Fresno County Culvert Improvements

On Interstate 5 and State Routes 33, 41, 63, 168, 180, 198, 245, and 269
at various post miles in Fresno County
06-FRE-5, 33, 41, 63, 168, 180, 198, 245, 269 - Post Miles Various
Project ID Number 0620000076
State Clearinghouse Number 2025010221

Initial Study
with Mitigated Negative Declaration
and Section 4 (f) De Minimis Evaluation

Prepared by the
State of California Department of Transportation

March 2025

General Information About This Document

Document prepared by: Rebecca Ashjian, Associate Environmental Planner

[The following text has been added since the draft environmental document was circulated.] The Initial Study circulated to the public for 30 days between January 8, 2025, and February 7, 2025. Comments received during this period are included in Appendix D. Elsewhere, language has been added throughout the document to indicate where a change has been made since the circulation of the draft environmental document. Minor editorial changes and clarifications have not been so indicated.

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State Clearinghouse Number 2025010221
06-FRE-5, 33, 41, 63,168, 180, 198, 245, 269-Post Miles Various
Project ID Number 0620000076

Repair or replace existing blocked and defective drainage across multiple state routes and Interstate 5 at various post miles in Fresno County

INITIAL STUDY
with Mitigated Negative Declaration
and Section 4(f) De Minimis Evaluation

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

THE STATE OF CALIFORNIA
Department of Transportation
and
Responsible Agency: California Transportation Commission

Jennifer Lugo
Environmental Office Chief, District 6
California Department of Transportation
CEQA Lead Agency

03/03/2025
Date

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Mitigated Negative Declaration

Pursuant to: Division 13, Public Resources Code

State Clearinghouse Number: 2025010221

District-County-Route-Post Mile: 06-FRE-Routes Various-Post Miles Various

EA/Project Number: EA 06-1A730 and Project ID Number 0620000076

Project Description

The California Department of Transportation (Caltrans) proposes to rehabilitate or replace 86 culverts at various locations in Fresno County across an interstate and multiple highways: Interstate 5 and State Routes 33, 41, 63, 168, 180, 198, 245, and 269.

Determination

An Initial Study has been prepared by Caltrans District 6. On the basis of this study, it is determined that the proposed action with the incorporation of the identified mitigation measures will not have a significant effect on the environment for the following reasons:

The project will have no effect on agricultural and forestry resources, air quality, energy, geology and soils, paleontological resources, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, and tribal cultural resources.

The project will have less than significant effects on cultural resources, greenhouse gases, utilities and service systems, transportation, and wildfires.

With the following mitigation measures incorporated, the project will have less than significant effects on aesthetics and biological resources:

- Removal of tree anemone and impacts to Crotch's bumblebee habitat will be mitigated at an off-site location to enhance and/or restore habitat.
- Compensation for habitat loss for the California tiger salamander will occur through the purchase of credits from a mitigation bank.
- Replacement planting at a minimum of a 3-to-1 ratio for about 33 riparian trees will be conducted at an off-site location.
- Replacement replanting at a minimum of a 10-to-1 ratio for removing one oak tree on a scenic highway.

Jennifer Lugo
Environmental Office Chief, District 6
California Department of Transportation

03/03/2025
Date

Table of Contents

Chapter 1 Proposed Project

1.1 Introduction

The California Department of Transportation (Caltrans) proposes to restore the existing drainage systems to a state of good condition within Fresno County, along Interstate 5 and State Routes 33, 41, 63, 168, 180, 198, 245, and 269 where culverts need to be replaced or repaired. See Figure 1-1 for the project vicinity map.

This rehabilitation project was initiated by District 6 Maintenance in 2020. Caltrans identified 105 culvert locations for improvements that vary in size, shape, and material makeup. Nineteen culverts were removed on State Route 180 and are currently under construction through an emergency program, leaving 86 culverts for rehabilitation, as discussed in this environmental document.

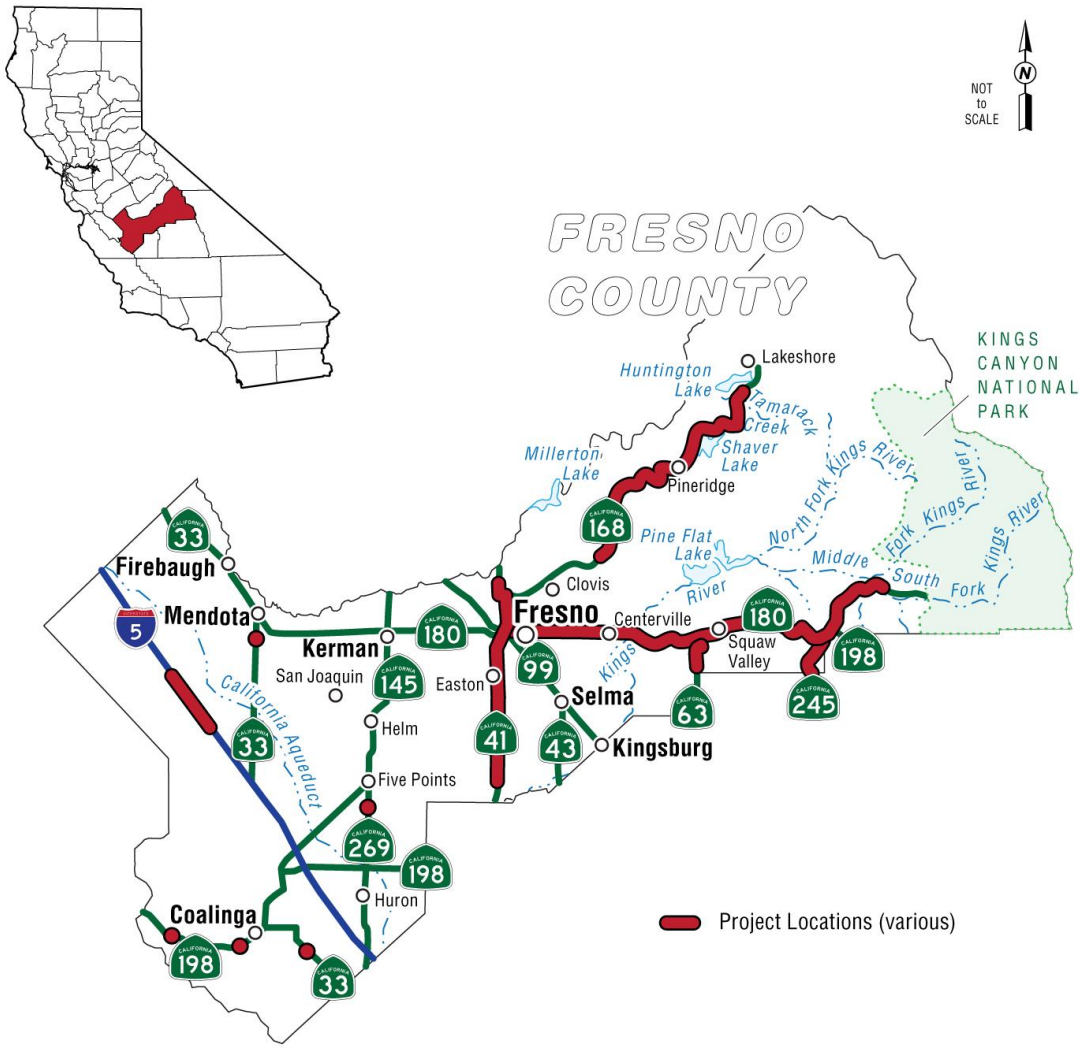
Interstate 5 and State Routes 33, 41, 63, 168, 180, 198, 245, and 269 are spread across Caltrans District 6:

- Interstate 5 through Fresno County is a rural, four-lane divided freeway.
- State Route 33 is a rural, two-lane undivided highway along the San Joaquin Valley's west side.
- State Route 41 in Fresno County alternates as a two-lane expressway, a four-lane expressway, and a four-lane freeway.
- State Route 63 in Fresno County is a two-lane highway with interchange connections at State Route 198 to the south and State Route 180 to the north.
- State Route 168 is mostly a two-lane undivided conventional highway.
- State Route 180 is mostly a two-lane, undivided conventional highway between post miles 71.6 and 137.9 and a six-lane freeway from post miles R54.6 to 64.4.
- State Route 198 in Fresno County is a two-lane highway.
- State Route 245 is a two-lane, undivided highway along the San Joaquin Valley's east side.
- State Route 269 is a two-lane conventional highway from post miles 9.6 to 24.8 in Fresno County.

Most of the proposed culvert improvement locations are in segments of highway that cross through mountainous terrain; the remaining locations are on a segment of highway that passes through somewhat level terrain surrounded by agricultural fields and orchards.

This project is included in the 2022 State Highway Operation and Protection Program Drainage System Restoration Program for delivery in the 2025/2026 fiscal year. It is also included in the Fresno Council of Governments' 2022 cost-constrained Regional Transportation Improvement Program.

Figure 1-1 Project Vicinity Map



1.2 Purpose and Need

1.2.1 Purpose

The purpose of the project is to repair and replace existing culverts, extend the life of the culverts, and maintain the operational integrity of the drainage systems.

1.2.2 Need

The existing drainage systems within the project limits have been identified as deficient and damaged, perforated, or clogged with debris or sediments. The dysfunction of the culverts will increase flooding and result in erosion and failure of the embankment slopes and support of the highway pavements.

1.3 Project Description

The project will repair or replace 86 culverts at various locations in Fresno County along Interstate 5 and State Routes 33, 41, 63, 168, 180, 198, 245, and 269.

1.4 Project Alternatives

Two alternatives are proposed for this project:

- Build Alternative
- No-Build Alternative

1.4.1 Build Alternative

The Build Alternative will replace or repair 86 existing culverts in Fresno County on Interstate 5 and State Routes 33, 41, 63, 168, 180, 198, 245, and 269 at various locations. Thirteen culverts will be replaced, and 73 will be repaired with culvert barrel lining. Table 1.1 lists the original 105 culvert locations and mentions the 19 culverts that were removed on State Route 180 for emergency work. The project will require five temporary construction easements and 14 permanent drainage easements at 13 culvert replacement locations. Trees will be removed, and night work may be required.

Shoulder closures are anticipated for the proposed culvert replacement work. Temporary barrier systems or other approved systems, such as contractor-proposed lane closures, may be used during daytime construction. Culvert replacement may require trenching methods in which temporary closure of

one lane on a two-lane highway will require a flagman to direct the passage of two-way traffic through the single lane.

Table 1.1 Culvert Locations and Proposed Work

Location	Route	Post Mile	Proposed Work
1	5	51.43	Culvert Barrel Lining
2	5	52.88	Repair/Culvert Barrel Lining
3	5	54.27	Repair/Culvert Barrel Lining
4	5	54.46	Culvert Barrel Lining
5	5	59.05	Culvert Barrel Lining
6	5	59.29	Culvert Barrel Lining
7	33	2.75	Culvert Barrel Lining
8	33	60.25	Culvert Barrel Lining
9	41	R1.70	Culvert Barrel Lining
10	41	R4.75	Culvert Barrel Lining
11	41	R7.77	Culvert Barrel Lining
12	41	R33.11	Culvert Barrel Lining
13	41	R33.11	Culvert Barrel Lining
14	41	R33.11	Culvert Barrel Lining
15	63	2.5	Culvert Barrel Lining
16	63	6.32	Replace with 24-inch Reinforced Concrete Pipe.
17	63	6.43	Culvert Barrel Lining
18	63	7.12	Culvert Barrel Lining
19	168	20.95	Replace with 24-inch Reinforced Concrete Pipe.
20	168	21.26	Replace with 24-inch Reinforced Concrete Pipe.
21	168	21.79	Replace with 24-inch Reinforced Concrete Pipe.
22	168	L30.50	Culvert Barrel Lining
23	168	L32.02	Culvert Barrel Lining
24	168	L32.09	Culvert Barrel Lining
25	168	40.7	Culvert Barrel Lining
26	168	45.87	Culvert Barrel Lining
27	168	47.51	Culvert Barrel Lining
28	168	48.63	Replace with 24-inch Reinforced Concrete Pipe.
29	168	52.48	Culvert Barrel Lining
30	168	59.24	Culvert Barrel Lining
31	168	60.19	Culvert Barrel Lining
32	168	60.22	Culvert Barrel Lining
33	168	60.64	Culvert Barrel Lining
34	168	62.25	Culvert Barrel Lining
35	180	R56.58	Culvert Barrel Lining
36	180	R56.85	Culvert Barrel Lining

Location	Route	Post Mile	Proposed Work
37	180	R58.55	Replace with 24-inch Reinforced Concrete Pipe.
38	180	R59.40	Culvert Barrel Lining
39	180	93.25	Culvert Barrel Lining
40	180	95.80	Culvert Barrel Lining
41	180	98.77	Culvert Barrel Lining
42	180	101.26	Culvert Barrel Lining
43	180	101.36	Culvert Barrel Lining
44	180	104.24	Culvert Barrel Lining
45	180	104.53	Culvert Barrel Lining
46	180	104.96	Culvert Barrel Lining
47	180	105.69	Culvert Barrel Lining
48	180	106.25	Culvert Barrel Lining
49	180	107.52	Culvert Barrel Lining
50	180	107.70	Culvert Barrel Lining
51	180	107.76	Culvert Barrel Lining
52	180	107.84	Culvert Barrel Lining
53	180	108.39	Culvert Barrel Lining
54	180	108.45	Culvert Barrel Lining
55	180	108.61	Culvert Barrel Lining
56	180	114.17	Culvert Barrel Lining
57	180	114.32	Culvert Barrel Lining
58	180	114.37	Culvert Barrel Lining
59	180	114.58	Culvert Barrel Lining
60	180	114.84	Culvert Barrel Lining
61	180	115.03	Culvert Barrel Lining
62	180	115.40	Culvert Barrel Lining
63	180	117.07	Culvert Barrel Lining
64	180	118.42	Removed from project due to emergency repair.
65	180	119.04	Culvert Barrel Lining
66	180	119.88	Replace with 24-inch Reinforced Concrete Pipe.
67	180	119.94	Culvert Barrel Lining
68	180	121.21	Culvert Barrel Lining
69	180	122.32	Culvert Barrel Lining
70	180	122.95	Culvert Barrel Lining
71	180	123.11	Culvert Barrel Lining
72	180	123.25	Culvert Barrel Lining
73	180	123.29	Removed from project due to emergency repair.
74	180	123.44	Culvert Barrel Lining
75	180	123.49	Culvert Barrel Lining
76	180	124.96	Culvert Barrel Lining

Location	Route	Post Mile	Proposed Work
77	180	125.40	Culvert Barrel Lining
78	180	129.92	Removed from project due to emergency repair.
79	180	129.97	Removed from project due to emergency repair.
80	180	130.18	Removed from project due to emergency repair.
81	180	130.53	Removed from project due to emergency repair.
82	180	130.74	Removed from project due to emergency repair.
83	180	131.00	Removed from project due to emergency repair.
84	180	132.09	Removed from project due to emergency repair.
85	180	133.49	Removed from project due to emergency repair.
86	180	133.72	Removed from project due to emergency repair.
87	180	133.77	Removed from project due to emergency repair.
88	180	135.02	Removed from project due to emergency repair.
89	180	135.67	Removed from project due to emergency repair.
90	180	136.1	Removed from project due to emergency repair.
91	180	136.74	Removed from project due to emergency repair.
92	180	136.97	Removed from project due to emergency repair.
93	180	137.56	Removed from project due to emergency repair.
94	180	137.80	Removed from project due to emergency repair.
95	198	0.88	Culvert Barrel Lining
96	198	20.21	Culvert Barrel Lining
97	198	20.87	Replace with 24-inch Reinforced Concrete Pipe.
98	245	0.32	Culvert Barrel Lining
99	245	1.49	Replace with 24-inch Reinforced Concrete Pipe.
100	245	2.09	Replace with 24-inch Reinforced Concrete Pipe.
101	245	3.2	Replace with 24-inch Reinforced Concrete Pipe.
102	245	5.2	Replace with 24-inch Reinforced Concrete Pipe.
103	245	7.14	Replace with 24-inch Reinforced Concrete Pipe.
104	245	7.75	Culvert Barrel Lining
105	269	19.39	Culvert Barrel Lining

Source: Draft Project Report, 2024

This project contains a number of standardized project measures that are used on most, if not all, Caltrans projects and were not developed in response to any specific environmental impact resulting from the proposed project. These measures are listed later in this chapter under “Standard Measures and Best Management Practices Included in All Build Alternatives.”

1.4.2 No-Build (No-Action) Alternative

The No-Build Alternative will not meet the purpose and need of the project, which is to maintain the operational integrity and extend the life of the drainage systems. The No-Build Alternative will not rehabilitate, repair,

replace, or clean the drainage systems. The No-Build Alternative will leave the drainage systems as they are, further deteriorating them with heavy rust and clogging the culvert pipes with more sediment and debris.

[The following section on the preferred alternative has been added since the draft environmental document was circulated.]

1.5 Identification of a Preferred Alternative

Section 1.5, Identification of a Preferred Alternative, has been added since the draft environmental document was circulated. Caltrans has selected the Build Alternative as the preferred alternative. The No-Build Alternative will not meet the purpose and need of the project, which is to repair and replace existing culverts, extend the life of the culverts, and maintain the operational integrity of the drainage systems on various state routes and Interstate 5 in Fresno County.

1.6 Standard Measures and Best Management Practices Included in All Build Alternatives

- Standard Special Provision Section 7-1.02K(6)(j)(iii) Hazardous Waste—Includes specifications for handling, removing, and disposing of unregulated earth material containing lead. Management of this material exposes workers to health hazards that must be addressed in the lead compliance plan prior to the start of construction.

- Standard Special Provisions Section 14-11.08 Regulated Material Containing Aerially Deposited Lead—Includes specifications for managing regulated material containing aerially deposited lead. Managing the material includes excavating, loading and unloading containers or trucks, transporting, and disposal.

- Standard Special Provision Section 14-7.03 Discovery of Unanticipated Paleontological Resources—If paleontological resources are discovered at the job site, do not disturb the resources, immediately stop all work within a 60-foot radius of the discovery, secure the area, and notify the resident engineer. Do not move paleontological resources or take them from the job site.

- Standard Specification Section 13-1 Water Pollution Control—If the project disturbs less than 1 acre of soil, a Water Pollution Control Plan is required for the contractor to address all potential water quality impacts that may occur when performing construction activities. If the project disturbs 1 acre or more of soil, then the following requirements will be required, such as a

Notification of Intent to be submitted to the appropriate Regional Water Quality Control Board at least 30 days before the start of construction.

- A Stormwater Pollution Prevention Plan is to be prepared and implemented during construction to the satisfaction of the Resident Engineer.

- A Notice of Termination shall be submitted to the Regional Water Quality Control Board upon completion of construction and site stabilization. A project will be considered complete when the criteria for final stabilization in the Construction General Permit are met.

- 14-0.02 Air Pollution Control: Comply with air pollution control rules, regulations, ordinances, and statutes that apply to work performed under the construction contract.

- 14-2.03A: If human remains are encountered during construction on state or private lands, California Health and Safety Code Section 7050.5 requires that construction or excavation be stopped near the discovery and the county coroner be notified. The coroner will determine if the remains are Native American (Public Resources Code Section 5097). If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission. The Native American Heritage Commission then must select and notify the person designated as the Most Likely Descendant. The Caltrans District 6 Native American Coordinator will contact the designated Most Likely Descendant to ensure that lines of communication are quickly established. The Most Likely Descendant will provide Caltrans or the private landowner with information on how they want the human remains to be treated. It is Caltrans' policy to implement the wishes of the Most Likely Descendant if it is feasible to do so. If the location where human remains are found is a temporary construction easement on private land, the Most Likely Descendant will provide the landowner with a statement of how they want the human remains to be treated. The landowner will decide if he or she wants to comply with the wishes of the Most Likely Descendant and California Native American Graves Protection and Repatriation Act regulations. If human remains are found on federal lands, the Native American Graves Protection and Repatriation Act of 1990 protocol will be followed. All construction or archaeological activity will be stopped in the location if human remains are found on federal lands. The responsible federal agency will be contacted. Cultural staff of that agency will also be notified of the inadvertent discovery of human remains. Native American Graves Protection and Repatriation Act consultation will be conducted by the appropriate staff at the federal agency with jurisdiction.

- 14-11.04 Dust Control: Excavation, transportation, and handling of material containing hazardous waste or contamination must result in no

visible dust migration. When clearing, grubbing, and performing earthwork operations in areas containing hazardous waste or contamination, provide a water truck or tank on the job site.

- 14-8.02 Noise Control: Pertains to controlling and monitoring noise resulting from work activities. Noise levels are not to exceed 86 A-weighted decibels at 50 feet from the job site from 9:00 p.m. to 6:00 a.m.

1.7 Discussion of the NEPA Categorical Exclusion

This document contains information regarding compliance with the California Environmental Quality Act (CEQA) and other state laws and regulations. Separate environmental documentation, supporting a Categorical Exclusion determination, has been prepared in accordance with the National Environmental Policy Act (NEPA). When needed for clarity, or as required by CEQA, this document may contain references to federal laws and/or regulations (CEQA, for example, requires consideration of adverse effects on species identified as a candidate, sensitive, or special-status species by the U.S. National Marine Fisheries Service and the U.S. Fish and Wildlife Service—that is, species protected by the Federal Endangered Species Act).

1.8 Permits and Approvals Needed

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

Agency	Permit/Approval	Status
California Department of Fish and Wildlife	1600 Lake and Streambed Alteration Agreement	The 1600 permit will be obtained before construction starts.
California Department of Fish and Wildlife	2081 Incidental Take Permit	An Incidental Take Permit for the Crotch's bumblebee, tree anemone, and California tiger salamander will be obtained before the start of construction.
U.S. Fish and Wildlife Service	Biological Opinion	The biological opinion will be obtained during the Plans, Specifications, and Estimates phase of the project.
Regional Water Quality Control Board	Clean Water Act Section 401 Water Quality Certification	The 401 certification (permit) will be obtained before construction starts.
U.S. Army Corps of Engineers	Clean Water Act Section 404 Nationwide Verification	The 404 permit will be obtained before construction starts.
California State Office of Historic Preservation	Concurrence with the Finding of No Adverse Effect	Concurrence was obtained on November 13, 2024.

Chapter 2 CEQA Evaluation

2.1 CEQA Environmental Checklist

This checklist identifies physical, biological, social, and economic factors that might be affected by the proposed project. Potential impact determinations include Significant and Unavoidable Impact, Less Than Significant Impact With Mitigation Incorporated, Less Than Significant Impact, and No Impact. In many cases, background studies performed in connection with a project will indicate that there are no impacts to a particular resource. A "No Impact" answer reflects this determination. The questions in this checklist are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

Project features, which can include both design elements of the project and standardized measures that are applied to all or most Caltrans projects, such as Best Management Practices and measures included in the Standard Plans and Specifications or as Standard Special Provisions, are considered to be an integral part of the project and have been considered prior to any significance determinations documented below.

"No Impact" determinations in each section are based on the scope, description, and location of the proposed project as well as the appropriate technical report (bound separately in Volume 2), and no further discussion is included in this document.

2.1.1 Aesthetics

Considering the information in the Visual Impact Assessment Memorandum with Scenic Resource Evaluation dated October 2024 and updated in February 2025, the following significance determinations have been made:

Except as provided in Public Resources Code Section 21099:

Question—Would the project:	CEQA Significance Determinations for Aesthetics
a) Have a substantial adverse effect on a scenic vista?	**No Impact**
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	**Less Than Significant Impact with Mitigation Incorporated**

Question—Would the project:	CEQA Significance Determinations for Aesthetics
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	**No Impact**
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	**No Impact**

(b) Affected Environment

[The following text has been changed since the draft environmental document was circulated]

The project intersects a variety of landforms in Fresno County. The landscape in the eastern and northern areas of Fresno County consists of rocky mountains to grassy mountains with a deciduous forest. West of Fresno County, there is mainly flat terrain with rolling hills.

The project has two state routes that are listed as a State Scenic Highway; State Route 180 is a designated State Scenic Highway from post mile 78.6 to post mile 137.9, and State Route 168 is a designated State Scenic Highway from post mile 4.0 to post mile 49.7. Additional scenic areas include the Sierra National Forest, Shaver Lake, and Sequoia and Kings Canyon National Parks.

A Scenic Resource Evaluation was performed as part of the Visual Impact Assessment prepared in October 2024 and updated in February 2025 to ensure that scenic resources are not impacted by the project. Scenic resources that occur at the culvert repair locations include rock outcroppings, heritage-size oak trees, forest trees, vistas, and views.

Environmental Consequences

One scenic resource on State Route 168 at post mile 21.26 identified as a blue oak tree, will be removed for the culvert replacement. The tree possesses a memorable form and is large enough to be considered “heritage.” The resource change will have a moderate impact.

Temporary Construction-Related Impacts

Temporary visual impacts may occur during project construction. Equipment and materials will need to be stored during construction. There may be a temporary increase in light and glare if night work is required. These visual impacts are expected to be temporary and have less than significant impacts.

Avoidance, Minimization, and/or Mitigation Measures

The following measure to avoid or minimize visual impacts will be incorporated into the project:

- Minimize tree removal—Remove only those trees and shrubs required for the culvert replacement. Avoid removing trees and shrubs for temporary uses, such as construction staging areas or temporary stormwater conveyance systems.

With the following mitigation measures incorporated, the project will have less than significant effects on aesthetic resources:

- Replacement planting for vegetation removed or damaged by the project—The project will remove one existing oak tree. It is expected that replacement planting will deliver a 10-to-1 ratio of 10 new trees. To achieve this replanting ratio, additional trees will be planted within the suitable existing right-of-way. If necessary, additional planting can take place within Caltrans' right-of-way outside the project limits or through partnerships with other organizations. The trees will be drought-tolerant California natives that use low amounts of water and attract pollinator species.

2.1.2 Agriculture and Forestry Resources

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

Considering that most work will be performed only inside Caltrans' right-of-way and the project areas are predominantly in mountainous and rural areas with no designated agricultural lands, the following significance determinations have been made:

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

2.1.3 Air Quality

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

Considering the information in the Air Quality Memo dated September 2024, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Air Quality
a) Conflict with or obstruct implementation of the applicable air quality plan?	**No Impact**

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

2.1.4 Biological Resources

Considering the information in the Natural Environment Study dated October 2024, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Biological Resources
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, or National Oceanic and Atmospheric Administration Fisheries?	**Less Than Significant Impact With Mitigation Incorporated**
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	**Less Than Significant Impact With Mitigation Incorporated**
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	**Less Than Significant Impact**

Question—Would the project:	CEQA Significance Determinations for Biological Resources
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?	**No Impact**
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	**No Impact**
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	**No Impact**

(a)(b) Affected Environment

The Biological Study Area is the area to be directly affected by the project, plus the nearby areas to be indirectly affected by the project. The Biological Study Area encompassed 100 feet around each culvert location.

A list of federally endangered species and critical habitats that may be affected by the project was requested on January 29, 2024. In-office research (checking the U.S. Fish and Wildlife Service's Information for Planning and Consultation website, the California Department of Fish and Wildlife's California Natural Diversity Database, and the California Native Plant Society's Inventory of Rare Plants) and field surveys were conducted by Caltrans biologists for the project.

Drainage, botanical, habitat, and general wildlife surveys were performed from January to February 2022, April 2023, and August to October 2023.

Special-Status Plant Species

Thirteen special-status plant species identified in species queries were found to have historical records of occurrences or potentially suitable habitat within the Biological Study Area. No special-status plants were seen during surveys. Given the age and disturbance of historical observations in the project vicinity, 12 special-status plant species—California satintail, Congdon's Lewisia, King River buckwheat, Madera leptosiphon, marble rockmat, orange lupine, short-leaved hulsea, slender-stalked monkeyflower, Tompkins' sedge, Tracy's eriastrum, Tulare cryptantha, and winter's sunflower—are not expected to occur within the Biological Study Area or have a very low potential to occur within the action area. The remaining species—tree anemone—is discussed below.

Tree Anemone

The tree anemone (a shrub) is considered state-threatened and has a 1B.2 California Rare Plant Rank, which indicates that it is a rare, threatened, or endangered species in California and elsewhere. The species is limited to Fresno County and Madera County and typically occurs in chaparral foothill woodlands and cismontane woodlands on granitic soil between 1,115 and 4,395 feet in elevation.

Ten shrubs were seen along State Route 168 between post mile 32 and post mile 33 at two proposed culvert locations.

Special-Status Animal Species

Twenty-four species of special concern identified in species queries were found to have historical records of occurrence or potentially suitable habitat observations within the Biological Study Area. No special-status animal species were seen. Given the age and distance of historical observations, as well as limited suitable habitats in the project vicinity, the following species are not expected or have a very low potential to occur within the Biological Study Area: western bumblebee, monarch butterfly, California glossy snake, San Joaquin coachwhip, California spotted owl, northern goshawk, northern harrier, short-eared owl, American badger, California wolverine, pallid bat, Sierra marten, spotted owl, Tulare grasshopper mouse, western mastiff bat, and western red bat. The remaining species—Crotch's bumblebee, western spadefoot toad, California tiger salamander, Yosemite toad, Swainson's hawk, fisher, San Joaquin kit fox, Sierra Nevada red fox, [The following text has been added since the draft environmental document was circulated] California spotted owl, and monarch butterfly. —are discussed below.

Crotch's Bumblebee

Crotch's bumblebee is a California state candidate endangered species. The species can be found in grasslands and shrublands from southern to central California.

The culvert locations on State Routes 168, 180, 198, 245, and 269 are within the range of this species and offer suitable habitat. No Crotch's bumblebees were found during surveys, but on the Fresno 168 Culvert Rehabilitation project, there was a sighting of Crotch's bumblebees near culvert locations proposed for this project. Based on these results, there is a potential for Crotch's bumblebees to be present within the Biological Study Area.

Western Spadefoot Toad

The western spadefoot toad is listed as a California species of concern and is federally proposed as threatened; habitat is present on State Route 168 and State Route 63 within the Biological Study Area.

California Tiger Salamander

The California tiger salamander is listed as federally threatened and state threatened. This salamander is also on the California Department of Fish and Wildlife's watch list. The species' range spans from the Coast Ranges through the Central Valley floor to the Sierra Nevada foothills.

No California tiger salamanders were seen during surveys, but surveys were conducted during the summer dormancy period, making the possibility of observation low. Burrows suitable for the species were seen on State Route 168 and State Route 63.

Due to highway maintenance of the Caltrans right-of-way, it is unlikely for any California tiger salamanders to spend summers in burrows in the right-of-way in or near the Biological Study Area.

Yosemite Toad

The Yosemite toad is a federally threatened species and a California Department of Fish and Wildlife species of special concern. The species' range spans from the upper montane into the subalpine zone below the timberline.

Suitable upland habitat in upper montane forest is present within the project footprint, and there are six culverts that overlap the Yosemite toad habitat on State Route 168.

Swainson's Hawk

The Swainson's hawk is listed as threatened by the state of California. Most of the California population of Swainson's hawk is found in the Central Valley.

No Swainson's hawks or nests were seen during surveys. A search of the California Natural Diversity Database found seven records of Swainson's hawk in the last 20 years within 5 miles of the Biological Study Area. Potential nesting or foraging habitat is present within or near the Biological Study Area at 27 culvert locations on Interstate 5 and State Route 41. The other state routes affected by the project contain mature trees that may provide potential nesting habitat for this species.

Fisher, Southern Sierra Nevada Ecologically Significant Unit

The fisher is listed as a federally endangered and state-threatened species. It is a California Department of Fish and Wildlife species of special concern. Fishers prefer large patches of mixed conifer forests with high canopy cover and large trees, snags, rock piles, and downed logs for denning, resting, and hunting on the forest floor.

No fishers were seen during surveys. A search of the California Natural Diversity Database found two records of fishers within 5 miles of the project

within the last 20 years. Potential habitat in higher-elevation mixed conifer is present on State Route 168 and State Route 180.

San Joaquin Kit Fox

The San Joaquin kit fox is a federally listed and state-listed endangered species. Critical habitat for the San Joaquin kit fox has not been designated, but a recovery plan was prepared in 1998 by the U.S. Fish and Wildlife Service. Historically, this species of fox prefers alkali scrub/shrub and arid grassland habitats but has been seen in residential populations in the Bakersfield area.

No San Joaquin kit foxes were seen during surveys. No suitable potential habitat was found. A search of the California Natural Diversity Database found one record of a San Joaquin kit fox in the last 20 years within 5 miles of two culverts on State Route 198.

Sierra Nevada Red Fox

The Sierra Nevada red fox is listed as a federally and state-threatened species. This fox is found in subalpine, alpine, and montane habitats near meadow, dwarf shrub, woodland grassland, wetland, chaparral, and riparian habitats at 3,900 and 11,900 feet in elevation in the Sierra Nevada.

No Sierra Nevada red foxes were seen during surveys. A search of the California Natural Diversity Database found no record of a Sierra Nevada red fox in the last 20 years within 5 miles of the action area. Potential foraging habitat in montane woodlands is present at 28 of the high-elevation locations on State Route 168 and State Route 180, but these locations are very small and disturbed by traffic.

Natural Community: Riparian Trees

Riparian trees were recorded during aquatic resource delineations. A total of 41 trees were found within 50 feet of the culverts and riparian areas. Of those 41 trees, 33 are within the project footprint, of 20 feet of the culverts. The trees are located at four culverts on State Route 168: post mile 7.14, post mile 7.75, and post mile 122.95.

Environmental Consequences

Special-Status Plant Species

As mentioned in the affected environment section, 12 special-status plant species were not seen during surveys and are not expected to occur within the Biological Study Area.

Tree Anemone

Based on botanical surveys, it is estimated that shrubs will need to be removed to allow access to the culvert inlets and outlets. An Incidental Take

Permit from the California Department of Fish and Wildlife will be obtained, and mitigation replanting will be required.

Special-Status Animal Species

Crotch's Bumblebee

The project will temporarily impact up to 3.23 acres of potential foraging and nesting habitat from construction activities on State Routes 168, 180, and 198. Permanent impacts up to 0.02 acre are anticipated. Due to the sensitive nature of the Crotch's bumblebee's nest, there is a potential to harm the species, so an Incidental Take Permit from the California Department of Fish and Wildlife will be obtained.

California Tiger Salamander

The project will permanently impact up to 0.0066 acre at several culvert locations on State Route 168 and State Route 63 due to culvert work. Temporary impacts up to 0.237 acre to upland habitat are anticipated from construction activities.

Caltrans determined that the project may affect, and is likely to adversely affect, the California tiger salamander.

Western Spadefoot Toad

The project will permanently impact up to 0.0015 acre at one culvert location on State Route 168 due to culvert work. Temporary impacts up to 0.252 acre to upland habitat are anticipated from construction activities.

The species is currently proposed to be listed as threatened by the U.S. Fish and Wildlife Service; if the species is listed before construction begins, Caltrans will reinitiate consultation with the U.S. Fish and Wildlife Service to coordinate avoidance and minimization measures.

Yosemite Toad

The project will temporarily impact up to 0.169 acre of upland habitat. No permanent impacts are anticipated for the Yosemite toad habitat. The impact area at each culvert location is likely to cause a short-term impact on a small portion of habitat. Therefore, Caltrans determined that the project may affect, but is not likely to adversely affect, the Yosemite toad.

Caltrans will obtain a letter of concurrence from the California Department of Fish and Wildlife for the Yosemite toad.

Swainson's Hawk

The project will temporarily impact 1.190 acres of potential Swainson's hawk foraging habitat from culvert work. Given the small project footprint and low duration of impact at each culvert location, no impacts to the Swainson's hawk are anticipated.

Fisher, Southern Sierra Nevada Ecologically Significant Unit

The project will temporarily impact up to 1.27 acres of noncritical potential habitat for the fisher from culvert work. Permanent impacts up to 0.010 acre at State Route 245 and State Route 168 will result from the addition of rock slope protection, flared end sections, and the headwall on culverts. Given the small area of impact at each culvert to the species, Caltrans determined that the project may affect, but is not likely to adversely affect, the fisher.

An informal Section 7 consultation will be conducted with the U.S. Fish and Wildlife Service for the fisher. Mitigation, if required, will be determined in coordination with the resource agencies during the consultation process. A letter of concurrence is expected to be issued before project construction starts.

San Joaquin Kit Fox

Given the small project footprint and low duration of impacts at each culvert and low-quality habitat within the project footprint, no impacts to the San Joaquin kit fox are anticipated. Caltrans determined that the project may affect, but is not likely to adversely affect, the San Joaquin kit fox.

Sierra Nevada Red Fox

The project will temporarily impact up to 1.326 acres of potential habitat for the Sierra Nevada red fox from culvert work and tree removal. However, this potential habitat is unlikely to be occupied. The project is unlikely to have any significant impacts on this species or its habitat due to the size and short duration of work. Caltrans determined that the project may affect, but is not likely to adversely affect, the Sierra Nevada red fox.

Natural Community: Riparian Trees

The project will remove about 33 riparian trees from within the bed or bank of each culvert location.

Avoidance, Minimization, and/or Mitigation Measures

Special-Status Plant Species

Potential avoidance and minimization measures for the protection of potential habitat used by special-status plant species include the following:

- Before construction starts, detailed botanical surveys will be conducted during the peak flowering season to identify any presence of rare plant species within the project impact area. These surveys will adhere to the rigorous protocols established in the 2018 guidelines by the California Department of Fish and Wildlife, aimed at surveying and evaluating impacts to special-status native plant populations and natural communities.

- To minimize direct impacts from construction activities, protective buffer zones will be established around areas identified as actual habitat for special-status plant species. These zones will be clearly demarcated (distinguished) with signage and fencing to prevent unauthorized access and disturbance.

Tree Anemone

The following minimization and mitigation measures are proposed for the tree anemone.

- Preconstruction surveys will be conducted for this species during the appropriate blooming period the season before construction, following the *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities.* If plants are found, flagging will be installed to avoid the plants, if feasible.

- Caltrans will apply for a Section 2081 Incidental Take Permit from the California Department of Fish and Wildlife. Compensation mitigation will be obtained through an off-site location, either through planting improvements or restoration.

Special-Status Animal Species

The following avoidance and minimization measures are proposed for the western bumblebee, California glossy snake, San Joaquin coachwhip, California spotted owl, pallid bat, Sierra marten, spotted bat, Tulare grasshopper, western mastiff, western red bat, monarch butterfly, and California wolverine:

- Worker Environmental Awareness Training will be provided to construction workers before the start of construction.

- Preconstruction surveys will be conducted 30 days before construction starts.

- Construction equipment and staging areas will be surveyed and cleared by a qualified biologist before use and be located within predisturbed areas.

- During night work, work lights will be directed away from habitats, and shields will be used.

Crotch's Bumblebee

An Incidental Take Permit will be obtained for Crotch's bumblebee. The following mitigation measure is proposed for impacts to Crotch's bumblebee:

- Compensation for loss of habitat will be obtained at an off-site location through enhancement and/or restoration of habitat per coordination with the California Department of Fish and Wildlife.

California Tiger Salamander

Potential minimization and mitigation measures for the California tiger salamander include the following:

- Caltrans will install ERTEC temporary fencing (a high-visibility, nonpermeable exclusionary fencing) at the six locations with suitable upland habitat.

- No construction activities will be conducted in upland areas where migrating California tiger salamanders may occur if (1) it is raining, (2) there is a greater than 70 percent chance of rain based on the National Oceanic and Atmospheric Administration's National Weather Service forecast on any given workday, or (3) a rain event greater than 0.25 inch has occurred within the past 48 hours. Before resuming work following a rain event, a qualified biologist will conduct a new preconstruction visual survey of the work area to confirm that no California tiger salamanders are present.

- All small rodent burrows will be avoided by 50 feet at the six locations within suitable upland habitat for the California tiger salamander. If avoidance is not possible, Caltrans will obtain confirmation from the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service to excavate burrows.

An Incidental Take Permit will be obtained for the California tiger salamander. The following mitigation measure is proposed for impacts on the California tiger salamander:

- Compensation for loss of habitat will be obtained through the purchase of credits from a mitigation bank per coordination with the California Department of Fish and Wildlife.

Compensatory mitigation for temporary impacts of 0.341 acre and permanent impacts of 0.0015 acre are anticipated to be mitigated through the purchase of mitigation bank credits from a U.S. Fish and Wildlife Service and California Department of Fish and Wildlife-approved mitigation bank.

Western Spadefoot Toad and Yosemite Toad

Potential minimization measures for the western spadefoot toad and Yosemite toad include the following:

- Caltrans will install ERTEC temporary fencing (a high-visibility, nonpermeable exclusionary fencing) at the six locations with suitable upland habitat.

- No construction activities will be conducted in upland areas where migrating western spadefoot toads and Yosemite toads may occur if (1) it is raining, (2) there is a greater than 70 percent chance of rain based on the National Oceanic and Atmospheric Administration's National Weather Service forecast on any given workday, or (3) a rain event greater than 0.25 inch has occurred within the past 48 hours. Before resuming work following a rain event, a qualified biologist will conduct a new preconstruction visual survey of the work area to confirm that no western spadefoot toads and Yosemite toads are present.

Swainson's Hawk

Potential avoidance and minimization measures for the Swainson's hawk include the following:

- Protocol nesting surveys in accordance with the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* will be completed the season before construction to determine if any Swainson's hawks are nesting in the action area.

- If nesting pairs are identified within 500 feet of the project footprint, additional avoidance and minimization measures will be implemented to avoid direct impacts, such as Environmentally Sensitive Area fencing enclosing the nest tree, a 500-foot buffer surrounding the nest, and a biological monitor present during activities that occur within this buffer. In addition, a special provision for migratory birds and nesting raptors (including the Swainson's hawk) will be included in the construction contract to ensure that no potential nesting migratory birds are affected during construction.

Fisher, Southern Sierra Nevada Ecologically Significant Unit

An informal Section 7 consultation will be conducted with the U.S. Fish and Wildlife Service for the fisher. A letter of concurrence is expected to be issued before project construction starts.

Potential avoidance and minimization measures for the fisher include the following:

- Worker Environmental Awareness Training will be provided to construction workers before construction starts.

- Preconstruction surveys will be conducted 30 days before construction starts.

- During night work, work lights will be directed away from habitats, and shields will be used.

San Joaquin Kit Fox

Potential avoidance and minimization measures for the San Joaquin kit fox include the following:

- Preconstruction and pre-activity surveys will be conducted no less than 14 days and no more than 30 days before the beginning of ground disturbance and/or construction activities or any project activity likely to impact the San Joaquin kit fox.

- Project-related vehicles should observe a speed limit of 20 miles per hour in all project areas, except on county roads and state and federal highways; this is particularly important at night when San Joaquin kit foxes are most active. To the extent possible, nighttime construction should be minimized. Off-road traffic outside designated project areas should be prohibited.

- All construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for San Joaquin kit foxes before the pipe is used or moved in any way.

- Food trash and other garbage that may attract wildlife to the work area will be disposed of in closed containers and removed at the end of each workday. Feeding any wildlife will be prohibited.

- Firearms (except those carried by qualified and permitted public safety agents) and pets will not be permitted on the worksite.

- The use of rodenticides and herbicides in project areas should be restricted.

- No pets, such as dogs or cats, should be permitted on the project site to prevent harassment, mortality of kit foxes, or destruction of dens.

- A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured, or entrapped kit fox. The representative will be identified during the employee education program, and their name and telephone number shall be provided to the U.S. Fish and Wildlife Service.

- Worker Environmental Awareness Training for the San Joaquin kit fox will be provided to construction workers before construction starts.

- To prevent the inadvertent entrapment of San Joaquin kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2 feet deep should be covered at the close of each working day by plywood or similar materials or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals.

- Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the California Department of Fish and Wildlife immediately in the case of a dead, injured, or entrapped kit fox.

- An informal Section 7 consultation will be conducted with the U.S. Fish and Wildlife Service for the San Joaquin kit fox. Mitigation, if required, will be determined in coordination with the resource agencies during the consultation process. A letter of concurrence is expected to be issued before project construction starts.

Sierra Nevada Red Fox

Potential minimization measures for the Sierra Nevada red fox include the following:

- All construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for Sierra Nevada red foxes before the pipe is used or moved in any way.

- Food trash and other garbage that may attract wildlife to the work area will be disposed of in closed containers and removed at the end of each workday. Feeding any wildlife will be prohibited.

- The use of rodenticides and herbicides in project areas should be restricted.

- Surveys will be conducted within the project footprint and within 250 feet of the proposed culvert locations.

- An informal Section 7 consultation will be conducted with the U.S. Fish and Wildlife Service for the Sierra Nevada red fox. A letter of concurrence is expected to be issued before project construction starts.

Natural Community: Riparian Trees

Potential minimization and avoidance measures for riparian trees include the following:

- Trees will be avoided to the extent practicable.
- Where feasible, trees that can be avoided will have fencing installed around the trees.

Compensatory mitigation for riparian trees will be obtained through replacement planting at a minimum of a 3-to-1 ratio at an off-site location. Caltrans will submit a replanting plan to the California Department of Fish and Wildlife for approval. The replacement planting requires five years of monitoring post-initial planting to achieve a success criterion to complete the mitigation.

c) Affected Environment

Wetlands and Other Waters

Aquatic delineation surveys were conducted in October 2023. The study area consists of 50 feet around the culvert inlets and outlets. Five types of aquatic resources were identified: perennial drainage, intermittent drainage, ephemeral drainage, freshwater emergent wetland, and riparian. Perennial drainages were identified along State Routes 180 and 245. Intermittent drainages were identified on State Routes 33, 63, 168, 180, and 245. Ephemeral drainages were identified on State Routes 168, 180, and 245. Twenty-four aquatic resources were found to be jurisdictional by the California Department of Fish and Wildlife and the Regional Water Quality Control Board. Of those 24, four are considered Waters of the U.S.

Environmental Consequences

Wetlands and Other Waters

The project will temporarily impact up to 0.0262 acre of Waters of the U.S. and about 0.0687 acre of Waters of the State. There will be about 0.165 acre of temporary impacts to riparian resources. Permanent impacts up to 0.008 acre of Waters of the State will occur at two culvert locations on State Route 168.

The project will require a 1602 Lake and Streambed Alteration Agreement, a 404 Clean Water Act permit, and a 401 or Waste Discharge Requirement permit for waters of the U.S.

Avoidance, Minimization, and/or Mitigation Measures

Wetlands and Other Waters

The project will require a 1602 Lake and Streambed Alteration Agreement, a 404 Clean Water Act permit, and a 401 or Waste Discharge Requirement permit for waters of the U.S.

The following avoidance and minimization measures will be implemented to have a less than significant impact on aquatic resources:

- The project will comply with the Stormwater Pollution Prevention Plan developed for the project. The Stormwater Pollution Prevention Plan shall address all state and federal water control requirements and regulations. The Stormwater Pollution Prevention Plan shall also address all construction-related activities, equipment, and materials that could impact water quality. It shall include Best Management Practices to control pollutants, sediment from erosion, stormwater runoff, and other construction-related impacts.

- The stockpiling of materials, equipment (including portable equipment), vehicles, and supplies (including chemicals) will be restricted to designated construction staging areas.

- An Emergency Spill Prevention Plan and a Water Pollution Control Program will be prepared and include measures to minimize the risk of fluids or other materials (oils, transmission and hydraulic fluids, cement, and fuel) from entering waterways or sensitive upland habitats. The plans will be kept at the project site throughout construction.

- Temporary silt fencing or straw waddles will be installed within the project footprint to protect aquatic resources next to the project footprint from construction activities based on site conditions, where feasible.

2.1.5 Cultural Resources

Considering the information in the Archaeological Survey Report and Historic Property Survey Report dated November 2024 and the Finding of No Adverse Effect dated November 2024, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Cultural Resources
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	**Less Than Significant Impact**
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	**No Impact**
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	**No Impact**

Affected Environment

A records search was conducted using the Southern San Joaquin Valley Information Center, a background literature search, a topographic and historical map review, and a Caltrans cultural resources database check. The records search was negative for archaeological resources within or next to the project area. One state-owned built environment resource—General Grant Grove–Cedar Grove Section (Kings River Canyon Highway, also identified as State Route 180)—is within the area of potential effect from post mile 112.1 to post mile 137.9.

General Grant Grove-Cedar Grove Section (Kings River Canyon Highway) is a linear-built environment resource with several contributing components, including original stone masonry structures such as parapet retaining walls, water fountains, culvert headwalls, and the South Fork Kings River Bridge.

The resource is considered eligible for inclusion into the National Register of Historic Places and the California Register of Historical Resources at the state level of significance under Criterion A/1 for its associations with tourism in the upper Kings River region and the establishment of the Kings Canyon National Park and its association with the state's convict labor program in California.

Environmental Consequences

One culvert will be replaced, along with the masonry headwall that is considered to be a contributing resource to the General Grant Grove–Cedar Grove section. However, the removal of one contributing headwall out of 100 or more contributing headwalls has a minor impact on the integrity of the historic property as a whole and does not diminish the integrity of State Route 180—Kings River Canyon Highway in a manner or extent that would impair the historic property's ability to convey its historical significance.

Caltrans proposes that a Finding of No Adverse Effect is appropriate for this undertaking. Caltrans obtained concurrence from the State Historic Preservation Officer on this finding in accordance with Programmatic Agreement Stipulation X.B.2 on November 13, 2024. The letter of concurrence from the State Historic Preservation Officer can be found in Appendix C of this document.

Avoidance, Minimization, and/or Mitigation Measures

To ensure that project activities do not change and result in an adverse effect, Caltrans will ensure that a Caltrans Principal Architectural Historian reviews the construction plans as they are developed. Should any significant changes be made to the construction plans or during construction activities that have the potential to impact the Kings River Canyon Highway or any contributing features in an adverse manner, the State Historic Preservation Officer will be

notified immediately, and additional documentation, as appropriate, will be completed.

2.1.6 Energy

Construction activities would cause a temporary increase in energy consumption, but the increase would not be significant. The project would rehabilitate existing drainage systems. The project would not increase capacity on the interstate or state routes in Fresno County. Considering these reasons and guidance from the Caltrans Standard Environmental Reference Chapter 13-Energy and the Energy Memorandum dated September 2024, the following significance determinations have been made:

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

2.1.7 Geology and Soils

Considering the information in the California Department of Conservation Map Data Viewer webpage accessed September 2024 and the Paleontological Identification Report dated March 2024, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Geology and Soils
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	**No Impact**
ii) Strong seismic ground shaking?	**No Impact**

Question—Would the project:	CEQA Significance Determinations for Geology and Soils
iii) Seismic-related ground failure, including liquefaction?	**No Impact**
iv) Landslides?	**No Impact**
b) Result in substantial soil erosion or the loss of topsoil?	**No Impact**
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	**No Impact**
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	**No Impact**
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	**No Impact**
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	**No Impact**

2.1.8 Greenhouse Gas Emissions

Considering the information in the Caltrans Climate Change and Greenhouse Gas Emissions Memorandum dated September 2024, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Greenhouse Gas Emissions
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	**Less Than Significant Impact**
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	**Less Than Significant Impact**

Affected Environment

The project lies on Interstate 5 and State Routes 33, 41, 63, 168, 180, 198, 245, and 269, spread across Caltrans District 6 in Fresno County. Segments

of the highways cross through mountainous terrain, while other locations are on level terrain surrounded by agricultural fields and orchards.

The Fresno Council of Governments guides transportation and housing development in the project area. Chapter 3 of the Sustainable Communities Strategy discusses the emission reduction strategy for the region. The Sustainable Communities Strategy strives to reduce air emissions from passenger vehicles and light-duty truck travel by better coordinating expenditures with forecasted development patterns and helping to meet greenhouse gas emissions targets for the region.

Environmental Consequences

Greenhouse gas emissions impacts on non-capacity-increasing projects like the Fresno County Culvert Improvements project are considered less than significant under CEQA because there will be no increase in operational emissions. However, construction equipment, traffic delays, material processing, and delivery may generate short-term greenhouse gas emissions during construction. Carbon dioxide emissions generated from construction equipment were estimated using the Caltrans Construction Emissions Tool v1.1. The estimated emissions are 362 tons of carbon dioxide per 276 working days.

While some construction greenhouse gas emissions will be unavoidable, implementing standard conditions or Best Management Practices designed to reduce or eliminate emissions as part of the project will reduce impacts to less than significant.

Avoidance, Minimization, and/or Mitigation Measures

The following project-level measures would be implemented to reduce greenhouse gas emissions related to construction activities:

- To the extent feasible, limit idling to 5 minutes for delivery and dump trucks and other diesel-powered equipment (with some exceptions).
- To the extent feasible, reduce the need to transport earthen materials by balancing cut and fill quantities.
- To the extent feasible, supplement existing construction environmental training with information on methods to reduce greenhouse gas emissions related to construction.
- To the extent feasible, reduce construction waste by reusing or recycling construction and demolition waste.
- To the extent feasible, schedule truck trips outside peak morning and evening commute hours.

- To the extent feasible, design and install long-life pavement structures to minimize life cycle costs.
- To the extent feasible, encourage improved fuel efficiency from construction equipment by maintaining equipment in proper working condition, using the right size equipment for the job, and using equipment with new technologies.

2.1.9 Hazards and Hazardous Materials

Considering the information in the Initial Site Assessment and Preliminary Site Investigation for Aerially Deposited Lead dated March 2024, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Hazards and Hazardous Materials
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	**No Impact**
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	**No Impact**
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	**No Impact**
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	**No Impact**
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	**No Impact**

Question—Would the project:	CEQA Significance Determinations for Hazards and Hazardous Materials
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	**No Impact**
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	**No Impact**

2.1.10 Hydrology and Water Quality

Considering the information in the Water Compliance Memorandum dated March 2024, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Hydrology and Water Quality
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water or groundwater quality?	**No Impact**
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	**No Impact**
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) result in substantial erosion or siltation on-site or off-site;	**No Impact**
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-site or off-site;	**No Impact**
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	**No Impact**

Question—Would the project:	CEQA Significance Determinations for Hydrology and Water Quality
(iv) impede or redirect flood flows?	**No Impact**
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	**No Impact**
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	**No Impact**

2.1.11 Land Use and Planning

The project would not physically divide an established community and would not conflict with the Fresno County General Plan or any other policy or regulations meant to avoid or mitigate an environmental effect. Considering these factors, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Land Use and Planning
a) Physically divide an established community?	**No Impact**
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	**No Impact**

2.1.12 Mineral Resources

Considering the information in the California Department of Conservation Online Mineral Land Classification Interactive Map accessed September 2024, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Mineral Resources
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?	**No Impact**
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	**No Impact**

2.1.13 Noise

Considering the information in the Noise Compliance Study dated March 2024, the following significance determinations have been made:

Question—Would the project result in:	CEQA Significance Determinations for Noise
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	**No Impact**
b) Generation of excessive groundborne vibration or groundborne noise levels?	**No Impact**
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	**No Impact**

2.1.14 Population and Housing

The project would repair or replace 86 culverts in various locations across multiple interstate and state routes in Fresno County. The project would require five temporary construction easements and 14 permanent drainage easements at 13 culvert replacement locations, but no residents or businesses would be relocated or displaced. Considering the information in the 2024 Draft Project Report, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Population and Housing
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	**No Impact**

Question—Would the project:	CEQA Significance Determinations for Population and Housing
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	**No Impact**

2.1.15 Public Services

The project would repair or replace culverts at existing locations and would not trigger the need for new or modified public services. Considering the information in the Transportation Management Plan dated April 2024, the following significance determinations have been made:

Question:	CEQA Significance Determinations for 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: Fire protection?	**No Impact**
Police protection?	**No Impact**
Schools?	**No Impact**
Parks?	**No Impact**
Other public facilities?	**No Impact**

2.1.16 Recreation

The project would repair or replace 86 culverts in various locations across multiple interstate and state routes in Fresno County. The Sequoia National Forest, Sierra National Forest, and Kings Canyon National Park occur near the project area. However, the project would not alter roadway capacity or traffic patterns in a way that might increase the use of the existing recreational facilities or require the construction or expansion of recreational facilities. State Routes 180 and 245 would remain open during construction, and all existing recreational facilities would be accessible during and after

construction. Considering this information, the following significance determinations have been made:

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

2.1.17 Transportation

This project is listed in the 2023 Fresno Council of Governments' Federal Transportation Improvement Program as a pavement resurfacing and/or rehabilitation project.

The project is considered a culvert rehabilitation project that consists of drainage improvements. The project type would not lead to a measurable and substantial increase in vehicle capacity travel. Considering this information from the Draft Project Report dated 2024, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Transportation
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	**No Impact**
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	**No Impact**
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	**No Impact**
d) Result in inadequate emergency access?	**Less Than Significant Impact**

(d) Affected Environment

Emergency Services

A Transportation Management Plan was prepared in April 2024 to prevent and mitigate construction impacts. Eleven of the 13 culverts proposed for removal would require the temporary closure of one lane on a two-lane highway. Emergency services could be affected during construction due to temporarily increased response times for emergency medical and fire services. The Fresno County Sheriff's Office and the California Highway Patrol provide public safety services to the project area where culvert replacements will take place.

Four fire stations are within the culvert replacement locations: Cal Fire Shaver Lake Station is about 2.7 miles from the culvert location at post mile 48.63 on State Route 168; Fresno County Fire Station 75 is about 7 miles from the culvert replacement locations at post miles 20.95, 21.26, and 21.79 on State Route 168; Cal Fire Badger Fire Station is about 2.5 miles from post miles 1.49, 2.09, 3.2, 5.2, and 7.14 on State Route 245; and Cal Fire Squaw Valley Station is about 4 miles from post mile 6.32 on State Route 63.

Environmental Consequences

Day and night work with lane closure using reversing one-way traffic control will be required throughout construction. A flagger on either side of the construction work zone will control the flow of traffic intermittently, with one direction closed and the other direction open to traffic. A detailed traffic management plan would be developed during the design phase (known as the Plans, Specifications, and Estimates phase) of the project to minimize delays and maximize safety for the traveling public and emergency service providers during construction.

Avoidance, Minimization, and/or Mitigation Measures

No mitigation is anticipated.

2.1.18 Tribal Cultural Resources

Considering the information in the Archaeological Survey Report dated October 2024, the following significance determinations have been made:

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

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

2.1.19 Utilities and Service Systems

Considering the information in the 2024 Draft Project Report, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Utilities and Service Systems
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	**Less Than Significant Impact**
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	**No Impact**
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	**No Impact**
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	**No Impact**

Question—Would the project:	CEQA Significance Determinations for Utilities and Service Systems
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	**No Impact**

Affected Environment

The project roadway alignment and culvert spot locations are next to multiple utilities (buried and exposed), which include but are not limited to existing telephone lines, fiber optic lines, petroleum lines, natural gas lines, and electrical lines.

Environmental Consequences

One culvert replacement on State Route 63 could impact a Frontier communication cable conduit along the south side of the roadway. Once the precise location has been determined, a decision can be made whether design avoidance measures can be used. This will be addressed in the design phase of the project.

Avoidance, Minimization, and/or Mitigation Measures

During the design phase of the project, a more detailed study would be conducted to determine any necessary relocation of utilities. Caltrans would meet with the affected utility providers to coordinate the details of relocations and easements to avoid or minimize any interruption in service.

2.1.20 Wildfire

Considering the information in the California Department of Forestry and Fire Protection's Fire Hazard Severity Zone Mapping accessed September 2024, the following significance determinations have been made:

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

Question—Would the project:	CEQA Significance Determinations for Wildfire
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	**No Impact**
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	**Less Than Significant Impact**

Question—Would the project:	CEQA Significance Determinations for Wildfire
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	**Less Than Significant Impact**
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	**No Impact**

Affected Environment

Wildfires can directly burn facilities and indirectly cause damage when rain falls on denuded slopes that landslide after a fire. Effects will vary by location and may, in the most extreme cases, require that a facility be relocated or redesigned. Accordingly, Caltrans must consider these types of climate stressors in how highways are planned, designed, built, operated, and maintained. The California Department of Forestry and Fire Protection's Fire Hazard Severity Zone mapping tool shows that the project limits run through moderate, high, and very high fire hazard severity zones. The Caltrans District 6 Climate Change Vulnerability Assessment mapping of roadways exposed to wildfire risk shows that State Routes 168, 180, and 245 in the project area run through areas that have a medium, high, and very high wildfire vulnerability projected from 2025 to 2085.

Environmental Consequences

The project would not introduce any new structures or operations that would worsen the risk of wildfire. The potential for fire varies with the type of roadside vegetation and configuration of the pavement edge. For example, grasses on a cut slope with a dike at the base are less likely to be ignited by a cigarette or spark than grasses on a flat, traversable roadside. Similarly, perennial or low-growing annual grasses present fewer fire risks than tall annual grasses. The consequences of a fire spreading to a nearby forest may be more serious than a fire spreading in a desert, chaparral, or grassland.

Fire-resistant culvert materials will be selected to ensure that drainage facilities are as fire-resistant as possible. The project will not impair emergency response vehicles or emergency evacuation plans. Operationally, the project is not expected to increase the risk of wildfires or worsen the impacts of wildfires.

Avoidance, Minimization, and/or Mitigation Measures

The following Caltrans Best Management Practices will be implemented during construction activities:

- The contractor will obtain the emergency phone numbers of the California Department of Forestry and Fire Protection unit headquarters, the U.S. Forest Service ranger district office, and the U.S. Department of the Interior Bureau of Land Management field offices. These phone numbers will be submitted to the resident engineer before the start of job site activities. The agencies' names and emergency phone numbers must be posted in a prominent place at the job site.

- Locate flammable materials at least 50 feet away from equipment service, parking, and gas or oil storage areas. Each small mobile or stationary engine site must be cleared of flammable material for a radius of at least 15 feet from the engine.

- Before clearing and grubbing, clear a firebreak at the outer limits of the areas to be cleared and grubbed. Where clearing and grubbing limits allow, use a minimum firebreak width of 20 feet. Each area to be cleared and grubbed must be cleared and kept clear of flammable material, such as dry grass, weeds, brush, downed trees, oily rags and waste, paper, cartons, and plastic waste.

- Establish setbacks and/or buffers from areas identified as vulnerable to climate change stressors, such as wildfires. Stabilize slopes to lower the chances of landslides on slopes at risk from more frequent or intense wildfires and precipitation.

- Furnish a pickup truck and dryer that will be available for fire control during working hours. The truck must be equipped with the following:

- Ten shovels, 10 axes, and two 5-gallon water-filled backpack fire pumps.

- A 100-gallon tank of water with a gasoline-powered pump and 100 feet of a 0.75-inch hose on a reel.

Furnish the following fire tools:

- One shovel and one fully charged fire extinguisher (Underwriters Laboratories rated at 4B:C) or more on each truck, personnel vehicle, tractor, grader, or other heavy equipment.

- One shovel and one 5-gallon water-filled backpack fire pump for each welder.

- One shovel or one chemical-pressurized fire extinguisher, fully charged, for each gasoline-powered tool, including chain saws, soil augers, and

rock drills. The fire tools must always be within 25 feet of the point of operation of the power tool. Each fire extinguisher must be of the type and size required by Public Resources Code Section 4431 and 14 California Code of Regulations Section 1234.

- In addition to being available at the worksite, the truck and operator must patrol the construction area from noon until at least 30 minutes after job site activities have ended. If the fire danger rating is “very high” or “extreme” or if a “fire weather watch” or “red flag warning” is issued, the truck and operator must patrol the construction area while work is being done and for at least 30 minutes after job activities have ended.

- The California Department of Forestry and Fire Protection, the U.S. Forest Service, and the Bureau of Land Management have established the following adjective class ratings for five levels of fire danger for use in public information releases and fire protection signing: “low,” “moderate,” “high,” “very high,” and “extreme.” Obtain the fire danger rating daily for the project area from the nearest California Department of Forestry and Fire Protection unit headquarters, U.S. Forest Service ranger district office, or Bureau of Land Management field office. Monitor the National Weather Service’s daily forecasts for “fire weather watches” and “red flag warnings” covering the project’s locations.

- Arrangements have been made with the California Department of Forestry and Fire Protection, the U.S. Forest Service, and the Bureau of Land Management to notify Caltrans when the fire danger rating is “very high” or “extreme.” This information will be given to the resident engineer, who will notify the contractor for dissemination and action in the area affected. If a discrepancy between this notice and the fire danger rating obtained from the nearest office of the California Department of Forestry and Fire Protection or the U.S. Forest Service exists, the contractor must conduct operations according to the higher of the two fire danger ratings.

- If the fire danger rating is “extreme” or a “red flag warning” is issued, take the precautions specified for a “very high” fire danger rating or a “fire weather watch” issuance, except:

- Smoking is allowed only in automobiles and cabs of trucks equipped with an ashtray.

- Work that could start a fire requires that properly equipped fireguards be assigned to such operations for the duration of the work.

- The resident engineer may suspend work completely or in part due to hazardous fire conditions. The days during this suspension will be nonworking days. If field and weather conditions become such that the

work is suspended, Section 7-1.02M(2) will not be enforced for the period of the suspension.

2.1.21 Mandatory Findings of Significance

Question:	CEQA Significance Determinations for Mandatory Findings of Significance
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	**Less Than Significant Impact With Mitigation Incorporated**
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.)	**No Impact**
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	**No Impact**

(a) Affected Environment

Build Alternative

Special-status animal and plant species were identified to be historically present within the 7.5-minute U.S. Geological Survey quadrangles queried on the U.S. Fish and Wildlife Service's Information for Planning and Consultation and the California Department of Fish and Wildlife's California Natural Diversity Database. During aquatic resource delineation surveys, riparian trees were recorded near four culvert locations. The project could affect the habitat quality of two special-status animal species—Crotch's bumblebee and California tiger salamander—and one special-status plant species—tree anemone—and riparian trees.

Crotch's Bumblebee

Crotch's bumblebee is a California State candidate endangered species. The culvert locations on State Routes 180, 168, 198, 245, and 269 are within the range of this species and offer suitable habitat. No Crotch's bumblebees were found during surveys, but there is a potential for Crotch's bumblebees to be present within the Biological Study Area.

California Tiger Salamander

The California tiger salamander is listed as federally threatened and state threatened and on the California Department of Fish and Wildlife watch list. No California tiger salamanders were seen during surveys; however, burrows suitable for the species were seen on State Routes 168 and 63.

Tree Anemone

The tree anemone is considered state-threatened and has a California Rare Plant Rank of 1B.2, which indicates that it is a rare, threatened, or endangered species in California and elsewhere.

Natural Community: Riparian Trees

About 33 trees are within the project footprint, 20 feet away from four culverts on State Route 168: post mile 7.14, post mile 7.75, and post mile 122.95.

Environmental Consequences

Build Alternative

Crotch's Bumblebee

The project would temporarily impact up to 3.23 acres of potential foraging and nesting habitat from construction activities on State Routes 168, 180, and 198. Permanent impacts up to 0.02 acre are anticipated. Due to the sensitive nature of this bumblebee's nest, the project could harm the species.

California Tiger Salamander

The project would permanently impact up to 0.0066 acre of several culvert locations on State Routes 168 and 63 due to culvert work. Temporary impacts up to 0.237 acre of upland habitat are anticipated from construction activities. Caltrans determined that the project may affect, and is likely to adversely affect, the California tiger salamander.

Tree Anemone

The tree anemone was seen near the inlets and outlets at one culvert location. There is a potential that some anemone shrubs may be impacted by the proposed construction activities. It is anticipated that shrubs will need to be removed during construction.

Natural Community: Riparian Trees

The project would remove about 33 riparian trees from within the bed or bank of each culvert location.

Avoidance, Minimization, and/or Mitigation Measures

Crotch's Bumblebee

Potential minimization and mitigation measures for Crotch's bumblebee include the following:

- Worker Environmental Awareness Training will be provided to construction workers before the start of construction.
- Preconstruction surveys will be conducted 30 days before construction starts.
- Construction equipment and staging areas will be surveyed and cleared by a qualified biologist before use and be located within predisturbed areas.

An Incidental Take Permit will be obtained for Crotch's bumblebee. The following mitigation measure is proposed for impacts to Crotch's bumblebee:

- Compensation for loss of habitat will be obtained through the purchase of credits from a mitigation bank, preservation of habitat, or enhancement or restoration of habitat per coordination with the California Department of Fish and Wildlife.

California Tiger Salamander

Potential minimization and mitigation measures for the California tiger salamander include the following:

- Caltrans will install ERTEC temporary fencing (a high-visibility, nonpermeable exclusionary fencing) at the six locations with suitable upland habitat.
- No construction activities will be conducted in upland areas where migrating California tiger salamanders may occur if (1) it is raining, (2) there is a greater than 70 percent chance of rain based on the National Oceanic and Atmospheric Administration's National Weather Service forecast on any given workday, or (3) a rain event greater than 0.25 inch has occurred within the past 48 hours. Before resuming work following a rain event, a qualified biologist will conduct a new preconstruction visual survey of the work area to confirm that no California tiger salamanders are present.
- All small rodent burrows will be avoided by 50 feet at the six locations within suitable upland habitat for the California tiger salamander. If

avoidance is not possible, Caltrans will seek confirmation from the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service to excavate burrows.

An Incidental Take Permit will be obtained for the California tiger salamander. The following mitigation measure is proposed for impacts on California tiger salamander habitat:

- Compensation for loss of habitat will be obtained through the purchase of credits from a mitigation bank per coordination with the California Department of Fish and Wildlife.

Compensatory mitigation for temporary impacts of 0.341 acre and permanent impacts of 0.0015 acre is expected to be mitigated by purchasing mitigation bank credits from a U.S. Fish and Wildlife Service and California Department of Fish and Wildlife-approved mitigation bank.

Tree Anemone

Potential minimization and mitigation measures for the tree anemone include the following:

- Preconstruction surveys will be conducted for this species during the appropriate blooming period the season before construction, following the *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities.* If plants are found, flagging will be installed to avoid the plants, if feasible.

An Incidental Take Permit will be obtained for the tree anemone. Compensation mitigation will be obtained through an off-site location through planting improvements or restoration.

Natural Community: Riparian Trees

Potential minimization and avoidance measures for riparian trees include the following:

- Trees will be avoided to the extent practicable.

- Where feasible, trees that can be avoided will have fencing installed around the trees.

Compensatory mitigation for riparian trees will be obtained through replacement planting at a minimum of a 3-to-1 ratio at an off-site location. Caltrans will submit a replanting plan to the California Department of Fish and Wildlife for approval. The replacement planting requires five years of monitoring post-initial planting to achieve a success criterion to complete the mitigation.

With the implementation of the mitigation measures for Crotch's bumblebee, California tiger salamander, tree anemone, and riparian trees, the habitat impacts will be less than significant.

Chapter 3 Coordination

Early and continuing coordination with the general public and public agencies is an essential part of the environmental process. It helps planners determine the necessary scope of environmental documentation and the level of analysis required to identify potential impacts, avoidance, minimization, and/or mitigation measures, as well as related environmental requirements. Agency consultation and public participation for this project have been accomplished through several formal and informal methods, including project development team meetings and interagency coordination meetings.

This chapter summarizes the results of Caltrans' efforts to identify, address, and resolve project-related issues through early and continuing coordination.

A summary of the outreach efforts as well as the comments received during the draft environmental document's public circulation period from January 8, 2025, to February 7, 2025, are provided in Appendix D, which has been added to the environmental document. Responses to all public comments received during the public circulation period are also provided in Appendix D. Coordination with Native American Groups

3.1.1 Native American Heritage Commission

- **November 6, 2023:** Native American consultation was initiated through letters to tribal representatives.

- **December 1, 2023:** The California Native American Heritage Commission responded with a letter that stated no known cultural resources lie in the project area. The California Native American Heritage Commission provided the names of tribal representatives who have ties to the geographic area of the project.

3.1.2 Tribal Coordination

- **October 20, 2023:** Caltrans sent project notification letters to 19 tribal representatives. The correspondence included an invitation to consult under Public Resources Code Section 21080.3.1 and Chapter 532, Statute 2014. No responses were received.

- **November 22, 2023:** Caltrans sent a second project notification letter to 19 tribal representatives that included updates on the temporary construction easements and a decrease in culvert locations. No responses were received.

3.1.3 Coordination with Agencies

U.S. Fish and Wildlife Service

- **January 29, 2024:** A species list was obtained from the U.S. Fish and Wildlife Service's Information for Planning and Consultation website.

- **March 22, 2024:** An updated species list was obtained from the U.S. Fish and Wildlife Service's Information for Planning and Consultation website.

- **April 25, 2024:** A Caltrans biologist held a meeting with the U.S. Fish and Wildlife Service liaison to discuss the potential effect determinations for critical habitat, the potential conferencing on proposed species, and the project overall.

[The following section has been corrected since the draft environmental document was circulated.]

National Park Service

- **November 7, 2023:** Caltrans sent a letter to the branch chief of the cultural resources unit for Sequoia and Kings Canyon National Parks.

- **September 25, 2024:** Caltrans received an email from the Section 106 Coordinator with the Sequoia and Kings Canyon National Park Service that the project does not intersect with National Park Service administered lands on State Route 180.

U.S. Forest Service

- **September 27, 2024:** The branch chief for Caltrans' cultural resources unit sent the draft Archaeological Survey Report, draft Historic Property Report, and draft Finding of No Adverse Effect to the U.S. Forest Service (Sequoia National Forest) archaeologist for review.

- **September 30, 2024:** Caltrans emailed a representative with the U.S. Forest Service to discuss three culvert locations in the Sequoia National Forest that would require a temporary construction easement and/or drainage easement. This will constitute a Section 4(f) De Minimis finding.

- **October 4, 2024:** An archaeologist with the U.S. Forest Service concurred on Caltrans' cultural studies.

- **October 30, 2023:** Information on Yosemite toad habitat and occupied meadow was shared with Caltrans by the U.S. Forest Service. This information focused on areas next to State Route 168. A road mortality (death of a Yosemite toad) on State Route 168 was confirmed.

- **November 8, 2024:** A Caltrans biologist met with a U.S. Forest Service botanist and discussed mitigation options for species and provided additional material to include in the worker environmental awareness training courses.

[The following text has been added since the draft environmental document was circulated.]

- **January 13, 2025:** Caltrans received an email from Kyle Lane with the U.S. Forest Service requesting a meeting to discuss the perfection of tile for Highway 245 (see copy of email in Appendix D).

- **January 27, 2025:** Caltrans held a teleconference with Kyle Lane who has stated that Caltrans has a Perfection of Title for Highway 245 and Highway 180. Kyle Lane stated that he would provide a concurrence with Caltrans' Section 4(f) determination.

- **February 5, 2025:** Kyle Lane from U.S Forest Service emailed concurrence memo to Caltrans for the Section 4(f) determination.

3.1.4 Coordination with Local Government

- **September 27, 2023:** Consultation was initiated through letters to Mr. Sean Brewer, Assistant City Manager, City of Coalinga Community Development Department; Ms. Jennifer Clark, Director, City of Fresno Department of Planning and Development; and Mr. Steven E. White, Director of the Fresno County Department of Public Works and Planning.

- **October 2, 2023:** Ms. Clark of the City of Fresno responded that she found no pertinent resources in her search of city files and had no further comments on the project.

3.1.5 Coordination with Historical Society/Historic Preservation Groups

- **September 27, 2023:** Caltrans sent letters to local historical societies and preservation groups, including Mr. Keith Swinger, Chairperson of Central Sierra Historical Society; the City of Fresno Historic Preservation Commission; and Ms. Elizabeth Laval, President of Fresno County Historical Society. No response has been received from the local societies and preservation groups.

- **November 13, 2024:** The State Historic Preservation Officer concurred with Caltrans' Finding of No Adverse Effect on a Historic Property (refer to Appendix C).

Appendix A Title VI Policy Statement

CALIFORNIA STATE TRANSPORTATION AGENCY GAVIN NEWSOM, GOVERNOR

California Department of Transportation

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September 2023

NON-DISCRIMINATION POLICY STATEMENT

The California Department of Transportation, under Title VI of the Civil Rights Act of 1964, ensures "*No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.*"

Caltrans will make every effort to ensure nondiscrimination in all of its services, programs and activities, whether they are federally funded or not, and that services and benefits are fairly distributed to all people, regardless of race, color, or national origin. In addition, Caltrans will facilitate meaningful participation in the transportation planning process in a non-discriminatory manner.

Related federal statutes, remedies, and state law further those protections to include sex, disability, religion, sexual orientation, and age.

For information or guidance on how to file a complaint, or obtain more information regarding Title VI, please contact the Title VI Branch Manager at (916) 639-6392 or visit the following web page: https://dot.ca.gov/programs/civil-rights/title-vi.

To obtain this information in an alternate format such as Braille or in a language other than English, please contact the California Department of Transportation, Office of Civil Rights, at PO Box 942874, MS-79, Sacramento, CA 94274-0001; (916) 879-6768 (TTY 711); or at Title.VI@dot.ca.gov.

TONY TAVARES
Director

"Provide a safe and reliable transportation network that serves all people and respects the environment"

Appendix B Section 4(f) De Minimis Evaluation

Introduction

This section of the document discusses de minimis impact determinations under Section 4(f). Section 6009(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users amended Section 4(f) legislation at 23 United States Code 138 and 49 United States Code 303 to simplify the processing and approval of projects that have only de minimis impacts on lands protected by Section 4(f). This amendment provides that once the U.S. Department of Transportation determines that a transportation use of Section 4(f) property, after consideration of any impact avoidance, minimization, and mitigation or enhancement measures, results in a de minimis impact on that property, an analysis of avoidance alternatives is not required, and the Section 4(f) evaluation process is complete. The Federal Highway Administration's final rule on Section 4(f) de minimis findings is codified in 23 Code of Federal Regulations 774.3 and Code of Federal Regulations 774.17.

Responsibility for compliance with Section 4(f) has been assigned to the Department (Caltrans) pursuant to 23 United States Code 326 and 327, including de minimis impact determinations, as well as coordination with those agencies that have jurisdiction over a Section 4(f) resource that may be affected by a project action.

A 'use' of a Section 4(f) property…

23 Code of Federal Regulations Section 774.17 defines "use" in three ways:

1. When land from a Section 4(f) resource is permanently incorporated into a transportation facility or project (actual use);

2. When there is a temporary occupancy of Section 4(f) resource that does not meet the five criteria of temporary use; and,

3. When there is constructive use of the Section 4(f) resource.

There are two potential properties within the project area:

1. The General Grant Grove Section, a historic highway

2. The Giant Sequoia National Monument, a recreational area

There is one historic property and a national monument within the project study area, and there is a use for both properties.

Historic Property General Grant Grove Section

Caltrans' architectural historian formally evaluated one historic-era property that was within the architectural Area of Potential Effects: the General Grant Grove Section (Kings River Canyon Highway) identified as State Route 180, located from post mile 112.1 to post mile 137.9. Contributing components include original stone masonry structures such as parapet retaining walls, water fountains, culvert headwalls, and the South Fork Kings River Bridge.

The Kings River Canyon Highway segment of State Route 180 was assumed eligible for inclusion into the National Register of Historic Places and the California Register of Historical Resources at the state level under Criterion A/1 for its associations with tourism in the upper Kings River region and the establishment of the Kings Canyon National Park and for its association with the state's convict labor program in California. The property boundary of the historic resource on State Route 180 is post mile 112.1 on the west end and post mile 137.9 on the east end and is limited to the roadway plus the inclusion of the original stone masonry structures and the South Fork Kings River Bridge.

The Build Alternative would repair and replace 86 culverts on Interstate 5 and State Routes 33, 41, 63, 168, 180, 198, 245, and 269. The project area of direct impact includes 21 culvert locations. Of the 21 culverts within the area of direct impact, eight of the culvert locations have been determined ineligible or noncontributing resources to the historic property. The remaining 13 culverts have been determined to be contributing resources. Of the 13 contributing culverts within the area of direct impact, only one culvert location at post mile 119.88 needs to be replaced to meet current standards.

Proposed Use

The culvert location at post mile 119.88 on State Route 180 includes one masonry headwall at the inlet and no end treatment for the outlet. The headwall appears to remain in good condition and retains sufficient integrity to remain a contributing resource. The planned project activities for the culvert at this location include replacing the 1.5-foot corrugated steel pipe with a 2-foot-diameter reinforced concrete pipe. This will result in an increase of 6 inches in diameter, requiring a new headwall to be constructed. The new headwall would be a structural concrete pipe headwall.

The removal of one contributing headwall does not impact the historic property's integrity of location, setting, feeling, or association and has only a negligible impact on the integrity of design, materials, and workmanship. The headwall and culvert are located within a recessed section of the highway and are not visible to the traveling public. As a result, new visual elements would have a negligible impact on the historic property as a whole. Because the Kings River Canyon Highway contains 147 contributing resources (111 of which are masonry culvert headwalls) and spans more than 26 miles,

replacing a culvert at a single location would not noticeably impair the historic district's ability to convey its character and historical significance. The project is not expected to adversely affect the General Grant Grove Section under Section 106 of the National Historic Preservation Act.

Based on the "no adverse effect" determination under Section 106, Caltrans has determined that a de minimis finding under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users Section 6009, Section 4(f) provisions would apply to the use of the historic property in the Fresno County Culvert Improvements project. This finding is supported by the following:

- The proposed replacement of one contributing headwall out of a total of more than 100 contributing headwalls constitutes a negligible impact on the integrity of the historic property as a whole and does not diminish the integrity of State Highway 180 – Kings River Canyon Highway in a manner or extent that would impair the historic property's ability to convey its historical significance.

- A Finding of No Adverse Effect was received from the State Historic Preservation Officer on November 13, 2024 (refer to attachment C).

Measures to Minimize Harm

To ensure that project activities do not change and result in an adverse effect, Caltrans will ensure that a Caltrans Principal Architectural Historian reviews the construction plans as they are developed. Should any significant changes be made to the construction plans or during construction activities that have the potential to impact the Kings River Canyon Highway or any contributing features in an adverse manner, the State Historic Preservation Officer will be notified immediately, and additional documentation, as appropriate, will be completed.

Giant Sequoia National Monument

The Giant Sequoia National Monument was incorporated into the Sequoia National Forest in 2000 to protect groves of giant sequoias. The Giant Sequoia National Monument was recommended for inclusion into the National Wilderness Preservation System through the 2012 Giant Sequoia National Monument Management Plan.

The Giant Sequoia National Monument covers 328,315 acres of land within the Sequoia National Forest and is managed by the U.S. Forest Service. The monument encompasses 33 giant sequoia groves, a variety of recreational activities (horseback riding, trails, and fishing), and campgrounds. The monument is divided into two sections: the northern portion, which is east of the City of Fresno, and the southern portion, which is east of the City of

Porterville. Segments of the project are on State Route 245, which intersects the northern portion of the Giant Sequoia National Monument.

Proposed Use

Temporary construction easements and drainage easements would be needed from the property to replace the three culverts at post mile 3.2, post mile 5.2, and post mile 7.14 on State Route 245. The existing culvert material is a corrugated steel pipe with diameters ranging from 8 inches to 84 inches; that would be replaced with a 24-inch reinforced concrete pipe. Closures of the road shoulder are anticipated for the proposed culvert replacement work. Temporary barrier systems or other approved systems, such as contractor-proposed lane closures, may be used during daytime construction. This project is not expected to permanently "use" park facilities as defined by Section 4(f).

Caltrans anticipates that the temporary impacts on the Giant Sequoia National Monument will meet the criteria of "temporary occupancy" described below.

If the following five conditions set forth in 23 Code of Federal Regulations 774.13(d) can be satisfied, Section 4(f) will not apply:

- The duration of occupancy must be temporary, i.e., less than the time needed for the construction of the project, and there should be no change in ownership of the land;
- The scope of the work must be minor, i.e., both the nature and magnitude of the changes to the 4(f) resource must be minimal;
- There are no anticipated permanent adverse physical impacts, nor will there be interference with the activities or purposes of the resource on either a temporary or permanent basis;
- The land being used must be fully restored, i.e., the resource must be returned to a condition that is at least as good as that which existed before the project, and;
- There must be documented agreement among the appropriate federal, state, or local officials having jurisdiction over the resource regarding the above conditions.

Caltrans has determined the work to be minor in scope and would not constitute "use" of the park after taking into account avoidance, minimization, and/or mitigation measures and because there is no net effect or adverse effect on the Section 4(f) resource.

Caltrans contacted the U.S. Forest Service on September 30, 2024, to initiate coordination between the agency and Caltrans regarding the Section 4(f) process. A summary of Caltrans' coordination efforts with the U.S. Forest Service follows:

- September 30, 2024: Caltrans emailed a representative with the U.S. Forest Service to discuss the Section 4(f) resource in the Sequoia National Park.

- October 11, 2024: Caltrans sent a follow-up email to the U.S. Forest Service.

[The following section has been updated since the draft environmental document was circulated.]

- January 13, 2025: Caltrans received an email from Kyle Lane, District Ranger with the U.S. Forest Service requesting a meeting to discuss the Perfection of Title for Highway 245 (see copy of email in Appendix D).

- January 27, 2025: Caltrans held a teleconference with Kyle Lane who has stated that Caltrans has a Perfection of Title for Highway 245 and Highway 180. Kyle Lane stated that he would provide a concurrence with Caltrans' Section 4(f) determination.

- February 5, 2025: Caltrans received concurrence letter from Mr. Lane (see letter below).

United States Department of Agriculture | **Forest Service** | **Hume Lake RD**
Sequoia NF | **35860 E. Kings Canyon Road**
Dunlap, CA 93621
(559) 338-2251

File Code: 7700
Date: February 5, 2025

Rebecca Ashjian
Caltrans District 6
Central Region Environmental Division
2015 E. Shields Ave. Suite 100
Fresno, CA. 93726

Dear Ms. Ashijian,

Thank you for sharing the California Department of Transportation (Caltrans) analysis for the projects on State Routes 180 and 245. The Sequoia National Forest appreciates the opportuity to participate in the Section 4(f) concurrense process. I understand that Caltrans Distirct 6 is proposing several safety improvements along State Highways 180 and 245 in the unincorporated area of Fresno County, California.

Caltrans has determined that the de minimis finding is appropriate and would be maintained with regards to potential impacts to the activities, features and attributes that qualify the Sequoia National Forest for protection under Section 4(f).

I concure with the de minimis findings by Caltrans that the State Route 180 and 245 Safety Improvement Project will not adversely affect the activities, features, and attributes that qualify the Sequoia National Forest, Hume Lake Ranger District for protection under Section 4(f). The use of the Section 4(f) resource during construction in conjunction with the 4(f) impact avoidance, minimization, and/or mitigation measures incorporated into the safety project, ensures the activities, features, and attributes of the Froest will not be adversely affected. The public has been afforded the opportunity to review and comment on the effects of the project on the protected activities, features, and attributes of the Section 4(f) resource. My concurrence is conditiioned upon the Section 4(f) impacts and avoidance, minimization, and/or mitigation measures as previously referenced.

If you have any questions or need further information, please contact Ernest Wingate, District Archeologist at ernest.wingate@usda.gov or at (559) 337-8318.

Sincerely,

KYLE LANE Digitally signed by KYLE LANE Date: 2025.02.05 08:51:45 -08'00'

Kyle Lane
District Ranger

Visit us on the internet at: **http://www.fs.fed.us/r5/sequoia**

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Appendix C Finding of No Adverse Effect

State of California • Natural Resources Agency — Gavin Newsom, *Governor*

DEPARTMENT OF PARKS AND RECREATION — Armando Quintero, *Director*
OFFICE OF HISTORIC PRESERVATION
Julianne Polanco, State Historic Preservation Officer
1725 23rd Street, Suite 100, Sacramento, CA 95816-7100
Telephone: (916) 445-7000 FAX: (916) 445-7053
calshpo.ohp@parks.ca.gov www.ohp.parks.ca.gov

November 13, 2024

VIA EMAIL

In reply refer to: FHWA-CATRA_2024_1025_001

Mr. Jeff Carr, Acting Section 106 Coordinator
Cultural Studies Office
Division of Environmental Analysis
PO Box 942873, MS-27
Sacramento, CA 94273-0001

Subject: Finding of Adverse Effect for the Proposed Fresno County Culverts Project, Fresno County, California

Dear Mr. Carr:

Caltrans is initiating consultation regarding the above project in accordance with the 2014 *First Amended Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer* (SHPO) *and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California* (106 PA) as well as under Public Resources Code 5024 and pursuant to the January 2015 *Memorandum of Understanding Between the California Department of Transportation and the California State Historic Preservation Office Regarding Compliance with Public Resources Code Section 5024 and Governor's Executive Order W-26-92, addended 2019 (5024 MOU)*. As part of your documentation, Caltrans submitted a Historic Properties Survey Report, Archaeological Survey Report, Finding of Effect Report for the above project.

Caltrans proposes to improve 86 culverts along State Routes 5, 33, 41, 63, 168,180, 198, 245, and 269 throughout Fresno County. Work for the culvert repairs include barrel lining or replacement of existing drainage pipe, which could be increased to a pipe size of 24" to improve drainage. As proposed, 73 culverts will have barrel lining installed and 13 culvert pipes will be replaced. At locations with pipe replacement, a total 13 trees will be removed at 5 culvert locations.

Caltrans District 6, pursuant to Stipulation VIII.C.4 the 106 PA, received Caltrans Cultural Studies Office's approval to consider the Kings River Canyon Highway eligible for inclusion in the National Register of Historic Places for the purposes of this undertaking only because evaluation was not possible due to the size of the resource and the limited

potential to effect. The Kings River Canyon Highway is assumed eligible under Criterion A for its associations with tourism in the upper Kings River region and the establishment of the Kings Canyon National Park and for its association with the State's convict labor program in California. The period of significance is 1939, the year this section of highway was completed. The historic property's boundary is located entirely within the right-of-way along Highway 180, extending approximately 26 miles between post mile 112.1 to post mile 137.9. The Kings River Canyon Highway contains 147 contributing resources including 111 masonry culvert headwalls. One masonry headwall is proposed for replacement for the project.

Caltrans applied the criteria of adverse effect and found the project will have no adverse effect on historic properties. The proposed replacement of one contributing headwall out of a total of more than 100 contributing headwalls constitutes a negligible impact to the integrity of the historic property as a whole and does not diminish the integrity of State Highway 180 – Kings River Canyon Highway in a manner or extent that would impair the historic property's ability to convey its historical significance.

Based on my review of the submitted documentation, I have no objections to Caltrans' finding of no adverse effect for this undertaking.

If you have any questions, please contact Natalie Lindquist at natalie.lindquist@parks.ca.gov .

Sincerely,

Julianne Polanco
State Historic Preservation Officer

Appendix D Comment Letters and Responses

[Appendix D has been added since the draft environmental document was circulated.] This appendix contains a summary of project coordination as well as the comments received during the draft environmental document's public circulation and comment period from January 8, 2025, to February 7, 2025, retyped for readability. The comment letters are stated verbatim as submitted, with acronyms, abbreviations, and any original grammatical or typographical errors included. A Caltrans response follows each comment presented. Copies of the original comment letters and documents can be found in the technical reports binder for this project.

A public notice announcing the availability of the environmental document was published in The Fresno Bee on Wednesday, January 8, 2025. The public notice stated that the document would be available for public review and comment from January 8, 2025, to February 7, 2025. The public notice also offered the public an opportunity to request a public meeting; there were no requests for a public meeting during the public circulation period.

Direct letters were mailed to six elected officials, eleven Native American tribes, and six local, state, and federal agencies. The English and Spanish public notices were posted on Caltrans' District 6 Facebook and Instagram account and on the project website.

Two email comments were received during the circulation period. Each comment is presented below, followed by a Caltrans response.

Comment Email from the State Clearinghouse

From: Meng Heu
CEQA Program Lead
Governor's Office of Land Use and Climate Innovation
(Formerly known as Office of Planning and Research)

Your project is published and is available for review. Please note the State/Local review 'start' and 'end' period.

You can click "Navigation" and select "Published Document" to view your project and any attachments on CEQAnet.

****Updates to Published Projects:** Please note that we do not remove attachments from published projects unless there is confidential information that cannot be displayed online. To make changes to a published document, send requests and any attachments to state.clearinghouse@opr.ca.gov. We ask that you also provide a brief memo on lead agency letterhead explaining what changes/corrections have been made.

Thank you,

Meng Heu
CEQA Program Lead
Governor's Office of Land Use and Climate Innovation
(Formerly known as Office of Planning and Research)
(916) 445-0613| meng.heu@opr.ca.gov
opr.ca.gov | Follow us on LinkedIn | Follow us on X

**Note: No reply, response, or information provided constitutes legal advice.

To view your submission, use the following link.
https://ceqasubmit.opr.ca.gov/Document/Index/311038/1

Response to Comment 1: Thank you for circulating the Initial Study with Proposed Mitigated Negative Declaration for the Fresno County Culvert Improvement Project and acknowledging Caltrans' compliance with California Environmental Quality Act requirements pursuant to State Clearinghouse guidelines. Caltrans has recorded the corresponding State Clearinghouse number for this project.

Comment Email from Jackson Hurst

Comment 1: I approve and support Caltrans Fresno County Improvement Project. I have reviewed and support the findings and the build alternative in the draft environmental document because the build alternative will improve safety and prolong the service life of the culverts.

Response to comment 1: Thank you for your comment.

Comment from the California Department of Fish and Wildlife

February 7, 2025

Judith Lopez, Senior Environmental Scientist
California Department of Transportation
2015 East Shields Avenue, Suite 100-200

Fresno, California 93726

judith.lopez@dot.ca.gov

Subject: Fresno County Culvert Improvement Project (EA 06-1A730) (Project) Initial Study with Proposed Mitigated Negative Declaration

State Clearinghouse No. 2025010221

Dear Judith Lopez:

The California Department of Fish and Wildlife (CDFW) received an Initial Study with Proposed Mitigated Negative Declaration (MND) from the California Department of Transportation (Caltrans) for the above referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.

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

CDFW ROLE

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

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to

CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code may be required. In this role, CDFW is responsible for providing, as available, biological expertise during public agency environmental review efforts (e.g., CEQA), focusing specifically on project activities that have the potential to adversely affect fish and wildlife resources. CDFW provides recommendations to identify potential impacts and possible measures to avoid or reduce those impacts.

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

Unlisted Species: Species of plants and animals need not be officially listed as Endangered, Rare, or Threatened (E, R, or T) on any State or Federal list to be considered E, R, or T under CEQA. If a species can be shown to meet the criteria for E, R, or T, as specified in the CEQA Guidelines, section 15380, CDFW recommends it be fully considered in the environmental analysis for the Project.

PROJECT DESCRIPTION SUMMARY

Proponent: Caltrans

Objective: The Project will rehabilitate 86 failing drainage systems across Fresno County. Culvert work includes culvert lining, repairing culverts, replacing culverts, placing rock slope protection, placing headwalls, and placing flared end sections.

Location: The proposed Project is located at various locations on Interstate 5 and State Routes (SR): 33, 41, 63, 168, 180, 198, 245, and 269 in Fresno County, California.

Timeframe: Construction of the proposed Project is anticipated to last one year, beginning in the 2025/2026 fiscal year.

I. COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist Caltrans in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife

(biological) resources. Due to the broad geographic scope of the proposed Project and limited time provided for the technical review, CDFW was not able to review each proposed culvert location. Instead, CDFW's comments are based on the possibility that Project activities may occur at any location along the highways listed in the MND, within Fresno County. Editorial comments or other suggestions may also be included to improve the document.

Special-Status Species: Given the countywide nature of the Project, there is the potential for the Project to impact a variety State-listed species. These Resources may need to be evaluated and addressed in the MND and prior to Project construction. Table 1 summarizes the species that CDFW is concerned that the proposed Project may significantly impact, either because they were not identified in the MND or CDFW has additional concerns about Project impacts. Please note that Table 1 does not include federally listed or California Rare Plant Rank plants that are not otherwise State-listed, or sensitive natural communities, that could potentially occur in the Project area.

Table 1: Special-status Species

Common Name	**Scientific Name**	**Status[1]**	
		State	**Federal**
ANIMALS:			
bald eagle	*Haliaeetus leucocephalus*	E; FP	-
giant kangaroo rat	*Dipodomys ingens*	E	E
Tipton kangaroo rat	*Dipodomys nitraoides nitraoides*	E	E
great gray owl	*Strix nebulosa*	E	-
foothill yellow-legged frog	*Rana boylii*	E	T
southern mountain yellow-legged frog	*Rana muscosa*	E	E
southern Sierra Nevada fisher	*Pekania pennanti*	T	E
San Joaquin antelope squirrel	*Ammospermophilus nelsoni*	T	-

Common Name	Scientific Name	Status[1]	
		State	Federal
San Joaquin kit fox	*Vulpes macrotis mutica*	T	E
Sierra Nevada red fox	*Vulpes vulpes necator*	T	E
Swainson's hawk	*Buteo swainsoni*	T	-
tricolored blackbird	*Agelaius tricolor*	T	-
Sierra Nevada yellow-legged frog	*Rana sierrae*	T	E
golden eagle	*Aquila chrysaetos*	FP	-
blunt-nosed leopard lizard	*Gambelia sila*	FP	E
western burrowing owl	*Athene cunicularia hypugeae*	C	-
Temblor legless lizard	*Anniella alexanderae*	C	-
northwestern pond turtle	*Actinemys marmorata*	SSC	PT
southwestern pond turtle	*Actinemys pallida*	SSC	PT
PLANTS[2]:			
California jewelflower	*Caulanthus californicus*	E	E
palmate-bracted bird's-beak	*Chloropyron palmatum*	E	E
Congdon's lewisia	*Lewisia congdonii*	R	-
San Joaquin Valley Orcutt grass	*Orcuttia inaequalis*	E	E
San Joaquin adobe sunburst	*Pseudobahia peirsonii*	E	E
Greene's tuctoria	*Tuctoria greenei*	R	E

[1] E= Endangered; T=Threatened, C= Candidate for listing as Threatened or Endangered, R= Rare, SSC= Species of Special Concern, FP= Fully Protected, PT=Proposed Threatened.
[2] State-listed species only; does not include all federally listed or California Rare Plant Ranks that could potentially occur in the Project Area.

CDFW recommends that habitat assessments be conducted in and surrounding all locations for planned work and identify all the potential plant, animal, invertebrate, and fish special-status species and habitats that could be present. For species with the potential to be present, CDFW recommends a robust analysis of cumulative impacts for each of those species along with avoidance, minimization, and mitigation measures that could be implemented at each discreet Project location to reduce impacts to those species. For many species, subsequent protocol-level surveys may be necessary during biological studies conducted in support of the presence or absence of a species. Depending on the survey results, avoidance and minimization measures, permits, and mitigation may be required. If any of the special-status species listed in Table 1 are found during habitat assessment, consultation with CDFW would be warranted.

CDFW advises that the special-status species be addressed with appropriate avoidance and minimization measures. If take could occur as a result of Project implementation, consultation with CDFW would also be warranted. The special-status species listed below have the greatest chance to be impacted by the Project, or the MND did not address sufficient proposed avoidance and mitigation measures:

Bald Eagle (BAEA) and Golden Eagle (GOEA):

Issue: The Project area is within the known geographic range of both BAEA and GOEA and there are several documented occurrences of nesting and foraging BAEA and GOEA in the Project vicinity (CDFW in-house data). BAEA inhabits forested areas that contain large bodies of water and perching trees while GOEA are known to inhabit open areas with large trees, utility towers, and cliffs for nesting (USFWS 2010).

Recommended Mitigation Measures for BAEA and GOEA: CDFW recommends that a qualified biologist conduct focused BAEA and GOEA surveys as part of the biological studies conducted in support of the MND. To avoid Project-related impacts to this species, CDFW recommends incorporating survey methods outlined in the Bald Eagle Breeding Survey Instructions (CDFW 2010) protocol; Protocol for the Interim Golden Eagle Inventory and Monitoring Protocols; and Other Recommendations guidelines (USFWS 2010). If surveys indicate the presence or potential presence of BAEA or GOEA nesting territories within ½-mile of the Project area, implementation of avoidance measures are warranted. CDFW recommends that a qualified wildlife biologist be on-site during all ground-disturbing/construction related activities and that a ½-mile no-disturbance buffer be put into effect. If the ½-mile no-disturbance buffer cannot feasibly be implemented, contacting CDFW to assist with providing and implementing additional avoidance measures is suggested.

Giant Kangaroo Rat (GKR) and Tipton Kangaroo Rat (TKR):
Issue: The MND did not evaluate and address potential Project-related impacts to GKR and TKR, even though the Project area is partially within the geographic range of these species (CDFW 2025). Suitable TKR habitat includes areas of grassland, upland scrub and alkali sink habitats that contain requisite habitat elements, such as small mammal burrows. Suitable GKR habitat includes grassland and scrub communities with sandy-loam soils and gentle slopes vegetated with annual grasses and scattered shrubs. Habitat loss resulting from agricultural, urban and industrial development is the primary threat to GKR and TKR. Very little suitable habitat for these species remains along the edges of the southern San Joaquin Valley floor (CSU Stanislaus 2025a).

Recommended Mitigation Measures for GKR and TKR: In order to determine if GKR and TKR currently occupy the Project area, CDFW recommends that a qualified biologist conduct a habitat assessment for GKR and TKR within and near the Project area as part of the biological studies conducted in support of the MND. CDFW also recommends that focused protocol-level live trapping surveys be conducted in areas of suitable habitat and that a trapping plan for determining presence of GKR and TKR be submitted to and approved by CDFW prior to subsequent trapping efforts. The trapping plan should also follow the United States Fish and Wildlife

Service (USFWS) (2013) “Survey Protocol for Determining Presence of San Joaquin Kangaroo Rats” survey protocol. CDFW recommends these surveys be conducted by a qualified biologist who holds a Memorandum of Understanding for GKR and TKR. CDFW further recommends that these surveys be conducted between April 1 and October 31, when kangaroo rats are most active, and well in advance of ground-disturbing activities in order to determine if impacts to GKR or TKR could occur. In the absence of surveys, CDFW recommends that where suitable habitat occurs within range of either species, CDFW advises maintenance of a 50-foot minimum no-disturbance buffer around all small mammal burrow entrances of suitable size for GKR or TKR use. GKR or TKR activity or detection warrants consultation with CDFW to discuss how to avoid take. If take cannot be avoided, take authorization through the acquisition of an incidental take permit (ITP) pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA.

Great Gray Owl (GGO):

Issue: The MND did not evaluate and address potential Project-related impacts to GGO, even though the Project area is partially within the geographic range of the species (CDFW 2025). GGO generally nest in closed canopy forested areas where they forage for pocket mice and voles which may occur within and near the Project area.

Recommended Mitigation Measures for Great Gray Owl: CDFW recommends that focused GGO surveys be conducted by a qualified biologist familiar with GGO to evaluate potential impacts prior to ground disturbing activities. In the event an active GGO nest is found during surveys, CDFW recommends that a ½-mile no-disturbance buffer be implemented if ground-disturbing activities are to occur during the owl nesting season. In the event that a GGO nest is detected during surveys, and a ½-mile no-disturbance buffer is not feasible, consultation with CDFW is recommended.

Foothill Yellow-legged Frog (FYLF), Southern Mountain Yellow-legged Frog (MYLF), and Sierra Nevada Yellow-legged Frog (SNYF):

Issue: Portions of the Project area are within the known geographic area of FLYF, MYLF, and SNYF (CDFW 2025). FYLF are primarily stream dwelling and require shallow, flowing water in streams and rivers with at least some cobble-sized substrate (Thomson et al. 2016); and MYLF occupy lakes, ponds, marshes, and streams at elevations below 3,690 meters (Bonham & Lockhart 2011). Suitable habitat for the SNYF includes upland areas adjacent to, or surrounding, breeding and non-breeding aquatic stream habitats that provide area for feeding and movement, extending approximately 25 meters from the bank or shoreline of the watercourse.

Recommended Mitigation Measures for FYLF, MYLF, and SNYF:

CDFW recommends that a qualified biologist assess stream habitats within the Project area where FYLF, MYLF, and SNYF have potential to occur for potential FYLF, MYLF, and SNYF habitat. If present, CDFW recommends that a qualified biologist conduct focused surveys following the survey methods described in pages 16–22 of "A Standardized Protocol for Surveying Aquatic Amphibians" (Fellers and Freel 1995); however, please note that dip-netting would constitute take as defined by Fish and Game Code section 86, so it is recommended this survey technique be avoided. In addition, CDFW advises surveyors adhere to the protocols set forth in "The Declining Amphibian Task Force Fieldwork Code of Practice" (DAPTF 1998). If any life stage of the FYLF, MYLF, or SNYF (adult, metamorph, larvae, egg mass) is found, consultation with CDFW is warranted to develop avoidance measures and evaluate permitting needs. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA.

Southern Sierra Nevada Fisher (SSNF):

Issue: Portions of the Project area are within the known geographic area of SSNF. Numerous studies have documented that fishers in the western United States utilize stands with certain forest characteristics for resting and denning such as large trees and snags, coarse woody-debris, dense canopy closure and multiple-canopy layers, large diameter hardwoods, and steep slopes near water (Zielinski et al. 2004, Spencer et al 2015).

Recommended Mitigation Measures for SSNF: CDFW recommends ground-disturbing activities not occur during the SSNF natal or maternal denning period (i.e., March to September) where suitable habitat is present. CDFW recommends a qualified biologist conduct surveys for the SSNF by observing for potential natal/maternal denning structures within the Project area following the United States Forest Service's "Survey protocol for fisher denning season: methods for informing denning protection measures" (Tucker et. al. 2020). If potential denning structures are detected, consultation with CDFW is advised to develop site-specific take avoidance measures. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA.

San Joaquin Antelope Squirrel (SJAS):

Issue: The MND does not address potential impacts to SJAS and the Project area is partially within the known geographic range of SJAS (CDFW 2025). Suitable SJAS habitat includes areas of grassland, upland scrub and alkali sink habitats that contain requisite habitat elements, such as small mammal burrows. SJAS are known to occur in disturbed areas, including along roadsides.

Recommended Mitigation Measures for SJAS: In order to determine SJAS currently occupy the Project area, CDFW recommends that a qualified biologist conduct a habitat assessment for GKR and TKR within and near the Project area as part of the biological studies conducted in support of the MND**.** If suitable habitat is determined to be present, CDFW recommends that a qualified biologist conduct focused daytime visual surveys for SJAS in areas of suitable habitat as part of the biological studies conducted in support of the MND. CDFW recommends that consultation with CDFW occur to discuss how to implement the Project within the portions of the Project that are adjacent to habitats within the vicinity of SJAS. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA.

San Joaquin Kit Fox (SJKF):

Issue: The Project is within the known geographic range of SJKF and the MND has determined that there is potentially suitable habitat within the Project area. SJKF may be attracted to any construction area due to the type and level of activity (pipes, excavation, etc.) and the loose, friable soils that are created as a result of intensive ground disturbance. The MND indicated that the Project would consult with the USFWS, but did not indicate consultation with CDFW, to discuss potential take. Some of the avoidance and minimization measures in the MND would constitute take as defined by Fish and Game Code section 86. Based on this information, CDFW recommends that the Project proponent acquire a State ITP for SJKF prior to any ground-disturbing activities, pursuant to Fish and Game Code section 2081, subdivision (b).

Recommended Mitigation Measures for SJKF: CDFW recommends that a qualified biologist assess presence/absence of SJKF by conducting surveys following the USFWS “Standardized recommendations for protection of the San Joaquin kit fox prior to or during ground disturbance” and implementing no-disturbance buffers around den sites as described in the United States Fish and Wildlife Service document (USFWS 2011). Specifically, CDFW recommends conducting these surveys over the entirety of the Project area no less than 14 days and no more than 30 days prior to beginning of ground and/or vegetation disturbing activities. CDFW also recommends a qualified biologist conduct on-site worker awareness training and inspect all construction materials for SJKF before use. In the event that SJKF is detected during surveys and an ITP has not been obtained, consultation with CDFW is recommended to discuss how to avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA.

Sierra Nevada Red Fox (SNRF):

Issue: The Project is within the known geographic range of SNRF and the MND has determined that there is potentially suitable habitat within the Project area. Results from the California Natural Diversity Database (CNDDB) show that SNRF have been documented at elevations near the SR 180 portion of Project (CDFW 2025).

Recommended Mitigation Measures for SNRF: CDFW recommends that the protocol in Appendix B of Ecology of Red Fox (*Vulpes vulpes*) in the Lassen Peak Region of California, USA (Perrine 2005) be followed, and that a qualified biologist conduct surveys accordingly and prior to commencing any ground disturbing activities. If any individuals of the species or active or potential dens are found on the Project area during these surveys, consultation with CDFW would be warranted for guidance on take avoidance, minimization, and mitigation measures.

Swainson's Hawk (SWHA):

Issue: The Project area is within the known geographic range of SWHA (CDFW 2025). The MND identifies that there are potential SWHA nesting trees within and adjacent to the Project area, but did not address potential impacts to nesting SWHA. This conclusion conflicts with the findings in the NES prepared for the MND, which determined that the Project could result in impacts to nesting SWHA if present near Project activities. The measures proposed in the MND are not sufficient to prevent take of SHWA if they are nesting near the Project area during Project activities. Without appropriate avoidance and minimization measures for SWHA, potentially significant impacts associated with the Project's activities include reduced reproductive success, reduction in health and vigor of eggs and/or young, and direct mortality of individuals.

Recommended Mitigation Measures for SWHA: Given the presence of suitable nesting habitat within and near the Project area, CDFW recommends that following additional measures be added to the MND for SWHA. CDFW recommends that a qualified biologist conduct surveys for nesting SWHA following the entire survey methodology developed by the Swainson's Hawk Technical Advisory Committee (2000) one year prior to Project construction. If Project-specific activities will take place during the SWHA nesting season (i.e., March 1 through September 15), and active SWHA nests are present, CDFW recommends a minimum ½-mile no-disturbance buffer be delineated and maintained around each nest, regardless of whether it was detected by surveys or observed incidentally.

These buffers would remain in place until the breeding season has ended; or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival; and to prevent nest abandonment and other take of SWHA as a result of Project activities. CDFW also recommends that in the event an active SWHA nest is detected,

and a ½-mile no-disturbance buffer is not feasible, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA.

Tricolored Blackbird (TRBL):

Issue: The Project area is within the known geographic range of TRBL (CDFW 2025), and the Project area may contain suitable habitat for TRBL foraging and nesting. TRBL breed within the vicinity of fresh water, primarily in marshy areas, but may nest in agricultural row crops, which are adjacent to the Project area. Important sites for nesting colonies include heavy growths of cattails, tules, thistles, willows, blackberries, mustard, nettles, and salt cedar (Grinnell and Miller 1944). Nesting can occur synchronously, with all eggs laid within one week (Orians 1961). For these reasons, depending on timing, disturbance to nesting colonies can cause abandonment, significantly impacting TRBL populations (Beedy et al. 2020).

Recommended Mitigation Measures for TRBL:CDFW recommends that construction be timed to avoid the typical bird breeding season (February 1 through September 15). However, if construction must occur during that time, CDFW recommends that a qualified wildlife biologist conduct surveys for nesting TRBL within the Project area no more than 10 days prior to the start of implementation to evaluate presence/absence of TRBL nesting colonies in proximity to Project activities, and to evaluate potential Project-related impacts. If an active TRBL nesting colony is found during pre-activity surveys, CDFW recommends implementation of a minimum 300-foot no-disturbance buffer around the colony in accordance with CDFW's "Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015" (CDFW 2015). CDFW advises that this buffer remains in place until the breeding season has ended; or until a qualified biologist has determined that nesting has ceased, the birds have fledged, and are no longer reliant upon the colony or parental care for survival. If a 300-foot no-disturbance buffer is not feasible, consultation with CDFW is warranted to discuss how to avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA.

Blunt-nosed Leopard Lizard (BNLL):

Issue: Project area is partially within the known geographic area of BNLL (CDFW 2025). Suitable BNLL habitat includes areas of grassland and upland scrub that contain requisite habitat elements, such as small mammal burrows. BNLL also use open space patches between suitable habitats, including disturbed sites and unpaved access roadways. Habitat loss resulting from agricultural, urban, and industrial development is the primary threat to BNLL

(CSU Stanislaus 2025b). The range for BNLL now consists of scattered parcels of undeveloped land within the valley floor and the foothills of the Coast Range (USFWS 1998).

Recommended Mitigation Measures for BNLL: Where suitable habitat is present, prior to initiating any vegetation- or ground-disturbance activities, CDFW recommends that a qualified biologist conduct surveys for BNLL in accordance with the "Approved Survey Methodology for the Blunt-nosed Leopard Lizard"(CDFW 2019). This survey protocol is designed to optimize BNLL detectability. CDFW advises completion of BNLL surveys no more than one year prior to initiation of ground disturbance. Please note that protocol-level surveys must be conducted on multiple dates during late spring, summer, and fall of the same calendar year, and that within these time periods, there are specific date, temperature, and time parameters. As a result, protocol-level surveys for BNLL are not synonymous with 30-day "preconstruction surveys" often recommended for other wildlife species. In addition, the BNLL protocol specifies different survey effort requirements based on whether the disturbance results from maintenance activities or if the disturbance results in habitat removal (CDFW 2019). With the passage of Senate Bill No. 147, the incidental take of BNLL may be authorized for certain categories of projects, including maintenance, repair, or improvement to critical infrastructure. If BNLL protocol surveys find that the Project area is occupied, or if Caltrans chooses to assume presence for BNLL, consultation with CDFW is recommended to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA.

Western Burrowing Owl (BUOW):

Issue: The Project area is partially within known geographic range of BUOW. The species is known to occupy a variety of grassland, agricultural, and disturbed habitats containing small mammal burrows, a requisite habitat feature used by BUOW for nesting, overwintering and cover. The California Fish and Game Commission approved BUOW as a candidate for potential listing as a protected species under CESA on October 10, 2024, and published these findings in the California Regulatory Notice Register on October 25, 2024. BUOW is now considered a candidate under CESA and as such receives the same legal protection afforded to an endangered or threatened species (Fish & G. Code, §§ 2074.2 & 2085). CDFW recommends that the MND be updated to reflect the candidacy and recommends the measures listed below be incorporated to avoid unauthorized take.

Recommended Mitigation Measures for BUOW: CDFW recommends that a qualified biologist assess presence/absence of BUOW by conducting surveys following the California Burrowing Owl Consortium's (CBOC)

"Burrowing Owl Survey Protocol and Mitigation Guidelines" (CBOC 1993) and CDFW's "Staff Report on Burrowing Owl Mitigation" (CDFG 2012) during the survey season immediately prior to Project construction. If a BUOW is detected, CDFW recommends that a no-disturbance buffer of 500 meters be maintained around all BUOW burrows (active and inactive). If BUOW and/or BUOW burrows are observed in the Project area, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA.

Temblor Legless Lizard (TLL):

Issue: The Project area is within the known geographic range of TLL (CDFW 2024). TLL occupy sparsely vegetated areas of desert scrub, sandy washes, and stream terraces with scattered trees. TLL can also be found under surface objects such as rocks, boards, driftwood, and logs. Potentially significant impacts associated with the Project's activities include inadvertent entrapment, reduced reproductive success and health and vigor of individuals, and direct mortality of individuals.

Recommended Mitigation Measures for TLL: CDFW recommends that a qualified biologist conduct focused surveys for TLL and their requisite habitat features in support of the MND. If a TLL is found prior to or during construction, CDFW recommends implementation of a minimum 50-foot no-disturbance buffer to avoid take and potentially significant impacts. In the event that a TLL is detected, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, take authorization prior to any ground disturbing activities would be warranted. Take authorization would occur through issuance of an ITP by CDFW, pursuant to Fish and Game Code section 2081, subdivision (b).

Northwestern Pond Turtle (NWPT) and Southwestern Pond Turtle (SWPT):

Issue: The Project area is partially within known geographic range of NWPT and SWPT. NWPT and SWPT are known to nest in the spring or early summer within 100 meters of a water body, although nest sites as far away as 500 meters have also been reported (Thomson et al. 2016). Noise, vegetation removal, movement of workers, construction, and ground disturbance as a result of Project activities have the potential to significantly impact pond turtle populations. In areas of suitable habitat, CDFW recommends that a qualified biologist conduct focused surveys for NWPT and SWPT within 10 days prior to Project implementation, and that focused surveys for nests occur during the egg-laying season of March through August.

Recommended Mitigation Measures for NWPT and SWPT: CDFW recommends that any NWPT or SWPT nests that are discovered remain undisturbed with a no-disturbance buffer maintained around the nest until the eggs have hatched and neonates are no longer in the nest or Project areas. If NWPT or SWPT individuals are discovered at the area during surveys or Project activities, CDFW recommends that they be allowed to move out of the area of their own volition without disturbance.

Special-Status Plant Species and Sensitive Natural Communities:

The Project area is within the known geographic range of several special-status plant species including the state-listed species listed on Table 1 (CDFW 2025).

CDFW recommends that the Project area(s) be surveyed for special-status plants and sensitive natural communities by a qualified botanist following the "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities" (CDFW 2018) as part of the biological technical studies conducted in support of the MND. This protocol, which is intended to maximize detectability, includes the identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. CDFW recommends that floristic plant surveys be conducted across two seasons in order to maximize detectability and to offset climatic variations from year to year that could influence results. If surveys indicate the presence or potential presence of special-status plants or sensitive natural communities, consultation with CDFW is recommended for guidance on mitigation measures such as avoidance, minimization, and mitigation. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b), may be necessary to comply with CESA.

II. EDITORIAL COMMENTS AND/OR SUGGESTIONS

CDFW requests that the MND fully identify potential impacts to biological resources, including the aforementioned species. To adequately assess any potential impacts to biological resources, focused biological surveys should be conducted by qualified wildlife biologists/botanists during the appropriate survey period(s) for each species in order to determine whether any special-status species and/or suitable habitat features may be present within the Project area. Properly conducted biological surveys, and the information assembled from them, are essential to identify any mitigation, minimization, and avoidance measures and/or the need for additional or protocol level surveys, and to identify any Project-related impacts under CESA and other species of concern. CDFW recommends the MND address potential impacts to these species and provide measurable mitigation measures that, as needed, will reduce impacts to less than significant levels. Information on

survey and monitoring protocols for sensitive species can be found at CDFW's website (https://www.wildlife.ca.gov/Conservation/SurveyProtocols).

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

To evaluate Project-related impacts on nesting birds, CDFW recommends that a qualified wildlife biologist conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the Project area to identify nests and determine their status. A sufficient area means any area potentially affected by the Project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

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

CNDDB: Please note that the CNDDB is populated by voluntary submissions of species detections. As a result, species may be present in locations not depicted in the CNDDB but where there is suitable habitat and features capable of supporting species. A lack of an occurrence record, or lack of recent occurrence records, in the CNDDB does not mean that a species is not present. To adequately assess any potential Project-related impacts to biological resources, surveys conducted by a qualified biologist during the

appropriate survey period(s) and using the appropriate protocol survey methodology are warranted to determine if any special-status species are present.

Federally Listed Species: CDFW recommends consulting with the USFWS regarding potential impacts to federally listed or proposed species. The Federal Endangered Species Act (FESA) is more broadly defined than CESA; take under FESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS in order to comply with FESA is advised well in advance of any Project activities.

Cumulative Impacts: CDFW recommends that a cumulative impact analysis be conducted for all biological resources that will either be significantly or potentially significantly impacted by implementation of the Project, including those whose impacts are determined to be less than significant with mitigation incorporated or for those resources that are rare or in poor or declining health and will be impacted by the Project, even if those impacts are relatively small (i.e., less than significant). CDFW recommends cumulative impacts be analyzed using an acceptable methodology to evaluate the impacts of past, present, and reasonably foreseeable future projects on resources and be focused specifically on the resource, not the Project. An appropriate resource study area identified and utilized for this analysis is advised. CDFW staff is available for consultation in support of cumulative impacts analyses as a trustee and responsible agency under CEQA.

ENVIRONMENTAL DATA

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

FILING FEES

If it is determined that the Project has the potential to impact biological resources, an assessment of filing fees will be necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested,

and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

CONCLUSION

CDFW appreciates the opportunity to comment on the Project to assist Caltrans in identifying and mitigating the Project's impacts on biological resources.

More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (https://www.wildlife.ca.gov/Conservation/Survey-Protocols). If you have any questions, please contact Grant Piepkorn, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 807-1459, or by electronic mail at Grant.Piepkorn@wildlife.ca.gov.

Sincerely,

for Julie A. Vance
Regional Manager

Attachment
ec: State Clearinghouse
Office of Land Use and Climate Innovation
state.clearinghouse@opr.ca.gov

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Attachment 1

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE RECOMMENDED MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

PROJECT: Fresno County Culvert Improvement Project (EA 06-1A730)
SCH No.: 2025010221

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
Before Disturbing Soil or Vegetation	
bald eagle (BAEA) and golden eagle (GOEA) surveys	
giant kangaroo rat (GKR) and Tipton kangaroo rat (TKR) surveys	
GKR take authorization	
Great Gray Owl (GGO) surveys	
Foothill yellow-legged frog (FYLF), southern mountain yellow-legged Frog (MYLF), and Sierra Nevada Yellow-legged Frog (SNYF) surveys	
FYLF, MYLF, SNYF take authorization	
southern Sierra Nevada fisher (SSNF) surveys	
San Joaquin antelope Squirrel (SJAS) surveys	
SJAS take authorization	
San Joaquin kit fox (SJKF) surveys	
SJKF take authorization	
Sierra Nevada red fox (SNRF) surveys	
SNRF take authorization	
Swainson's hawk (SWHA) surveys	
SWHA take authorization	
Tricolored blackbird (TRBL) surveys	
TRBL take authorization	
Blunt-nosed leopard lizard (BNLL) surveys	
BNLL take authorization	
Burrowing owl (BUOW) surveys	
BUOW take authorization	
Northwestern Pond Turtle (NWPT) and Southwestern Pond Turtle (SWPT) surveys	

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
Special status plant and sensitive natural communities surveys	
Nesting bird surveys	
During Construction	
BAEA and GOEA avoidance buffer	
GKR and TKR avoidance buffer	
Great Gray Owl (GGO) avoidance buffer	
SJKF avoidance buffer	
SWHA avoidance buffer	
TRBL avoidance buffer	
BUOW avoidance buffer	
NWPT and SWPT avoidance buffer	
Nesting birds avoidance buffer	

Caltrans response to the California Department of Fish and Wildlife's comments: Thank you for your comments. Your comments have been reproduced below, with a Caltrans response provided after each comment.

Comment 1 (Bald Eagle and Golden Eagle): The Project area is within the known geographic range of both BAEA and GOEA and there are several documented occurrences of nesting and foraging BAEA and GOEA in the Project vicinity (CDFW in-house data). BAEA inhabits forested areas that

contain large bodies of water and perching trees while GOEA are known to inhabit open areas with large trees, utility towers, and cliffs for nesting (USFWS 2010).

Recommended Mitigation Measures for BAEA and GOEA: CDFW recommends that a qualified biologist conduct focused BAEA and GOEA surveys as part of the biological studies conducted in support of the MND. To avoid Project-related impacts to this species, CDFW recommends incorporating survey methods outlined in the Bald Eagle Breeding Survey Instructions (CDFW 2010) protocol; Protocol for the Interim Golden Eagle Inventory and Monitoring Protocols; and Other Recommendations guidelines (USFWS 2010). If surveys indicate the presence or potential presence of BAEA or GOEA nesting territories within ½-mile of the Project area, implementation of avoidance measures are warranted. CDFW recommends that a qualified wildlife biologist be on-site during all ground-disturbing/construction related activities and that a ½-mile no-disturbance buffer be put into effect. If the ½-mile no-disturbance buffer cannot feasibly be implemented, contacting CDFW to assist with providing and implementing additional avoidance measures is suggested.

Response to comment 1 (Bald Eagle and Golden Eagle): The Biological Study Area is highly disturbed by traffic and would prevent this species from nesting within the area. Caltrans biologists completed two days of nesting bird surveys in April 2023 and didn't see any eagle nests. Caltrans expects no take of this species and will conduct three days of nesting bird surveys before the start of construction.

Comment 2 (Giant Kangaroo Rat and Tipton Kangaroo Rat):

The MND did not evaluate and address potential Project-related impacts to GKR and TKR, even though the Project area is partially within the geographic range of these species (CDFW 2025). Suitable TKR habitat includes areas of grassland, upland scrub and alkali sink habitats that contain requisite habitat elements, such as small mammal burrows. Suitable GKR habitat includes grassland and scrub communities with sandy-loam soils and gentle slopes vegetated with annual grasses and scattered shrubs. Habitat loss resulting from agricultural, urban and industrial development is the primary threat to GKR and TKR. Very little suitable habitat for these species remains along the edges of the southern San Joaquin Valley floor (CSU Stanislaus 2025a).

Recommended Mitigation Measures for GKR and TKR: In order to determine if GKR and TKR currently occupy the Project area, CDFW recommends that a qualified biologist conduct a habitat assessment for GKR and TKR within and near the Project area as part of the biological studies conducted in support of the MND. CDFW also recommends that focused protocol-level live trapping

surveys be conducted in areas of suitable habitat and that a trapping plan for determining presence of GKR and TKR be submitted to and approved by CDFW prior to subsequent trapping efforts. The trapping plan should also follow the United States Fish and Wildlife Service (USFWS) (2013) "Survey Protocol for Determining Presence of San Joaquin Kangaroo Rats" survey protocol. CDFW recommends these surveys be conducted by a qualified biologist who holds a Memorandum of Understanding for GKR and TKR. CDFW further recommends that these surveys be conducted between April 1 and October 31, when kangaroo rats are most active, and well in advance of ground-disturbing activities in order to determine if impacts to GKR or TKR could occur. In the absence of surveys, CDFW recommends that where suitable habitat occurs within range of either species, CDFW advises maintenance of a 50-foot minimum no-disturbance buffer around all small mammal burrow entrances of suitable size for GKR or TKR use. GKR or TKR activity or detection warrants consultation with CDFW to discuss how to avoid take. If take cannot be avoided, take authorization through the acquisition of an incidental take permit (ITP) pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA.

Response to comment 2 (Giant Kangaroo Rat and Tipton Kangaroo Rat): Caltrans will concur with the California Department of Fish and Wildlife that potential habitat could be present at the culvert at post mile 20.21 on State Route 198 and the culvert at post mile 2.75 on State Route 33. However, work at these locations will only include culvert barrel linings, so trapping would be unnecessary, and no impacts are expected. According to the "Conservation of endangered Tipton kangaroo rats (*Dipodomys nitratoides nitratoides*): status surveys, habitat suitability, and conservation recommendations" by Cypher et al., the Tipton kangaroo rat's historical range or observations are well outside the project area.

Caltrans conducted habitat assessments in January and February 2022 and April 2023 for a total of five visits (refer to page 22 of the Natural Environment Study). Potential low-quality habitat and some burrows nearby were seen at the culverts on State Routes 198 and 33. However, there were no burrows at the culvert at post mile 20.87 on State Route 198, where there will be replacement work. The remaining culverts within the potential habitat will involve relining work.

The project will replace the culvert at post mile 20.87 on State Route 198, so there will be soil disturbance. Trapping could be warranted at this location; however, Caltrans deems it unlikely any special-status species would be found. In October 2023, another Caltrans project, the State Route 198 Culvert Rehabilitation, conducted trapping for five days, less than a mile west, and found no special-status species.

Comment 3 (Great Gray Owl): The MND did not evaluate and address potential Project-related impacts to GGO, even though the Project area is partially within the geographic range of the species (CDFW 2025). GGO generally nest in closed canopy forested areas where they forage for pocket mice and voles which may occur within and near the Project area.

Recommended Mitigation Measures for Great Gray Owl: CDFW recommends that focused GGO surveys be conducted by a qualified biologist familiar with GGO to evaluate potential impacts prior to ground disturbing activities. In the event an active GGO nest is found during surveys, CDFW recommends that a ½-mile no-disturbance buffer be implemented if ground-disturbing activities are to occur during the owl nesting season. In the event that a GGO nest is detected during surveys, and a ½-mile no-disturbance buffer is not feasible, consultation with CDFW is recommended.

Response to comment 3 (Great Gray Owl): This species was addressed in Table 2 of the Natural Environment Study. Mature forests with suitable and undisturbed meadows are not present in the Biological Study Area. The Creek Fire burned quality habitat that did exist. Caltrans completed protocol surveys in 2022 for the Fresno 168 Culvert Rehabilitation project and did not detect any great gray owls on State Route 168. Caltrans will conduct preconstruction nesting bird surveys.

Comment 4 (Foothill Yellow-legged Frog, Southern Mountain Yellow-legged Frog and Sierra Nevada Yellow-legged Frog): Portions of the Project area are within the known geographic area of FLYF, MYLF, and SNYF (CDFW 2025). FYLF are primarily stream dwelling and require shallow, flowing water in streams and rivers with at least some cobble- sized substrate (Thomson et al. 2016); and MYLF occupy lakes, ponds, marshes, and streams at elevations below 3,690 meters (Bonham & Lockhart 2011). Suitable habitat for the SNYF includes upland areas adjacent to, or surrounding, breeding and non-breeding aquatic stream habitats that provide area for feeding and movement, extending approximately 25 meters from the bank or shoreline of the watercourse.

Recommended Mitigation Measures for FYLF, MYLF, and SNYF: CDFW recommends that a qualified biologist assess stream habitats within the Project area where FYLF, MYLF, and SNYF have potential to occur for potential FYLF, MYLF, and SNYF habitat. If present, CDFW recommends that a qualified biologist conduct focused surveys following the survey methods described in pages 16–22 of “A Standardized Protocol for Surveying Aquatic Amphibians” (Fellers and Freel 1995); however, please note that dip-netting would constitute take as defined by Fish and Game Code section 86, so it is recommended this survey technique be avoided. In addition, CDFW advises surveyors adhere to the protocols set forth in “The Declining Amphibian Task Force Fieldwork Code of Practice” (DAPTF 1998). If any life stage of the FYLF, MYLF, or SNYF (adult, metamorph, larvae, egg mass) is found,

consultation with CDFW is warranted to develop avoidance measures and evaluate permitting needs. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA.

Response to comment 4 (Foothill Yellow-Legged Frog, Southern Mountain Yellow-Legged Frog, and **Sierra Nevada Yellow-Legged Frog):** According to the California Natural Diversity Database, the South Sierra Distinct Population Segment of the foothill yellow-legged frog, the southern mountain yellow-legged frog, and the Sierra Nevada yellow-legged frog has completely disappeared from the project area where potential habitat occurs at post mile 7.75 on State Route 245. Warthan Creek is near culverts on State Route 198 in the range of the Central Coast Distinct Population Segment of the three species. There haven't been any documented California Natural Diversity Database occurrences of the three species at this creek within the last 30 years.

Another historical California Natural Diversity Database observation nearby commented “Jennings (1994) considered vicinity as extirpated, however Lind (2005) shows vicinity as extant. Unclear if specific site is extirpated or extant.”

Additional California Natural Diversity Database observations nearby that are recent are in Lewis Creek outside the project area.

Both creeks are outside the impact area of the project. All the culverts within the potential habitat will have culvert barrel lining work done. No take of these species is anticipated.

Habitat assessments were conducted for southern mountain yellow-legged frogs and the Sierra Nevada yellow-legged frogs; however, potential habitat was not seen within the Biological Study Area. Additionally, the California Natural Diversity Database records did not support the likely presence of the species along the roads.

Comment 5 (Southern Sierra Nevada Fisher): Portions of the Project area are within the known geographic area of SSNF. Numerous studies have documented that fishers in the western United States utilize stands with certain forest characteristics for resting and denning such as large trees and snags, coarse woody-debris, dense canopy closure and multiple-canopy layers, large diameter hardwoods, and steep slopes near water (Zielinski et al. 2004, Spencer et al 2015).

Recommended Mitigation Measures for SSNF: CDFW recommends ground-disturbing activities not occur during the SSNF natal or maternal denning period (i.e., March to September) where suitable habitat is present. CDFW recommends a qualified biologist conduct surveys for the SSNF by observing for potential natal/maternal denning structures within the Project area

following the United States Forest Service's "Survey protocol for fisher denning season: methods for informing denning protection measures" (Tucker et. al. 2020). If potential denning structures are detected, consultation with CDFW is advised to develop site-specific take avoidance measures. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA.

Response to comment 5 (Southern Sierra Nevada Fisher): Potential foraging habitat is present in higher elevation mixed conifer at the culverts within the species' range on State Routes 168, 180, and 245. Denning habitat is unlikely to be present due to the visual and audio disturbances of the road and low tree cover density. Caltrans does not expect denning habitat to be impacted. Caltrans will conduct preconstruction surveys.

Comment 6 (San Joaquin Antelope Squirrel): The MND does not address potential impacts to SJAS and the Project area is partially within the known geographic range of SJAS (CDFW 2025). Suitable SJAS habitat includes areas of grassland, upland scrub and alkali sink habitats that contain requisite habitat elements, such as small mammal burrows. SJAS are known to occur in disturbed areas, including along roadsides.

Recommended Mitigation Measures for SJAS: In order to determine SJAS currently occupy the Project area, CDFW recommends that a qualified biologist conduct a habitat assessment for GKR and TKR within and near the Project area as part of the biological studies conducted in support of the MND. If suitable habitat is determined to be present, CDFW recommends that a qualified biologist conduct focused daytime visual surveys for SJAS in areas of suitable habitat as part of the biological studies conducted in support of the MND. CDFW recommends that consultation with CDFW occur to discuss how to implement the Project within the portions of the Project that are adjacent to habitats within the vicinity of SJAS. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA.

Response to comment 6 (San Joaquin Antelope Squirrel): This species was addressed in Table 2 of the Natural Environment Study. The project area around the culverts is highly disturbed and/or very steep. Additionally, there are no California Natural Diversity Database occurrences within 2 miles of the project. Caltrans conducted habitat assessments in January and February 2022 and April 2023 for a total of five visits (refer to page 22 of the Natural Environment Study). The California Natural Diversity Database indicates that the San Joaquin kit fox has completely disappeared near the culvert on State Route 33. The habitat along State Route 198 is low quality and/or has steep slopes, so this species is not expected to be present. No California Natural Diversity Database occurrences are nearby, and occurrences farther away are at least 30 years old. The habitat on Interstate 5

is agricultural and has no connectivity. No other locations were considered possible habitats or were outside the range.

Comment 7 (San Joaquin Kit Fox): The Project is within the known geographic range of SJKF and the MND has determined that there is potentially suitable habitat within the Project area. SJKF may be attracted to any construction area due to the type and level of activity (pipes, excavation, etc.) and the loose, friable soils that are created as a result of intensive ground disturbance. The MND indicated that the Project would consult with the USFWS, but did not indicate consultation with CDFW, to discuss potential take. Some of the avoidance and minimization measures in the MND would constitute take as defined by Fish and Game Code section 86. Based on this information, CDFW recommends that the Project proponent acquire a State ITP for SJKF prior to any ground-disturbing activities, pursuant to Fish and Game Code section 2081, subdivision (b).

Recommended Mitigation Measures for SJKF: CDFW recommends that a qualified biologist assess presence/absence of SJKF by conducting surveys following the USFWS “Standardized recommendations for protection of the San Joaquin kit fox prior to or during ground disturbance” and implementing no disturbance buffers around den sites as described in the United States Fish and Wildlife Service document (USFWS 2011). Specifically, CDFW recommends conducting these surveys over the entirety of the Project area no less than 14 days and no more than 30 days prior to beginning of ground and/or vegetation disturbing activities. CDFW also recommends a qualified biologist conduct on- site worker awareness training and inspect all construction materials for SJKF before use. In the event that SJKF is detected during surveys and an ITP has not been obtained, consultation with CDFW is recommended to discuss how to avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA.

Response to comment 7 (San Joaquin Kit Fox): Caltrans does not anticipate take of the San Joaquin kit fox. Caltrans measures were taken from the U.S. Fish and Wildlife Service's “Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox prior to or During Ground Disturbance” document. If take is anticipated or a den needs to be collapsed, the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service would be consulted. Caltrans will follow avoidance and minimization measures for the San Joaquin kit fox as required by the 1600 Lake and Streambed Alteration Agreement and the U.S. Fish and Wildlife Service Biological Opinion.

Comment 8 (Sierra Nevada Red Fox): The Project is within the known geographic range of SNRF and the MND has determined that there is potentially suitable habitat within the Project area. Results from the California

Natural Diversity Database (CNDDB) show that SNRF have been documented at elevations near the SR 180 portion of Project (CDFW 2025).

Recommended Mitigation Measures for SNRF: CDFW recommends that the protocol in Appendix B of Ecology of Red Fox (*Vulpes vulpes*) in the Lassen Peak Region of California, USA (Perrine 2005) be followed, and that a qualified biologist conduct surveys accordingly and prior to commencing any ground disturbing activities. If any individuals of the species or active or potential dens are found on the Project area during these surveys, consultation with CDFW would be warranted for guidance on take avoidance, minimization, and mitigation measures.

Response to comment 8 (Sierra Nevada Red Fox): Caltrans has preconstruction survey measures on page 105 of the Natural Environment Study that will be followed along with any measures from the 1600 Lake and Streambed Alteration Agreement and the U.S. Fish and Wildlife Service Biological Opinion.

Comment 9 (Swainson's Hawk): The Project area is within the known geographic range of SWHA (CDFW 2025). The MND identifies that there are potential SWHA nesting trees within and adjacent to the Project area, but did not address potential impacts to nesting SWHA. This conclusion conflicts with the findings in the NES prepared for the MND, which determined that the Project could result in impacts to nesting SWHA if present near Project activities. The measures proposed in the MND are not sufficient to prevent take of SHWA if they are nesting near the Project area during Project activities. Without appropriate avoidance and minimization measures for SWHA, potentially significant impacts associated with the Project's activities include reduced reproductive success, reduction in health and vigor of eggs and/or young, and direct mortality of individuals.

Recommended Mitigation Measures for SWHA: Given the presence of suitable nesting habitat within and near the Project area, CDFW recommends that following additional measures be added to the MND for SWHA. CDFW recommends that a qualified biologist conduct surveys for nesting SWHA following the entire survey methodology developed by the Swainson's Hawk Technical Advisory Committee (2000) one year prior to Project construction. If Project-specific activities will take place during the SWHA nesting season (i.e., March 1 through September 15), and active SWHA nests are present, CDFW recommends a minimum ½-mile no-disturbance buffer be delineated and maintained around each nest, regardless of whether it was detected by surveys or observed incidentally.

These buffers would remain in place until the breeding season has ended; or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival; and to prevent nest abandonment and other take of SWHA as a result of Project activities.

CDFW also recommends that in the event an active SWHA nest is detected, and a ½-mile no-disturbance buffer is not feasible, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA.

Response to comment 9 (Swainson's Hawk): Caltrans discussed impacts to the Swainson's hawk on page 92 of the Natural Environment Study. While not explicitly stated, stating "no impacts" to Swainson's hawk includes nesting Swainson's hawk. Nests were not seen within 0.25 mile of the culvert locations. Given the short duration and low intensity of work at each culvert location, it is not anticipated that Swainson's hawks will be impacted if nesting nearby.If nests are seen during preconstruction surveys, Caltrans will consult with the California Department of Fish and Wildlife.

Given the short duration of work, the small project footprint, and the resiliency of Swainson's hawks to urban disturbances, no take of this species is anticipated. Caltrans will follow the minimization and avoidance measures in the 1600 Lake and Streambed Alteration Agreement.

Comment 10 (Tricolored Blackbird): The Project area is within the known geographic range of TRBL (CDFW 2025), and the Project area may contain suitable habitat for TRBL foraging and nesting. TRBL breed within the vicinity of fresh water, primarily in marshy areas, but may nest in agricultural row crops, which are adjacent to the Project area. Important sites for nesting colonies include heavy growths of cattails, tules, thistles, willows, blackberries, mustard, nettles, and salt cedar (Grinnell and Miller 1944). Nesting can occur synchronously, with all eggs laid within one week (Orians 1961). For these reasons, depending on timing, disturbance to nesting colonies can cause abandonment, significantly impacting TRBL populations (Beedy et al. 2020).

Recommended Mitigation Measures for TRBL: CDFW recommends that construction be timed to avoid the typical bird breeding season (February 1 through September 15). However, if construction must occur during that time, CDFW recommends that a qualified wildlife biologist conduct surveys for nesting TRBL within the Project area no more than 10 days prior to the start of implementation to evaluate presence/absence of TRBL nesting colonies in proximity to Project activities, and to evaluate potential Project-related impacts. If an active TRBL nesting colony is found during pre-activity surveys, CDFW recommends implementation of a minimum 300-foot no-disturbance buffer around the colony in accordance with CDFW's "Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015" (CDFW 2015). CDFW advises that this buffer remains in place until the breeding season has ended; or until a qualified biologist has determined that nesting has ceased, the birds have fledged, and

are no longer reliant upon the colony or parental care for survival. If a 300-foot no-disturbance buffer is not feasible, consultation with CDFW is warranted to discuss how to avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA.

Response to comment 10: Caltrans will conduct preconstruction nesting bird surveys in compliance with the 1600 Lake and Streambed Alteration Agreement.

Comment 11 (Blunt-nosed Leopard Lizard): Project area is partially within the known geographic area of BNLL (CDFW 2025). Suitable BNLL habitat includes areas of grassland and upland scrub that contain requisite habitat elements, such as small mammal burrows. BNLL also use open space patches between suitable habitats, including disturbed sites and unpaved access roadways. Habitat loss resulting from agricultural, urban, and industrial development is the primary threat to BNLL (CSU Stanislaus 2025b). The range for BNLL now consists of scattered parcels of undeveloped land within the valley floor and the foothills of the Coast Range (USFWS 1998).

Recommended Mitigation Measures for BNLL: Where suitable habitat is present, prior to initiating any vegetation- or ground-disturbance activities, CDFW recommends that a qualified biologist conduct surveys for BNLL in accordance with the “Approved Survey Methodology for the Blunt-nosed Leopard Lizard”(CDFW 2019). This survey protocol is designed to optimize BNLL detectability. CDFW advises completion of BNLL surveys no more than one year prior to initiation of ground disturbance. Please note that protocol-level surveys must be conducted on multiple dates during late spring, summer, and fall of the same calendar year, and that within these time periods, there are specific date, temperature, and time parameters. As a result, protocol-level surveys for BNLL are not synonymous with 30-day “preconstruction surveys” often recommended for other wildlife species. In addition, the BNLL protocol specifies different survey effort requirements based on whether the disturbance results from maintenance activities or if the disturbance results in habitat removal (CDFW 2019). With the passage of Senate Bill No. 147, the incidental take of BNLL may be authorized for certain categories of projects, including maintenance, repair, or improvement to critical infrastructure. If BNLL protocol surveys find that the Project area is occupied, or if Caltrans chooses to assume presence for BNLL, consultation with CDFW is recommended to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA.

Response to comment 11: Caltrans will conduct preconstruction surveys and the protocol surveys for the blunt-nosed leopard lizard where appropriate.

Within the range of the species, potential habitat is possible at post miles 20.21 and 20.87 on State Route 198 and at post mile 2.75 on State Route 33.

Comment 12 (Western Burrowing Owl): The Project area is partially within known geographic range of BUOW. The species is known to occupy a variety of grassland, agricultural, and disturbed habitats containing small mammal burrows, a requisite habitat feature used by BUOW for nesting, overwintering and cover. The California Fish and Game Commission approved BUOW as a candidate for potential listing as a protected species under CESA on October 10, 2024, and published these findings in the California Regulatory Notice Register on October 25, 2024. BUOW is now considered a candidate under CESA and as such receives the same legal protection afforded to an endangered or threatened species (Fish & G. Code, §§ 2074.2 & 2085). CDFW recommends that the MND be updated to reflect the candidacy and recommends the measures listed below be incorporated to avoid unauthorized take.

Recommended Mitigation Measures for BUOW: CDFW recommends that a qualified biologist assess presence/absence of BUOW by conducting surveys following the California Burrowing Owl Consortium's (CBOC) "Burrowing Owl

Survey Protocol and Mitigation Guidelines" (CBOC 1993) and CDFW's "Staff Report on Burrowing Owl Mitigation" (CDFG 2012) during the survey season immediately prior to Project construction. If a BUOW is detected, CDFW recommends that a no-disturbance buffer of 500 meters be maintained around all BUOW burrows (active and inactive). If BUOW and/or BUOW burrows are observed in the Project area, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA.

Response to comment 12 (Western Burrowing Owl): Per the California Department of Fish and Wildlife's recommendation, Caltrans will conduct surveys at culverts on State Routes 33 and 180 within the range of the species. Other culvert locations are outside the range of this species, have been converted to agricultural land, or lack potential habitat.

Comment 13 (Temblor Legless Lizard): The Project area is within the known geographic range of TLL (CDFW 2024). TLL occupy sparsely vegetated areas of desert scrub, sandy washes, and stream terraces with scattered trees. TLL can also be found under surface objects such as rocks, boards, driftwood, and logs. Potentially significant impacts associated with the Project's activities include inadvertent entrapment, reduced reproductive success and health and vigor of individuals, and direct mortality of individuals.

Recommended Mitigation Measures for TLL: CDFW recommends that a qualified biologist conduct focused surveys for TLL and their requisite habitat features in support of the MND. If a TLL is found prior to or during construction, CDFW recommends implementation of a minimum 50-foot no-disturbance buffer to avoid take and potentially significant impacts. In the event that a TLL is detected, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, take authorization prior to any ground disturbing activities would be warranted. Take authorization would occur through issuance of an ITP by CDFW, pursuant to Fish and Game Code section 2081, subdivision (b).

Response to comment 13 (Temblor Legless Lizard): Caltrans staff conducted habitat assessments in January and February 2022 and April 2023 for a total of five visits (refer to page 22 of the Natural Environment Study). Caltrans staff also completed a habitat assessment within the range of the Temblor legless lizard; however, they did not see sandy soils (such as those in dunes or along washes) in the project footprint. Soils along the project are compacted and/or crumbly and not suitable for Temblor legless lizard burrowing. Although habitat assessments were completed within the species' range, it is known that the Temblor legless lizard is limited to very few areas and specific habitats.

In terms of impacts, one culvert will be replaced, which will disturb soil; however, it is in highly disturbed areas and does not contain sandy soil viable for Temblor legless lizard burrowing.

Comment 14 (Northwestern Pond Turtle): The Project area is partially within known geographic range of NWPT and SWPT. NWPT and SWPT are known to nest in the spring or early summer within 100 meters of a water body, although nest sites as far away as 500 meters have also been reported (Thomson et al. 2016). Noise, vegetation removal, movement of workers, construction, and ground disturbance as a result of Project activities have the potential to significantly impact pond turtle populations. In areas of suitable habitat, CDFW recommends that a qualified biologist conduct focused surveys for NWPT and SWPT within 10 days prior to Project implementation, and that focused surveys for nests occur during the egg-laying season of March through August.

Recommended Mitigation Measures for NWPT and SWPT: CDFW recommends that any NWPT or SWPT nests that are discovered remain undisturbed with a no-disturbance buffer maintained around the nest until the eggs have hatched and neonates are no longer in the nest or Project areas. If NWPT or SWPT individuals are discovered at the area during surveys or Project activities, CDFW recommends that they be allowed to move out of the area of their own volition without disturbance.

Response to comment 14 (Northwestern Pond Turtle): Caltrans will conduct preconstruction surveys as recommended by the California Department of Fish and Wildlife. Caltrans will follow recommended mitigation measures for the species.

Comment 15 (Special Status Plant Species and Sensitive Natural Communities): The Project area is within the known geographic range of several special-status plant species including the state-listed species listed on Table 1 (CDFW 2025).

CDFW recommends that the Project area(s) be surveyed for special-status plants and sensitive natural communities by a qualified botanist following the "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities" (CDFW 2018) as part of the biological technical studies conducted in support of the MND. This protocol, which is intended to maximize detectability, includes the identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. CDFW recommends that floristic plant surveys be conducted across two seasons in order to maximize detectability and to offset climatic variations from year to year that could influence results. If surveys indicate the presence or potential presence of special-status plants or sensitive natural communities, consultation with CDFW is recommended for guidance on mitigation measures such as avoidance, minimization, and mitigation. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b), may be necessary to comply with CESA.

Response to comment 15 (Special-Status Plant Species and Sensitive Natural Communities): Caltrans staff conducted botanical surveys on April 25, 2023, April 26, 2023, August 16, 2023, and September 26, 2023. Caltrans staff completed botanical surveys during wetland delineations between October 4, 2023, and October 24, 2023. However, Caltrans staff did not visit reference sites. Caltrans staff can conduct repeat surveys, including reference site visits, for the species mentioned above in the two seasons before construction.

Comment 16 (Editorial Comments and/or Suggestions): CDFW requests that the MND fully identify potential impacts to biological resources, including the aforementioned species. To adequately assess any potential impacts to biological resources, focused biological surveys should be conducted by qualified wildlife biologists/botanists during the appropriate survey period(s) for each species in order to determine whether any special-status species and/or suitable habitat features may be present within the Project area. Properly conducted biological surveys, and the information assembled from them, are essential to identify any mitigation, minimization, and avoidance measures and/or the need for additional or protocol level surveys, and to identify any Project-related impacts under CESA and other species of

concern. CDFW recommends the MND address potential impacts to these species and provide measurable mitigation measures that, as needed, will reduce impacts to less than significant levels. Information on survey and monitoring protocols for sensitive species can be found at CDFW's website (https://www.wildlife.ca.gov/Conservation/SurveyProtocols).

Response to comment 16 (Editorial Comments and/or Suggestions): Caltrans agrees that qualified wildlife biologists and/or botanists should conduct focused biological surveys during the appropriate survey period(s) for each species to determine whether any special-status species and/or suitable habitat features may be present within the project site.

Comment 17 (Nesting Birds): CDFW encourages that Project implementation occur during the bird non-nesting season; however, if ground-disturbing or vegetation-disturbing activities must occur during the breeding season (February 1 through September 15), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above. To evaluate Project-related impacts on nesting birds, CDFW recommends that a qualified wildlife biologist conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the Project area to identify nests and determine their status. A sufficient area means any area potentially affected by the Project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures. If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. CDFW recommends that a qualified wildlife biologist counsel and support any variance from these buffers and notify CDFW in advance of implementing a variance.

Response to comment 17: Both general preconstruction and protocol Swainson's hawk surveys would capture other migratory birds or raptors. Caltrans will implement monitoring for active nests detected in the area and will coordinate with the California Department of Fish and Wildlife if behavioral changes occur. Disturbance buffers of 250 feet around active nests of non-listed bird species and 500-foot no-disturbance buffers around active nests of non-listed raptors will remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival.

Comment 18 (California Natural Diversity Database): Please note that the CNDDB is populated by voluntary submissions of species detections. As a result, species may be present in locations not depicted in the CNDDB but where there is suitable habitat and features capable of supporting species. A lack of an occurrence record, or lack of recent occurrence records, in the CNDDB does not mean that a species is not present. To adequately assess any potential Project-related impacts to biological resources, surveys conducted by a qualified biologist during the appropriate survey period(s) and using the appropriate protocol survey methodology are warranted to determine if any special-status species are present.

Response to comment 18 (California Natural Diversity Database): Caltrans addressed suitable habitats for individual species mentioned in the comment letter; refer to comments and responses for 1 to 14.

Comment 19 (Federally Listed Species): CDFW recommends consulting with the USFWS regarding potential impacts to federally listed or proposed species. The Federal Endangered Species Act (FESA) is more broadly defined than CESA; take under FESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS in order to comply with FESA is advised well in advance of any Project activities.

Response to comment 19 (Federally Listed Species): Caltrans will consult with the U.S. Fish and Wildlife Service to comply with the Endangered Species Act before the start of ground-disturbing activities.

Comment 20 (Cumulative Impacts): CDFW recommends that a cumulative impact analysis be conducted for all biological resources that will either be significantly or potentially significantly impacted by implementation of the Project, including those whose impacts are determined to be less than significant with mitigation incorporated or for those resources that are rare or in poor or declining health and will be impacted by the Project, even if those impacts are relatively small (i.e., less than significant). CDFW recommends cumulative impacts be analyzed using an acceptable methodology to evaluate the impacts of past, present, and reasonably foreseeable future

projects on resources and be focused specifically on the resource, not the Project. An appropriate resource study area identified and utilized for this analysis is advised. CDFW staff is available for consultation in support of cumulative impacts analyses as a trustee and responsible agency under CEQA.

Response to comment 20 (Cumulative Impacts): Caltrans acknowledges the recommendation that a cumulative impact analysis be conducted for biological resources with the potential to occur in the project area. Caltrans has analyzed the project location combined with the scope of work and determined that this project would not impact state or federally listed species or their habitat; therefore, it would not contribute toward cumulative impacts.

Technical Studies Bound Separately (Volume 2)

Air Quality Report – September 2024

Noise Study Report – March 2024

Water Quality Report – March 2024

Natural Environment Study – October 2024

Location Hydraulic Study – March 2024

Historical Property Survey Report – October 2024

Archaeological Survey Report – October 2024

Initial Site Assessment and Preliminary Site Investigation Summary – March 2024

Scenic Resource Evaluation/Visual Assessment – October 2024, Updated February 2025

Paleontological Identification Report – March 2024

Climate Change Memorandum – September 2024

To obtain a copy of one or more of these technical studies/reports or the Initial Study, please send your request to:

Judith Lopez
District 6 Environmental Division
California Department of Transportation
2015 East Shields Avenue, Suite 100, Fresno, California 93726

Or send your request via email to: judith.lopez@dot.ca.gov
Or call: 559-240-5068

Please provide the following information in your request:

Project title: Fresno County Culvert Improvements

General location information: On Interstate 5 and State Routes 33, 41, 63, 168, 180, 198, 245, and 269 in Fresno County

District number-county code-route-post mile: 06-FRE-5,33,41,63,168,180,198, 245, 269-Post Miles: Various

EA/Project ID number: 06-1A730/0620000076