations to identify potential impacts and possible measures to avoid or reduce those impacts.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

Fully Protected Species: CDFW has jurisdiction over fully protected species of birds, mammals, amphibians and reptiles, and fish, pursuant to Fish and Game Code sections 3511, 4700, 5050, and 5515. Fully protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except when take is necessary for scientific research; efforts to recover a fully protected, endangered, or threatened species, live capture, and relocation of a bird species for the protection of livestock; or they are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (Fish & G. Code, §§ 3511, 4700, 5050, & 5515). Additionally, specified types of infrastructure projects may be eligible for an Incidental Take Permit (ITP) for unavoidable impacts to fully protected species if certain conditions are met (see Fish & G. Code § 2081.15). Early consultation with CDFW is recommended if an ITP for fully protected species may be pursued for this Project.

Unlisted Species: Species of plants and animals need not be officially listed as Endangered, Rare, or Threatened (E, R, or T) on any State or Federal list to be considered E, R, or T under CEQA. If a species can be shown to meet the criteria for

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E, R, or T, as specified in the CEQA Guidelines, section 15380, CDFW recommends it be fully considered in the environmental analysis for the Project.

PROJECT DESCRIPTION SUMMARY

Proponent: Caltrans

Objective: Caltrans proposes to preserve, repair and extend the service life of the existing pavement on an 8.3-mile section of State Route 58 in Kern County. The Project proposes to repair and replace existing pavement, restore access control, replace right-of-way fencing, replace and install new traffic operation systems, and clean existing drainage culverts within the Project corridor.

Location: The Project is in Kern County on State Route 58 between post miles 99.4 and 107.7.

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist Caltrans in adequately identifying the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document. A Recommended Mitigation Monitoring and Reporting Program is attached (Attachment 1).

CDFW is concerned regarding potential Project related impacts to fish and wildlife connectivity and the following special-status species: the State and federally threatened desert tortoise (*Gopherus agassii*), the State threatened Swainson's hawk (*Buteo swainsonii*) the State fully protected golden eagle (*Aquila chrysaetos*), and the State candidate western burrowing owl (*Athene cunicularia hypugaea*), western Joshua tree (*Yucca brevifolia*), and Crotch's bumble bee (*Bombus crotchii*). CDFW is also concerned about potential Project impacts to the following State species of special concern: Tehachapi pocket mouse (*Perognathus alticola inexpectatus*), pallid bat (*Antrozous pallidus*), Townsend's big-eared bat (*Corynorhinus townsendii*), American badger (*Taxidea taxus*), prairie falcon (*Falco mexicanus*), long-eared owl (*Asio otus*), loggerhead shrike (*Lanius ludovicianus*), California horned lark (*Eremophila alpestris actia*), Le Conte's thrasher (*Toxostoma lecontei*), coast horned lizard (*Phrynosoma blainvillii*), California glossy snake (*Arizona elegans occidentalis*); as well as the following special status plant species and communities: Latimer's woodland gilia (*Saltugilia latimeri*), pale-yellow layia (*Layia heterotricha*), Piute Mountains jewelflower (*Streptanthus cord*atus var. *piutensis*), Spanish needle onion (*Allium shevockii*), Joshua tree woodland (*Yucca brevifolia* Woodland Alliance), and other potential sensitive natural communities.

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Desert Tortoise (DETO):

The MND identifies that the Project area is within the known geographic range of DETO and that surveys were completed following the protocols in "Preparing for any action that may occur within the range of the Mojave desert tortoise (*Gopherus agassii*)" (USFWS 2019). The MND describes that the Project has the potential to result in temporary impacts to DETO habitat for fence replacement activities, however CDFW is also concerned about the potential for Project impacts to DETO habitat from other activities (such as temporary construction access for other Project activities), as well as direct impacts to DETO, if present during Project implementation. CDFW recommends that the MND address potential impacts to DETO (habitat and individuals) from all Project activities.

Recommended Mitigation Measure 1: DETO Surveys

CDFW recommends that a qualified biologist conduct surveys to search for potential presence of DETO the survey season immediately prior to Project implementation, within a 50-foot radius of the Project area, following protocols in "Preparing for any action that may occur within the range of the Mojave desert tortoise (*Gopherus agassii*)" for linear project surveys (USFWS 2019).

Recommended Mitigation Measure 2: DETO Take Authorization

If surveys indicate the presence or potential presence of DETO within 50 feet of Project activities, consultation with CDFW is recommended for guidance on how to implement the Project and avoid take of the species. If take cannot be avoided, take authorization through the issuance of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA.

Swainson Hawk (SWHA):

The eastern portion of the Project area is within range of SWHA and SHWA have been documented in the Project vicinity (CDFW 2025, eBird 2025). SWHA have the potential to nest in trees and utility poles in the Project area. SWHA exhibit high nest-site fidelity year after year, and their local distribution and abundance are limited by a lack of suitable nesting habitat in the Kern County portion of the Mojave Desert (CDFW 2016). Without appropriate avoidance and minimization measures for SWHA, potential significant impacts that may result from Project activities include nest abandonment, loss of nest trees, loss of foraging habitat that would reduce nesting success (loss or reduced health or vigor of eggs or young), and direct mortality. Any take of SWHA without appropriate incidental take authorization would be a violation of Fish and Game Code.

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Recommended Mitigation Measure 3: SWHA Surveys

If ground disturbing activities are to take place during the typical bird breeding season (March 1 through September 15), CDFW recommends that a qualified biologist conduct surveys to search for active SWHA nests the survey season immediately prior to Project implementation, within a ½-mile radius of the Project area, following the survey methods developed by the Swainson's Hawk Technical Advisory Committee (2000).

Recommended Mitigation Measure 4: SWHA Avoidance Buffer

CDFW recommends that a minimum no disturbance buffer of 0.5-mile be delineated around active nests until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.

Recommended Mitigation Measure 5: SWHA Take Authorization

In the event an active SWHA nest is detected during surveys and Project activities cannot avoid the nest by a minimum ½-mile buffer, consultation with CDFW is warranted to discuss how to implement the project and avoid take. If take cannot be avoided, take authorization through the issuance of an ITP, pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA.

Western Joshua Tree (WJT):

The MND identifies that WJT occur within the Project area and that a WJT census was completed in 2024, within accessible areas of the right-of-way. The MND lists specific numbers of trees in specific buffer areas within and adjacent to the existing right-of-way fence that are expected to be impacted by access for fence replacement activities. The MND also describes that Caltrans will be applying for an ITP under the Western Joshua Tree Conservation Act (WJTCA), pursuant to Fish and Game Code section 1927. Please note that CDFW will make an independent assessment of take (where direct impacts to WJT are anticipated) based on a review of the applicant's WJT census and the Project information in the ITP application. Since the WJTCA permit application process has not been initiated or completed, CDFW recommends that the MND quantify potential Project related impacts broadly.

Recommended Mitigation Measure 6: WJT Avoidance Buffer

In the absence of obtaining an ITP for the take of WJT, CDFW recommends a minimum no-disturbance buffer for an individual WJT of 290 feet. A 290-foot no-disturbance buffer is warranted to not only avoid impacts to individual trees,

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but potential impacts to the seed bank as it has been documented that 290 feet is the maximum distance of seed dispersal by rodents (Vander Wall et al. 2006).

Recommended Mitigation Measure 7: WJT Take Authorization

If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA. Additionally, the Project also has the option to obtain take authorization through issuance of a WJTCA ITP, pursuant to Fish and Game Code section 1927.3.

Western Burrowing Owl (BUOW)

The California Fish and Game Commission approved BUOW as a candidate for potential listing as a protected species under CESA on October 10, 2024, and published these findings in the California Regulatory Notice Register (Notice Register) on October 25, 2024. As such, BUOW is now a candidate under CESA and receives the same legal protection afforded to an endangered or threatened species (Fish & G. Code, §§ 2074.2 & 2085). The protected status is for the species, whether nesting or overwintering.

The Project area is located within range of BUOW and there are records in the Project vicinity (CDFW 2025; CDFW and CIWTG 2025). The NES prepared for the MND summarizes that suitable habitat for the BUOW is not found in the Project area due to the density of shrub cover. However, BUOW are found throughout the Mojave Desert in shrub and sparse WJT habitats, such as found in the Project area. BUOW may also occupy developed and cleared areas, also found in the Project area. Any take of BUOW without appropriate incidental take authorization would be a violation of Fish and Game Code

Recommended Mitigation Measure 8: BUOW Surveys

Prior to construction, CDFW recommends a qualified biologist survey for BUOW in the Project area, as well as a 500-meter buffer surrounding the Project area, following the “2012 Staff Report on Burrowing Owl Mitigation” (2012 Staff Report) (CDFG 2012). Please note that the 2012 Staff Report necessitates multiple surveys prior to the initiation of construction.

Recommended Mitigation Measure 9: BUOW Avoidance Buffer

Should a BUOW or BUOW den (active or inactive) be discovered during pre-construction surveys or during construction, CDFW recommends implementing the no-disturbance buffers outlined in the 2012 Staff Report prior to and during any ground-disturbing activities.

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Recommended Mitigation Measure 10: BUOW Take Authorization

If a BUOW or known BUOW den (active or inactive) is detected, and the no-disturbance buffers outlined in the 2012 Staff Report are not feasible, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA.

Crotch's Bumble Bee (CBB):

The Project area is within the known geographic range of CBB and there are recent occurrences in the Project vicinity (iNaturalist 2025, CDFW 2025). The Natural Environment Study (NES) prepared for the MND identifies that habitat is present for CBB in the Project area, but discounts the presence of CBB in the Project area due to lack of observations during general surveys and a narrow list of CBB floral preferences. Like many bumble bees, CBB are generalists and will forage from a wide variety of flowering plants. CBB are not limited by the presence of *Eriogonum* species, as described in the NES. CBB inhabit a variety of habitats, including grasslands, scrublands, openings in woodlands (including Joshua tree woodland), as well as developed areas with bare ground such as vacant lots, dirt roads, and levees (Xerces Society et al. 2018). CBB use requisite habitat elements for nesting, such as small mammal burrows, perennial bunch grasses, thatched annual grasses, brush piles, old bird nests, dead trees, and hollow logs. Based on information provided in the NES prepared for the MND, these habitat elements are present within and adjacent to the Project area. Without appropriate avoidance and minimization measures for CBB, potentially significant impacts associated with the Project's activities include burrow collapse, inadvertent entrapment, reduced reproductive success, reduction in health and vigor of bumble bee nests, and direct mortality of individuals. Any take of CBB without appropriate incidental take authorization would be a violation of Fish and Game Code.

Recommended Mitigation Measure 11: CBB Habitat Assessment

CDFW recommends a qualified biologist conduct a habitat assessment to determine if the Project area and the immediate surrounding vicinity contain habitat suitable to support CBB. Potential floral resources and nesting sites would need to be documented as part of the assessment.

Recommended Mitigation Measure 12: CBB Surveys

If potentially suitable habitat is identified, CDFW recommends that a qualified biologist conduct focused surveys for CBB, and their requisite habitat features

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following the methodology outlined in the "Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species" (CDFW 2023).

Recommended Mitigation Measure 13: CBB Avoidance

If CBB is detected, then CDFW recommends that all small mammal burrows and other potential nesting or overwintering habitat elements be avoided by a minimum of 50 feet to avoid take and potentially significant impacts. If ground-disturbing activities will occur where potential nesting or overwintering habitat was documented, consultation with CDFW is warranted to discuss how to implement Project activities and avoid take. Any detection of CBB prior to or during Project implementation warrants consultation with CDFW to discuss how to avoid take.

Recommended Mitigation Measure 14: CBB Take Authorization

If CBB is detected, and the no-disturbance buffer cannot be implemented, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA.

Golden Eagle (GOEA):

The Project area is within the known geographic range of golden eagle (GOEA) and there are several documented occurrences of GOEA in the Project vicinity (CDFW 2025; CDFW in-house records). GOEA are known to inhabit open areas with large trees, utility towers, and cliffs for nesting (Pagel et al. 2010). The Natural Environment Study for the MND reported that GOEA nests were not observed in the Project area during surveys in support of the MND.

Recommended Mitigation Measure 15: GOEA Surveys

CDFW recommends that a qualified biologist conduct surveys for GOEA following the "Golden Eagle Inventory and Monitoring Protocols; and Other Recommendations" (Pagel et al. 2010) prior to Project implementation.

Recommended Mitigation Measure 16: GOEA Avoidance Buffer

If a GOEA nest is found prior to, or during construction, CDFW recommends implementing a minimum ½-mile no-disturbance buffer around the nest. CDFW advises that this buffer remain in place until the breeding season has ended or until a qualified biologist has determined that nesting has ceased, the birds have fledged and are no longer reliant upon parental care for survival. In the event that

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a GOEA nest is detected during surveys, and a ½-mile no-disturbance buffer is not feasible, consultation with CDFW is warranted.

Special-Status Bats

The MND acknowledges that the bats have the potential to roost in WJT that will be removed for the Project, but that sign of roosting bats was not observed in any of the bridges or culverts in the Project area. Although not specifically identified in the NES or MND, pallid bat and Townsend's big-eared bat have the potential to roost in crevices in trees or in rock crevices in the Project vicinity and have been observed in the Project vicinity (iNaturalist 2025). As identified in the MND, other bats may also utilize these resources.

Recommended Mitigation Measure 17: Bat Surveys

CDFW recommends that a qualified biologist conduct focused surveys to establish potential species presence and seasonal usage by bats in the Project area prior to the start of Project activities. Focused survey methodology is advised to include visual surveys of bats (observation of presence of bats during foraging periods), inspection for suitable habitat or bat sign (guano), and use of ultrasonic detectors (e.g., Anabat, Sonobat, etc.) during all dusk emergence and pre-dawn re-entry. To maximize detectability, each survey should be conducted within one 24-hour period.

Recommended Mitigation Measure 18: Bat Roost Avoidance Buffer

If bats are present, CDFW recommends that a 100-foot no-disturbance buffer be placed around the roost prior to the start of Project activities and that a qualified biologist monitor the roost to determine bat activity. If bats are roosting in trees designated for removal or trimming, CDFW recommends scheduling the work when the bats are less likely to be present (e.g., during the night-time for day-roosting bats). If a bat roost is identified and work is planned to occur during the breeding season, CDFW recommends no disturbance to maternity roosts and that CDFW be consulted to determine measures to avoid or minimize impacts to the material colony.

Other State Species of Special Concern:

The Project is within the geographic range of and contains suitable habitat for several species of special concern, including Tehachapi pocket mouse, American badger, prairie falcon, long-eared owl, loggerhead shrike, California horned lark, Le Conte's thrasher, coast horned lizard, and California glossy snake.

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Recommended Mitigation Measure 19: Special Status Wildlife Surveys

CDFW recommends that a qualified biologist conduct focused surveys for special status wildlife species, using appropriate survey methodologies, immediately prior to the start of Project activities.

Recommended Mitigation Measure 20: Special Status Wildlife Avoidance Buffer

Avoidance whenever possible is encouraged via delineation and observance of a 250 feet around active nests of bird species, a 500-foot no-disturbance buffer around active nests of raptors, and 50-foot no-disturbance buffer around nests, dens, or burrows/refugia of special status mammal and reptile species. If a special status species is observed on the Project area, CDFW recommends stopping Project construction activities in their immediate vicinity, and allowing individuals to leave the Project area on their own accord.

Special Status Plants and Sensitive Natural Communities:

The Project area is within the range of several special-status plant species and sensitive natural communities, as identified in the NES. Sensitive natural communities associated with Joshua tree, desert washes, and riparian habitats may be present in the Project area and impacted by Project activities. Although one season of appropriately-timed rare plant surveys were performed as part of the technical studies for this MND, sensitive natural communities were not identified following CDFW's recommended protocols and no mitigation measures were proposed to mitigate for potential Project-related impacts to special-status plants and sensitive natural communities.

Recommended Mitigation Measure 21: Special-status Plant Surveys

CDFW recommends that a qualified biologist complete surveys to characterize and map the natural communities in the Project area following the "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities" (CDFW 2018) as part of the biological technical studies conducted in support of the MND. CDFW also recommends that a qualified biologist survey for special status plants within the Project area prior to the start of Project activities, following the "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities".

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Recommended Mitigation Measure 22: Special-status Plants Avoidance Buffer

If special-status plants or sensitive natural communities are identified in the Project area, CDFW recommends special-status plant species and sensitive natural communities be avoided whenever possible by delineating and observing a no disturbance buffer of at least 50 feet from the outer edge of the plant population(s), specific habitat type(s) required by special-status plant species, and sensitive natural community. If buffers cannot be maintained, then consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special-status plant species and sensitive natural communities.

II. Editorial Comments and/or Suggestions

Nesting birds: To protect nesting birds, CDFW recommends that Project ground-disturbing or vegetation-disturbing activities occur during the bird non-nesting season. However, if ground- or vegetation-disturbing activities must occur during the nesting season (February 1 through September 15), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Code sections as referenced above.

If the nesting season cannot be avoided, CDFW recommends that a qualified wildlife biologist conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the Project area to identify nests and determine their status. A sufficient area means any area potentially affected by the Project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to the start of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be

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concealed from a nest site by topography. CDFW recommends that a qualified wildlife biologist counsel and support any variance from these buffers and notify CDFW in advance of implementing a variance.

Lake and Streambed Alteration: Project activities that will substantially change or use any material from the bed, bank, and channel of any river, stream, or lake are subject to CDFW's regulatory authority pursuant Fish and Game Code section 1600 et seq. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake (including the removal of riparian vegetation); (c) deposit or dispose of debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial and may include those that are highly modified such as canals and retention basins.

CDFW is required to comply with CEQA prior to issuance of a Lake or Streambed Alteration Agreement; therefore, if the CEQA document approved for the Project does not adequately describe the Project and its impacts to lakes or streams, a subsequent CEQA analysis may be necessary for Lake or Streambed Alteration Agreement issuance. For information on notification requirements, please refer to CDFW's website (https://wildlife.ca.gov/Conservation/LSA) or contact CDFW Central Region Caltrans liaison staff.

CNDDB Positive Submission of Data: Please note that the CNDDB is populated by voluntary submissions of species detections. As a result, species may be present in locations not depicted in the CNDDB but where there is suitable habitat and features capable of supporting species. A lack of an occurrence record, or lack of recent occurrence records, in the CNDDB does not mean that a species is not present. To adequately assess any potential Project-related impacts to biological resources, surveys conducted by a qualified biologist during the appropriate survey period(s) and using the appropriate protocol survey methodology are warranted to determine if any special-status species are present.

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 (CNDDB). The CNNDB field survey form can be filled out and submitted online at the following link: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data. The

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types of information reported to CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

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 Project to assist Caltrans in identifying and mitigating Project impacts on biological resources. A Mitigation Monitoring and Report Program (Attachment 1) is included to assist Caltrans with incorporating the recommended mitigation measures provided above.

If you have any questions, please contact Mindy Trask, Senior Environmental Scientist (Specialist), at the address provided on this letterhead, by telephone at (559) 939-0282, or by electronic mail at Mary.Trask@wildlife.ca.gov.

Sincerely,

DocuSigned by:
FA83F09FE08945A...
Julie A. Vance
Regional Manager

Attachment 1: Mitigation Monitoring and Reporting Program

cc: State Clearinghouse
Land Use and Climate Innovation
state.clearinghouse@lci.ca.gov

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CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

RECOMMENDED MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

PROJECT: Cache Creek Pavement Project EA 09-38310
SCH No. 2025100478

RECOMMENDED MITIGATION MEASURE	STATUS/ DATE/ INITIALS
Before Disturbing Soil or Vegetation	
Desert Tortoise (DETO)	
Recommended Mitigation Measure 1: DETO surveys	
Recommended Mitigation Measure 2: DETO Take Authorization	
Swainson Hawk (SWHA)	
Recommended Mitigation Measure 3: SWHA Surveys	
Recommended Mitigation Measure 5: SWHA Take Authorization	
Western Joshua Tree (WJT)	
Recommended Mitigation Measure 7: WJT Take Authorization	
Western Burrowing Owl (BUOW)	
Recommended Mitigation Measure 8: BUOW Surveys	
Recommended Mitigation Measure 10: BUOW Take Authorization	
Crotch's Bumble Bee (CBB)	
Recommended Mitigation Measure 11: CBB Habitat Assessment	
Recommended Mitigation Measure 12: CBB Surveys	
Recommended Mitigation Measure 14: CBB Take Authorization	
Golden Eagle (GOEA)	
Recommended Mitigation Measure 15: GOEA Surveys	
Special-Status Bats	
Recommended Mitigation Measure 17: Bat Surveys	
Special-Status Wildlife	
Recommended Mitigation Measure 19: Special Status Wildlife Surveys	
Special-Status Plants	
Recommended Mitigation Measure 21: Special-status Plant Surveys	

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RECOMMENDED MITIGATION MEASURE	STATUS/ DATE/ INITIALS
During Construction	
Swainson Hawk (SWHA)	
Recommended Mitigation Measure 4: SHWA Avoidance Buffer	
Western Joshua Tree (WJT)	
Recommended Mitigation Measure 6: WJT Avoidance Buffer	
Western Burrowing Owl (BUOW)	
Recommended Mitigation Measure 9: BUOW Avoidance Buffer	
Crotch's Bumble Bee (CBB)	
Recommended Mitigation Measure 13: CBB Avoidance Buffer	
Golden Eagle (GOEA)	
Recommended Mitigation Measure 16: GOEA Avoidance Buffer	
Special-Status Bats	
Recommended Mitigation Measure 18: Bat Roost Avoidance Buffer	
Special-Status Wildlife	
Recommended Mitigation Measure 20: Special Status Wildlife Avoidance Buffer	
Special-Status Plants	
Recommended Mitigation Measure 22: Special-status Plants Avoidance Buffer	