



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

GAVIN NEWSOM, Governor
VALERIE TERMINI, Acting Director



To:
Office of Land Use and Climate
Innovation
[CEQA Submit](#)

From:
Department of Fish and Wildlife
Inland Deserts Region
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Lead Agency
California Department of
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Sacramento, CA 95814
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Manager
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NOTICE OF EXEMPTION

Project Title: High Desert Operational Efficiency Project (California Endangered Species Act Incidental Take Permit No. 2081-2025-031-06 (ITP))

Project Location (San Bernardino County): The High Desert Operational Efficiency Project (Project) is located within the Burlington Northern Santa Fe right-of-way within the City of Hesperia, San Bernardino County, State of California.

Project Description: The California Department of Fish and Wildlife (CDFW) has issued an ITP pursuant to Section 2081 (b) of the Fish and Game Code to Burlington Northern Santa Fe Railroad.

According to lead agency California Department of Transportation (Caltrans), Burlington Northern Santa Fe in conjunction with Caltrans proposes to construct two staging tracks and an approximately 11-milelong main track extension to increase operational flexibility and reduce rail delays. Please see Attachment 1 for more information.

NOTICE OF EXEMPTION

2081-2025-031-06

February 9, 2026

The Project will result in impacts to 12.17 acres of western Joshua tree (*Yucca brevifolia*) habitat including the removal of 94 individuals; the Project will permanently remove 12.17 acres of western Joshua tree habitat. The Project is expected to result in incidental take of western Joshua tree, which is/are designated as a candidate species under the California Endangered Species Act (CESA). The ITP referenced above as issued by CDFW authorizes incidental take of species listed under CESA that may occur as a result of Project implementation.

Public Agency Approving Project: CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Person or Public Agency Carrying Out Project:

Jason Sanchez
Burlington Northern Santa Fe Railroad
Project Manager
(909) 386-4470
Jason.Sanchez@bnsf.com
740 Carnegie Drive
San Bernardino, CA 92408

Exempt Status: On April 18, 2024, Caltrans, acting as the lead agency, determined that the Project is statutorily exempt pursuant to Public Resources Code section 21080 (b)(10) and California Code of Regulations, Title 14, section 15275. The Lead Agency determined that the Project meets certain qualifying criteria for the exemption. Pursuant to Public Resources Code section 21080.1(a), the lead agency is responsible for determining whether the Project is exempt from CEQA, and that determination is final and conclusive on all persons, including responsible agencies. As a result, CDFW, acting as a responsible agency, is bound by the Lead Agency's determination that the Project is exempt from CEQA pursuant to Public Resources Code section 21080 (b)(10) and California Code of Regulations, Title 14, section 15275.

CDFW Contact Person: Emily Leon (Environmental Scientist), (760) 644-5976, and Emily.Leon@wildlife.ca.gov

Signature: _____ DocuSigned by: *Alisa Ellsworth* For _____ Date: 2/9/2026
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Heidi Calvert, Regional Manager



**CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION
DETERMINATION FORM (rev. 06/2022)**

Project Information

Project Name (if applicable): High Desert Operational Efficiency Project

DIST-CO-RTE: 08-SBD

PM/PM: N/A

EA: N/A

Federal-Aid Project Number: N/A

Project Description

Burlington Northern Santa Fe (BNSF) in conjunction with Caltrans proposes to construct of two staging tracks and an approximately 11-milelong main track extension to increase operational flexibility and reduce rail delays. The project site is located within the BNSF railway right-of-way (ROW) in the City of Hesperia and unincorporated areas of San Bernardino County, California.

Caltrans CEQA Determination (Check one)

- Not Applicable** – Caltrans is not the CEQA Lead Agency
- Not Applicable** – Caltrans has prepared an IS or EIR under CEQA

Based on an examination of this proposal and supporting information, the project is:

- Exempt by Statute.** (PRC 21080[b]; 14 CCR 15260 et seq.)
- Categorically Exempt. Class** Enter class. (PRC 21084; 14 CCR 15300 et seq.)
 - No exceptions apply that would bar the use of a categorical exemption (PRC 21084 and 14 CCR 15300.2). See the [SER Chapter 34](#) for exceptions.
- Covered by the Common Sense Exemption.** This project does not fall within an exempt class, but it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment (14 CCR 15061[b][3].)

Senior Environmental Planner or Environmental Branch Chief

Quint Chemnitz

Print Name

Signature

4/18/24

Date

Project Manager

Sameh Hegazi

Print Name

Signature

04/18/2024

Date



**CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION
DETERMINATION FORM**

Caltrans NEPA Determination (Check one)

Not Applicable

Caltrans has determined that this project has no significant impacts on the environment as defined by NEPA, and that there are no unusual circumstances as described in 23 CFR 771.117(b). See [SER Chapter 30](#) for unusual circumstances. As such, the project is categorically excluded from the requirements to prepare an EA or EIS under NEPA and is included under the following:

23 USC 326: Caltrans has been assigned, and hereby certifies that it has carried out the responsibility to make this determination pursuant to 23 USC 326 and the Memorandum of Understanding dated April 18, 2022, executed between FHWA and Caltrans. Caltrans has determined that the project is a Categorical Exclusion under:

- 23 CFR 771.117(c): activity (c)(Enter activity number)**
- 23 CFR 771.117(d): activity (d)(Enter activity number)**
- Activity Enter activity number listed in Appendix A of the MOU between FHWA and Caltrans**

23 USC 327: Based on an examination of this proposal and supporting information, Caltrans has determined that the project is a Categorical Exclusion under 23 USC 327. The environmental review, consultation, and any other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by Caltrans pursuant to 23 USC 327 and the Memorandum of Understanding dated May 27, 2022, and executed by FHWA and Caltrans.

Senior Environmental Planner or Environmental Branch Chief

N/A	N/A	N/A
Print Name	Signature	Date

Project Manager/ DLA Engineer

N/A	N/A	N/A
Print Name	Signature	Date

Date of Categorical Exclusion Checklist completion (if applicable): N/A

Date of Environmental Commitment Record or equivalent: 4/18/24

Briefly list environmental commitments on continuation sheet if needed (i.e., not necessary if included on an attached ECR). Reference additional information, as appropriate (e.g., additional studies and design conditions).



**CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION
DETERMINATION FORM**

Continuation sheet:

BNSF will need to obtain and comply with all necessary permits for this project.