

February 2016



# State Route 99/Taft Highway Rehabilitation

Initial Study with Proposed Mitigated Negative Declaration



On State Route 99 in Kern County near Bakersfield, from 1.2 miles north of Herring Road to the Pacheco Road undercrossing

06-KER-99-PM 10.5/20.5

06-OR140

06-1400-0038



Prepared by the California Department of Transportation



# General Information About This Document

## ***What's in this document:***

The California Department of Transportation (Caltrans) has prepared this Initial Study, which examines the potential environmental impacts of alternatives being considered for the proposed project in Kern County, California. The document describes the project, the existing environment that could be affected by the project, potential impacts from the project, and proposed avoidance, minimization, and/or mitigation measures.

## ***What you should do:***

- Please read this Initial Study. Additional copies of this document as well as the technical studies are available for review at the Caltrans district office at 1352 West Olive Avenue, Fresno, California 93728. These documents can also be read at the Kern County Library, Beale Memorial Branch, 701 Truxtun Avenue, Bakersfield, CA 93301. The document can also be accessed electronically at the following website: <http://www.dot.ca.gov/dist6/environmental/envdocs/d6/>
- We welcome your comments. If you have any concerns about the project, please send your written comments to Caltrans by the deadline. Submit comments via U.S. mail to Caltrans at the following address:

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

- Submit comments via email to: [Michelle.Ray@dot.ca.gov](mailto:Michelle.Ray@dot.ca.gov)
- Submit comments by the deadline: March 21, 2016

## ***What happens next:***

After comments are received from the public and reviewing agencies, Caltrans may 1) give environmental approval to the proposed project, 2) do additional environmental studies, or 3) abandon the project. If the project is given environmental approval and funding is appropriated, Caltrans could design and build all or part of the project.

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: Michelle Ray, 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.

**Project Description and Background:**

**Note:** Pursuant to (State) Division 13, California Public Resources Code—This project documentation has been prepared in compliance with the California Environmental Quality Act (CEQA).

<b>Project Title:</b>	State Route 99/Taft Highway Rehabilitation Project
<b>Lead Agency Name and Address:</b>	California Department of Transportation (Caltrans) 1352 West Olive Avenue, Fresno, CA 93778
<b>Contact Person and Telephone Number:</b>	Michelle Ray (559) 445-5286
<b>Approved By:</b>	<b>Signature:</b> <i>Michelle Ray</i> <b>Date:</b> 01-08-16
	<b>Title:</b> SENIOR ENVIRONMENTAL PLANNER
<b>Project Location:</b>	On SR 99 in Kern County near Bakersfield, from 1.2 miles north of Herring Road to the Pacheco Road undercrossing
<b>Description of Project:</b>	<p>The California Department of Transportation (Caltrans), is proposing a project to rehabilitate a 10-mile long portion of the existing outside south-bound lane (Lane #3) of State Route 99, in Kern County, south of Bakersfield, from 1.2 miles north of Herring Road at post mile 10.5 to Pacheco Road undercrossing at post mile 20.5. In addition, the outside shoulder's pavement would be cold planed and then repaved. This segment of State Route 99 is a three-lane freeway with rigid pavement.</p> <p>Construction is anticipated to begin Fall 2017. Construction is currently estimated to take approximately 220 days to complete.</p> <p>No additional right-of-way is anticipated for construction of the proposed project. No traffic detours are anticipated. Lane closures may be required for worker safety during construction. The proposed work will not involve work within water channels, changes to existing drainages or culverts, cut and/or fill, or utility relocation.</p>

<b>Surrounding Land Uses and Setting:</b>	A mix of land use are located along the State Route 99 corridor where the project is proposed. The northerly area surrounding the project from approximately Pacheco Road to State Route 119 (Taft Hwy) has been developed primarily with residential and commercial land uses with a few vacant parcels remaining to be developed. The southerly portion of the project from approximately State Route 119 (Taft Hwy) to 1.2 miles north of Herring Road is comprised primarily of land that is planned for agriculture use.
<b>Other Public Agencies Whose Approval is Required:</b>	A Biological Opinion is anticipated to be issued by the U.S. Fish and Wildlife Service. A 2081 Incidental Take Permit may be requested from the California Department of Fish and Wildlife.

***Environmental Factors Potentially Affected:***

The environmental factors checked below would be potentially affected by this proposed project. Please see the CEQA checklist for additional information. Any boxes *not* checked represent issues that were considered as part of the scoping and environmental analysis for the project, but for which no adverse impacts were identified; therefore, no further discussion of those issues are in this document.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forestry	<input type="checkbox"/>	Air Quality
X	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Geology/Soils
<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards and Hazardous Materials	<input type="checkbox"/>	Hydrology/Water Quality
<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Noise
<input type="checkbox"/>	Paleontology	<input type="checkbox"/>	Population/Housing	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Recreation	<input type="checkbox"/>	Transportation/Traffic	<input type="checkbox"/>	Utilities/Service Systems
<input type="checkbox"/>	Mandatory Findings of Significance				

## Proposed Mitigated Negative Declaration

Pursuant to: Division 13, Public Resources Code

### **Project Description**

The California Department of Transportation (Caltrans), is proposing a project to rehabilitate a 10-mile long portion of the existing outside south-bound lane (Lane #3) of State Route 99, in Kern County, south of Bakersfield, from 1.2 miles north of Herring Road at post mile 10.5 to Pacheco Road undercrossing at post mile 20.5. In addition, the outside shoulder's pavement would be cold planed and then repaved. This segment of State Route 99 is a three-lane freeway with rigid pavement.

### **Determination**

This proposed Mitigated Negative Declaration is included to give notice to interested agencies and the public that it is Caltrans' intent to adopt a Mitigated Negative Declaration for this project. This does not mean that Caltrans' decision on the project is final. This Mitigated Negative Declaration is subject to change based on comments received by interested agencies and the public.

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

The proposed project would have no effect on: agriculture and forest resources, air quality, cultural resources, paleontological resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation/traffic, and utilities and service systems.

In addition, the proposed project would have no significant adverse effect biological resources because the following mitigation measures would reduce potential effects to insignificance:

- San Joaquin kit fox- Standard special provisions would be included in the construction contract in order to minimize potential impacts to San Joaquin kit fox.
- Burrowing owl-and Migratory Birds Standard special provisions would be included in the construction contract in order to minimize potential impacts to burrowing owl and migratory birds.
- Replacement Planting- Replacement planting may be required for tree removal within the project limits.

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Michelle Ray  
Senior Environmental Planner  
California Department of Transportation  
District 6

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Date



Figure 1-1 Project Vicinity Map

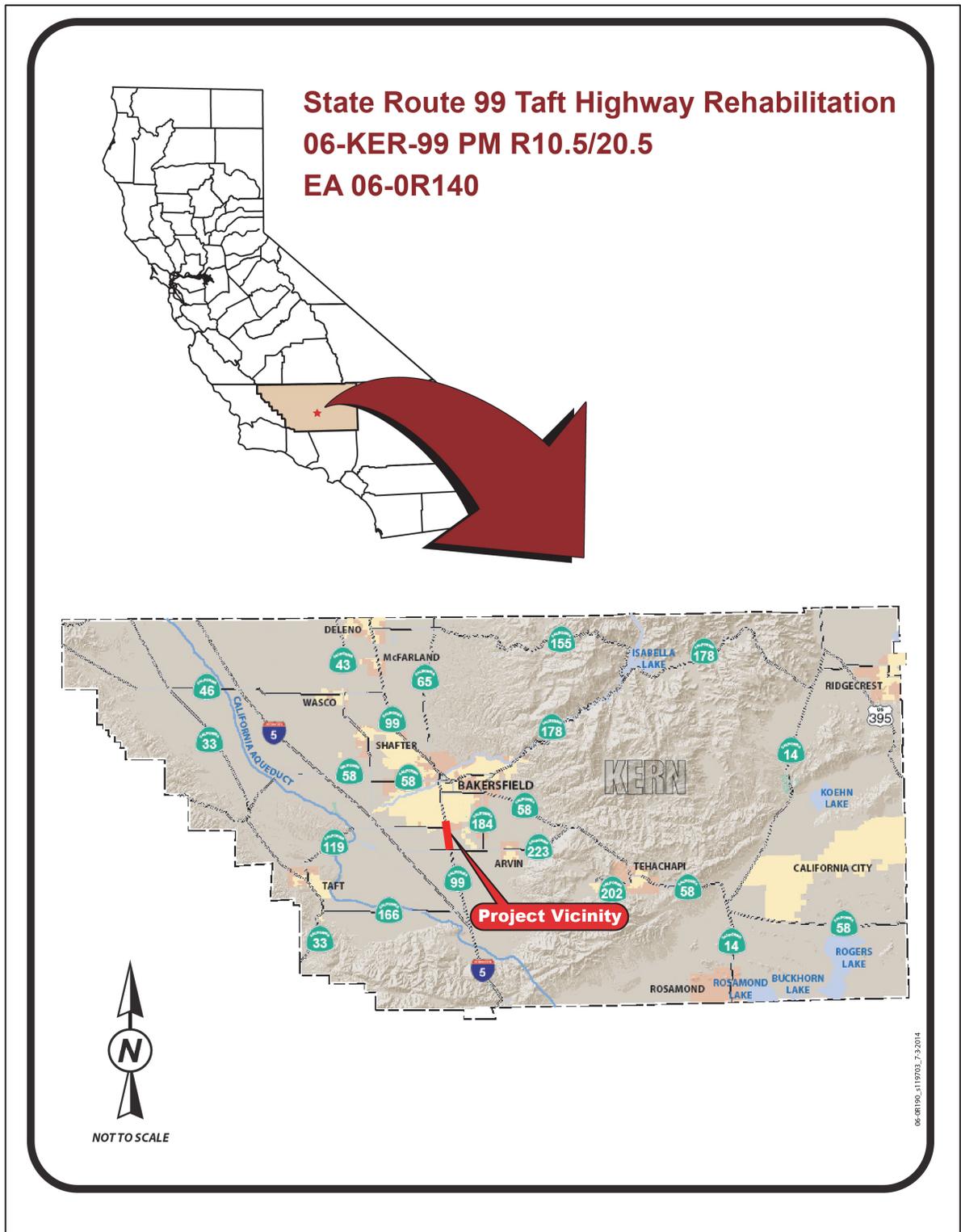
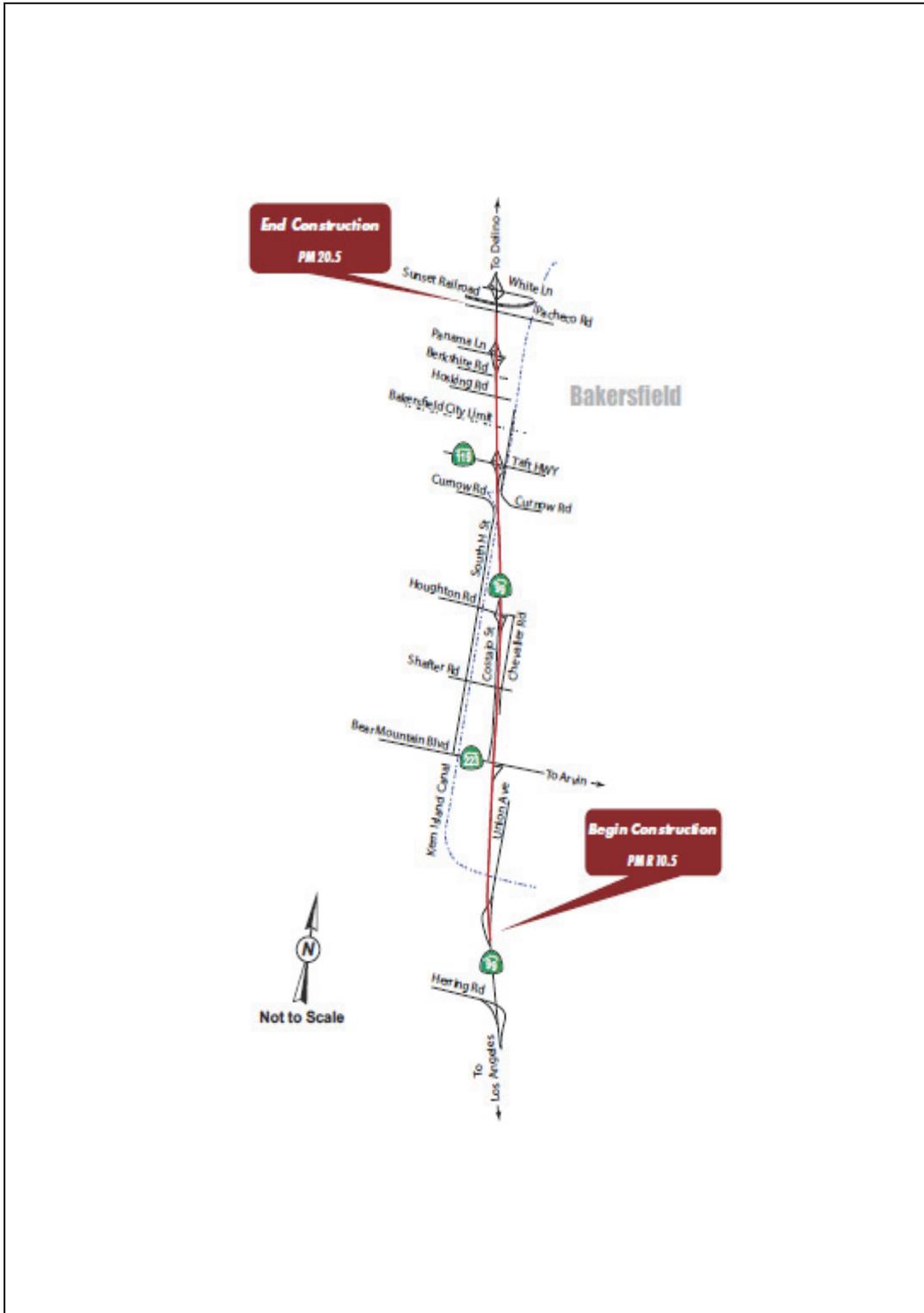


Figure 1-2 Project Location Map



# CEQA Environmental Checklist

06-KER-99

10.5/20.5

06-1400-0038

Dist.-Co.-Rte.

P.M/P.M.

Project ID#

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
<b>I. AESTHETICS:</b> 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"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
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

Replacement planting may be required.

**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:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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
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"/>
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	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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
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"/>	<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 for discussion of threatened and endangered species.

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

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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
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?

If applicable, an assessment of greenhouse gas emissions and climate change is included in the body of environmental document. 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"/>	<input type="checkbox"/>	X
<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
<b>IX. HYDROLOGY AND WATER QUALITY:</b> 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
<b>X. LAND USE AND PLANNING:</b> 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
<b>XI. MINERAL RESOURCES:</b> 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
<b>XII. NOISE:</b> 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. Biological Resources (checklist question a)*

#### ***Affected Environment***

Caltrans completed a Natural Environment Study in October 2015 and an amended study in December 2015. Caltrans biologists completed field surveys in June 2015 and August 2015. The proposed project is located just south of Bakersfield in central Kern County, California. It encompasses 10 linear miles of State Route 99, starting at Post Mile 10.5 (1.06 miles north of Herring Road), and ends at Post Mile 20.5, at the State Route 99 overcrossing of Pacheco Road (3 miles south of the State Route 99/58 junction). The project area is very flat. The first seven miles, from PM 10.5 to 17.5 (intersection with the Taft Highway, State Route 119) is predominantly within an agricultural matrix, while the northernmost three miles from PM 17.5 to 20.5 is primarily within the urbanized suburbs of southern Bakersfield. The proposed work will not involve work within water channels, changes to existing drainages or culverts, cut and/or fill, or utility relocation.

The 307-acre Biological Study Area includes the 93.6-acre Project Impact Area plus adjacent right of way areas on both sides of the State Route 99 corridor. Although the northern three miles of the project area is primarily urban in character, and the southern seven miles is within a matrix of agricultural lands, the habitat within the Caltrans right-of-way is generally similar: compacted, bare ground with non-native annual grasses and weedy (ruderal) vegetation. Eucalyptus trees and one cottonwood tree are scattered along the length of the project area. The gore areas at road intersections and at on- and off-ramps can also have shrubbery to some extent. Oleander (*Nerium oleander*) bushes are located within the highway median in places.

#### ***Threatened and Endangered Species and Special Status Species***

Two special status species have the potential to occur in or near the proposed project, the San Joaquin kit fox and burrowing owl.

##### San Joaquin kit fox (*Vulpes macrotis mutica*)

The San Joaquin kit fox is a federally endangered and state threatened species. The San Joaquin kit fox is the smallest fox in North America, with an average body length of 20 inches and weight of about five pounds. They have large ears that are set close together, a slim body, and a long, bushy, black-tipped tail that is carried low and straight. Their coat ranges from a buff tan during summer months to a silver-gray in the winter.

San Joaquin kit foxes are active year-round and inhabit grassland, scrubland, oak woodland, alkali sink scrubland, vernal pool, and alkali meadow communities. They are present, but generally less abundant, in agricultural landscapes such as row crops, irrigated pastures, orchards, and vineyards. These foxes require underground dens for

temperature regulation, shelter, predator avoidance, and reproduction. San Joaquin kit foxes typically dig their own dens located in loose soils on slopes less than 40 degrees, but also commonly modify existing burrows. They have also been known to use human-made structures (culverts or abandoned pipelines) as den sites.

#### Burrowing owl (*Athene cunicularia*)

The burrowing owl (*Athene cunicularia*) is listed as a California Species of Concern and is the only owl in North America that nests in underground burrows. . This small owl (approximately 9 inches long, 15-inch wingspan and 5 to 8 ounces in weight) is brown with white spots on the wings and back, with an off-white breast with brown bars. The eyes are yellow, and the face is highlighted by a conspicuous white eyebrow. The burrowing owl has long legs and spends a great deal of time standing on the ground or on a small mound near the burrow entrance, or perched on low perches such as brush and fence posts. They can be quite conspicuous and easy to observe in the wild (D. Lewis 2013).

Burrowing owls can be active during the day or night. They often inhabit old rodent burrows (typically that of the California ground squirrel), but are capable of digging their own. Their habitat consists of open, dry annual or perennial grasslands, deserts, or open scrublands with low vegetation, soils suitable for digging, and a suitable prey base of burrowing rodents, small reptiles, and insects. Several owl pairs may nest close to one another and form loose colonies, but adult owls will aggressively defend their own burrow against other burrowing owls and predators. Burrowing owl predators include larger raptors, badgers, skunks, snakes, and feral or domestic dogs and cats (particularly near human habitation). Rodent control efforts, such as poisoning and trapping, can reduce the availability of prey and may also contribute to secondary poisoning. Because the burrowing owl often flies low to the ground, collisions with vehicles is another mortality factor for the burrowing owl (C. Polite, 1999).

The burrowing owl can be found throughout much of California where suitable habitat occurs. Much of its habitat has been lost to urban and agricultural development, particularly throughout the San Joaquin Valley. Small, isolated populations can be found in pockets of remaining habitat, but the overall population trend has been down over the last several decades.

#### Migratory birds

There are seven mature eucalyptus trees and one cottonwood spaced periodically along the length of the project area that could provide suitable nesting habitat for a variety of bird and raptor species. The California Natural Diversity Database (CNDDDB) query resulted in no records of previous sightings, and no raptors were observed during the field surveys.

### ***Environmental Consequences***

A Natural Environment Study was completed for this project in October 2015. No permanent impacts to habitat are anticipated by the project.

Federal, State of California and California Native Plant Society species lists are

located in Appendix D. Caltrans' Federal Endangered Species Act determinations are listed in Appendix E.

San Joaquin kit fox (*Vulpes macrotis mutica*)

The California Natural Diversity Database (CNDDDB) query resulted in six occurrences of kit foxes within a 2-mile radius of the proposed project site. The most recent is from 2006, near the north end of the project area. Most of the other sightings are from road-killed individuals and date from the mid-1970s. Very little in the way of suitable, natural habitats exist in the project area, but urbanized kit foxes in the Bakersfield region have been known to use drainage culverts under roadways, and burrow within small gore areas adjacent to highway on- and off-ramps and at intersections. They can forage in adjacent open fields, vacant lots, and agricultural lands where suitable rodent prey can be found. There are a fair number of old and recent California ground squirrel (*Otospermophilus beecheyi*) burrows along the margins of the right of way, and a few on the shoulder edge. Therefore, San Joaquin kit foxes have the potential to occur within or near the project study area.

The project is expected to have, at most, approximately 23 acres of temporary impacts to low-quality kit fox habitat. This impact would result from the passage of vehicles and construction equipment along unpaved, ruderal habitat directly adjacent to the paved road shoulder. Actual project work will be confined to the existing paved roadway and shoulders. Disturbance impacts may result if kit foxes are occupying culverts or burrows adjacent to work areas, or travelling or foraging near active work areas. The risk of disturbance would be higher during night work, since kit foxes are generally nocturnal.

Although any attempts by kit foxes to cross the busy State Route 99 highway are highly risky under normal circumstances, the installation of temporary K-Rail may increase that risk by further constricting the fox's ability to move freely, and trap them for additional time either within active work zones or in traffic lanes. Type "L" wildlife passages (an opening created by off-setting the ends of sections of K-Rail) would help minimize the increased risk.

No potential denning or foraging habitat for San Joaquin kit fox exists within the project area. No San Joaquin kit foxes or evidence of their occupancy was observed during the field reviews, however low-quality habitat does occur within the project study area.

Caltrans has initiated formal Section 7 consultation with the U.S. Fish and Wildlife Service regarding potential impacts to San Joaquin kit fox. Caltrans has determined that, with implemented avoidance and minimization measures, the proposed project *may affect*, and is *likely to adversely affect* the San Joaquin kit fox. No habitat would be affected by construction of the proposed project. The concrete median barrier would increase the difficulty for San Joaquin kit fox to cross the highway, however wildlife passages in the median barrier would minimize the increased difficulty, and there is a low potential that San Joaquin kit fox actually would cross the highway at the project site.

The likelihood of any cumulative impacts resulting from this project is very low. No permanent habitat loss is expected, temporary disturbance to kit foxes may potentially result from project activities, and the use of temporary K-Rail may increase the potential that a kit fox could become trapped on the highway or within a work zone. However, the degree that this project will cause disturbances above and beyond the current high level of highway traffic is considered to be minimal, and no kit foxes or evidence of their occupancy have been observed on the project site.

#### Burrowing owl (*Athene cunicularia*)

The California Natural Diversity Database (CNDDDB) query resulted in two occurrences of burrowing owls within a 2-mile radius of the project area. The closest is approximately 0.57 miles east of the center portion of the project area and dates from 2006, and the other is nearly 2 miles distant and dates from 2007. The field survey found no evidence of burrowing owl occupancy within or adjacent to the project impact area. They can forage in adjacent open fields, vacant lots, and agricultural lands where suitable rodent prey can be found. There are a fair number of old and recent California ground squirrel (*Otospermophilus beecheyi*) burrows along the margins of the right of way, and a few on the shoulder edge, which could provide suitable burrows for the owl. Therefore, burrowing owls have the potential to occur within or near the project study area.

The likelihood of any cumulative impacts resulting from this project is very low. No permanent habitat loss is expected, and temporary disturbance to burrowing owls may potentially result from project activities. However, the degree that this project will cause disturbances above and beyond the current high level of highway traffic is considered to be minimal, and no burrowing owls or evidence of their occupancy have been observed on the project site.

#### Migratory Birds

The California Natural Diversity Database (CNDDDB) query resulted in no records of previous sightings, and no raptors were observed during the field surveys. A total of seven mature eucalyptus trees will be removed by this project: two trees growing adjacent to one another at post mile 13.15 (south of State Route 223), one tree at post mile 13.76 (north of State Route 223), two trees growing adjacent to one another at post mile 16.49 near Di Giorgio Road, and two trees growing adjacent to one other at post mile 18.08. All trees are being removed due to safety reasons because of their proximity to the existing road edge. Project-related construction activities could result in dust, vibration, and noise disturbance to birds nesting in proximity to the project impact area.

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

#### San Joaquin kit fox (*Vulpes macrotis mutica*)

- Environmental Awareness Training would be provided by a Caltrans-approved biologist to all construction personnel prior to the start of construction. The purpose of this training is to inform construction crew members of permit terms and conditions and the potential for kit fox to occur at a site and be affected by construction activities. The training shall include, at a minimum (1) special-status

species identification; (2) a description of suitable habitat for these species; (3) avoidance of environmentally sensitive areas (if any); and (4) measures to implement in the event that this species is found during construction. The training shall be repeated to all new crew members working in kit fox habitat. Following the training, crew members shall sign an attendance sheet stating that they attended the training and understand the protective measures and construction restrictions. Training materials and records of attendees shall be submitted to the U.S. Fish and Wildlife Service.

- Preconstruction/pre-activity surveys would be conducted no less than 14 days and no more than 30 days prior to the beginning of ground disturbance and/or construction activities or any project activity likely to impact the San Joaquin kit fox. Surveys would be conducted within the proposed project boundary and within accessible areas up to 200-feet outside the project footprint to identify habitat features. A letter report and a map showing the results of the surveys would be submitted to the US Fish and Wildlife Service within 10 working days from the end of the surveys.
- If natal/pupping dens are discovered within the project area or within 200 feet of the project boundary, the Service would be immediately notified.
- The configuration of exclusion zones around San Joaquin kit fox dens should have a 50-foot radius around potential dens and a 100-foot radius around known dens measured outward from the entrance or cluster of entrances.
- Disturbance to all San Joaquin kit fox dens would be avoided to the maximum extent possible.
- Should pre-construction surveys find evidence of recent kit fox occupancy, a qualified biologist would be present during initial project-related ground-disturbing activities within 200 feet of the kit fox location.
- For work occurring during night-time hours, the following measures are proposed:
  - a. A qualified biologist would perform periodic dusk or dawn reconnaissance surveys prior to the start of night work within 500 feet of areas where evidence of kit fox activity has been observed. The frequency and duration of these surveys may be increased or decreased depending on the level of kit fox activity observed.
  - b. For the northern portion of the project from post mile 17.5 to 20.5 that is within the SJKF Metropolitan Bakersfield Satellite Recovery Area, Caltrans would 1) provide weekly SJKF awareness training reminders to night crew personnel (Per measure #1 above); 2) maintain aggressive dust control measures to improve driver and worker visibility at night; 3) Limit on-site speed limits of construction vehicles to 10 mph within the construction limits; and 4) have a qualified biologist conduct spot-check monitoring sweeps at least once per night between the hours of dusk and dawn.

- c. For the remaining portion of the project from post mile 10.5 to 17.5, a qualified biologist will conduct worksite spot check monitoring sweeps twice per week between the hours of dusk and dawn. Depending on the results of the first month of monitoring, Caltrans may increase or decrease the frequency of these spot checks after coordinating with the Service.
- Food trash and other garbage that may attract coyotes or kit foxes to the work area would be disposed of in closed containers and removed at the end of each work period. Feeding of any wildlife would be prohibited.
- Firearms (except by qualified and permitted public safety agents) and pets would not be permitted on the work site.
- To the extent possible, a biologist would be available on-call during all construction periods when not present onsite.
- To minimize the potential that a SJKF could become trapped within traffic lanes or construction zones due to the presence of temporary K-Rail safety barriers, Caltrans would provide Type M or Modified Type L wildlife passages at an interval of 280' (every 14 K-Rail segments).
- In the event that a dead or injured SJKF is discovered within an active work zone, work will cease within a minimum 50' radius of the incident site until the animal is rescued, or the corpse is collected and preserved and circumstances of death are accurately recorded. The Service would be contacted as soon as practicable.

*Compensatory Mitigation:*

- Formal Section 7 Consultation with the U.S. Fish and Wildlife Service will be complete prior to the approval of the final environmental document. Compensatory mitigation may be required by the U.S. Fish and Wildlife Service for potential take of kit fox during construction activities. Proposed compensatory mitigation measures could include:
  - To mitigate for potential take of kit foxes related to construction, Caltrans may make a one-time payment to the California Living Museum (10500 Alfred Harrell Highway, Bakersfield, CA 93306) specifically to fund the rehabilitation of diseased or injured SJKF.
  - Since no suitable kit fox habitat will be permanently impacted by the project, no habitat mitigation is proposed.

Borrowing owl

- Pre-construction surveys would be performed within 500 feet of the project area no more than 30 days prior to the start of construction to determine any presence or sign of burrowing owl occupancy.

- Active burrowing owl burrows would be protected by a 150-foot radius protection buffer outside of the nesting season (September 1 to January 31).
- Active burrowing owl burrows would be protected by a 500-foot radius protection buffer during the nesting season (February 1 to August 31).
- If active burrows are located within a construction area that cannot be avoided by a protection buffer, passive relocation efforts would be implemented by installing one-way exclusion doors on burrow entrances, and providing artificial burrows constructed nearby (within 50-100 yards if possible). A minimum of 6.5 acres of contiguous foraging habitat should be available within a 300-foot radius around the new burrow site per owl pair or resident single bird. All passive relocation work would be performed by State-approved, qualified biologists.
- All burrowing owls avoidance and minimization guidelines would conform to the “*Staff Report on Burrowing Owl Mitigation*” (California Department of Fish and Game, 2012).

*Compensatory Mitigation:*

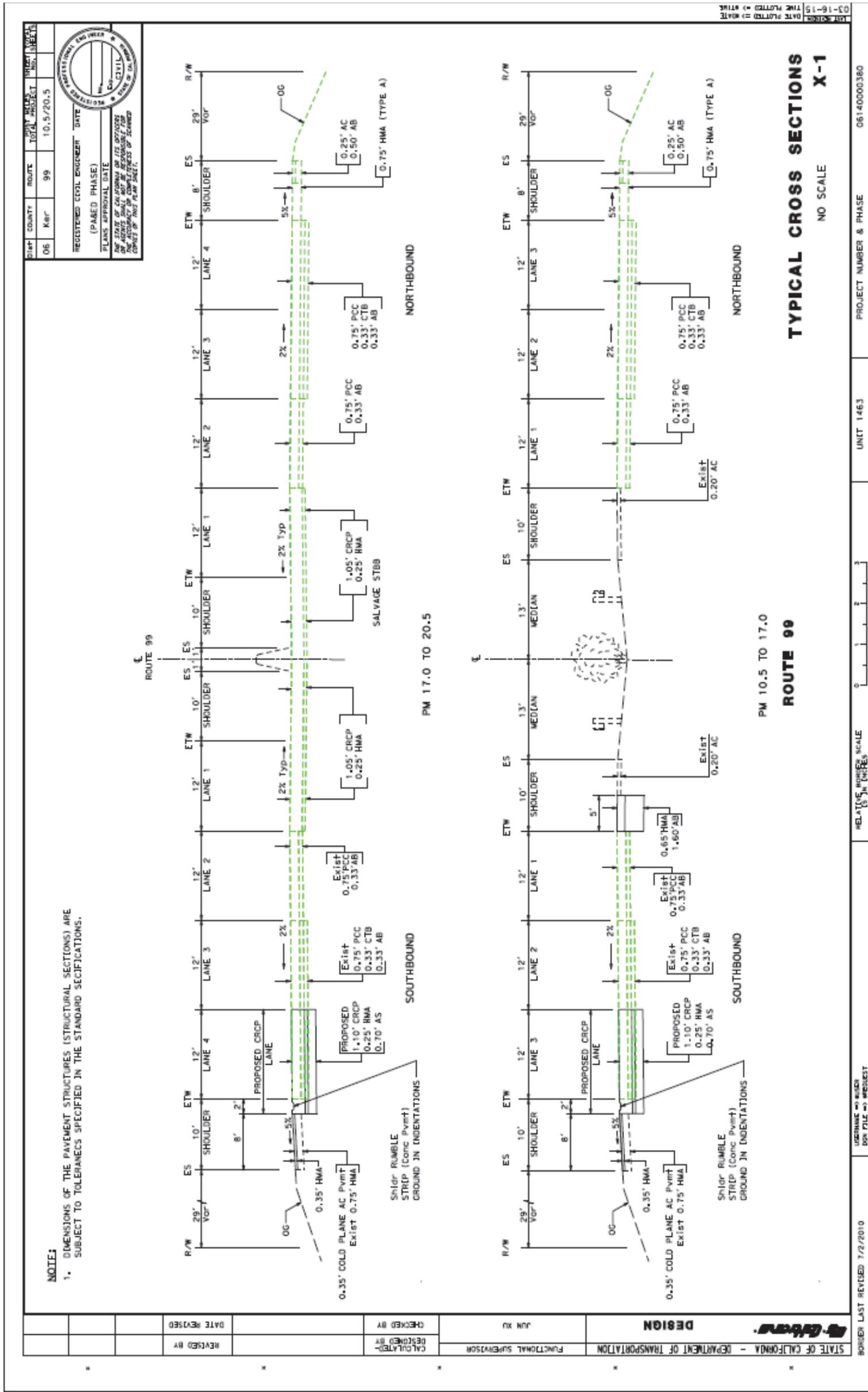
Since no permanent loss of borrowing owl habitat is expected from this project, no compensatory mitigation is proposed.

Migratory Birds

Avoidance and minimization measures and Standard Special Provisions are proposed in order to comply with the Migratory Bird Treaty Act (MBTA) by ensuring that project-related activities do not result in harmful impacts to nesting birds, or their nests, eggs, and young. This would include the following actions, as appropriate: pre-construction surveys, and the placement of environmental sensitive area (ESA) buffers around nests as required:

- Trees proposed for removal will be surveyed by a qualified biologist during the nesting season, February 15 to August 31, prior to construction to determine if any birds are nesting within or near the trees.
- Tree removal will be performed, if at all possible, from September 1 through February 14 (i.e., outside of the nesting season) to avoid impacts to nesting birds. If this cannot be accomplished, the trees to be removed will be surveyed by a qualified biologist prior to removal.
- If active nests are present, the tree will be marked as an environmentally sensitive area (ESA), and will not be removed until all young birds have left the nest (either through natural mortality or successful fledging) and the nest has become inactive.

# Appendix A Typical Cross Sections





# Appendix B Federal, State and California Native .....Plant Society Species Lists

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## 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: 08ESMF00-2015-SLI-1084  
08ESMF00-2015-E-03180

August 20, 2015 Event Code:

Project Name: State Route 99/Taft Hwy Rehab 06-0R140

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](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) 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](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.

The table below outlines lead FWS field offices by county and land ownership/project type. Please refer to this table when you are ready to coordinate (including requests for section 7 consultation) with the field office corresponding to your project, and send any documentation regarding your project to that corresponding office. Therefore, the lead FWS field office may not be the office listed above in the letterhead. Please visit our office's website (<http://www.fws.gov/sacramento>) to view a map of office jurisdictions.

**Lead FWS offices by County and Ownership/Program**

<b>County</b>	<b>Ownership/Program</b>	<b>Species</b>	<b>Office Lead*</b>
<b>Alameda</b>	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
<b>Alameda</b>	All ownerships but tidal/estuarine	All	SFWO
<b>Alpine</b>	Humboldt Toiyabe National Forest	All	RFWO
<b>Alpine</b>	Lake Tahoe Basin Management Unit	All	RFWO
<b>Alpine</b>	Stanislaus National Forest	All	SFWO
<b>Alpine</b>	El Dorado National Forest	All	SFWO
<b>Colusa</b>	Mendocino National Forest	All	AFWO
<b>Colusa</b>	Other	All	By jurisdiction (see map)
<b>Contra Costa</b>	Legal Delta (Excluding ECCHCP)	All	BDFWO
<b>Contra Costa</b>	Antioch Dunes NWR	All	BDFWO
<b>Contra Costa</b>	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
<b>Contra Costa</b>	All ownerships but tidal/estuarine	All	SFWO

<b>El Dorado</b>	El Dorado National Forest	All	SFWO
<b>El Dorado</b>	LakeTahoe Basin Management Unit		RFWO
<b>Glenn</b>	Mendocino National Forest	All	AFWO
<b>Glenn</b>	Other	All	By jurisdiction (see map)
<b>Lake</b>	Mendocino National Forest	All	AFWO
<b>Lake</b>	Other	All	By jurisdiction (see map)
<b>Lassen</b>	Modoc National Forest	All	KFWO
<b>Lassen</b>	Lassen National Forest	All	SFWO
<b>Lassen</b>	Toiyabe National Forest	All	RFWO
<b>Lassen</b>	BLM Surprise and Eagle Lake Resource Areas	All	RFWO
<b>Lassen</b>	BLM Alturas Resource Area	All	KFWO
<b>Lassen</b>	Lassen Volcanic National Park	All (includes Eagle Lake trout on all ownerships)	SFWO
<b>Lassen</b>	All other ownerships	All	By jurisdiction (see map)

<b>Marin</b>	Tidal wetlands/marsh adjacent to Bays	Salt marsh species, delta smelt	BDFWO
<b>Marin</b>	All ownerships but tidal/estuarine	All	SFWO
<b>Mendocino</b>	Russian River watershed	All	SFWO
<b>Mendocino</b>	All except Russian River watershed	All	AFWO
<b>Napa</b>	All ownerships but tidal/estuarine	All	SFWO
<b>Napa</b>	Tidal wetlands/marsh adjacent to San Pablo Bay	Salt marsh species, delta smelt	BDFWO
<b>Nevada</b>	Humboldt Toiyabe National Forest	All	RFWO
<b>Nevada</b>	All other ownerships	All	By jurisdiction (See map)
<b>Placer</b>	Lake Tahoe Basin Management Unit	All	RFWO
<b>Placer</b>	All other ownerships	All	SFWO
<b>Sacramento</b>	Legal Delta	Delta Smelt	BDFWO
<b>Sacramento</b>	Other	All	By jurisdiction (see map)

<b>San Francisco</b>	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO
<b>San Francisco</b>	All ownerships but tidal/estuarine	All	SFWO
<b>San Mateo</b>	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO
<b>San Mateo</b>	All ownerships but tidal/estuarine	All	SFWO
<b>San Joaquin</b>	Legal Delta excluding San Joaquin HCP	All	BDFWO
<b>San Joaquin</b>	Other	All	SFWO
<b>Santa Clara</b>	Tidal wetlands/marsh adjacent to San Francisco Bay	Salt marsh species, delta smelt	BDFWO
<b>Santa Clara</b>	All ownerships but tidal/estuarine	All	SFWO
<b>Shasta</b>	Shasta Trinity National Forest except Hat Creek Ranger District (administered by Lassen National Forest)	All	YFWO
<b>Shasta</b>	Hat Creek Ranger District	All	SFWO
<b>Shasta</b>	Bureau of Reclamation (Central Valley Project)	All	BDFWO

<b>Shasta</b>	Whiskeytown National Recreation Area	All	YFWO
<b>Shasta</b>	BLM Alturas Resource Area	All	KFWO
Shasta	Caltrans	By jurisdiction	SFWO/AFWO
Shasta	Ahjumawi Lava Springs State Park	Shasta crayfish	SFWO
Shasta	All other ownerships	All	By jurisdiction (see map)
Shasta	Natural Resource Damage Assessment, all lands	All	SFWO/BDFWO
Sierra	Humboldt Toiyabe National Forest	All	RFWO
Sierra	All other ownerships	All	SFWO
Solano	Suisun Marsh	All	BDFWO
Solano	Tidal wetlands/marsh adjacent to San Pablo Bay	Salt marsh species, delta smelt	BDFWO
Solano	All ownerships but tidal/estuarine	All	SFWO
Solano	Other	All	By jurisdiction (see map)
Sonoma	Tidal wetlands/marsh adjacent to San Pablo Bay	Salt marsh species, delta smelt	BDFWO
Sonoma	All ownerships but tidal/estuarine	All	SFWO
Tehama	Mendocino National Forest	All	AFWO

<b>Tehama</b>	Shasta Trinity National Forest except Hat Creek Ranger District (administered by Lassen National Forest)	All	YFWO
<b>Tehama</b>	All other ownerships	All	By jurisdiction (see map)
<b>Yolo</b>	Yolo Bypass	All	BDFWO
<b>Yolo</b>	Other	All	By jurisdiction (see map)
<b>All</b>	FERC-ESA	All	By jurisdiction (see map)
<b>All</b>	FERC-ESA	Shasta crayfish	SFWO
<b>All</b>	FERC-Relicensing (non-ESA)	All	BDFWO
<b>*Office Leads:</b>			
<b>AFWO=Arcata Fish and Wildlife Office</b>			
<b>BDFWO=Bay Delta Fish and Wildlife Office</b>			
<b>KFWO=Klamath Falls Fish and Wildlife Office</b>			
<b>RFWO=Reno Fish and Wildlife Office</b>			
<b>YFWO=Yreka Fish and Wildlife Office</b>			



United States Department of Interior  
Fish and Wildlife Service

Project name: State Route 99/Taft Hwy Rehab 06-0R140

## 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:** 08ESMF00-2015-SLI-1084

**Event Code:** 08ESMF00-2015-E-03180

**Project Type:** TRANSPORTATION

**Project Name:** State Route 99/Taft Hwy Rehab 06-0R140

**Project Description:** Resurface #3 Lane of southbound State Route 99 from MP 10.5 to 20.5 in Kern County, south of Bakersfield. Project is entirely within existing Caltrans Right of Way.

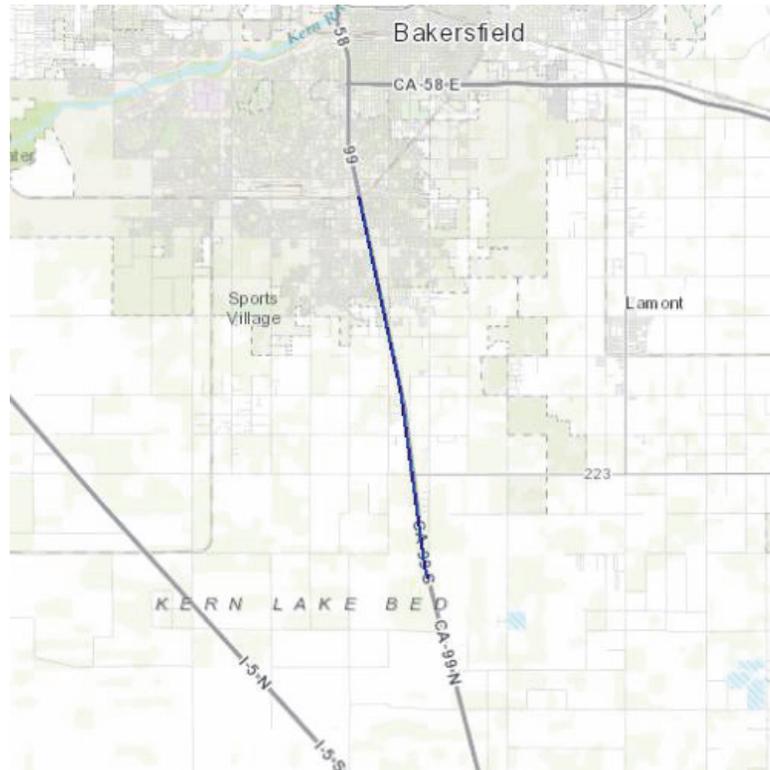
**Please Note:** The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your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



United States Department of Interior  
Fish and Wildlife Service

Project name: State Route 99/Taft Hwy Rehab 06-0R140

***Project Location Map:***



**Project Coordinates:** MULTIPOLYGON (((-119.01578978990632 35.24004573651877, -119.00480259726231 35.17412168563932, -119.00343250756919 35.169921881244335, -119.00344062174379 35.169817199047564, -119.00354664195724 35.169743120726366, -119.00364772971803 35.169771501472866, -119.00369334692297 35.16983678839796, -119.00507153610641 35.174066400867744, -119.0160568530385 35.23998254568031, -119.03459473157803 35.31116847652102, -119.03458029403699 35.311272475365044, -119.03449654686597 35.31133580476972, -119.03439254802193 35.31132136722868, -119.03432921861726 35.31123762005765, -119.01578978990632 35.24004573651877)))

**Project Counties:** Kern, CA



United States Department of  
Interior Fish and Wildlife  
Service

Project name: State Route 99/Taft Hwy Rehab 06-0R140

## Endangered Species Act Species List

There are a total of 12 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	
<b>Birds</b>			
Southwestern Willow flycatcher ( <i>Empidonax traillii extimus</i> ) Population: Entire	Endangered	Final designated	
Yellow-Billed Cuckoo ( <i>Coccyzus americanus</i> ) Population: Western U.S. DPS	Threatened	Proposed	
<b>Crustaceans</b>			
Vernal Pool fairy shrimp ( <i>Branchinecta lynchi</i> ) Population: Entire	Threatened	Final designated	
<b>Fishes</b>			
Delta smelt ( <i>Hypomesus transpacificus</i> ) Population: Entire	Threatened	Final designated	



United States Department of Interior  
Fish and Wildlife Service

Project name: State Route 99/Taft Hwy Rehab 06-0R140

<b>Flowering Plants</b>			
Bakersfield cactus ( <i>Opuntia treleasei</i> )	Endangered		
<b>Mammals</b>			
Buena Vista Lake Ornate Shrew ( <i>Sorex ornatus relictus</i> ) Population: Entire	Endangered	Final designated	
Giant kangaroo rat ( <i>Dipodomys ingens</i> ) Population: Entire	Endangered		
San Joaquin Kit fox ( <i>Vulpes macrotis mutica</i> ) Population: U.S.A(CA)	Endangered		
Tipton kangaroo rat ( <i>Dipodomys nitratooides nitratooides</i> ) Population: Entire	Endangered		
<b>Reptiles</b>			
Blunt-Nosed Leopard lizard ( <i>Gambelia silus</i> ) Population: Entire	Endangered		
Giant Garter snake ( <i>Thamnophis gigas</i> ) Population: Entire	Threatened		

### Critical habitats that lie within your project area

There are no critical habitats within your project area.

## CNDDDB Species Query

06-0R140 State Route 99 Rehab: CNDDDB Species Query of August 20, 2015; 2-Mile Radius of Project Area

SCIENTIFIC NAME	COMMON NAME	QUAD NAME	PRESENCE	SITE DATE	ELM DATE	FEDERAL STATUS	STATE STATUS	RARE PLANT RANK
<i>Taxidea taxus</i>	American badger	Gosford	Presumed Extant	190007XX	190007XX	None	SSC	
<i>Vulpes macrotis mutica</i>	San Joaquin kit fox	Gosford	Presumed Extant	20061212	20061212	Endangered	Threatened	
<i>Astragalus hornii</i> var.	Horn's milk-vetch	Conner	Presumed Extant	19700603	19700603	None	None	1B.1
<i>Vulpes macrotis mutica</i>	San Joaquin kit fox	Conner	Presumed Extant	197507XX	197507XX	Endangered	Threatened	
<i>Astragalus hornii</i> var.	Horn's milk-vetch	Lamont	Presumed Extant	19450629	19450629	None	None	1B.1
<i>Dipodomys nitratoides nitratoides</i>	Tipton kangaroo rat	Weed Patch	Presumed Extant	198507XX	198507XX	Endangered	Endangered	
<i>Atriplex tularensis</i>	Bakersfield smallscale	Weed Patch	Extirpated	19810512	19340606	None	Endangered	1A
<i>Vulpes macrotis mutica</i>	San Joaquin kit fox	Conner	Presumed Extant	197507XX	197507XX	Endangered	Threatened	
<i>Vulpes macrotis mutica</i>	San Joaquin kit fox	Lamont	Presumed Extant	197507XX	197507XX	Endangered	Threatened	
<i>Vulpes macrotis mutica</i>	San Joaquin kit fox	Conner	Presumed Extant	197507XX	197507XX	Endangered	Threatened	
<i>Vulpes macrotis mutica</i>	San Joaquin kit fox	Gosford	Presumed Extant	200407XX	200407XX	Endangered	Threatened	
<i>Opuntia basilaris</i> var.	Bakersfield cactus	Weed Patch	Extirpated	19890726	1951XXXX	Endangered	Endangered	1B.1
<i>Atriplex tularensis</i>	Bakersfield smallscale	Gosford	Extirpated	1981XXXX	19211015	None	Endangered	1A
<i>Egretta thula</i>	snowy egret	Weed Patch	Presumed Extant	19900602	19900602	None	None	
<i>Ardea alba</i>	great egret	Weed Patch	Presumed Extant	19900602	19900602	None	None	
<i>Athene cunicularia</i>	burrowing owl	Lamont	Presumed Extant	20070629	20070629	None	SSC	
<i>Athene cunicularia</i>	burrowing owl	Conner	Presumed Extant	20061205	20061205	None	SSC	

## CNPS Species Query

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Rare and Endangered Plant Inventory

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

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Found in Quad 35119B1

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Scientific Name	Common Name	Family	Lifeform	Rare Plant Rank	State Rank	Global Rank
<a href="#">Astragalus hornii var. hornii</a>	Horn's milk-vetch	Fabaceae	annual herb	1B.1	S1	G4G5T2T3
<a href="#">Atriplex cordulata var. cordulata</a>	heartscale	Chenopodiaceae	annual herb	1B.2	S2	G3T2
<a href="#">Atriplex coronata var. vallicola</a>	Lost Hills crownscale	Chenopodiaceae	annual herb	1B.2	S2	G4T2

#### Suggested Citation

CNPS, Rare Plant Program. 2015. Inventory of Rare and Endangered Plants (online edition, v8-02). California Native Plant Society, Sacramento, CA. Website <http://www.rareplants.cnps.org> [accessed 25 August 2015].

CNPS
California Native Plant Society
Rare and Endangered Plant Inventory

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

Search Criteria
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Scientific Name	Common Name	Family	Lifeform	Rare Plant Rank	State Rank	Global Rank
<a href="#">Astragalus hornii var. hornii</a>	Horn's milk-vetch	Fabaceae	annual herb	1B.1	S1	G4G5T2T3
<a href="#">Atriplex tularensis</a>	Bakersfield smallscale	Chenopodiaceae	annual herb	1A	SX	GX
<a href="#">Chloropyron molle ssp. hispidum</a>	hispid bird's-beak	Orobanchaceae	annual herb (hemiparasitic)	1B.1	S2	G2T2
<a href="#">Delphinium recurvatum</a>	recurved larkspur	Ranunculaceae	perennial herb	1B.2	S3	G3
<a href="#">Imperata brevifolia</a>	California satintail	Poaceae	perennial rhizomatous herb	2B.1	S3	G3
<a href="#">Lasthenia ferrisiae</a>	Ferris' goldfields	Asteraceae	annual herb	4.2	S3	G3
<a href="#">Stylocline masonii</a>	Mason's neststraw	Asteraceae	annual herb	1B.1	S1	G1

#### Suggested Citation

CNPS, Rare Plant Program. 2015. Inventory of Rare and Endangered Plants (online edition, v8-02). California Native Plant Society, Sacramento, CA. Website <http://www.rareplants.cnps.org> [accessed 25 August 2015].

**Plant List**

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

<b>Search Criteria</b>
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Scientific Name	Common Name	Family	Lifeform	Rare Plant Rank	State Rank	Global Rank
<a href="#">Astragalus hornii var. hornii</a>	Horn's milk-vetch	Fabaceae	annual herb	1B.1	S1	G4G5T2T3
<a href="#">Atriplex tularensis</a>	Bakersfield smallscale	Chenopodiaceae	annual herb	1A	SX	GX
<a href="#">Chloropyron molle ssp. hispidum</a>	hispid bird's-beak	Orobanchaceae	annual herb (hemiparasitic)	1B.1	S2	G2T2
<a href="#">Eriastrum hooveri</a>	Hoover's eriastrum	Polemoniaceae	annual herb	4.2	S3	G3
<a href="#">Imperata brevifolia</a>	California satintail	Poaceae	perennial rhizomatous herb	2B.1	S3	G3
<a href="#">Opuntia basilaris var. treleasei</a>	Bakersfield cactus	Cactaceae	perennial stem succulent	1B.1	S1	G5T1

**Suggested Citation**

CNPS, Rare Plant Program. 2015. Inventory of Rare and Endangered Plants (online edition, v8-02). California Native Plant Society, Sacramento, CA. Website <http://www.rareplants.cnps.org> [accessed 25 August 2015].

**Plant List**

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

<b>Search Criteria</b>
Found in Quad 35118B8

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Scientific Name	Common Name	Family	Lifeform	Rare Plant Rank	State Rank	Global Rank
<a href="#">Atriplex tularensis</a>	Bakersfield smallscale	Chenopodiaceae	annual herb	1A	SX	GX
<a href="#">Eriastrum hooveri</a>	Hoover's eriastrum	Polemoniaceae	annual herb	4.2	S3	G3
<a href="#">Opuntia basilaris var. treleasei</a>	Bakersfield cactus	Cactaceae	perennial stem succulent	1B.1	S1	G5T1

**Suggested Citation**

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## Appendix C Federal Endangered Species Act Determinations

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Species	Status(1)	Possible in Which Habitat Type	Ac. Habitat Impacts Perm/Temp	Species Impacts Expected After AMMs(2)?	FESA Determination
Bakersfield cactus	FE	Arid saltbush scrub in sandy to cobbly soils.	0/0	No, no habitat on site	No effect.
Vernal pool fairy shrimp	FT	Vernal pools	0/0	No, no habitat on site.	No effect.
Delta smelt	FT	Semi-saline aquatic habitat in the Bay Delta region	0/0	No, no habitat on site, not upstream of suitable habitat, out of range.	No effect.
California red-legged frog	FT	Pools, ponds, slow streams and adjacent riparian areas	0/0	No, no habitat on site.	No effect.
Blunt-nosed leopard lizard	FE, SE, FP	Open saltbush scrub with rodent burrows.	0/0	No, no habitat on site.	No effect.
Southwestern willow flycatcher	FE	Willow complexes in riparian habitat/meadows	0/0	No, no habitat on site.	No effect.

Yellow-billed cuckoo	FT	Dense riparian woodlands.	0/0	No, no habitat on site.	No effect.
Buena Vista Lake ornate shrew	FE	Vegetated margins of marshes, streams, and sloughs.	0/0	No, no habitat on site.	No effect.
Giant garter snake	FT	Marshes and aquatic habitats with slow water, and adjacent uplands	0/0	No, no habitat on site.	No effect.
Giant kangaroo rat	FE, SE	Open saltbush scrub and grasslands.	0/0	No, no habitat on site.	No effect.
Tipton kangaroo rat	FE, SE	Open saltbush scrub and grasslands.	0/0	No, no habitat on site.	No effect.
San Joaquin kit fox	FE, ST	Ruderal habitat, edge of agricultural fields.	0/23	Possible. Species not observed but may occur on site.	May affect, not likely to adversely affect.

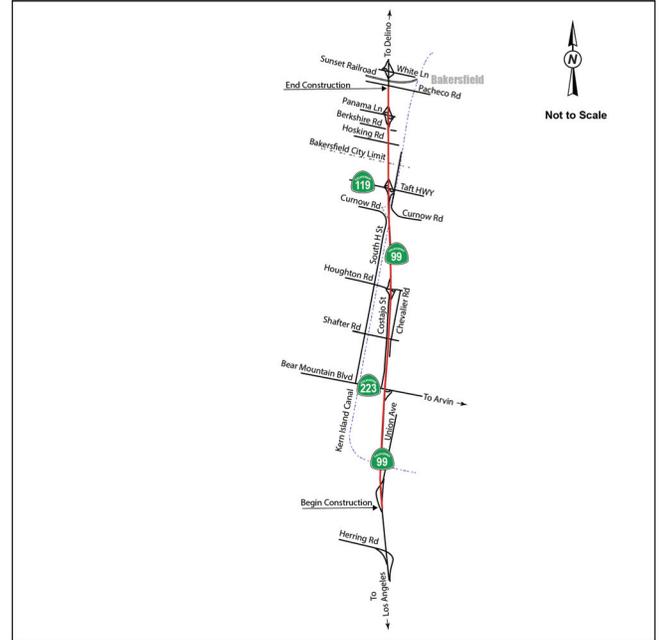
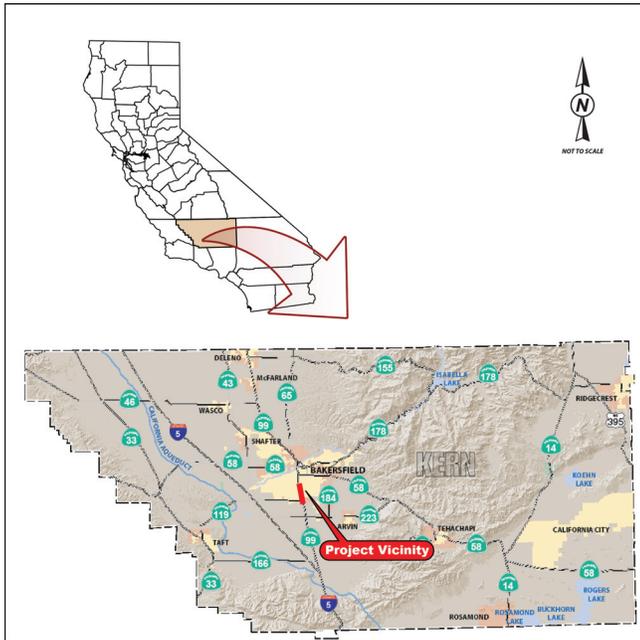
(1) Species Status Key: FE = Federal Endangered; SE = State Endangered; FP = Fully Protected; ST = State Threatened

(2) AMMs = Avoidance and Minimization Measures



# State Route 99/Taft Highway Rehabilitation

## Initial Study with Proposed Mitigated Negative Declaration



For project updates and other project information, please go to <http://www.dot.ca.gov>

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