

Cache Creek Pavement

Kern County, California
District 09-KER-58-R99.4/R107.7
Project ID Number: 0919000067
EA Number: 09-38310
State Clearinghouse Number: 202510047

Initial Study with Mitigated Negative Declaration

Volume 1 of 2



Prepared by the
State of California Department of Transportation

February 2026



General Information About This Document

Document prepared by: Rebeka Riesen, Environmental Scientist.

The Initial Study circulated to the public for 30 days between October 12, 2025, and November 12, 2025. Comments received during this period are included in Appendix B. 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: 202510047
09-KER-58-PM R99.4-R107.7
EA 09-38310/Project ID Number 0919000067

The California Department of Transportation proposes to preserve, repair, and extend the service life of the existing pavement and improve ride quality on State Route 58 in Kern County, California.

**INITIAL STUDY
with Mitigated Negative Declaration**

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

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

Wendy Campbell

Wendy Campbell
Environmental Program Manager
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02/02/2026

Date

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Mitigated Negative Declaration

Pursuant to: Division 13, Public Resources Code

State Clearinghouse Number: 202510047

District-County-Route-Post Mile: 09-KER-58-PM R99.4-R107.7

EA/Project Number: EA 09-38310/Project Number 0919000067

Project Description

The California Department of Transportation (Caltrans) proposes to preserve, repair, and extend the service life of the existing pavement and improve ride quality on State Route 58 in Kern County, California.

Determination

An Initial Study has been prepared by Caltrans District 9. 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 aesthetics, agriculture and forestry resources, air quality, cultural resources, energy, geology and soils, hazards and hazardous materials, land use and planning, mineral resources, noise, population and housing, public services, transportation, tribal cultural resources, and utilities and service systems.

The project will have less than significant effects on biological resources, greenhouse gas emissions, and hydrology and water quality.

With the following mitigation measure incorporated, the project will have less than significant effects on biological resources (Western Joshua tree).

- An Incidental Take Permit shall be obtained for any unavoidable take of Western Joshua trees, as defined in California Endangered Species Act and Western Joshua Tree Conservation Act regulations, and all requirements shall be followed.

Wendy Campbell

Wendy Campbell
Environmental Program Manager
California Department of Transportation District 9

02/02/2026

Date

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Chapter 1 Proposed Project

1.1 Introduction

The California Department of Transportation (Caltrans) proposes to preserve, repair, and extend the service life of existing pavement on State Route 58 from post miles R99.4 to R107.7 in Kern County, California. See Figures 1-1 and 1-2.

1.2 Purpose and Need

The project's "purpose" is a set of objectives the project intends to meet. The project "need" is the transportation deficiency that the project was initiated to address.

1.2.1 Purpose

The purpose of this project is to preserve, repair, and extend the service life of the existing pavement and improve ride quality.

1.2.2 Need

The pavement within the project limits is exhibiting distress, according to the 2023 Automated Pavement Condition Survey. This data shows deterioration has occurred, and if continued, it will decrease the ride quality and service life of the existing roadway. Some highway fixtures are nearing the end of their service life and/or do not meet current standards and need to be replaced or upgraded.

1.3 Project Description

Caltrans proposes to extend the service life of pavement, improve ride quality, and make other operational improvements on State Route 58 from post miles R99.4 to R107.7.

1.3.1 Pavement

Within the project limits, primarily on the eastbound lanes of State Route 58, there are areas where cracks have risen to the roadway surface. Areas along the westbound lanes also exhibit cracking along the edge of the pavement. This project shall repair pavement through removal and replacement with a mill-and-fill method in these areas.

1.3.2 Access Control

Several gaps within the Caltrans access-controlled right-of-way will be closed by reconstructing fencing, installing locked gates, and/or paving areas between the edge of pavement and the fence line.

In addition, the existing right-of-way fence shall be removed and replaced throughout the entire project length, except for a segment of fence along the westbound shoulder from post miles R101.5 to R101.8.

1.3.3 Traffic Operation Features

The following traffic operation features shall be addressed on this project:

- New transition railing shall be installed at locations where there is existing bridge railing.
- The existing weigh-in-motion scales from post miles R106.84 to R106.87 shall be removed and replaced.
- The existing changeable message sign at post mile R107.05 shall be upgraded, and a maintenance vehicle pullout will be paved for access.
- The existing traffic management systems at Cameron Road and at post mile R106.98 shall be upgraded, including pull boxes, loop detectors, conduit terminators, controller cabinets, and service enclosures.
- Lighting systems shall be installed at the on- and off-ramps at Sand Canyon Road, at Cameron Road, and at the weigh station.
- Existing outdated or nonfunctioning highway elements, such as asphalt dikes, signs, and guardrails, shall be replaced to meet current standards.
- Existing metal beam guardrail shall be replaced with the new standard Midwest Guardrail System at the following locations:

Post Miles	Location Description
R99.4 to R99.5	Westbound
R99.43 to R99.49	Eastbound
R99.47 to R99.49	Eastbound
R99.54 to R99.61	Westbound
R99.8 to R99.81	Eastbound
R99.81 to R99.82	Eastbound
R99.83 to R99.84	Westbound
R99.84 to R99.85	Westbound
R100.32 to R100.50	Westbound
R100.57 to R100.75	Eastbound
R100.95 to R101.07	Eastbound
R101.55 to R101.58	In the median
103.46 to 103.47	Eastbound and Westbound
103.75 to 103.78	Eastbound
104.15 to 104.29	Eastbound
104.38 to 104.62	Eastbound
105.73 to 105.74	Eastbound
106.12 to 106.2	Westbound
106.59 to R106.61	Eastbound
R106.99 to R107.01	Eastbound
R107.05 to R107.15	Eastbound
R107.06 to R107.07	Westbound
R107.59 to R107.6	Westbound
R107.66 to R107.67	Eastbound

1.3.4 Drainage

All existing culverts within the project limits shall be cleaned.

1.3.5 Staging Areas

All staging areas will occur within the Caltrans right-of-way at the following locations:

Post Miles	Location Description
R99.5	Two locations along Tehachapi Boulevard and the westbound State Route 58 on- and off-ramps.
R100.5	Shoulder of westbound State Route 58.
R100.9	Storage area next to eastbound State Route 58.
103.1	Two locations on the shoulder of westbound and eastbound State Route 58.
104.6	Shoulder of eastbound State Route 58.
104.9	Shoulder of westbound State Route 58.
R106.3	Shoulder of eastbound State Route 58.
R107.5	Shoulder of westbound State Route 58.

Figure 1-1 Project Vicinity Map

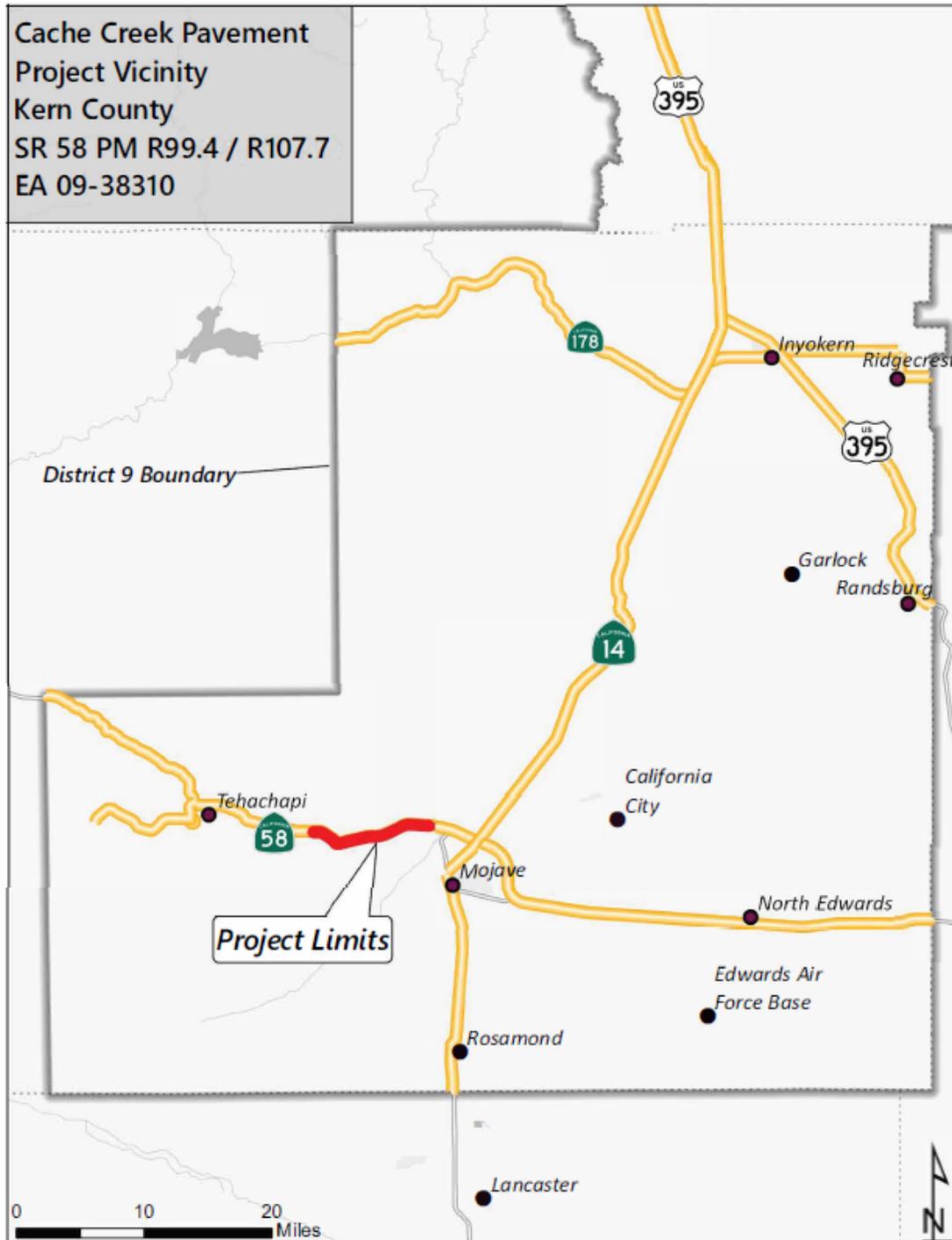
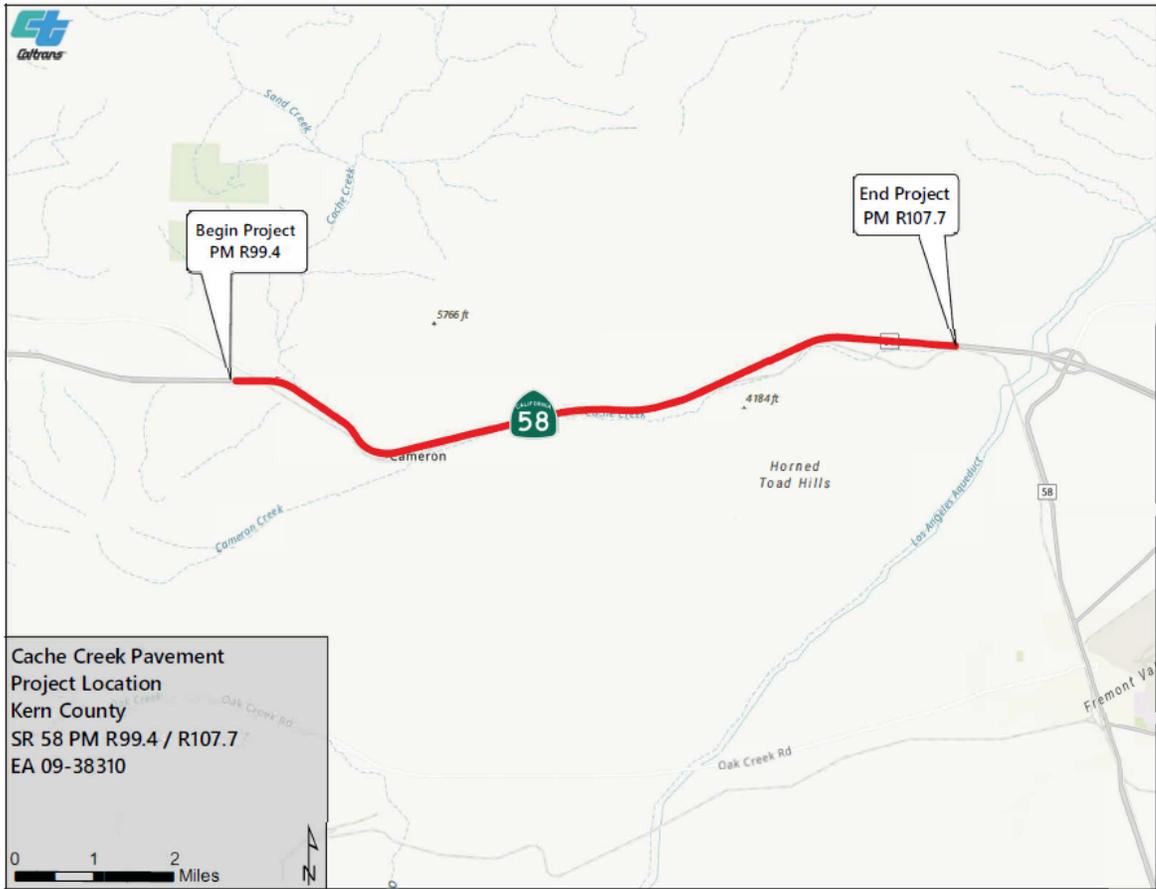


Figure 1-2 Project Location Map



1.4 Project Alternatives

A build alternative and a no-build alternative are under consideration for the project.

1.4.1 Build Alternative

The build alternative shall preserve, repair, and extend the service life of existing pavement within the project area. For a detailed description of this work, please refer to Section 1.3 (Project Description).

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 would maintain the existing facilities within the project limits on State Route 58 as is. Selection of the no-build alternative would result in no project-related construction activities taking place. The no-build alternative would not meet the project purpose and need because it would not address the pavement issues on the segment of State Route 58 within the project limits.

1.5 Identification of a Preferred Alternative

[This section on the identification of a preferred alternative has been added since circulation of the Initial Study with Proposed Mitigated Negative Declaration for public review and comment for 30 days from October 12, 2025, to November 12, 2025.]

After review of all comments received during the 30-day public comment period, the project development team selected the build alternative as the preferred alternative for the Cache Creek Pavement project. The build alternative was chosen because it will address the purpose and need of the project. The build alternative shall preserve, repair, and extend the service life of the existing pavement and improve ride quality on State Route 58 in Kern County, California.

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

This project includes a list of Caltrans standard measures that are typically used on all Caltrans projects. Caltrans standard measures are considered features of the project and are evaluated as part of the project. Caltrans standard measures are not implemented to address any specific effects, impacts, or circumstances associated with the project, but are instead implemented as part of the project's design to address common issues encountered and are applicable to the project. These measures can be found in Caltrans 2024 Standard Specifications.

- 7-1 Legal Relations and Responsibility to the Public
- 10-4 Water Usage
- 10-5 Dust Control
- 10-6 Watering
- 12-1 Temporary Traffic Control

- 12-3 Temporary Traffic Control Devices
- 12-4 Traffic Control Systems
- 13-1 Water Pollution Control
- 13-2 Water Pollution Control Program
- 13-4 Job Site Management
- 13-6 Temporary Sediment Control
- 13-7 Temporary Tracking Control
- 13-10 Temporary Linear Sediment Barriers
- 14-1 Environmental Stewardship
- 14-2 Cultural Resources
- 14-6 Biological Resources
- 14-7 Paleontological Resources
- 14-8 Noise and Vibration
- 14-9 Air Quality
- 14-10 Solid Waste Disposal and Recycling
- 14-11 Hazardous Waste and Contamination
- 14-12 Other Agency Regulatory Requirements
- 17-2 Clearing and Grubbing
- 18-1 Dust Palliatives
- 20-1 Landscape
- 20-3 Planting
- 20-4 Plant Establishment Work
- 21-2 Erosion Control Work

Additional standard measures will be added to the project as necessary or appropriate.

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. 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	1602 Lake and Streambed Alteration Agreement	Notification to be sent before construction starts.
California Department of Fish and Wildlife	Incidental Take Permit	Notification to be sent before construction starts.
U.S. Fish and Wildlife Service	Programmatic Biological Opinion	To be obtained before construction starts.
Lahontan Regional Water Quality Control Board	Waste Discharge Requirements Permit	Application to be submitted before construction starts.

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 Impacts Assessment Questionnaire dated July 29, 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?	No Impact

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

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.

Based on a search of the California Department of Conservation’s Important Farmland mapping tool, there are no designated Prime, Unique, or Farmlands of Statewide Importance in or near the project limits. The project will not have any effect on protected farmlands, including those under the Williamson Act (<https://maps.conservation.ca.gov/dlrp/ciff>).

Impacts to timberland are analyzed as required by the California Timberland Productivity Act of 1982 (California Government Code Section 51100 et seq.), which was enacted to preserve forest resources. Searches of the California Department of Forestry and Fire Protection website and the California Department of Conservation website show no designated timberlands or Timber Protection Zones in or near the project vicinity.

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, Noise, Hazardous Waste, Waters, Paleontology, and Stormwater Memorandum dated June 26, 2025, 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

[This section has been updated since circulation of the Initial Study with Proposed Mitigated Negative Declaration for public review and comment for 30 days from October 12, 2025, to November 12, 2025.]

Considering the information in the Natural Environment Study (Minimal Impacts) dated September 3, 2025, 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

Question—Would the project:	CEQA Significance Determinations for Biological Resources
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?	No Impact
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

Affected Environment

The Natural Environment Study (Minimal Impacts) established a biological study area for the project, defined as the area that may be directly, indirectly, temporarily, or permanently impacted by construction and construction-related activities. The biological study area includes the project impact area, where indirect and direct impacts from construction activities may occur. The project’s biological study area is composed of the right-of-way for plant species (with the exception of the Western Joshua tree), the right-of-way and up to 3 feet outside the right-of-way for the Western Joshua tree, and the project impact area plus a 500-foot buffer for all wildlife species. The biological study area was delineated to ensure all species and habitats with the potential to occur within the project impact area, including potential access routes and staging areas, were properly surveyed to assess potential impacts of proposed project activities.

The project lies within the Tehachapi Mountains, Eastern Sierra Mojave Slopes, and Western Mojave Basin ecoregions of California. At elevations ranging from 3,200 to 4,000 feet above sea level, the climate is characterized by hot, dry summers and cool, wet winters.

Response to question a): Special-Status Animal and Plant Species

Migratory and Nesting Birds

According to the Migratory Bird Treaty Act, it is unlawful to pursue, hunt, take, capture, or kill; to attempt to take, capture, or kill; or to possess or sell migratory birds. The law also applies to live and dead birds and grants full protection to any bird parts, including feathers, eggs, and nests. The Migratory Bird Treaty Act protects over 800 species of birds that occur in the U.S. The law protects all species of nesting birds. No special-status bird species or nests were observed during field surveys. The common species observed during field surveys include the California quail (*Callipepla californica*), common raven (*Corvus corax*), cliff swallow (*Petrochelidon pyrrhonota*), spotted towhee (*Pipilo maculatus*), red-tailed hawk (*Buteo jamaicensis*), and mourning dove (*Zenaida macroura*).

Desert Tortoise

The desert tortoise is a federally and state-threatened species. This species occurs throughout most of the Mojave Desert, to the west and north of the Colorado River. Federally critical habitat is absent within the project area.

Suitable habitat for this species, consisting of Joshua tree woodland, Mojave Desert scrub, and Sonoran Desert scrub, occurs within the project area. Surveys of the biological study area were conducted using the methodology described in the Pre-project Survey Protocol for Potential Desert Tortoise Habitats (U.S. Fish and Wildlife Service, 2019). Surveys were conducted on May 29, 2024, in which one inactive, crusty, hard-soiled den was observed. No individuals or other signs were observed during surveys.

Desert Kit Fox

The desert kit fox is protected under the California Fish and Game Code Sections 460-467, which specifies that furbearing mammals (fisher, marten, river otter, desert kit fox, and red fox) may not be taken at any time. This subspecies of kit fox inhabits the Mojave and Colorado deserts in California.

Suitable habitat for this subspecies is associated with vegetation communities consisting mostly of creosote, saltbush, and other alkali scrub, and an abundance of small mammals associated with these habitats. Scat for this species was encountered during a desert tortoise survey conducted on May 29, 2024. No individuals or other signs were observed during surveys.

Bats

Bat species are protected under Section 2126 of the California Fish and Game Code, which states that it is unlawful to take any mammal identified by Section 2118, which includes all species of bats. The California Department of Fish and Wildlife also identifies bat roosts as a sensitive resource.

Suitable habitats for roosting and foraging consist of riparian, riverine/wash, Joshua tree, and desert scrub. Rocky outcrops and live Joshua trees may be suitable for individuals or small colony roosting, and non-native grasslands and desert scrub could support foraging habitat. Bat habitat assessment and roost mapping surveys, as well as flyout and acoustic surveys, were conducted from June 18 to June 21, 2024. No bats or their signs were identified at any bridges, overpasses, or culverts. However, potential roosting habitat is present on bridges, overpasses, concrete box culverts, and Western Joshua trees.

Western Joshua Tree

The Western Joshua tree is protected through the Western Joshua Tree Conservation Act, which was enacted in July 2023. This act, also supported by the California Fish and Game Code Section 1927, prohibits the importation, exportation, take, possession, purchase, or sale of the Western Joshua tree or parts or products of the species. With limited exceptions, take of this species requires a specialized Incidental Take Permit. The Western Joshua tree is native to California as well as other states in western North America.

Suitable habitat for this species consists of desert environments. More than 1,000 Western Joshua tree individuals occur within the biological study area and were mapped according to the California Department of Fish and Wildlife Western Joshua Tree Census Protocol. Surveys occurred from November 4 to November 7, 2024. A total of 142 trees are present within a 14-foot buffer inside and a 3-foot buffer outside the existing right-of-way fence, where temporary access is necessary for right-of-way fence replacement. Impacts to the Western Joshua tree within this buffer area are expected as access roads are established to replace fencing throughout the project area.

Response to question b): Natural Communities of Special Concern

Aquatic Resources

Water, wetlands, and riparian habitats have various protections and permit requirements under state and federal agencies, including the California Department of Fish and Wildlife, the U.S. Army Corps of Engineers, and the Regional Water Quality Control Board.

Multiple intermittently flowing streams and their associated streambeds are present throughout the project area. All channels are episodic, meaning they do not contain flowing water most of the year. The December 2022 Aquatic Resource Delineation mapped multiple aquatic resources subject to California Fish and Game Code Section 1602.

Environmental Consequences

Response to question a): Special-Status Animal and Plant Species

Migratory and Nesting Birds

Migratory birds nesting within the biological study area could be affected by the removal of trees and shrubs. No nests in trees or shrubs were observed during biological surveys, indicating that these resources may be less suitable for nesting compared to other resources outside the biological study area. The removal of Western Joshua trees and vegetation shall potentially result in a permanent loss of low-quality nesting habitat.

Desert Tortoise and Desert Kit Fox

Replacing the right-of-way fence could result in temporary impacts to desert tortoise and desert kit fox. Temporary impacts shall result from the establishment of a temporary access road and the replacement of the existing right-of-way fence. Project activities are not expected to permanently impact these species. However, incidental observations of these species during construction could occur. Therefore, standard avoidance and minimization measures are being proposed to ensure that take of these species shall not occur as a result of this project.

Bats

No evidence of bat colonies or roosting activities was seen at any culverts, concrete box culverts, bridges, or Western Joshua trees during biological surveys in the project area. Potential permanent impacts to bat roosting habitat could result from the removal of Western Joshua trees due to potential habitat being removed. Preconstruction surveys shall be conducted to determine if bats are roosting in Western Joshua trees before the trees are removed. Additional avoidance and minimization measures shall be implemented if bats are observed roosting in vegetation that shall be removed. No impacts to bats are anticipated from the cleaning and inspection of culverts, concrete box culverts, and bridges. If day-roosting bats are present, the impacts from these activities shall be minimal and temporary.

Western Joshua Tree

According to surveys, approximately 125 individual Western Joshua trees, living or dead, may be permanently impacted through removal because they are leaning on the existing right-of-way fence located within the limits of the proposed temporary access road or would otherwise inhibit replacement of the fencing. Approximately 17 individuals may be temporarily impacted by “root ball” disturbance and trimming. The removal, trimming, or root ball disturbance of Western Joshua trees constitutes take and therefore shall require an Incidental Take Permit through the California Department of Fish and Wildlife.

Response to question b): Natural Communities of Special Concern

The build alternative shall temporarily impact about 1.66 acres of California Fish and Game Code Section 1602 resources in locations where the existing right-of-way fence will be replaced. Multiple intermittently flowing streams and their streambeds are present throughout the project area and the biological study area. The streambeds are near Cache Creek Bridge West (post mile R99.82), Cameron Canyon Road overpass (post mile R101.48), La Rose Creek Bridge (post mile 103.44), multiple box culverts (post miles R99.98, R100.08, R100.15, R100.73, 105.70, 106.58, 106.60, and R107.05), and Cache Creek Bridge East (post mile R107.60). Impacts may occur to the bed, bank, and channel of these resources during access needed by construction equipment, vehicles, and personnel for the replacement of fencing. No permanent impacts to the resources listed above are anticipated.

Avoidance, Minimization, and/or Mitigation Measures

BIO-1: A preconstruction nesting bird survey shall be performed within the project initiation area within 10 days of vegetation being removed or trimmed if project construction takes place during the nesting bird season between February 1 and August 31.

BIO-2: If an active nest is found within 100 feet of the project impact area, monitoring shall be performed by a Caltrans-approved biologist. If monitoring determines that the nesting bird exhibits behavior indicating that construction activities may be negatively impacting the species, a temporary project construction buffer may be established. Construction buffer distance and duration shall be determined by the biologist and may last until nesting activities are complete and fledglings have left the nest.

BIO-3: Workers onsite shall receive a biological resource information program training that includes:

- Descriptions of the Western Joshua tree, desert tortoise, and desert kit fox and their legal protection status.
- Descriptions of bird nesting types, their potential locations, and their legal protection status.
- Descriptions of bats, their potential locations, and their California Department of Fish and Wildlife protection status.

BIO-4: A preconstruction burrow survey for desert tortoise shall be performed within the project impact area.

BIO-5: Temporary access roads may be narrowed, rerouted, or otherwise adapted if an active desert tortoise burrow is found.

BIO-6: A preconstruction den survey for the desert kit fox shall be performed within the project impact area. All potential den sites shall be assessed and monitored if determined to be active. A Caltrans-approved biologist shall implement an appropriate project construction buffer around potentially active dens. If dens are determined to be active, appropriate California Department of Fish and Wildlife passive relocation activities shall be implemented to encourage desert kit foxes to move to a safe area. No natal dens shall experience passive relocation. Active dens will be monitored until it is determined that they are inactive, and only inactive dens will be excavated by hand and collapsed under the supervision of a Caltrans-approved biologist.

BIO-7: If listed or protected species are found, a temporary project construction buffer would be established until the animal moves outside the project area, and the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife shall be contacted by Caltrans environmental staff.

BIO-8: If bat roosts or their signs are observed in Western Joshua trees that require removal or trimming, additional avoidance and minimization measures shall be developed and implemented.

BIO-9: A Caltrans-approved biologist shall be present for right-of-way fence replacement activities and document all Western Joshua tree trimming and removal activities.

BIO-10: A 1602 Notification shall be submitted in the project's design phase, and all required measures shall be implemented.

BIO-11: As feasible, take shall be avoided by narrowing or rerouting the temporary access road and equipment around Western Joshua trees. In addition, trimming shall be used to the greatest extent possible to avoid removal.

In addition to the avoidance and minimization measures above, the incorporation of the following mitigation measure will reduce impacts to biological resources (Western Joshua Tree) to a less than significant impact:

BIO-12 (CEQA Mitigation Measure): An Incidental Take Permit through the Western Joshua Tree Conservation Act shall be obtained for any unavoidable take of Western Joshua trees, as defined in California Endangered Species Act and Western Joshua Tree Conservation Act regulations. All applicable mitigation fees shall be paid, and all permit conditions will be complied with.

2.1.5 Cultural Resources

Considering the information in the Archaeological Study Report dated September 2025 and the Historic Property Survey Report dated October 7, 2025, 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?	No 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

2.1.6 Energy

Considering the information in the Climate Change Analysis dated June 30, 2025, 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 Air, Noise, Hazardous Waste, Waters, Paleontology, and Stormwater Memorandum dated June 26, 2025, 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: <ul style="list-style-type: none"> 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

Question—Would the project:	CEQA Significance Determinations for Geology and Soils
ii) Strong seismic ground shaking?	No Impact
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 onsite or offsite 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 Climate Change Analysis dated June 30, 2025, and the Air, Noise, Hazardous Waste, Waters, Paleontology, and Stormwater Memorandum dated June 26, 2025, 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?	No Impact

Affected Environment

The project is in Kern County between Mojave and Tehachapi on State Route 58. The project is located in a rural area with a tourism- and recreation-based economy. State Route 58 is the main transportation route to and through the area for both passenger and commercial vehicles. The Kern Council of Governments serves as the Metropolitan Planning Organization and the Regional Transportation Planning Agency, guiding transportation development in the area. The Kern County General Plan, Circulation Elements section, addresses greenhouse gas in the project area.

Environmental Consequences

Response to a) Less Than Significant Impact

Construction emissions cannot be avoided with any construction process, and construction activities will generate some level of emissions. The project will take an estimated 250 working days to complete, with a potential start date in the year 2029. Construction-related greenhouse gas emissions were calculated using the Caltrans Construction Emissions Tool (CAL-CET2021 v1.0). The tool was developed to use Caltrans-specific equipment activity data and the best available equipment emissions information to improve estimates of transportation-related construction emissions, fuel consumption, and electricity consumption, and to support transportation and air quality planning.

During construction, the project is estimated to emit 35 tons of carbon dioxide gas in total, with an average of 567 pounds of carbon dioxide gas emitted per day.

While some greenhouse gas emissions during the construction period would be unavoidable, no increase in operational greenhouse gas emissions is expected once construction is complete. The project will not increase the vehicle capacity of the roadway. This type of project generally causes minimal or no increase in operational greenhouse gas emissions.

Avoidance, Minimization, and/or Mitigation Measures

The following avoidance and minimization measures are proposed for the project:

GHG-1: Limit idling to 5 minutes for delivery and dump trucks and other diesel-powered equipment.

GHG-2: Schedule truck trips outside of peak morning and evening commute hours.

GHG-3: Use recycled water or reduce consumption of potable water for construction.

2.1.9 Hazards and Hazardous Materials

Considering the information in the Air, Noise, Hazardous Waste, Waters, Paleontology, and Stormwater Memorandum dated June 26, 2025, 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
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 Air, Noise, Hazardous Waste, Waters, Paleontology, and Stormwater Memorandum dated June 26, 2025, 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?	Less Than Significant 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 onsite or offsite;	No Impact
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding onsite or offsite;	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
(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

Affected Environment

The project area contains multiple jurisdictional Waters of the State, including Cache Creek, a dry arroyo channel that flows seasonally from infrequent precipitation events; La Rose Creek, an intermittent stream; and other small ephemeral drainages that flow toward Cache Creek in the southern Sierra foothills. All drainages are episodic, meaning they do not contain flowing

water most of the year. Intermittent and ephemeral drainages are also deemed jurisdictional Waters of the State.

Environmental Consequences

Preliminary analysis has determined that the waters within the project vicinity are jurisdictional to the Lahontan Regional Water Quality Control Board. The project scope may result in 0.93 acre of temporary impacts to multiple Waters of the State due to construction activities associated with the replacement of existing right-of-way fencing.

Avoidance, Minimization, and/or Mitigation Measures

The following avoidance and minimization measures are proposed for this project:

HYD-1: A Waste Discharge Requirements permit will be acquired before construction from the Lahontan Regional Water Quality Control Board, and all applicable permit-related measures will be implemented.

2.1.11 Land Use and Planning

Considering the project’s scope, 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 project’s scope, 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 Air, Noise, Hazardous Waste, Waters, Paleontology, and Stormwater Memorandum dated June 26, 2025, 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

Considering the project’s scope, 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
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	No Impact

2.1.15 Public Services

Considering the project's scope, 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

Considering the project's scope, 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

Considering the project’s scope, 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?	No Impact

2.1.18 Tribal Cultural Resources

Considering the information in the Archaeological Survey Report dated September 2025, 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

Question:	CEQA Significance Determinations for Tribal Cultural Resources
<p>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.</p>	<p>No Impact</p>

2.1.19 Utilities and Service Systems

Considering the project’s scope, in conjunction with adjacent utilities and service systems, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Utilities and Service Systems
<p>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?</p>	<p>No Impact</p>
<p>b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?</p>	<p>No Impact</p>
<p>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?</p>	<p>No Impact</p>
<p>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?</p>	<p>No Impact</p>

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

2.1.20 Wildfire

Considering the information in the Climate Change Analysis dated June 30, 2025, 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?	No Impact
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?	No 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

2.1.21 Mandatory Findings of Significance

Question:	CEQA Significance Determinations for Mandatory Findings of Significance
<p>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?</p>	<p>No Impact</p>
<p>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.)</p>	<p>No Impact</p>
<p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>	<p>No Impact</p>

Appendix A Title VI Policy Statement

CALIFORNIA STATE TRANSPORTATION AGENCY

GAVIN NEWSOM, GOVERNOR

California Department of Transportation

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September 2025

TITLE VI/NON-DISCRIMINATION POLICY STATEMENT

It is the policy of the California Department of Transportation (Caltrans), in accordance with Title VI of the Civil Rights Act of 1964 and the assurances set forth in the Caltrans' Title VI Program Plan, to ensure that no person in the United States shall on the grounds 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. Related non-discrimination authorities, remedies, and state law further those protections, including sex, disability, religion, sexual orientation, age, low income, and Limited English Proficiency (LEP).

Caltrans is committed to complying with 23 C.F.R. Part 200, 49 C.F.R. Part 21, 49 C.F.R. Part 303, and the Federal Transit Administration Circular 4702.1B. 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 (including LEP). In addition, Caltrans will facilitate meaningful participation in the transportation planning process in a non-discriminatory manner.

The overall responsibility for this policy is assigned to the Caltrans Director. The Caltrans Title VI Coordinator is assigned to the Caltrans Office of Civil Rights Deputy Director, who then delegates sufficient responsibility and authority to the Office of Civil Rights' managers, including the Title VI Branch Manager, to effectively implement the Caltrans Title VI Program. Individuals with questions or requiring additional information relating to the policy or the implementation of the Caltrans Title VI Program should contact the Title VI Branch Manager at title.vi@dot.ca.gov or at (916) 639-6392, or visit the following web page: <https://dot.ca.gov/programs/civil-rights/title-vi>.


Dina El-Tawansy (Sep 12, 2025 16:52:12 PDT)
DINA A. EL-TAWANSY
Director

"Improving lives and communities through transportation."

Appendix B Comment Letters and Responses

This appendix contains the comments received during the public circulation and comment period from October 12, 2025, to November 12, 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 Volume 2 of this document.

The draft Initial Study with Proposed Mitigated Negative Declaration was posted to the State Clearinghouse website for a 30-day public comment period, from October 12, 2025, to November 12, 2025. In addition to being publicly available via the State Clearinghouse online portal, the document was also available for download from the Caltrans District 9 website. It was also available for review in printed format at the Tehachapi Branch Library, the Mojave Branch Library, and the Caltrans District 9 office during regular business hours.

Caltrans received comments during the 30-day public comment and circulation period. Caltrans District 9 thanks all commenters for their input on the Cache Creek Pavement project. The Caltrans Project Development Team will continue public outreach efforts throughout the life of the project.

Comment from Jackson Hurst:

I approve and support Caltrans Cache Creek Pavement Project. I have reviewed the Initial Study with Proposed Mitigated Negative Declaration for Caltrans Cache Creek Pavement Project and I support the findings in the document along with the build alternative because the build alternative will improve the pavement on CA-58 from Post Mile R. 99.4 to Post Mile R. 107.7 which will improve safety and prolong service life of CA-58 in Kern County, CA.

Response to Comment:

Thank you for your comments and support of the Cache Creek Pavement project.

Comment from the California Department of Fish and Wildlife:

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

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

CDFW ROLE

CDFW is the 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.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

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

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

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

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

PROJECT DESCRIPTION SUMMARY

Proponent: Caltrans

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

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

COMMENTS AND RECOMMENDATIONS

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

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

Desert Tortoise (DETO):

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

Recommended Mitigation Measure 1: DETO Surveys

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

Recommended Mitigation Measure 2: DETO Take Authorization

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

Swainson Hawk (SWHA):

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

Recommended Mitigation Measure 3: SWHA Surveys

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

Recommended Mitigation Measure 4: SWHA Avoidance Buffer

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

Recommended Mitigation Measure 5: SWHA Take Authorization

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

Western Joshua Tree (WJT):

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

Recommended Mitigation Measure 6: WJT Avoidance Buffer

In the absence of obtaining an ITP for the take of WJT, CDFW recommends a minimum no-disturbance buffer for an individual WJT of 290 feet. A 290-foot no-disturbance buffer is warranted to not only avoid impacts to individual trees, but potential impacts to the seed bank as it has been documented that 290 feet is the maximum distance of seed dispersal by rodents (Vander Wall et al. 2006).

Recommended Mitigation Measure 7: WJT Take Authorization

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

Western Burrowing Owl (BUOW)

The California Fish and Game Commission approved BUOW as a candidate for potential listing as a protected species under CESA on October 10, 2024, and published these findings in the California Regulatory Notice Register (Notice Register) on October 25, 2024. As such, BUOW is now a candidate under CESA and receives the same legal protection afforded to an

endangered or threatened species (Fish & G. Code, §§ 2074.2 & 2085). The protected status is for the species, whether nesting or overwintering.

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

Recommended Mitigation Measure 8: BUOW Surveys

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

Recommended Mitigation Measure 9: BUOW Avoidance Buffer

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

Recommended Mitigation Measure 10: BUOW Take Authorization

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

Crotch’s Bumble Bee (CBB):

The Project area is within the known geographic range of CBB and there are recent occurrences in the Project vicinity (iNaturalist 2025, CDFW 2025). The Natural Environment Study (NES) prepared for the MND identifies that habitat is present for CBB in the Project area, but discounts the presence of CBB in the Project area due to lack of observations during general surveys and a narrow list of CBB floral preferences. Like many bumble bees, CBB are generalists and will forage from a wide variety of flowering plants. CBB are not limited by the presence of *Eriogonum* species, as described in the NES. CBB inhabit a variety of habitats, including grasslands, scrublands, openings in woodlands (including Joshua tree woodland), as well as developed areas with

bare ground such as vacant lots, dirt roads, and levees (Xerces Society et al. 2018). CBB use requisite habitat elements for nesting, such as small mammal burrows, perennial bunch grasses, thatched annual grasses, brush piles, old bird nests, dead trees, and hollow logs. Based on information provided in the NES prepared for the MND, these habitat elements are present within and adjacent to the Project area. Without appropriate avoidance and minimization measures for CBB, potentially significant impacts associated with the Project's activities include burrow collapse, inadvertent entrapment, reduced reproductive success, reduction in health and vigor of bumble bee nests, and direct mortality of individuals. Any take of CBB without appropriate incidental take authorization would be a violation of Fish and Game Code.

Recommended Mitigation Measure 11: CBB Habitat Assessment

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

Recommended Mitigation Measure 12: CBB Surveys

If potentially suitable habitat is identified, CDFW recommends that a qualified biologist conduct focused surveys for CBB, and their requisite habitat features following the methodology outlined in the "Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species" (CDFW 2023).

Recommended Mitigation Measure 13: CBB Avoidance

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

Recommended Mitigation Measure 14: CBB Take Authorization

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

Golden Eagle (GOEA):

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

Recommended Mitigation Measure 15: GOEA Surveys

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

Recommended Mitigation Measure 16: GOEA Avoidance Buffer

If a GOEA nest is found prior to, or during construction, CDFW recommends implementing a minimum ½-mile no-disturbance buffer around the nest. CDFW advises that this buffer remain in place until the breeding season has ended or until a qualified biologist has determined that nesting has ceased, the birds have fledged and are no longer reliant upon parental care for survival. In the event that a GOEA nest is detected during surveys, and a ½-mile no-disturbance buffer is not feasible, consultation with CDFW is warranted.

Special-Status Bats

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

Recommended Mitigation Measure 17: Bat Surveys

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

Recommended Mitigation Measure 18: Bat Roost Avoidance Buffer

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

Other State Species of Special Concern:

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

Recommended Mitigation Measure 19: Special Status Wildlife Surveys

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

Recommended Mitigation Measure 20: Special Status Wildlife Avoidance Buffer

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

Special Status Plants and Sensitive Natural Communities:

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

Recommended Mitigation Measure 21: Special-status Plant Surveys

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

Recommended Mitigation Measure 22: Special-status Plants Avoidance Buffer

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

II. Editorial Comments and/or Suggestions

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

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

CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

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

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

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

CNDDDB Positive Submission of Data: Please note that the CNDDDB is populated by voluntary submissions of species detections. As a result, species may be present in locations not depicted in the CNDDDB 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 CNDDDB does not mean that a species is not present. To adequately assess any potential Project-related impacts to biological resources, surveys conducted by a qualified biologist during the appropriate survey period(s) and using the

appropriate protocol survey methodology are warranted to determine if any special-status species are present.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/data/cnddb/submitting-data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/data/cnddb/plants-and-animals>.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

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

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

Sincerely,

Julie Vance

Regional Manager

Response to comment:

Thank you for your comment on the Cache Creek Pavement project. Caltrans' response has been broken up by species for readability and clarity.

Desert Tortoise

Protocol-level surveys for the desert tortoise were conducted, where one potential caliche burrow with no signs of recent use was observed. No other burrows or signs were found during these surveys. While suitable habitat exists within the project, it is considered low quality. A technical study estimates that the project will temporarily impact 24.383 acres of suitable habitat because project activities will extend beyond existing infrastructure. The primary impact on the species would arise from the right-of-way fence replacement, including temporary access roads to reach the right-of-way fence, which Caltrans included in the analysis for this species. The area is heavily disturbed due to the presence of infrastructure, including a nearby railroad, State Route 58, overhead and underground utilities, and existing access roads. Use of temporary access roads will be minimized, utilizing existing access points whenever possible. Preconstruction surveys will be conducted to ensure that no desert tortoise burrows have been established following the protocol-level survey. A contractor-supplied biologist will monitor right-of-way fence replacement activities to ensure no desert tortoise individuals are present. If burrows are observed, appropriate construction buffers will be implemented. In addition, a programmatic biological opinion for the desert tortoise would be obtained and would ensure that the appropriate measures are incorporated into the project to avoid directly impacting tortoises or their burrows.

Swainson's Hawk

Swainson's Hawk was not present on the California Department of Fish and Wildlife species list that used the following quadrants: Monolith (3511813), Mojave (3511812), Tehachapi South (3511814), Tehachapi North (2511824), Tehachapi Northeast (3511823), and Cache Peak (3511822). Caltrans is responsible for analyzing the species that are present on the species list that is produced. The California Department of Fish and Wildlife species list was sufficient because the quadrants used encompassed the entire project and an appropriate area outside the project. During surveys, no active nests, suitable habitat, or Swainson's Hawk individuals were observed in the biological study area. The closest eBird observation is from 2016 and is 0.9-1.25 miles north of the project area, and the nearest California Natural Diversity Database occurrence is 11 miles south of the project area. Standard bird nesting preconstruction surveys will be conducted before vegetation removal to ensure no active nests are present, and appropriate measures will be implemented if nests are found. A contractor-supplied biologist will monitor all right-of-way fence replacement activities. If a special-status species is observed within 100 feet of project activities, measures will be taken to stop activities, and Caltrans environmental staff will implement appropriate avoidance measures. The avoidance and minimization measures incorporated into the project are deemed sufficient to protect Swainson's Hawks.

Western Joshua Tree

Caltrans conducted extensive surveys to identify Western Joshua trees within the biological study area. Approximately 142 Western Joshua trees are anticipated to be taken. The project budget includes costs for the Western Joshua tree Incidental Take Permit and estimated mitigation fees. An Incidental Take Permit application for the Western Joshua tree will be submitted before construction starts, and all requirements will be incorporated into the project. While efforts will be made to avoid take of Western Joshua trees, it is anticipated to be unavoidable because of the right-of-way fence replacement. Mitigation Measure 7: Western Joshua Tree Take Authorization is already included in the project.

Western Burrowing Owl

Surveys determined low-quality suitable habitat in the biological study area, with no burrows observed. A contractor-supplied biologist will monitor all right-of-way fence replacement activities and conduct preconstruction surveys to ensure no new burrows have been established in the project impact area. If a special-status species is observed within 100 feet of project activities, measures will be taken to stop activities, and Caltrans environmental staff will implement appropriate avoidance measures. The avoidance and minimization measures incorporated into the project are deemed sufficient to protect the Western burrowing owl due to the presence of low-quality habitat and the absence of observed burrows within the biological study area.

Crotch's Bumblebee

Caltrans standard measures will be incorporated into the project. Under these measures, project activities will stop if a special-status species is observed within 100 feet of project activities; Caltrans environmental staff will be notified, and appropriate avoidance measures will be implemented as appropriate.

Caltrans has determined that the avoidance and minimization measures incorporated into the project would sufficiently protect Crotch's Bumblebee and that no species-specific measures would be necessary. Habitat within the project initiation area is heavily disturbed due to the presence of existing infrastructure, and all impacts would occur within previously disturbed areas. A contractor-supplied biologist would monitor all work activities associated with right-of-way fence replacement, and Caltrans standard measures would sufficiently avoid direct take of the Crotch's Bumblebee.

Golden Eagle

Caltrans determined that no suitable nesting habitat is present within the biological study area. Caltrans has determined that no species-specific measures would be necessary and that the previously included standard measures would be sufficient to avoid impacts on this species.

Bats

Caltrans received a bat survey report in which it was determined that no bat maternity colonies were present in the existing infrastructure of State Route 58 and that no evidence of bats using these structures was observed. In addition, during the Western Joshua tree surveys, in which information on the size and location of all Western Joshua trees was collected in support of the Western Joshua Tree Incidental Take Permit, no evidence of bat roosting in Western Joshua trees was observed, and, in general, the size of the Western Joshua trees would not support bat roosting. Although there is evidence that bats roost in Western Joshua trees, there was no evidence that bats were using Western Joshua trees in the project area. Before Western Joshua trees are removed, contractor-supplied biologists would survey for the presence of nesting birds and for bats using the trees. If nests or bats are present, an appropriate construction buffer would be implemented, and the Western Joshua trees would be monitored until no nesting or roosting activities are present. All removal of Western Joshua trees and project activities related to right-of-way fence replacement would be monitored by the contractor-supplied biologists. With the avoidance and minimization measures already incorporated, Caltrans has determined that these measures are sufficient to avoid impacts on bats.

Species of Special Concern

A contractor-supplied biologist will monitor all right-of-way fence replacement activities and conduct preconstruction surveys to ensure that no new burrows have been established in the project impact area. If a special-status species is observed within 100 feet of project activities, measures will be taken to stop activities, and Caltrans environmental staff will implement appropriate avoidance measures. Caltrans has determined that the avoidance and minimization measures incorporated into the project are sufficient to protect species of special concern, and therefore, Mitigation Measures 19 and 20 will not be implemented. Due to the presence of highly disturbed and low-quality habitat, the included measures are sufficient to avoid impacts on species of special concern.

Plants and Sensitive Natural Communities

Caltrans conducted a survey during the blooming season; multiple surveys were conducted during the Western Joshua tree census; and surveys for bats, desert tortoises, and other species were also conducted. No sensitive natural communities or rare plants were observed in the biological study area. A contractor-supplied biologist will monitor all right-of-way fence replacement activities and conduct preconstruction surveys to ensure that no new burrows have been established in the project impact area. If a special-status species is observed within 100 feet of project activities, measures will be taken to stop activities, and Caltrans environmental staff will implement appropriate

avoidance measures. Caltrans has determined that the avoidance and minimization measures incorporated into the project are sufficient to protect species of special concern, and therefore, Mitigation Measures 21 and 22 will not be implemented.

Editorial Comments

Caltrans has edited the language concerning the measures associated with nesting birds. Caltrans will utilize the standard nesting bird season, which occurs between February 1 and August 31. Caltrans will also conduct preconstruction surveys within 10 days before the start of vegetation removal or ground disturbance. Caltrans will incorporate an appropriate construction buffer and monitor active nests to ensure that the nests are not impacted by project activities.

List of Technical Studies Bound Separately (Volume 2)

Natural Environment Study (Minimal Impacts). Caltrans, September 3, 2025.

Air, Noise, Hazardous Waste, Waters, Paleontology, and Stormwater Technical Memorandum. Caltrans, June 26, 2025.

Visual Impact Assessment Questionnaire. Caltrans, July 29, 2025.

Climate Change Analysis. Caltrans, June 30, 2025.

Historic Property Survey Report. Caltrans, October 7, 2025.

Archaeological Survey Report. Caltrans, September 2025.

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

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

Or send your request via email to: rebeka.riesen@dot.ca.gov

Or call: 442-359-8454

Please provide the following information in your request:

Project title: Cache Creek Pavement

General location information: Near Tehachapi, from 0.1 mile west of the Sand Canyon Road Undercrossing to 1.2 miles west of the Business Route 68 West Overcrossing.

District number-county code-route-post mile: 09-KER-58-PM R99.4-R107.7

EA number: 09-38310/Project ID number: 0919000067