

Porterville Median Barrier

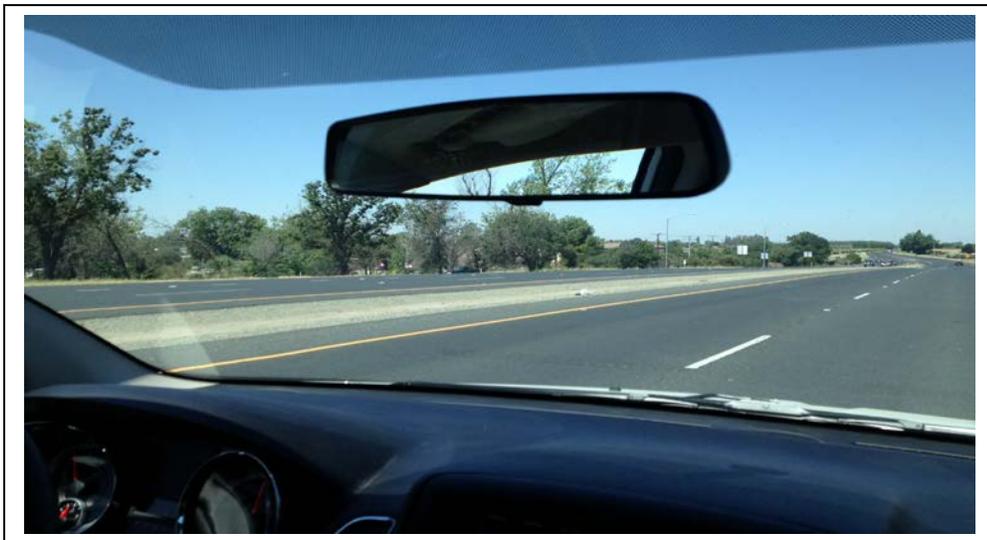
From South Prospect Street to South Plano Street in the City of Porterville

06-TUL-190-R15.1/16.97

Project I.D. 0614000105 EA 06-0S310

SCH # 2015112054

Initial Study with Mitigated Negative Declaration



Prepared by the
State of California Department of Transportation

May 2016



General Information About This Document

What's in this document:

Throughout this document, a vertical line in the margin indicates a content change made since the draft document circulation. Minor editorial changes and clarifications have not been so indicated.

This document contains a final Initial Study with a Mitigated Negative Declaration which examines the environmental effects of a project on State Route 190 in the City of Porterville in Tulare County, California.

The Initial Study with Proposed Mitigated Negative Declaration was circulated to the public from December 1 to December 31, 2015. Two comments were received on the document. No one requested a public hearing.

What happens after this:

The proposed project has completed environmental compliance under the California Environmental Quality Act after the publication of this document and filing of the Notice of Determination with the Office of Planning and Research, State Clearinghouse. Once funding is approved, the California Department of Transportation can design and construct the project.

This document can be accessed electronically at the following website:
<http://www.dot.ca.gov/dist6/environmental/envdocs/d6/>

For individuals with sensory disabilities, this document is 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: Richard Putler, Acting Senior Environmental Planner, Division of Environmental Analysis, California Department of Transportation, 855 M Street, Suite 200, Fresno, CA 93721; phone (559) 445-5286 (Voice), or use California Relay Service 1 (800) 735-2929 (TTY), 1 (800) 735-2929 (Voice), or 711.

SCH 2015112054
06-TUL-190-PM R15.1/16.97
0614000105

Install concrete median barriers and pave the median of State Route 190 in the City of Porterville from just east of South Prospect Street to just west of South Plano Street

**INITIAL STUDY
with Mitigated Negative Declaration**

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

THE STATE OF CALIFORNIA
Department of Transportation

5-31-16
Date of Approval


Richard Putler
Acting Senior Environmental Planner
California Department of Transportation

The following person may be contacted for additional information concerning this document:

Richard Putler, Acting Senior Environmental Planner
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Fresno, CA 93721



Mitigated Negative Declaration

Pursuant to: Division 13, Public Resources Code

Project Description

The California Department of Transportation (Caltrans) proposes to construct concrete median barriers and pave the median on State Route 190 in the City of Porterville in Tulare County from South Prospect Street to just west of South Plano Street (post miles R15.1 to 16.97).

Determination

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

This project will have no effect on: agriculture and forest resources, air quality, cultural resources, geology and soils, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, or utilities and service systems.

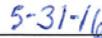
In addition, the project will have a less than significant effect on: hazards and hazardous materials.

In addition, the project will have no significantly adverse effect on aesthetics and biological resources because the following mitigation measures will reduce potential effects to insignificance:

- New oleander shrubs will be planted alongside the outside shoulders as part of a separate landscape project that will be funded from this project.
- Standard special provisions will be included in the construction contract in order to minimize potential impacts to San Joaquin kit fox.
- Standard special provisions will be included in the construction contract in order to minimize potential indirect impacts to Swainson's hawk.



Richard Putler
Acting Senior Environmental Planner
California Department of Transportation



Date



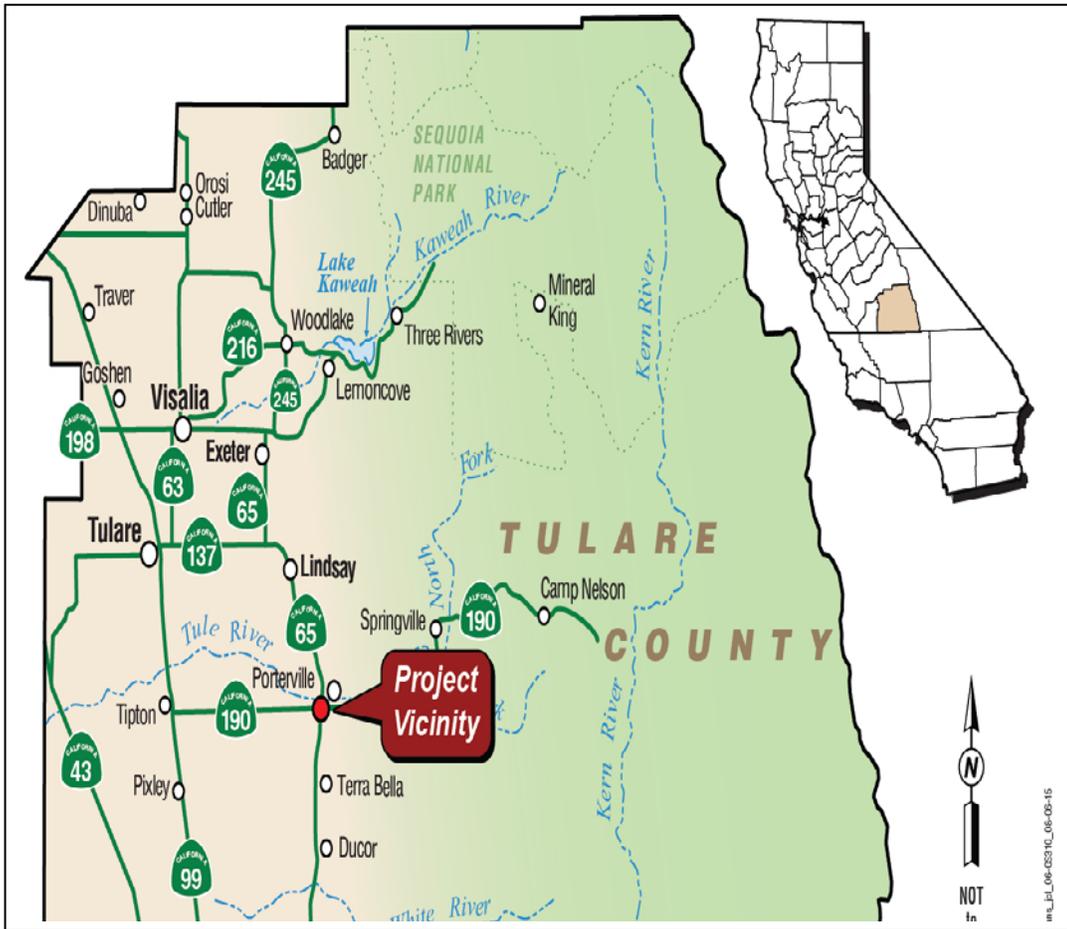
Project Description and Background

Project Title

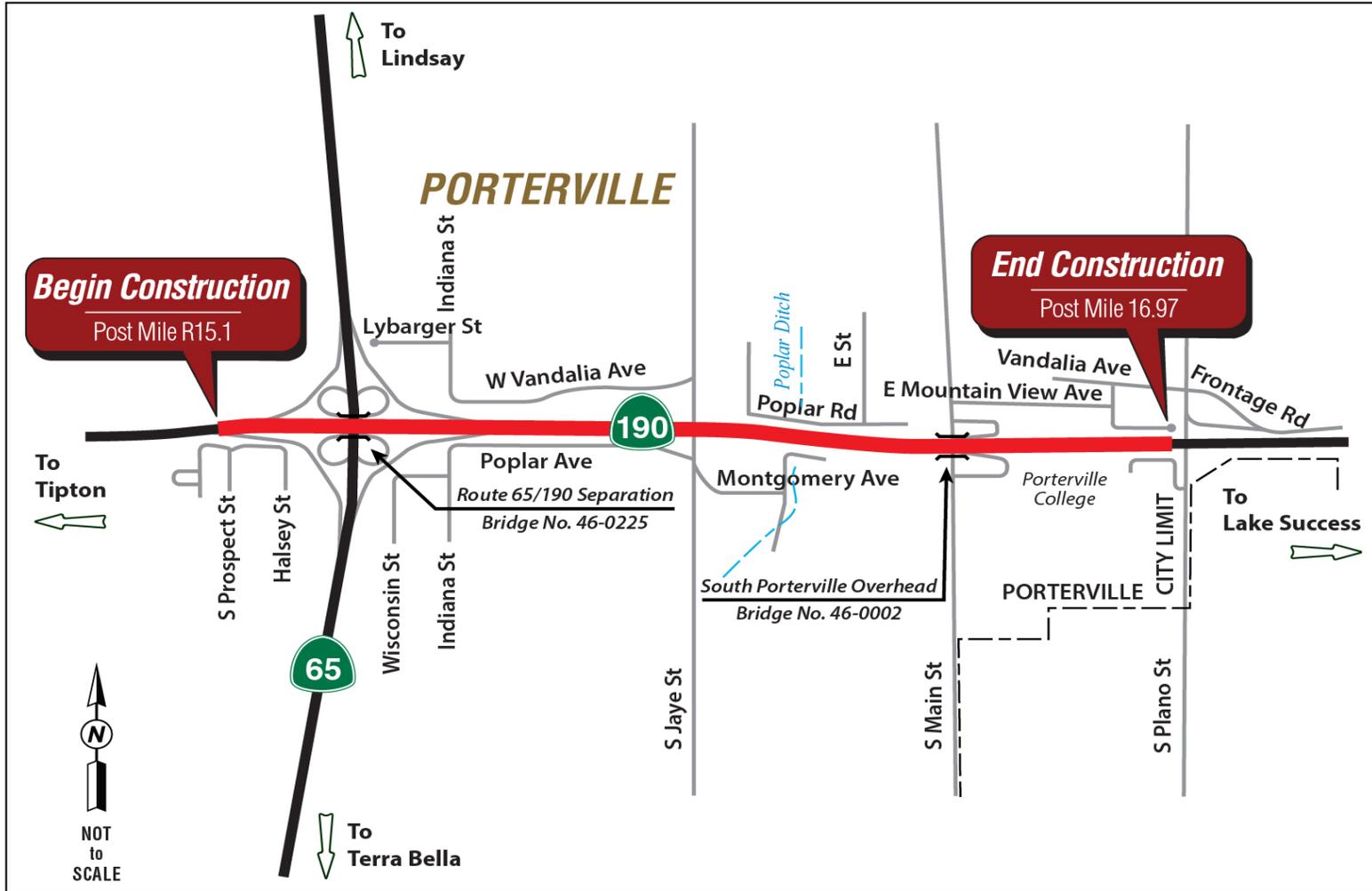
Porterville Median Barrier Project

Project Location

This project is located on State Route 190 from post miles R15.1 to 16.97 in the City of Porterville in Tulare County (from South Prospect Street to South Plano Street).



Project Vicinity Map



Project Location Map

Description of Project

The California Department of Transportation (Caltrans) proposes to construct concrete median barriers and pave the median on State Route 190 in the City of Porterville in Tulare County, from South Prospect Street to just west of South Plano Street (post miles R15.1 to 16.97).

- Approximately 8200 feet of concrete median barrier (Type 60) will be constructed and will include Type “S” wildlife passageways approximately every 148 feet. The first barrier section will begin approximately 235 feet east of South Prospect Street and continue eastward to approximately 840 feet west of South Jaye Street. The other barrier section will begin approximately 775 feet east of South Jaye Street and end approximately 570 feet west of South Plano Street.
- The eastern end of the eastern barrier will be a temporary concrete barrier modified to include a type of wildlife passageway. This portion of the barrier is within the footprint of a roundabout proposed at Plano Street as part of the proposed Porterville Intersection Improvements project (06-0Q431), and would be removed if or when that project is constructed.
- The existing oleanders in the median between South Jaye Street and South Plano Street will be removed. Following construction of this project, new oleanders will be planted alongside the outside shoulders as part of a separate landscape project that will be funded from this project.
- The approach end guardrails at the State Route 65/State Route 190 Separation (Bridge No. 46-0225) and the South Porterville Overhead (Bridge No. 46-0002) will be removed and replaced with the current standard guardrails or crash cushions.
- In order to support the weight of the concrete median barrier on the South Porterville Overhead (Bridge No. 46-0002) the existing concrete bridge deck would need to be partially removed and reconstructed. The new median barrier would be constructed directly on the new concrete bridge deck section. The formwork is expected to be supported from the existing structure. Lane closures on South Main Street, the city street underneath the bridge, will be required during the erection and removal of formwork, which is expected to take 8 nights. In addition, some intermittent daytime lane closures may also be required. Either the two northbound lanes or the two southbound lanes would be closed and a single lane of traffic for each direction would use the remaining two lanes of the four-lane street on the other side of the median. Details will be determined during the Plans, Specifications, and Estimate phase of the project.

Construction is anticipated to begin in Spring 2018 and to continue for 80 days. All work would be within the Caltrans right-of-way.

The purpose of this project is to prevent errant vehicles from crossing the freeway median and hitting oncoming vehicles. This is a safety project. The Porterville Median Barrier Project is proposed for funding under the State Highway Operation

and Protection Program (SHOPP). The cost of construction is estimated to be \$4,750,000.

Surrounding Lands Uses and Setting

State Route 190 is a four-lane expressway with access control within the project limits. Signalized intersections are at Jaye Street and Plano Street.

Land uses adjoining the Caltrans right-of-way within the project limits are commercial, including retail businesses, industrial uses, single family residential, agricultural, and a public community college. The regional Walmart distribution center is accessed by trucks from State Route 190 via South Jaye Street and Montgomery Avenue. The railroad tracks have been removed from the Union Pacific Railroad right-of-way beneath the South Porterville Overhead.

Other Public Agencies Whose Approval is Required

U.S. Fish & Wildlife Service

Agency	Permit/Approval	Status
U.S. Fish & Wildlife Service	Letter of Concurrence for potential impacts to San Joaquin kit fox	Received May 18, 2016
San Joaquin Valley Air Pollution Control District	NESHAP (National Emissions Standards for Hazardous Air Pollutants) Notification	14 day written notification to the air district is required before modification of bridges or other structures.

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 indicated no impacts. A NO IMPACT answer in the last column reflects this determination. Where a clarifying discussion is needed, the discussion either follows the applicable section in the checklist or is placed within the body of the environmental document itself. 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.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
I. AESTHETICS: Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

See **Additional Explanations for Questions in the Impacts Checklist** that follows this checklist.

II. AGRICULTURE AND FOREST 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, Forest Legacy Assessment Project, and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
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	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

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

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

IV. BIOLOGICAL RESOURCES: Would the project:

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 or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

See **Additional Explanations for Questions in the Impacts Checklist** that follows this checklist.

V. CULTURAL RESOURCES: Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

VI. GEOLOGY AND SOILS: Would the project:

a) Expose people or structures to 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

VII. GREENHOUSE GAS EMISSIONS: Would the project:

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

While Caltrans has included this good faith effort in order to provide the public and decision-makers as much information as possible about the project, it is Caltrans' determination that in the absence of further regulatory or scientific information related to greenhouse gas emissions and CEQA significance, it is too speculative to make a significance determination regarding the project's direct and indirect impact with respect to climate change. Caltrans does remain firmly committed to implementing measures to help reduce the potential effects of the project.

VIII. HAZARDS AND HAZARDOUS MATERIALS: Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 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?
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
IX. HYDROLOGY AND WATER QUALITY: Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

X. LAND USE AND PLANNING: Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

XI. MINERAL RESOURCES: Would the project:

a) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

XII. NOISE: Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

XIII. POPULATION AND HOUSING: Would the project:

a) Induce substantial 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

XIV. PUBLIC SERVICES:

a) 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 public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

XV. RECREATION:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

XVI. TRANSPORTATION/TRAFFIC: Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

XVII. UTILITIES AND SERVICE SYSTEMS: Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Additional Explanations for Questions in the Impacts Checklist

I. Aesthetics (checklist questions b and c)

Affected Environment

A Visual Impact Assessment (Moderate/Minor) was completed for this project in September 2015. The assessment followed the guidance outlined in the publication Visual Impact Assessment for Highway Projects issued by the Federal Highway Administration in March 1988.

State Route 190 is listed as Eligible Scenic in the State of California Streets and Highways Code from post mile 15.2 to the end of the route at the Tulare County line at post mile 87.6. The area within the project limits has not been officially designated as a State Scenic Highway.

Within the project limits the median is unpaved and unimproved; no median barriers exist. The median is planted with a mile-long row of large mature oleander shrubs from east of Jaye Street to just west of Plano Street. Oleanders are also clustered intermittently within the project limits at the edge of the travel way. The corridor is characterized by well-maintained mature highway planting of trees, shrubs, and groundcover along the travel way.

Land uses adjacent to the controlled-access State Route 190 include large scale retail shopping areas, other retail and commercial businesses, fast food establishments, restaurants, a college, and residential subdivisions, as well as parcels of undeveloped land. Prominent overhead utility lines run along the south side of State Route 190.

The geographic unit that is assessed for potential impacts on visual character, viewers, and visual quality is called a landscape unit. A landscape unit is a landscape area with a particular visual identity—a distinctive ‘outdoor room’. Within the project limits, there is one landscape unit as defined by Caltrans District 6 Landscape Architecture, called ‘Valley Urban’. The Valley Urban landscape unit is typical of many urban landscapes in the Central Valley, being made up of residences, farmland, orchards, subdivisions, and light industrial facilities located on relatively flat terrain.

Sensitive viewers include individuals who have views towards the highway and persons who are traveling along the highway.

VISUAL RESOURCES

Caltrans Landscape Architecture has determined that the oleander shrubs within the project corridor are qualifying scenic resources. Oleanders have been planted in the medians and roadsides of State routes within the Central Valley for more than 50 years. These evergreen shrubs flower nearly year around, the climate in the Central Valley contribute to the abundant growth and flowering. Blooms vary in color and include reds, pinks, and whites. The plants have low water needs, are frost resistant, and have very low maintenance requirements. Median and roadside oleander

plantings have come to symbolize the Central Valley driving experience. Viewing this landscape can relieve the dullness of driving along the many straight and flat miles of highway, as well as act as a barrier to on-coming headlight glare at night. However, in recent years many miles of highway oleander landscapes have been removed to provide additional highway lanes and the installation of median barriers. Additional miles have been identified for removal as part of future highway projects.

The highway plantings in the project area are a dominant element in the landscape and help to improve the visual quality for the highway traveler. Within the project limits, views associated with the corridor are moderately to highly memorable. Large trees and shrubs line the corridor for a majority of its length within the project limits. In addition to the median planting, oleanders are also clustered intermittently within the project limits at the edge of the travel way. However, the visual quality of the corridor is reduced by the very noticeable overhead utility lines on the south side of the expressway.

VIEW AND VIEWER RESPONSE

Due to the flat nature of the landform, views to the road from any distance are minimal. Where the expressway is at grade it is possible to see the median oleanders at a distance. However, the roadside planting of tall trees are more visible from outside the highway corridor and add to the general visual quality of the area.

Those individuals who have views to the road include people who live or work in the area. Residents and businesses generally view the project site for an extended period and are more likely to be affected by changes in the views from their homes or businesses. However, they are considered to have moderate visual sensitivity because they are accustomed to views of the existing roadway and passing traffic.

Users with views from the road include local residents, commuters, shoppers, and agricultural truckers and haulers of other goods. Many factors can affect highway user sensitivity to roadway improvements. Some of these factors are traffic flow, posted travel speed, topography, ease of circulation, and views.

Persons traveling east on State Route 190 through the project limits have views of the foothills of the Sierra which provide a scenic backdrop. The landform is generally flat, except that the expressway is raised at the State Route 190/State Route 65 interchange and again at the South Porterville Overhead which provide a higher elevation and thus longer views. However, highway travelers along this corridor are likely to have a relatively low expectation for interesting or scenic views of the roadway.

Environmental Consequences

Visual impacts are determined by identifying visual resources in the project area, determining the amount of change that would occur as a result of the project, and predicting how the affected public would respond to or perceive those changes.

VISUAL RESOURCES AND RESOURCE CHANGE

The oleanders are a qualifying scenic resource that will be affected by the median barrier project. The build alternative will require that the oleanders within the median from east of Jaye Street to just west of Plano Street be removed and replaced with a concrete median barrier. A subsequent landscape project will plant new oleanders at various locations in the Caltrans right-of-way within the limits of this project. The new planting of oleanders within the project limits will minimize the visual impacts of removing the median oleanders.

Changes to visual resources as measured by changes in visual character and visual quality will be moderate. The median barrier project will be compatible with the progressively urban visual character of the project area.

The installation of the median barrier is not expected to alter the Eligible Scenic status of this segment of the highway.

VIEW AND VIEWER RESPONSE

Although the median oleanders will be removed and replaced with a concrete median barrier, the users with views from the road will have within their view the new oleanders planted along the edge of the travel way. It is anticipated that the average response to the project improvements for all viewer groups will be moderate to minimal.

Avoidance, Minimization, and/or Mitigation Measures

The new plantings of oleanders within the project limits will reduce visual impacts. No additional mitigation measures are needed.

VIII. Hazards and Hazardous Materials (checklist questions a and b)

Affected Environment

A Preliminary Site Investigation was performed to determine if asbestos-containing materials and/or lead-based paint is present on the State Route 65/State Route 190 Separation (Bridge No. 46-0225) and the South Porterville Overhead (Bridge No. 46-0002) prior to any bridge modifications or renovations. The investigation was also to determine if elevated lead concentrations exist in surface soils adjacent to the roadway. A memo reporting the results of the investigation was provided in March 2016.

Aerially-Deposited Lead

Soil samples were taken along State Route 190 in the middle of the median from approximately Prospect Street to Jaye Street, and on both sides of the existing oleanders from Jaye Street to Plano Street.

Within the segment from Prospect Street to Jaye Street, the results of tests concluded that the soil would not be considered a federal hazardous waste under the Resource Conservation and Recovery Act of 1976 (RCRA). However, due to high soluble lead

values, soil excavated to a depth of 1 foot would be classified as a California hazardous waste.

For the segment from Jaye Street to Plano Street, one sample exceeded the federal regulatory threshold of 5 milligrams per liter. Based on statistical analysis it is unlikely that soil excavated from the surface to a depth of one foot would be considered a federal hazardous waste under the Resource Conservation and Recovery Act of 1976 (RCRA). However, soil excavated to a depth of 1 foot would be classified as a California hazardous waste due to high soluble lead values.

Asbestos-Containing Materials and Lead-Based Paint

Samples of potential asbestos-containing materials such as concrete, drainpipes, joint fill material, and shims were collected from the two bridge structures. Chrysotile asbestos at a concentration of 30% was detected in non-friable sheet packing (totaling approximately 25 square feet) used as barrier rail shims on both bridges. Asbestos was not detected in any of the remaining suspect materials.

Lead-based paint was not observed on either the State Route 65/State Route 190 Separation (Bridge No. 46-0225) or the South Porterville Overhead (Bridge No. 46-0002).

Environmental Consequences

Aerially-Deposited Lead

Soil within project limits, if excavated to a depth of 1 foot, should be managed and disposed of as a California hazardous waste. Underlying soils (from 1 to 3 feet deep) would not be considered hazardous and could be reused on-site, relinquished to the contractor, or disposed of as non-hazardous soil with respect to the lead content.

Soluble lead levels were not as elevated from Prospect Street to Jaye Street. As a result and depending on construction excavation depths, soils excavated from the surface to a depth of 2 or 3 feet and handled as a whole (mixed together) would not be considered hazardous. Therefore, these soils could be reused on-site, relinquished to the contractor, or disposed of as non-hazardous soil with respect to the lead content.

Asbestos-Containing Materials and Lead-Based Paint

The asbestos-containing sheet packing material does not have to be removed prior to bridge renovation nor does it need to be treated as a hazardous waste because it is a Category I nonfriable material. However, any disturbance of the material must comply with the California Occupational Safety and Health Administration's asbestos standard.

No lead-based paint was determined to be present, therefore samples were not collected.

Standard Special Provisions and Non-Standard Special Provisions will be included in the construction contract to address proper handling and disposal of hazardous waste/materials. Contract special provisions are also included in order to prevent or

minimize exposure of employees and the public to the potential lead and asbestos hazards. NESHAP (National Emissions Standards for Hazardous Air Pollutants) notification for asbestos will be submitted to the San Joaquin Valley Air Pollution Control District by the contractor no less than 14 days prior to bridge renovations. With the use of these provisions, any hazardous waste impacts will be minimized to less than significant.

Avoidance, Minimization, and/or Mitigation Measures

Special provisions will be included in the construction contract to address hazardous waste handling, disposal, and worker/public safety issues.

IV. Biological Resources (checklist question a)

Animals

Affected Environment

A Natural Environment Study (Minimal Impacts) was completed for the project in October 2015.

Migratory birds are protected under the federal Migratory Bird Treaty Act.

Many birds migrate from South and Central America, stopping in the Central Valley of California to rest and feed before continuing north to summer breeding grounds. Farmland in the vicinity of the project area likely supports an adequate prey base to be an attractive rest stop for migrating raptors. There are several large mature trees within the project area that may be suitable for nesting raptors as well as other birds.

Cliff swallows (*Petrochelidon pyrrhonota*) nest under the South Porterville Overhead. Swallows have adapted to hunting insects on the wing by developing a slender, streamlined body and long pointed wings, which allow great maneuverability and endurance as well as frequent periods of gliding. Their body length ranges from about 3.9 to 9.4 inches; weight varies from about 0.35 to 2.12 ounces.

Environmental Consequences

No impacts to nesting or foraging migratory birds are anticipated because no trees are planned for removal and exclusionary measures will be implemented to prevent swallows from nesting on the South Porterville Overhead.

Avoidance, Minimization, and/or Mitigation Measures

- If construction begins during the nesting season (February 15-September 1), a preconstruction survey for migratory birds will be conducted no less than 14 days and no more than 30 days before the beginning of construction.
- If a raptor is found to be nesting within the project limits, the nest site would be designated an Environmentally Sensitive Area, with a 300-foot radius no-

work buffer around the nest until it has been determined by a qualified biologist that the young have fledged.

- If other migratory birds are found to be nesting within the project limits the nest site would be designated an Environmentally Sensitive Area, with a 100-foot radius no-work buffer around the nest until it has been determined by a qualified biologist that the young have fledged.
- Exclusionary measures will be installed and maintained by the contractor before the start of the nesting season (February 15) to prevent swallows from nesting underneath the South Porterville Overhead during construction. A non-standard special provision will be included in the construction contract that would allow nest removal or application of exclusionary devices between September 1 and February 14.

IV. *Biological Resources (checklist question a)*

Threatened and Endangered Species

Affected Environment

A Natural Environment Study (Minimal Impacts) was completed for the project in October 2015.

Caltrans Biology staff obtained from the U.S. Fish and Wildlife Service, California Natural Diversity Database, and California Native Plant Society species lists for special-status species and their habitats with the potential to occur within or near the project area (see Appendix E). Caltrans' Federal Endangered Species Act determinations are listed in Appendix D.

Two special status species are assumed to occur in or near the project, the San Joaquin kit fox (*Vulpes macrotis mutica*) and Swainson's hawk (*Buteo swainsoni*).

A Biological Assessment was completed for the project and was submitted to the U.S. Fish and Wildlife Service on October 10, 2015, initiating informal consultation. The U.S. Fish and Wildlife Service concurred with Caltrans' determination that the project may affect, but is not likely to adversely affect the San Joaquin kit fox on May 18, 2016. See Appendix F for the U.S. Fish and Wildlife Service concurrence letter.

San Joaquin kit fox (*Vulpes macrotis mutica*)

The San Joaquin kit fox is a federally endangered and state threatened species. This kit fox species is the smallest member of the dog family in North America. San Joaquin kit foxes average 31 inches long and about 12 inches tall at the shoulder. Kit foxes have a small, slim body, relatively long ears set close together, narrow nose, and a long bushy tail tapering slightly toward a black-tipped tail. They typically carry their tail low and straight. Coat color varies from buff, tan, grizzled or yellow-grey.

The San Joaquin kit fox is found in the southern half of the San Joaquin Valley in annual grassland or grassy open stages of vegetation dominated by scattered shrubs and brush. This species of fox is primarily carnivorous, feeding on desert cottontails, rodents, insects, reptiles, birds, bird eggs and vegetation. San Joaquin kit foxes dig their own dens in open level areas with loose-textured soils supporting scattered, shrubby vegetation. They are active all year, mostly nocturnal, but occasionally can be seen during the daytime in cool weather. Litters averaging four pups are born from February to April.

The vast majority of San Joaquin kit fox habitat has been converted to urban and agricultural development, especially within the San Joaquin Valley. Remaining habitat parcels are isolated and scattered. Predators of the San Joaquin kit fox are primarily large raptors, bobcats, coyotes, and feral or domestic dogs. Rodent control measures such as poisoning and trapping can reduce kit fox prey availability or result in secondary poisoning. In some areas, such as Bakersfield, San Joaquin kit foxes have adapted to urban environments, and they can use human-made structures, including culverts, as burrows. In urban areas kit foxes run a higher risk of mortality from vehicle collisions and encounters with dogs.

No San Joaquin kit foxes, signs of their presence, or dens were observed in the project area during the reconnaissance survey on January 25, 2015 or the spotlighting surveys on the nights of July 13-16, 2015, and the likelihood that San Joaquin kit fox would forage in the area is low.

The closest recorded sightings of San Joaquin kit fox occurred approximately 2 miles south of Porterville from 2001 to 2003.

Although there is a low potential for San Joaquin kit fox to be present within the project area, recent occurrences of the kit fox have been recorded near the project area. The potential habitat that would be affected by construction is heavily disturbed weedy areas, however San Joaquin kit foxes could forage within the ruderal habitat in the gore areas and within the shoulder

Swainson's hawk (*Buteo swainsoni*)

The Swainson's hawk, a state threatened species, is a summer migrant in the Central Valley. Individuals migrate north to California March through May and return to South America September through October.

Swainson's hawks breed and forage in large expanses of grasslands, agriculture lands, and alfalfa fields. They nest in tall trees such as oaks, cottonwoods, walnuts, and willows, usually near rivers or streams adjacent to their foraging areas. They usually prey on small mammals (especially voles), lizards, birds, and insects. Formerly abundant in California, their population has declined due to the loss of nesting and foraging habitat.

No Swainson's hawk were observed within the biological study area during the 2015 surveys. The closest recorded occurrence of a Swainson's hawk was approximately

18 miles west of the project site near the community of Tipton in 2007. However, several large mature trees within the project area may provide suitable nesting sites for Swainson's hawks.

Environmental Consequences

San Joaquin kit fox (*Vulpes macrotis mutica*)

Temporary impacts would occur to 0.77 acre of ruderal suboptimal habitat during the installation of new guard rail to replace the existing guard rails at the bridge approaches.

Traffic can make it difficult for San Joaquin kit foxes to cross the four lanes of the expressway. Installing a median barrier would create an additional obstacle which San Joaquin kit foxes would have to navigate around when traveling through this area. Although the project would create a barrier, Caltrans is proposing the inclusion of Type "S" wildlife passageways approximately every 148 feet within the Type 60 concrete barrier (see Appendix B). These openings would allow San Joaquin kit foxes and other small wildlife that might find their way onto the expressway to pass through the barrier.

Caltrans has determined that, with implemented of avoidance and minimization measures, the project *may affect*, but is *not likely to adversely affect* the San Joaquin kit fox.

Swainson's hawk (*Buteo swainsoni*)

This species was not identified during the site survey and is currently not known to occur within the project site. Although suitable nesting and foraging habitat for Swainson's hawk is present, the probability that Swainson's hawk would be present in the project area is low. However, work to replace the existing guardrails on the bridge approaches has the potential to temporarily affect 0.77 acre of potential Swainson's hawk nesting habitat due to the presence of tall trees immediately adjacent to the guardrails in proximity to construction (no trees are anticipated to be removed).

With the implementation of the avoidance and minimization measures stated below no direct impacts to Swainson's hawk are anticipated.

Avoidance, Minimization, and/or Mitigation Measures

San Joaquin kit fox (*Vulpes macrotis mutica*)

Because no San Joaquin kit fox habitat is being permanently removed as part of the project, no compensatory mitigation is required. The following avoidance and minimization measures will be implemented for this species:

- The contractor will follow Caltrans Best Management Practices during construction.

- Standard special provisions for the San Joaquin kit fox will be included in the construction contract.
- Preconstruction surveys will be conducted no less than 14 days and no more than 30 days prior to the beginning of ground disturbance and/or construction activities. Surveys for the San Joaquin kit fox and its dens will be performed within the project footprint and a 200 foot-wide buffer area around the project footprint.
- A qualified biologist(s) will conduct an environmental awareness training program for all construction personnel, covering the status of the San Joaquin kit fox, the importance of avoiding impacts to the species, and the penalties for not complying with minimization requirements. New construction personnel who are added to the project after the training is first conducted also will be required to take the training.
- Caltrans will ensure that the speed limit for construction-related traffic within the work zones will be limited to a maximum of 20 miles per hour (except on county roads and State highways).
- Type S semicircular wildlife passageways (with 9-inch radius) will be installed in the permanent concrete median barrier at intervals of approximately every 148 feet in order to maintain a degree of permeability and movement for the San Joaquin kit fox across State Route 190.
- Caltrans will install temporary modified K-rail barriers that facilitate San Joaquin kit fox movement and passage across the roadways. Openings in the barriers will be spaced approximately every 140 feet (every seven 20-foot rails). Design options may include, but are not limited to:
 - One 8-inch diameter hole cast or bored into a typical rail segment;
 - A Type L passageway that offsets a segment of K-rail via a gap measuring a minimum of 6 inches;
 - A Type M passageway measuring 10 inches wide, with a thrie beam to connect and secure the two segments of concrete barrier located on either side of the passageway.
- All food-related trash items such as wrappers, cans, bottles, and food scraps will be disposed of in closed containers and removed *daily* from the project site in order to reduce the potential for attracting predator species.
- No pets or firearms will be allowed on the project site.

Swainson's hawk (*Buteo swainsoni*)

No direct impacts to Swainson's hawk are anticipated therefore, no compensatory mitigation is required for this species. The following measures will be implemented to avoid and minimize potential indirect impacts:

- Protocol nesting surveys will be conducted during the season prior to the start of construction to determine if any Swainson's hawks are nesting in proximity to the project area.
- If nesting Swainson's hawks are observed onsite, then the nest site would be designated an Environmentally Sensitive Area, with a 600-foot radius no-work buffer around the nest until it has been determined by a qualified biologist that the young have fledged.
- A qualified biologist would monitor active Swainson's hawk nests during construction activities.



Appendix A Project Maps











1 2 3 4
 Page 3 of 4
 Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, ICP, swisstopo, and the GIS User Community

Porterville Median Barrier
TUL-190-R15.1/16.9

Proposed Barriers

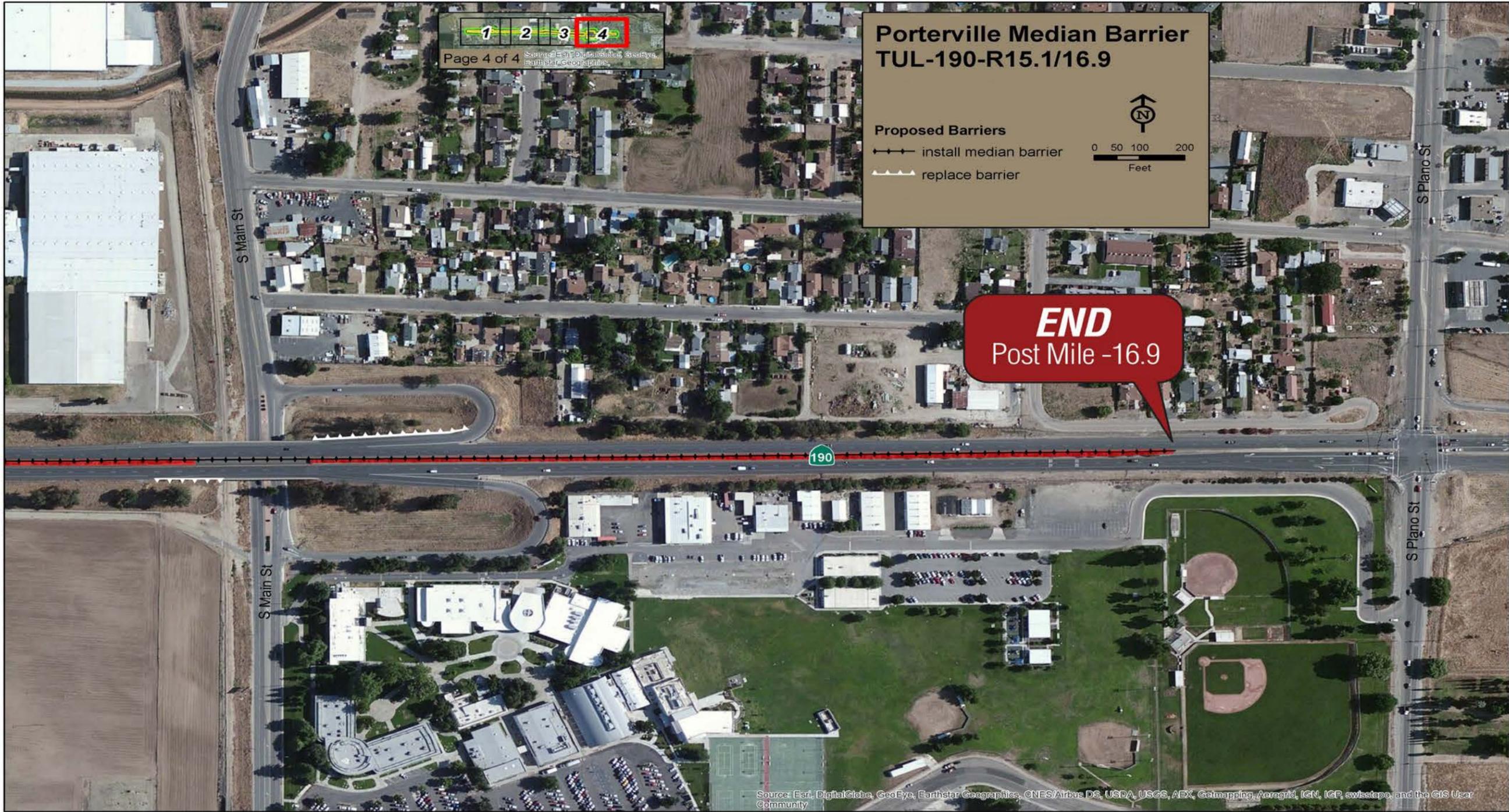
- install median barrier
- replace barrier

0 50 100 200
 Feet

↑ N

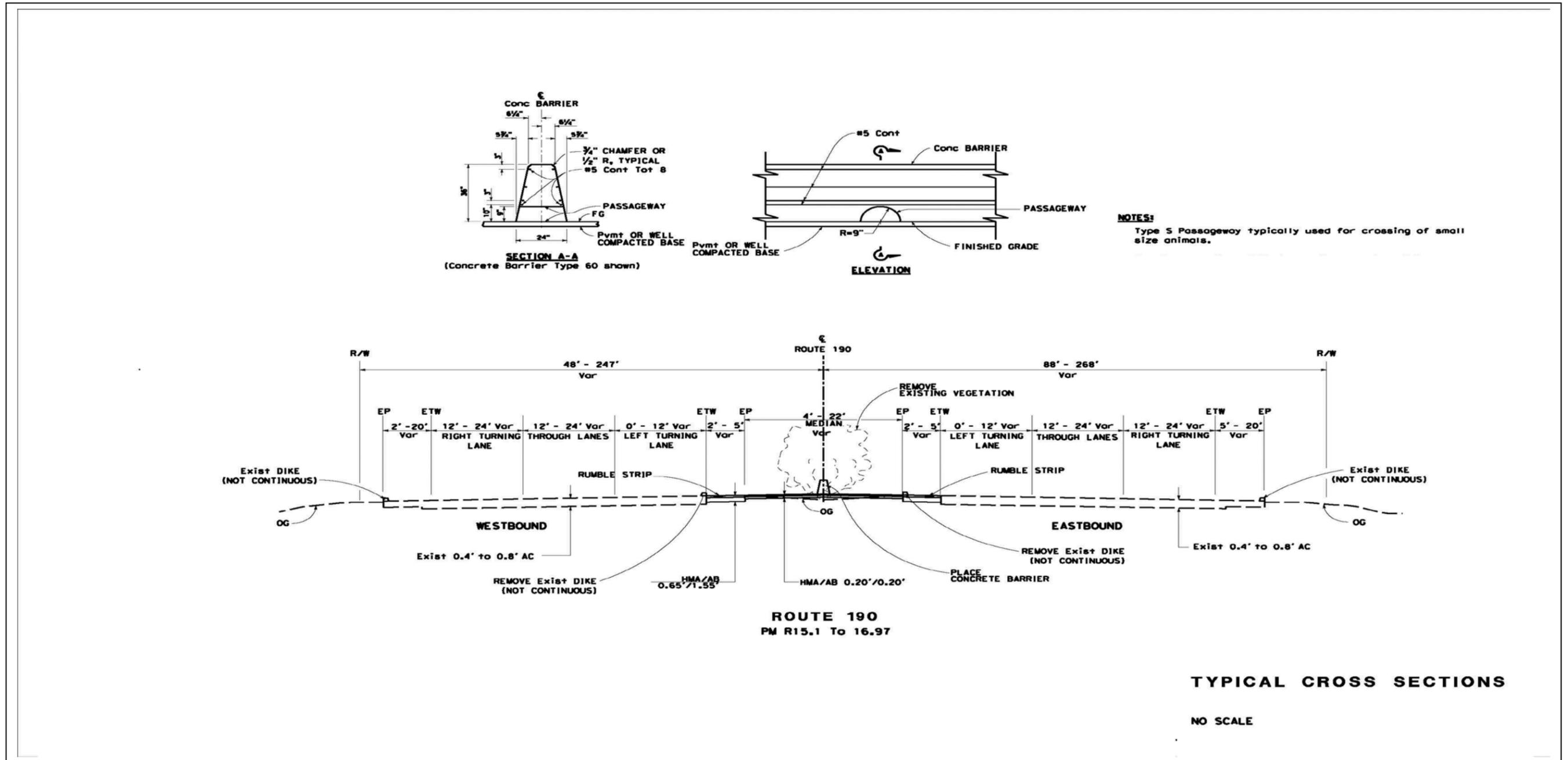
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, ICP, swisstopo, and the GIS User Community







Appendix B Typical Cross Section



Concrete Median Barrier (Type 60) with Wildlife Passageway (Type S)



Appendix C View of Project Area



Typical view, looking east from west of South Porterville Overhead



Appendix D Federal Endangered Species Act Determinations

Federal Endangered Species Act Determinations

Species	Status ⁽¹⁾	Possible in Which Habitat Type	Ac. Habitat Impacts Perm/Temp	Species Impacts Expected After AMMs ^{(2)?}	FESA Determination
Blunt-nosed leopard lizard	FE, SE	Arid, open alkali desert scrub habitat with low topographic relief	0/0	No, no habitat onsite.	<i>No effect.</i>
California red-legged frog	FT	Pools, ponds, slow streams and adjacent riparian areas	0/0	No, no habitat onsite	<i>No effect.</i>
Delta smelt	FT	Semi-saline aquatic habitat in the Bay Delta region	0/0	No, no habitat onsite, not upstream of suitable habitat	<i>No effect.</i>
Giant garter snake	FT	Marshes/aquatic habitats with slow water, and adjacent uplands	0/0	No, no habitat onsite	<i>No effect.</i>
California jewelflower	FE, SE	Chenopod scrub Bloom period: February – May Elevation: 65 – 900 m.	0/0	No, no habitat onsite.	<i>No effect.</i>
San Joaquin adobe sunburst	FT, SE, 1B.1	Adobe clay, Cismontane woodland, valley and foothill grassland Bloom period: March–April Elevation: 90–800 meters	0/0	No, no habitat onsite	<i>No effect.</i>
Keck's checkerbloom	FE, 1B.1	Serpentine, Clay, Cismontane Woodland, Valley and Foothill Grassland. Bloom Period: April–June. Elevation: 75–650 meters.	0/0	No, no habitat onsite	<i>No effect</i>
San Joaquin kit fox	FE, ST	Project Location: Habitat ruderal, suboptimal.	0/0	Possible. Species not observed but may use site to cross	<i>May affect, not likely to adversely affect.</i>

Species	Status ⁽¹⁾	Possible in Which Habitat Type	Ac. Habitat Impacts Perm/Temp	Species Impacts Expected After AMMs ^{(2)?}	FESA Determination
Springville clarkia	FT, SE, 1B.2	Granitic, Chaparral, Cismontane woodland, Valley and foothill grassland Bloom period: May–July Elevation: 245-1,220 meters	0/0	No, no habitat onsite	<i>No effect.</i>
Tipton kangaroo rat	FE, SE	Valley sink scrub and saltbrush scrub in the Tulare Basin region	0/0	No, no habitat onsite	<i>No effect.</i>
Valley elderberry longhorn beetle	FT	Elderberry bushes, usually in riparian areas	0/0	No, no habitat onsite	<i>No effect.</i>
Vernal pool fairy shrimp	FT	Vernal pools	0/0	No, no habitat onsite	<i>No effect.</i>
California condor	FE	Chaparral, valley and foothill grassland	0/0	No, no habitat onsite	<i>No effect.</i>
Southwestern Willow flycatcher	FE	Riparian woodland	0/0	No, no habitat onsite	<i>No effect.</i>

(1) FE = Federal Endangered; FT = Federal Threatened; SE = State Endangered; ST = State Threatened; FP = Fully Protected

(2) AMMs = Avoidance and Minimization Measures



Appendix E Federal, State and California Native Plant Society Species Lists

U.S. Fish and Wildlife Service Species List, page 1



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
FEDERAL BUILDING, 2800 COTTAGE WAY, ROOM W-2605
SACRAMENTO, CA 95825
PHONE: (916)414-6600 FAX: (916)414-6713



Consultation Code: 08ESMF00-2016-SLI-1489

May 18, 2016

Event Code: 08ESMF00-2016-E-03253

Project Name: 06-0S310

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, under the jurisdiction of the U.S. Fish and Wildlife Service (Service) that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Please follow the link below to see if your proposed project has the potential to affect other species or their habitats under the jurisdiction of the National Marine Fisheries Service:

http://www.nwr.noaa.gov/protected_species/species_list/species_lists.html

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2)

U.S. Fish and Wildlife Service Species List, page 2

of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment

U.S. Fish and Wildlife Service Species List, page 3



United States Department of Interior
Fish and Wildlife Service

Project name: 06-0S310

Official Species List

Provided by:

Sacramento Fish and Wildlife Office
FEDERAL BUILDING
2800 COTTAGE WAY, ROOM W-2605
SACRAMENTO, CA 95825
(916) 414-6600

Consultation Code: 08ESMF00-2016-SLI-1489

Event Code: 08ESMF00-2016-E-03253

Project Type: TRANSPORTATION

Project Name: 06-0S310

Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.

<http://ecos.fws.gov/ipac>, 05/18/2016 03:54 PM

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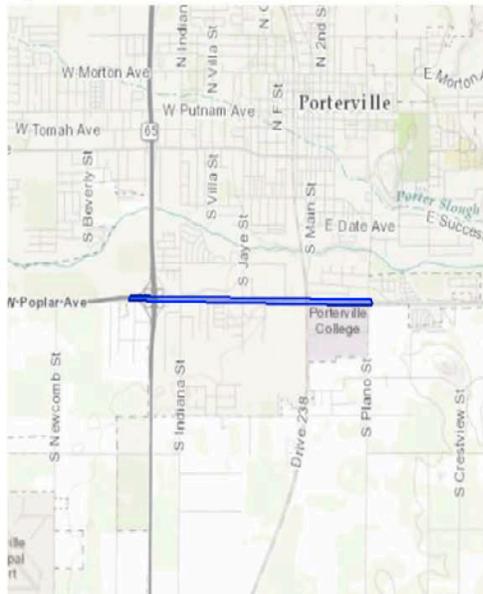
U.S. Fish and Wildlife Service Species List, page 4



United States Department of Interior
Fish and Wildlife Service

Project name: 06-0S310

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-119.00793696939941 36.05148983322282, -119.00783223384485 36.05146767807043, -119.00774394921943 36.0514071288171, -119.00768555605707 36.05131740353775, -119.0076659441874 36.05121216209282, -119.00768809933977 36.051107426538266, -119.00774864859311 36.051019141912846, -119.00783837387245 36.05096074875048, -119.00794361531739 36.050941136880795, -119.04231880605224 36.05135749594971, -119.0424235416068 36.051379651102096, -119.04251182623221 36.05144020035543, -119.04257021939458 36.051529925634775, -119.04258983126425 36.05163516707971, -119.04256767611187 36.05173990263426, -119.04250712685854 36.05182818725968, -119.0424174015792 36.05188658042205, -119.04231216013426 36.051906192229173, -119.00793696939941 36.05148983322282))))

Project Counties: Tulare, CA

<http://ecos.fws.gov/ipac>, 05/18/2016 03:54 PM

U.S. Fish and Wildlife Service Species List, page 5



United States Department of Interior
Fish and Wildlife Service

Project name: 06-0S310

Endangered Species Act Species List

There are a total of 9 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Amphibians	Status	Has Critical Habitat	Condition(s)
California red-legged frog (<i>Rana draytonii</i>) Population: Entire	Threatened	Final designated	
Crustaceans			
Vernal Pool fairy shrimp (<i>Branchinecta lynchi</i>) Population: Entire	Threatened	Final designated	
Fishes			
Delta smelt (<i>Hypomesus transpacificus</i>) Population: Entire	Threatened	Final designated	
Flowering Plants			
San Joaquin Adobe sunburst (<i>Pseudobahia peirsonii</i>)	Threatened		
Springville clarkia (<i>Clarkia springvillensis</i>)	Threatened		
Mammals			

<http://ecos.fws.gov/ipac>, 05/18/2016 03:54 PM

U.S. Fish and Wildlife Service Species List, page 6



United States Department of Interior
Fish and Wildlife Service

Project name: 06-0S310

Critical habitats that lie within your project area

There are no critical habitats within your project area.

<http://ecos.fws.gov/ipac>, 05/18/2016 03:54 PM

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California Department of Fish and Wildlife Species List



Summary Table Report California Department of Fish and Wildlife California Natural Diversity Database



Query Criteria: Quad> IS <(Tulare (3611923))

Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Andrena macswaini</i> An andrenid bee	G2 S2	None None		270 270	7 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Buteo swainsoni</i> Swainson's hawk	G5 S3	None Threatened	BLM_S-Sensitive IUCN_LC-Least Concern USFWS_BCC-Birds of Conservation Concern	270 275	2393 S:4	0	2	1	0	0	1	1	3	4	0	0
<i>Caulanthus californicus</i> California jewelflower	G1 S1	Endangered Endangered	Rare Plant Rank - 1B.1	285 285	63 S:1	0	0	0	0	1	0	1	0	0	0	1
<i>Pseudobahia peirsonii</i> San Joaquin adobe sunburst	G1 S1	Threatened Endangered	Rare Plant Rank - 1B.1 SB_RSABG-Rancho Santa Ana Botanic Garden		47 S:1	0	0	0	0	1	0	1	0	0	0	1
<i>Vulpes macrotis mutica</i> San Joaquin kit fox	G4T2 S2	Endangered Threatened		275 300	977 S:4	0	0	0	0	0	4	4	0	4	0	0

California Native Plant Society Species List



Plant List

16 matches found. [Click on scientific name for details](#)

Search Criteria

Found in 9 Quads around 36119B3

Scientific Name	Common Name	Family	Lifeform	Rare Plant Rank	State Rank	Global Rank
Atriplex cordulata var. cordulata	heartscale	Chenopodiaceae	annual herb	1B.2	S2	G3T2
Atriplex cordulata var. erecticaulis	Earlimate orache	Chenopodiaceae	annual herb	1B.2	S1	G3T1
Atriplex depressa	brittlescale	Chenopodiaceae	annual herb	1B.2	S2	G2
Atriplex minuscula	lesser saltscale	Chenopodiaceae	annual herb	1B.1	S2	G2
Atriplex subtilis	subtle orache	Chenopodiaceae	annual herb	1B.2	S1	G1
Caulanthus californicus	California jewelflower	Brassicaceae	annual herb	1B.1	S1	G1
Delphinium hansenii ssp. ewanjanum	Ewan's larkspur	Ranunculaceae	perennial herb	4.2	S3	G4T3
Delphinium inopinum	unexpected larkspur	Ranunculaceae	perennial herb	4.3	S3	G3
Delphinium recurvatum	recurved larkspur	Ranunculaceae	perennial herb	1B.2	S2?	G2?
Eriogonum twisselmannii	Twisselmann's buckwheat	Polygonaceae	perennial herb	1B.2	S3	G3
Erynium spinosepalum	spiny-sepaled button-celery	Apiaceae	annual / perennial herb	1B.2	S2	G2
Hordeum intercedens	vernal barley	Poaceae	annual herb	3.2	S3S4	G3G4
Imperata brevifolia	California satintail	Poaceae	perennial rhizomatous herb	2B.1	S3	G3
Oreonana nymurascens	purple mountain-parsley	Apiaceae	perennial herb	1B.2	S3	G3
Pseudobahia peirsonii	San Joaquin adobe sunburst	Asteraceae	annual herb	1B.1	S1	G1
Puccinellia simplex	California alkali grass	Poaceae	annual herb	1B.2	S2	G3

Suggested Citation

CNPS, Rare Plant Program. 2016. Inventory of Rare and Endangered Plants (online edition, v8-02). California Native Plant Society, Sacramento, CA. Website <http://www.rareplants.cnps.org> [accessed 12 May 2016].

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[The California Lichen Society](#)

Appendix F U.S. Fish and Wildlife Service Concurrence Letter

U.S. Fish and Wildlife Service Concurrence Letter, page 1



In Reply Refer to:
08ESMF00-
2016-I-0011

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
2800 Cottage Way, Suite W-2605
Sacramento, California 95825-1846



MAY 17 2016

Dena Gonzalez
Chief, Central Region Biology Branch
California Department of Transportation, District 6
855 M Street, Suite 200
Fresno, California 93721

Subject: Informal Consultation for the Porterville Median Barrier Project, Tulare County, California (California Department of Transportation 06-TUL-190-PM R15.1/16.9; EA 06-0S310)

Dear Ms. Gonzalez:

This is the U.S. Fish and Wildlife Service's (Service) response to the California Department of Transportation's (Caltrans) letter requesting the initiation of informal consultation on its action to construct the proposed Porterville Median Barrier Project (project) in Tulare County, California.

Caltrans has assumed the Federal Highway Administration's (FHWA) responsibilities under the National Environmental Policy Act (NEPA) for section 7 consultation per the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*)(Act) in accordance with 23 U.S.C. 327 and as described in the NEPA assignment Memorandum of Understanding between the FHWA and Caltrans (effective October 1, 2012).

Pursuant to 50 CFR 402.12(j), you submitted a letter, dated October 1, 2015, which we received in this office on October 5, 2015, along with a biological assessment for our review; you requested concurrence with the findings presented therein. These findings concluded that the proposed project may affect, but is not likely to adversely affect the federally-listed as endangered San Joaquin kit fox (*Vulpes macrotis mutica*). Based on our request for additional information concerning the project, we received a revised biological assessment from you on February 25, 2016, and further information on May 5-6, 2016.

In considering your request, we based our evaluation on the following: (1) Caltrans' October 1, 2015 letter and its supporting *Porterville Median Barrier Biological Assessment*, dated October 2015; (2) Caltrans' revised biological assessment, dated February 2016; (3) email correspondence between the Service and Caltrans; (4) Caltrans' *Porterville Median Barrier Initial Study with Proposed Mitigated Negative Declaration*, dated October 2015; and (5) other information available to the Service.

Description of the Action

Caltrans proposes to construct a concrete median barrier and pave the median on State Route (SR) 190 in the City of Porterville in Tulare County, from postmiles R15.1 to 16.9. All existing

U.S. Fish and Wildlife Service Concurrence Letter, page 2

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oleander shrubs (*Nerium oleander*) located between postmiles 15.95 and 16.96 (between South Jaye Street and South Plano Street) will be removed from the median in order to facilitate this barrier construction. Approximately 8,200-feet (ft.) of median barrier (Type 60) will be constructed. The first section of barrier will begin approximately 235-ft. east of South Prospect Street and continue east to approximately 840-ft. west of South Jaye Street. The second section will begin approximately 775-ft. east of South Jaye Street and end approximately 570-ft. west of South Plano Street. The purpose of this safety project is to prevent errant vehicles from crossing the SR 190 median and hitting oncoming vehicles.

In order to support the added weight of the concrete median barrier, Caltrans proposes to remove and reconstruct the median portion of the existing concrete bridge deck (measuring approximately 7.5-ft. wide) at the South Porterville Overhead Bridge over South Main Street. Access below the structure will be required in order to build and then break-down temporary formwork (a type of falsework) that will be used to catch material during the partial deck removal operation, and to support the replacement concrete section. The formwork will be supported by the existing bridge structure. Lane closures on South Main Street will be required during the building and breaking-down of the formwork. Once the formwork is removed, Caltrans will construct the new median barrier directly on the new section of concrete bridge deck.

At the SR 190/65 separation, Caltrans will construct the new median barrier on the existing bridge. Dowels will be placed into the concrete bridge deck (via drill and bond) in order to anchor the new barrier. No access below the bridge is anticipated for this work.

The approach end guardrails at the SR 190/65 Separation Bridge and the South Porterville Overhead Bridge will be removed and replaced with the current standard guardrails or crash cushions. Additionally, the existing curb ramps at the intersection of SR 190 and South Jaye Street will be replaced with curb ramps that meet current Americans with Disabilities Act standards.

Staging Areas

Caltrans has indicated that designated staging areas established in previously disturbed locations within Caltrans' right-of-way (ROW) will be pre-approved by a Caltrans biologist. Staging may occur at the sites where the guardrails and curb ramps will be replaced. However, specific locations will not be determined until the final phases of project design, and after the construction contractor is hired. For the purpose of this project, all staging areas will occur within the project footprint, as described on page 4 of this document under the Action Area heading. Any location the contractor uses for equipment and materials staging that is outside this area will need to be evaluated and may require Caltrans either to revise its informal consultation or initiate formal consultation.

K-rail

Temporary k-rail barriers will be installed on-site for the purposes of traffic control and safety. Caltrans anticipates using k-rail to separate the areas of construction along the median from traffic.

At the eastern end of the project footprint, approximately 554-ft. of temporary k-rail will be used in lieu of permanent median barrier during construction of the proposed roundabout at the intersection of SR 190/Plano Street (part of the neighboring Porterville SR 190 Operational Improvements Project [EA 06-0Q431]). Once the roundabout is completed, the temporary k-rail will be removed and replaced with permanent median barrier.

Dena Gonzalez

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Scheduling

Caltrans anticipates beginning construction in the spring of 2018 and completing work in 2020. Currently, it estimates that approximately 80 workdays, including up to 80 nights of work, will be needed.

Avoidance and Minimization Measures

Caltrans and its contractor will implement the following measures to reduce the potential for effects to the San Joaquin kit fox. For the purpose of this consultation, a "qualified biologist," as referenced in this document, refers to an individual who, at a minimum, holds a four-year degree in a relevant biological field and who has demonstrated knowledge of, and experience with, the San Joaquin kit fox.

1. The contractor will follow Caltrans' Best Management Practices during construction.
2. Standard special provisions for the San Joaquin kit fox will be included in the construction contract.
3. Preconstruction surveys will be conducted no less than 14 days and no more than 30 days prior to the beginning of ground disturbance and/or construction activities. Surveys for the San Joaquin kit fox and its dens will be performed throughout the project footprint as well as within 200-ft. of the footprint.
4. A qualified biologist(s) will conduct an environmental awareness training program for all construction personnel, covering the status of the San Joaquin kit fox, the importance of avoiding impacts to the species, and the penalties for not complying with minimization requirements. New construction personnel who are added to the project after the training is first conducted also will be required to take the training.
5. Caltrans will ensure that the speed limit for construction-related traffic within the work zones will be limited to a maximum of 20-mph (except on county roads and State highways).
6. Type S semicircular wildlife passageways (with 9-inch radius) will be installed in the permanent concrete median barrier at intervals of approximately 148-ft. in order to maintain a degree of permeability and movement for the San Joaquin kit fox across SR 190.
7. Caltrans will install modified k-rail barriers that facilitate San Joaquin kit fox movement and passage across the roadways. Openings in the barriers will be spaced approximately every 140-ft. (which corresponds to every seven 20-ft. segments). Design options may include, but are not limited to:
 - a. One 8-inch diameter hole cast or bored into a typical rail segment;
 - b. A Type L passageway that off-sets a segment of k-rail via a gap measuring a minimum of 6-inches;
 - c. A Type M passageway measuring 10-inches wide, with a thrie beam to connect and secure the two segments of concrete barrier located on either side of the passageway

U.S. Fish and Wildlife Service Concurrence Letter, page 4

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8. All food-related trash items such as wrappers, cans, bottles, and food scraps will be disposed of in closed containers and removed daily from the project site in order to reduce the potential for attracting predator species.
9. No pets or firearms will be allowed on the project site.

Action Area

The action area is defined in 50 CFR § 402.02, as “all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action.” The action area is composed of the project footprint (defined by Caltrans as the project impact area that will be directly affected by construction), which encompasses 1) an approximately 2-mi segment of median on SR 190; and 2) portions of paved areas, bare ground, landscaped/ornamental areas, and ruderal land in which construction activities will occur. The action area also includes land extending approximately 200-ft. from the edge of the footprint, which will experience further-reaching effects of construction activities such as noise and visual disturbance.

Effects Analysis

Habitat Description

The action area is surrounded by disturbed areas containing ornamental trees and landscaped lawns, and by residential and commercial business properties. The action area is composed of various habitat types, including developed areas (pavement), bare ground, landscaping, and ruderal lands (such as the edges of the highway shoulders). The original natural vegetation in the action area has been altered significantly over time through urbanization such that no natural habitats currently exist. The residential areas surrounding the action area are maintained regularly by mowing. Given this degree of disturbance, the vegetation consists primarily of disturbance-favoring, invasive species like Russian thistle (*Salsola tragus*) and other non-native weedy species.

Surveys

According to the California Natural Diversity Database (CNDDB, 2016)¹, there are no San Joaquin kit fox records identified within the action area. The closest two records are located approximately 2.4-mi southwest of the western end of the project footprint and 2.6-mi north of the eastern end of the footprint, and date from 1989 and 1973, respectively.

Caltrans biologists conducted a field visit on January 25, 2015 where they performed reconnaissance-level surveys to determine the potential for the San Joaquin kit fox, among other federally-listed species, to occur in the project footprint. From July 13-16, 2015 they also conducted spotlight surveys for the San Joaquin kit fox. No individuals, dens, or associated sign were observed during any of the surveys.

Habitat Impacts

There will be a total permanent loss of 2.79 acres (ac) of dirt/bare ground, segments of ornamental plantings (oleander shrubs), and paved areas as a result of paving the median and constructing the permanent median barrier. There also will be temporary disturbance to 0.77 ac of ruderal habitat as

¹ California Natural Diversity Database. 2016. Natural Heritage Division, California Department of Fish and Wildlife. RareFind 5. Sacramento, California. Accessed April 29, 2016.

Dena Gonzalez

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a result of replacing the existing guardrails at the bridge approaches at the SR 190/65 Separation and at the South Porterville Overhead. Caltrans has concluded that given its composition, the median does not contain suitable habitat for the San Joaquin kit fox. However, there may be some limited foraging potential within the 0.77 ac of ruderal habitat in which the guardrail replacement activities will occur, as well as within ruderal areas along the highway shoulders and in the gore areas. Furthermore, Caltrans identified several potential prey sources following observations of California ground squirrel (*Otospermophilus beecheyi*) burrows and gopher holes during the January 2015 field visit, and rabbits during the July 2015 spotlight surveys. But because there is no suitable natural habitat present within the action area, and what habitat remains is of impaired quality, the loss of, and disturbance to, this habitat is unlikely to result in adverse effects to the San Joaquin kit fox.

Permanent Median Barrier and Temporary K-rail Barriers

Caltrans proposes to install a modified permanent concrete median barrier with wildlife passageways spaced at approximately 148-ft. intervals, as well as modified temporary k-rail barriers, with openings spaced at approximately 140-ft. intervals; these modifications to both types of structures will provide a degree of roadway permeability and a means for the San Joaquin kit fox potentially to move through the barriers. Their presence on-site will be unlikely to adversely affect the species since the proposed lengths of the concrete median barrier segments are relatively short (approximately 0.8-mi for each segment); the proposed lengths of the associated temporary k-rail segments are likely to be approximately the same. Furthermore, there are existing corridor features interspersed along the project extent (undercrossings along SR 65 and South Main Street) that could provide alternative movement opportunities for the San Joaquin kit fox under SR 190 rather than directly at-grade. The action area is situated on the border of the Porterville/Lake Success satellite recovery area for the San Joaquin kit fox (Service, 2010)² so there is some potential for the species to occur in the action area. However, the potential for occurrence along this particular segment of SR 190 is likely to be low given how little suitable habitat occurs within the project footprint and how impaired the quality of this existing habitat is.

Other Construction Activities

Adverse effects to the San Joaquin kit fox from project-related equipment/vehicle strikes are unlikely to occur given the low likelihood that the species will be present in the action area and the implementation of the proposed avoidance and minimization measures such as preconstruction surveys, personnel training, and daily trash removal.

Determination

The Service concurs with Caltrans' conclusion that the action may affect, but is not likely to adversely affect the San Joaquin kit fox because the potential for the action to affect the species is discountable. This conclusion is based on the results of 2015 surveys, the absence of observable sign within the action area, the impaired quality of the habitat within the project footprint, the low likelihood of occurrence within the action area, and the avoidance and minimization measures proposed to reduce potential effects to the species.

² U.S. Fish and Wildlife Service. 2010. San Joaquin Kit Fox (*Vulpes macrotis nutica*) 5-Year Review: Summary and Evaluation. Sacramento Fish and Wildlife Office, Sacramento, California. 122 pp.

U.S. Fish and Wildlife Service Concurrence Letter, page 6

Dena Gonzalez

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Closing Statement

This concludes the Service's review of Caltrans' action to construct the Porterville Median Barrier Project and the Service's consideration of the project's effects on the San Joaquin kit fox. No further coordination with the Service under the Act is necessary at this time. Note that take of listed species is not exempted from the prohibitions described under section 9 of the Act. If conditions change so that the project may adversely affect listed species, initiation of formal consultation, as provided in 50 CFR § 402.14, is required.

If you have questions regarding this letter, please contact Jen Schofield (jen_schofield@fws.gov) or me (thomas_leeman@fws.gov) at the letterhead address, by email, or at (916) 414-6544.

Sincerely,



Thomas Leeman
Chief, San Joaquin Valley Division

cc:

Craig Bailey, California Department of Fish and Wildlife, Fresno, California



Appendix G Comments and Responses

Letter from State Clearinghouse, page 1 of 2



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

January 4, 2016

Michelle Ray
California Department of Transportation, District 6
855 M Street, Suite 200
Fresno, CA 93721

Subject: Porterville Median Barrier
SCH#: 2015112054

Dear Michelle Ray:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on December 31, 2015, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Letter from State Clearinghouse, page 2

**Document Details Report
State Clearinghouse Data Base**

SCH# 2015112054
Project Title Porterville Median Barrier
Lead Agency Caltrans #6

Type MND Mitigated Negative Declaration
Description Note: Review Per Lead

Caltrans proposes to construct concrete median barriers and pave the median on SR 190 in the City of Porterville in Tulare County, from South Prospect Street to just west of South Plano Street (PM R15.1 to 16.97).

Lead Agency Contact

Name Michelle Ray
Agency California Department of Transportation, District 6
Phone 559-445-5286 **Fax**
email
Address 855 M Street, Suite 200
City Fresno **State** CA **Zip** 93721

Project Location

County Tulare
City Porterville
Region
Lat / Long
Cross Streets SR 65, S. Jay St., S Main St., S Plano St.
Parcel No.

Township	Range	Section	Base

Proximity to:

Highways SR 190, SR 65
Airports Porterville
Railways
Waterways Tule River
Schools Vandalla Pioneer Middle
Land Use Transportation Facility

Project Issues Aesthetic/Visual; Biological Resources

Reviewing Agencies Resources Agency; Department of Boating and Waterways; Department of Fish and Wildlife, Region 4; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 6; Caltrans, Division of Transportation Planning; Air Resources Board; Regional Water Quality Control Bd., Region 5 (Fresno); Native American Heritage Commission

Date Received 11/25/2015 **Start of Review** 11/25/2015 **End of Review** 12/31/2015

Note: Blanks in data fields result from insufficient information provided by lead agency.

Response to letter from the State Clearinghouse

Thank you for your letter dated January 4, 2016 acknowledging our compliance with the State Clearinghouse requirements for draft environmental documents pursuant to the California Environmental Quality Act.

Letter from Porterville Unified School District

PORTERVILLE UNIFIED SCHOOL DISTRICT

Creating Opportunities. Changing Lives

DISTRICT BOARD OF TRUSTEES

LILLIAN DURBIN
President

HAYLEY BUETTNER
Vice President

SHARON GILL
Clerk

600 West Grand Avenue
Porterville, CA 93257
(559) 793-2400

JOHN SNAVELY, Ed.D.
DISTRICT SUPERINTENDENT
(559) 793-2455
(559) 793-1088 FAX

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NATE NELSON, Ed.D.
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Human Resources
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MARTHA STUEMKY, Ed.D.
Asst. Superintendent
Instructional Services
(559) 793-2452
(559) 793-1083 FAX

FELIPE MARTINEZ
Member

December 1, 2015

Caltrans
Attn: Michelle Ray
Senior Environmental Planner
Central Region Environmental Division
California Department of Transportation

RE: State Route 190 in Porterville

Porterville Unified School District would like to comment on the recent Negative Declaration prepared for the construction concrete median barriers on State Route 190 from South Prospect Street to west of South Plano Street. Porterville Unified School District supports the addition of Median Barriers on State Route 190. Many of our students cross State Route 190 on the way to our schools. The addition of Median Barriers on State Route 190 should provide increased safety for these students.

Sincerely,


Ken Gibbs
Assistant Superintendent
Business Services

KG:mv
Cores, Ms. 2015-16
Caltrans State Route 190 - Median Barriers

Response to Porterville Unified School District

Thank you for your letter in support of the project.

Letter from Kern Community College District (Porterville College)



FACILITIES AND CONSTRUCTION GROUP
2100 CHESTER AVENUE
BAKERSFIELD, CA 93301
(661) 336-5053 FAX (661) 336-5185

December 9, 2015

Michelle Ray, Senior Environmental Planner
Sierra Pacific Environmental Analysis Branch
California Department of Transportation
855 M Street, Suite 200
Fresno, CA 93721

Subject: **Initial Study, Porterville Median Barrier**

Dear Ms. Ray:

Thank you for affording to the College the opportunity to comment on the subject Initial Study.

Page 7 of this Study includes the following statement: "Lane closures on South Main Street, the city street underneath the bridge, will be required during the erection and removal of formwork".

The following paragraphs states: "Construction is anticipated to begin in Spring 2018 and to continue for 80 days".

Since South Main Street is a major access route to the College, we would appreciate the opportunity to review with your staff the nature of and time requirements for such lane closures, conceivably impact ease of access to the Campus.

Sincerely,

A handwritten signature in blue ink, appearing to read "Eric Mittlestead".

Eric Mittlestead, Associate Vice Chandler
Kern Community College District

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Response to Kern Community College District (Porterville College)

1. Thank you for your letter requesting additional information regarding the anticipated lane closures on South Main Street during construction on the South Porterville Overhead bridge. The erection and removal of formwork is expected to take 8 nights. In addition, some intermittent daytime lane closures on South Main Street may be required, however one lane in each direction will be open at all times.
2. The dates and times of the South Main Street lane closures will be determined during the design phase of the project (Plans, Specifications, and Estimate phase). Caltrans will be able to provide this information to the college district at that time and discuss any concerns that you may have. Caltrans' Public Information Office will inform the public of the lane closures before they are implemented.

Technical Studies Bound Separately

Visual Impact Assessment (Moderate/Minor)

Natural Environment Study (Minimal Impacts)

Air, Noise, and Water Quality Study

Paleontological Identification Report

Preliminary Site Investigation Results Memo