US-395 Median Buffer

San Bernardino County, California
District 08
08-SBd-395 (PM R4.8-7.6)
EA 08-1L890/PN
0821000009

Initial Study [with Proposed] Mitigated Negative Declaration

Prepared by the
State of California Department of Transportation

November 2022

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General Information About This Document

What's in this document:

The California Department of Transportation (Caltrans) has prepared this Initial Study, which examines the potential environmental impacts of alternatives being considered for the proposed project in San Bernardino County, California. The project proposes to construct a four-foot median buffer and maintain existing centerline rumble strips and install shoulder rumble strips on US-395. The project proposes to widen the existing roadbed to accommodate the installation of rumble strips on the eight feet outside paved shoulders and four feet median buffer. In addition, at PM R5.45 a drainage culvert and down drain facility is proposed to be widened and upgraded due to the widening of the roadbed. The document describes the project, the existing environment that could be affected by the project, potential impacts from the project, and proposed measures.

What you should do:

- Please read this document.
- We welcome your comments. If you have any comments about the proposed project, please send your written comments to Caltrans by the deadline below.
- Submit comments via U.S. mail to Caltrans at the following address: Gabrielle Duff, Senior Environmental Planner
  California Department of Transportation,
  District 8 464 West 4th Street
  San Bernardino, CA 92401-1400
- Submit comments via email to: D8.1L890.comments@dot.ca.gov
- Submit comments by the deadline: 05/02/2023

What happens next:

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

Alternative formats:

For individuals with sensory disabilities, this document can be made available in Braille, in large print, on audiocassette, or on computer disk. To obtain a copy in one of these alternate formats, please call or write to Department of Transportation, Attn: Gabrielle Duff, Senior Environmental Planner, 464 West Fourth Street, San Bernardino, 92401, or use the California Relay Service 1(800) 735-2929 (TTY to Voice), 1(800) 735-2922 (Voice to TTY), 1(800) 855-3000 (Spanish TTY to Voice and Voice to TTY), 1(800) 854-7784 (Spanish and English Speech-to-Speech) or 711.

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SCH#XXXXXXXX 08-SBD-395-PM R4.8/7.6, EA 08-1L890/ PN 0821000009

Median Buffer on U.S. Route 395 from PM R4.8/7.6 in San Bernardino County, California

INITIAL STUDY
with (Proposed) Mitigated Negative Declaration

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

THE STATE OF CALIFORNIA
Department of Transportation

November 16, 2022
Date

Kurt Heidelberg

Kurt Heidelberg
Deputy District Director California Department of Transportation
CEQA Lead Agency

The following persons may be contacted for more information about this document:

Gabrielle Duff, Senior Environmental Planner
California Department of Transportation, District 8 464 West 4th Street
San Bernardino, CA 92410-1400
Phone: (909) 383-6933

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CEQA Environmental Checklist

PROJECT DESCRIPTION AND BACKGROUND

Project Title: US-395 Median Buffer

Lead agency name: Caltrans District 8 **Address:** 464 West 4th Street, San Bernardino, CA 92401

Contact person: Gabrielle Duff **Phone number:** (909) 501-5142

Project sponsor's name: Caltrans District 8 **Address:** 464 West 4th Street San Bernardino, CA 92401

Project Location: US-395 San Bernardino county from PM R4.8/7.6

General plan description: N/A

Zoning: N/A

Description of project: The project proposes to construct a four-foot median buffer and maintain existing centerline rumble strips and install shoulder rumble strips on US-395. The project proposes to widen the existing roadbed to accommodate the installation of rumble strips on the eight feet outside paved shoulders and four feet median buffer. In addition, at PM R5.45 a drainage culvert and down drain facility are proposed to be widened and upgraded due to the widening of the roadbed.

Surrounding land uses and setting: The project is located in the eastern portion of the Mojave Desert. The area is mostly rural underdeveloped land with sparsely located residential and commercial land.

Other public agencies whose approval is required (e.g. permits, financial approval, or participation agreements)**:** California Department of Fish and Wildlife, Regional Water Quality Control Board, and U.S. Fish and Wildlife.

NATIVE AMERICAN CONSULTATION

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code (PRC) section 21080.3.1? ☒ **Yes** ☐ **No**

If yes, ensure that consultation and heritage resource confidentiality follow PRC sections 21080.3.1 and 21080.3.2 and California Government Code 65352.4

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project. Please see the checklist beginning on page 4 for additional information.

- ☐ Aesthetics
- ☐ Agriculture and Forestry
- ☐ Air Quality
- ☒ Biological Resources
- ☐ Cultural Resources
- ☐ Energy
- ☐ Geology/Soils
- ☐ Greenhouse Gas Emissions
- ☐ Hazards and Hazardous Materials
- ☐ Hydrology/Water Quality
- ☐ Land Use/Planning
- ☐ Mineral Resources
- ☐ Noise
- ☐ Population/Housing
- ☐ Public Services
- ☐ Recreation
- ☐ Transportation
- ☐ Tribal Cultural Resources
- ☐ Utilities/Service Systems
- ☐ Wildfire
- ☐ Mandatory Findings of Significance

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PROPOSED MITIGATED NEGATIVE DECLARATION

Pursuant to: Division 13, Public Resources Code

State Clearinghouse Number: Enter State Clearinghouse Number

DIST-CO-RTE-PM: 08-SBd-395 (PM R4.8-7.6)

EA: 1L890

Project Description

The California Department of Transportation (Caltrans) proposes construct a four-foot median buffer and maintain existing centerline rumble strips and install shoulder rumble strips on US-395. The project proposes to widen the existing roadbed to accommodate the installation of rumble strips on the eight feet outside paved shoulders and four feet median buffer. In addition, at PM R5.45 a drainage culvert and down drain facility is proposed to be widened and upgraded due to the widening of the roadbed.

The proposed project extends approximately a 3-mile distance between SR-395 (PM R4.8/7.6) and is located in one U.S. Geological Survey (USGS) 7.5-minute quadrangle (Table 1). The project crosses through one range and township, as indicated below:

Table 1. Project Township, Range, and Section Data

USGS 7.5-minute Quadrangle	Township	Range	Section(s)
Baldy Mesa	T04N	R05W	9, 16, 21, 22

Determination

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

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

- The proposed project would have no effect on Aesthetics, Agriculture and Forest Resources, Cultural Resources, Geology and Soils, Energy, Hazards and Hazardous Materials, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire.

- In addition, the proposed project would have less-than-significant effects on Air Quality, Greenhouse Gas Emissions, Hydrology and Water Quality, and Transportation and Traffic.

- With the following measures incorporated, the proposed project would have less-than-significant effects on Biological Resources:

BIO-1 (BIO-Plant-1 Rare Plant Surveys, Flagging and Fencing): Within 30 days prior to construction and during the rare plant blooming season for white pygmy-poppy (*Canbya candida),* Mojave paintbrush (*Castilleja plagiotoma*), Mojave spineflower (*Chorizanthe spinosa*), Booth's evening-primrose (*Eremothera boothii* ssp. *bothii*), sagebrush loeflingia (*Loeflingia squarrosa* var. *artemisiarum*), crowned muilla (*Muilla coronata*), short-joint beavertail (*Opuntia basilaris* var. *brachyclada*), Latimer's woodland-gilia (*Saltugilia latimeri*), and Joshua tree (*Yucca brevifolia*) (March-August), a preconstruction survey must be conducted by a Contractor Supplied Biologist for rare plants within the following areas: (1) construction staging areas; (2) the limits of the PIA; and (3) any back fill and gully areas, up to the limit of the BSA. Rare plants must be flagged for visual identification to construction personnel for work avoidance. A 40-foot Environmentally Sensitive Area (ESA) fencing buffer will be placed around all Joshua trees within the BSA. A 10-foot ESA fencing buffer will be placed around all other rare plants within the BSA.

BIO-2 (**BIO-General-1 Equipment Staging, Storing, and Borrow Sites):** All staging, storing, and borrow sites require the approval of the Contractor Supplied Biologist.

BIO-3 (Bio-Arthropod-1 Rare Insect Host Plant Preconstruction Clearance Survey, Flagging, and Fencing): No more than 30 days prior to project activities, a Contractor Supplied biologist must perform a preconstruction survey for rare insect host plants (i.e. milkweed). Should any rare insect host plants be found, the Resident Engineer and Caltrans biologist must be contacted, and host plants must be flagged by the Contractor Supplied

biologist for visual identification to construction personnel for work avoidance. Should multiple plants in a single location be found, the groupings must be fenced with Environmentally Sensitive Area (ESA) temporary fencing.

BIO-4 (**Bio-General-6 Species Avoidance):** If during project activities a desert tortoise is discovered within the project site, all construction activities must stop within 100 feet and the Caltrans biologist and Resident Engineer must be notified. Coordination with the USFWS, BLM, and CDFW may be required prior to restarting activities.

BIO-5 (Bio-Reptile-1 Equipment Flagging): Project personnel must attach surveyor flagging tape to a conspicuous place on each piece of equipment to remind the operator to check under the equipment for special-status reptile species - desert tortoise and coast horned lizard - before operating equipment at any time.

BIO-6 (Bio-Reptile-2 Pre-Project Surveys): To assess the number of listed reptile species that may be potentially impacted, pre-project surveys for desert tortoise must be conducted within the shoulder widening and culvert drainage project impact area according to the current protocol provided by the USFWS.

BIO-7 (Bio-Reptile-5 Trash/Predation): Caltrans must implement measures to reduce the attractiveness of job sites to southern desert tortoise, coast horned lizard, and other subsidized predators by controlling trash and educating workers.

BIO-8 (Bio-DT-1 Agency Notification & Reporting Requirements): Any worker who observes desert tortoises within or near the job site found alive, injured, or dead during the implementation of the Project must provide immediate notification to the Resident Engineer and Caltrans biologist. Caltrans biologist must then notify USFWS and CDFW. Veterinary treatment and/or final deposition must follow USFWS and CDFW approval.

BIO-9 (BIO-Avian-1 Pre-Construction Nesting Bird Survey): If project activities cannot avoid the nesting season, generally regarded as February 1 – September 30, then preconstruction nesting bird surveys must be conducted up to the limit of the BSA no later than 3 days prior to construction by a qualified biologist to locate and avoid nesting birds. If an active avian nest is located, a no-construction buffer (100 feet for non-passerine, 300 feet for passerine, and 500 feet for raptors) may be established and monitored by the qualified biologist.

BIO-10 (BIO-Avian-2 Preconstruction Burrowing Owl Survey): Two burrowing owl preconstruction surveys must be performed: one survey 14-30 days prior to project activities, and one survey 24 hours prior to project activities.

BIO-11 (Bio-General-4): Preconstruction Surveys: Mohave ground squirrel surveys must be conducted by a Contractor Supplied Biologist 7 days prior to project activities within PM 4.8 to PM 7.6. If a Mohave ground squirrel is located, the Resident Engineer and Caltrans biologist must be contacted and additional measures (i.e. protocol surveys) and/or agency coordination may be required.

BIO-12 (Bio-General-7 Worker Environmental Awareness Program (WEAP)): A Contractor Supplied biologist must present a biological resource information program/WEAP for desert tortoise, Mohave ground squirrel, and special-status invertebrates, plants, reptiles, birds, mammals, and bats, prior to project activities to all personnel that will be present within the project limits for longer than 30 minutes at

any given time.

BIO-13 (Bio-Reptile-2 Pre-Project Surveys): To assess the number of listed reptile species that may be potentially impacted, pre-project surveys for desert tortoise must be conducted within the shoulder widening and culvert drainage project impact area according to the current protocol provided by the USFWS.

BIO-14 (Bio-Bat-2 Pre-Construction Survey and Monitoring by a Qualified Bat Biologist): Prior to construction start, a qualified bat biologist must conduct a survey to determine if bats are roosting within the Oro Grande Wash PIA. If work with roosting bats must be scheduled during the bat maternity season (Apr 1–Aug 31), then a qualified bat biologist must perform biological monitoring throughout the duration of Project work in the Oro Grande Wash PIA. The qualified bat biologist must check for disturbance and ensure that measures are being implemented and documented.

Signature

Kurt Heidleberg
Deputy District Director
Caltrans District 8

Date

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Appendices

Tables and Figures

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Chapter 1 Introduction

Project Description and Background

Project Title:	US-395 Median Buffer
Lead Agency Name and Address:	California Department of Transportation, District 8 464 West 4th Street San Bernardino, CA 92401-1400
Contact Person and Telephone Number:	Gabrielle Duff, Senior Environmental Planner Email address: gabrielle.duff@dot.ca.gov
Project Location:	US-395 San Bernardino county from PM R4.8/7.6
Project Sponsor's Name and Address:	California Department of Transportation, District 8 464 West 4th Street San Bernardino, CA 92401-1400
General Plan Description:	N/A
Zoning:	N/A
Description of Project:	The project proposes to construct a four-foot median buffer and maintain existing centerline rumble strips and install shoulder rumble strips on US-395. The project proposes to widen the existing roadbed to accommodate the installation of rumble strips on the eight feet outside paved shoulders and four feet median buffer. In addition, at PM R5.45 a drainage culvert and down drain facility is proposed to be widened and upgraded due to the widening of the roadbed.
Surrounding Land Uses and Setting:	The project is located in the eastern portion of the Mojave Desert. The area is mostly rural underdeveloped land with sparsely located residential and commercial land, especially in the southern portion of the project area.
Other Public Agencies Whose Approval is	California Department of Fish & Wildlife (CDFW), Regional Water Quality Control Board (RWQCB), and U.S. Army Corps of Engineers (USACE)

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Chapter 2 CEQA Environmental Checklist

DIST-CO-RTE:08-SBd-395 PM/PM: R4.8-7.6 EA/Project No.: 1L890/0821000009

This checklist identifies physical, biological, social and economic factors that might be affected by the proposed project. In many cases, background studies performed in connection with the projects indicate no impacts. A NO IMPACT answer in the last column reflects this determination. Where there is a need for clarifying discussion, the discussion is included either following the applicable section of the checklist or is within the body of the environmental document itself. The words "significant" and "significance" used throughout the following checklist are related to CEQA, not NEPA, impacts. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

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I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

Question	CEQA Determination
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
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

Response to Item a) No Impact. Visual impacts on scenic vistas are not anticipated as the project would involve pavement rehabilitation.

Response to Item b) No Impact. US-395 is not designated as a state scenic highway according to Caltrans' State Scenic Highway Program. The project site does not contain any structures and would not damage any scenic resources or historic buildings.

Response to Item c) No Impact. The existing visual character or quality of the site and its surroundings would remain the same as existing conditions; therefore, the project would not substantially degrade the area.

Response to Item d) No Impact. The project would not implement or create any new sources of light or glare that would adversely affect day or nighttime views in the area.

Avoidance, Minimization, and/or Mitigation Measures

No measures are required for Aesthetics.

II. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. 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. Would the project:

Question	CEQA Determination
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 for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	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

Response to Item a) No Impact. According to the California Department of Conversation Farmland Mapping and Monitoring Program, there are no farmlands, or vacant lands that are mapped as Prime Farmlands, Unique Farmlands, Farmlands of Statewide Importance, or Farmlands of Local Importance within the vicinity of the proposed project.

Response to Item b) No Impact. There are no areas within the study area under Williamson Act contract.

Response to Item c) No Impact. The proposed project will not impact forest lands because there are no forest lands located within the project area. The proposed project would not conflict within existing zoning for, or cause rezoning of forest land, timberland, or timberland zoned Timberland Production.

Response to Item d) No Impact. The proposed project would not result in the loss or conversion of forest land.

Response to Item e) No Impact. There are no forest lands, timberlands, or agricultural lands within the project site. The proposed project would not involve changes that would result in the conversion of farmland to non-agricultural use or forest land to non-forest use.

Avoidance, Minimization, and/or Mitigation Measures

No measures are required for Agriculture and Forest Resources.

III. 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. Would the project:

Question	CEQA Determination
a) Conflict with or obstruct implementation of the applicable air quality plan?	No Impact
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?	Less Than Significant Impact
c) Expose sensitive receptors to substantial pollutant concentrations?	Less Than Significant Impact
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	No Impact

Response to Item a) No Impact. California is divided geographically into 15 air basins for the purpose of managing the air resources of the state on a regional basis. Each air basin generally has similar meteorological and geographic conditions throughout. Local districts are responsible for preparing the portion of the State Implementation Plan (SIP) applicable within their boundaries.

The proposed project is located in the Mojave Desert Air Basin (Basin). The Mojave Desert Air Management District (MDAQMD) is responsible for managing the air resources for the portion of the Basin in which the project is located and is responsible for bringing the Basin into attainment for federal and state air quality standards. To achieve this goal, MDAQMD prepares plans for the attainment of air quality standards, as well as maintenance of those standards once achieved.

The proposed project, as currently proposed, is listed in the region's conforming Southern California Association of Governments (SCAG) 2020-2045 Regional Transportation Plan/ Sustainable Communities Strategy (RTP/SCS) and 2021 Federal

Transportation Improvement Program (FTIP) regional transportation planning documents. As such, project emissions are consistent with applicable air quality plans.

Response to Item b) Less-than-Significant Impact.

Construction

During construction, short-term degradation of air quality may occur due to the release of particulate emissions (airborne dust) generated by grading, and other construction-related activities. Emissions from construction equipment also are expected and would include carbon monoxide (CO), nitrogen oxides (NOX), volatile organic compounds (VOCs), directly emitted particulate matter (PM10 and PM2.5), and toxic air contaminants such as diesel exhaust particulate matter. Ozone is a regional pollutant that is derived from NOX and VOCs in the presence of sunlight and heat.

Site preparation and roadway construction typically involve clearing; cut/fill, trenching, and grading. Construction-related effects on air quality from most highway projects would be greatest during the site preparation phase because most engine emissions are associated with the excavation, handling, and transport of soils to and from the site.
These activities could temporarily generate enough PM10, PM2.5, and small amounts of CO, sulfur dioxide (SO2), NOX, and VOCs to be of concern.

Sources of fugitive dust would include disturbed soils at the construction site and trucks grading and paving the roadway. Unless properly controlled, vehicles leaving the site could deposit mud on local streets, which could be an added source of airborne dust after it dries. PM10 emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather conditions. PM10 emissions would depend on soil moisture, silt content of soil, wind speed, and the amount of equipment operating. Larger dust particles would settle near the source, while fine particles would be dispersed over greater distances from the construction site.

In addition to dust-related PM10 emissions, heavy-duty trucks and construction equipment powered by gasoline and diesel engines would generate CO, SO2, NOX, VOCs, and some soot particulate (PM10 and PM2.5) in exhaust emissions. If construction activities were to increase traffic congestion in the area, CO and other emissions from traffic would increase slightly while those vehicles are delayed. These emissions would be temporary and limited to the immediate area surrounding the construction site.

SO2 is generated by oxidation during combustion of organic sulfur compounds contained in diesel fuel. Under California law and California Air Resources Board (ARB) regulations, offroad diesel fuel used in California must meet the same sulfur and other standards as on-road diesel fuel (not more than 15 parts per million of sulfur), so SO2- related issues due to diesel exhaust would be minimal. Most of the construction impacts on air quality are short-term in duration and, therefore, would not result in long-term adverse conditions. Implementation of the standardized measures, such as compliance with MDAQMD Rule 403 to reduce onsite fugitive dust, would reduce any air quality impacts resulting from

construction activities to a less-than-significant level.

Operation

Because the project would not increase the number of travel lanes on US-395, it would not likely lead to a substantial or measurable increase in vehicle travel, and therefore does not require a travel analysis. The proposed project would not increase roadway capacity on US-395 and subsequently, would not increase emissions of criteria pollutants and their precursors following the construction period. No operational impacts related to violation of air quality standards would occur.

As discussed above, project construction would generate criteria pollutants and their precursors. However, such emissions would be short term and transitory, and fugitive dust would be limited through compliance with MDAQMD Rule 403. No net increase in operational emissions would occur, as traffic volumes would be the same under the Build Alternative and No-Build Alternative. Implementation of the proposed project would not increase roadway capacity on US-395 would not increase emissions of criteria pollutants and their precursors following the construction period. Because project construction would result in short-term generation of emissions, but no increases would occur for project operation, impacts related to a cumulatively considerable net increase of any criteria pollutants would be less than significant.

Response to Item c) Less Than Significant. ARB characterizes sensitive land uses as simply as possible by using the example of residences, schools, day care centers, playgrounds, and medical facilities. However, a variety of facilities are encompassed. For example, residences can include houses, apartments, and senior living complexes. Medical facilities can include hospitals, convalescent homes, and health clinics. Playgrounds could be play areas associated with parks or community centers.

There are land uses that are sensitive to air pollutant emissions located within 500 feet of proposed project improvements. These emissions would be short term and transitory, and fugitive dust would be limited through compliance with MDAQMD Rule 402. Implementation of the proposed project would not increase criteria pollutants and their precursors following the construction period. Since the construction of this project would result in short-term generation of emissions, though no increases would occur during project operation, impacts related to exposing sensitive receptors to substantial pollutant concentration would result in a less than significant impact.

Response to Item d) No Impact. According to ARB, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting areas, refineries, landfills, dairies, and fiberglass molding facilities. Because the project would not include any of these types of uses, and no sensitive land uses are located along the project alignment, no impacts would occur.

Avoidance, Minimization, and/or Mitigation Measures

AQ-1: During construction, the contractor shall comply with Caltrans Standard Specifications Section 7-1.02A and 7-1.02C, Emissions Reductions, and comply with all applicable laws and certify they are aware of all and will comply with all Air Resources Board (ARB) emission reduction regulations.

AQ-2: During construction, the contractor shall comply with Caltrans Standard Specifications, Section 14-9.02, "Air Pollution Control," for exhaust and particulate matter emissions control to comply with air-pollution-control rules, regulations, ordinances, and statutes.

IV. BIOLOGICAL RESOURCES

Would the project:

Question	CEQA Determination
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 NOAA Fisheries?	Less Than Significant
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 with Mitigation Incorporated
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less Than Significant With Mitigation Incorporated
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?	Less Than Significant
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

Response to Items a), d) Less Than Significant. The information from this section is based on the Natural Environment Study Minimal Impacts (NESMI) (Caltrans 2022). The Biological Study Area (BSA) consists of the proposed Project Impact Area (PIA) and an additional animal 500-foot buffer around the PIA to incorporate impacts associated with ground disturbance and noise; 100-

foot plants buffer, as plants are stalkless; and 50-foot jurisdictional waterways buffer. The Biological Study Area (BSA) comprises a 500-foot buffer from the limits of the Project Impact Area (PIA). The Project Impact Area (PIA) is up to 8 feet from each of side of edge-of-pavement and disturbed roadway shoulder for staging within the Caltrans ROW. Culvert and down drain facility within the Oro Grande Wash will take place at PM R5.45. The work extent for drainage work is at a distance of 70 feet from road centerline and 58 feet from the existing edge-of-travelway (ETW).

Vegetation/Natural Communities

The BSA comprises of a 500-foot buffer from the limits of the PIA. The BSA is dominated by open space or flat, vacant land with disturbed creosote bush. Soils formed in sedimentary and granitic rocks and alluvial deposits; some areas are affected by high salt concentration. The Project Impact Area (PIA) is 8 feet from edge-of-pavement except culvert and down drain facility work at PM 5.45, Oro Grande Wash. Drainage work extends approximately 70 feet from road centerline and 58 feet from the existing ETW. Oro Grande Wash is a jurisdictional waterway and is classified as a Cowardin system Riverine drainage. Oro Grande Wash may contain suitable habitat for special-status or listed species, such as desert tortoise or Mohave ground squirrel. The PIA does not contain any sensitive natural plant communities and is located entirely within the Caltrans ROW.

Plants are considered of special concern based on (1) federal, State, or local laws regulating their development; (2) limited distributions; and/or (3) the presence of habitat required by the special-status plants occurring on-site. Special-status species that have been identified to have suitable habitat include the following: White pygmy-poppy (*Canbya candida)*, Mojave paintbrush (*Castilleja plagiotoma)*, Mojave spineflower (*Chorizanthe spinosa)*, Booth's evening-primrose (*Eremothera boothii* ssp. *Boothii)*, sagebrush loeflingia (*Loeflingia squarrosa* var.*artemisiarum)*, crowned muilla (*Muilla coronate)*, short-joint beavertail (*Opuntia basilaris* var. *brachyclada)*, Latimer's woodland-gilia (*Saltugilia latimeri)*, and Joshua tree (*Yucca brevifolia*) have suitable habitat in the BSA via disturbed western Joshua tree woodland, sandy and granitic soils, Mojavean desert scrub, and Oro Grande Wash. Ribbed cryptantha (*Johnstonella costata)* is considered absent from the BSA because the proposed project is outside of its elevation range. Recent California Natural Diversity Database (CNDDB) occurrences (2017-2018) of short-joint beavertail have been reported in the Project vicinity, and the species is presumed extant within the vicinity. No other recent CNDDB occurrences for the aforementioned species have been reported within the Project vicinity. Although several of the above-listed special-status plant species have suitable habitat in the BSA, these species have a low likelihood of occurrence in the PIA due to general disturbance of habitat and heavily disturbed, compacted, or barren soils for staging within the Caltrans ROW, which would not be suitable habitat. There is a low likelihood of occurrence within the Oro Grand Wash PIA. Therefore, Caltrans has determined that special-status plants species will not be impacted.

Invertebrate Species

The Monarch butterfly (*Danaus plexippus*) is a federally listed Candidate for federal listing species under Federal Endangered Species Act (FESA). There is moderate Monarch butterfly habitat suitability within 5 miles of overwintering sites at PM 5.6 to PM 6.8. There have been no historical sightings of milkweed along SR-395, although data for the vicinity is low. There is a low

likelihood of larval milkweed species within the PIA, as milkweed occurs sporadically throughout the region. The Monarch butterfly requires milkweed larval host plants, which may occur sporadically throughout the area. There is a low probability of occurrence of such species, and Monarch butterfly can take a long time to discover milkweed patches. Caltrans anticipates no impacts to special-status invertebrate species with the implementation of appropriate avoidance and minimization measures, which include pre-construction surveys for special-status invertebrate species host plants.

Reptile Species

The Mojave population of the desert tortoise is a listed federally endangered species. Desert tortoise is presumed to have a low to high probability of occurrence within the PIA with a high probability anticipated within Oro Grande Wash. Caltrans has determined the proposed Project "May Affect, [is] Likely to Adversely Affect" desert tortoise within the Oro Grande Wash and shoulder widening area. Caltrans will potentially cause "take" under FESA but not under CESA. Caltrans will request that the USFWS concur that the project is consistent with the desert tortoise programmatic biological opinion agreement between Caltrans and the USFWS. The definition of "take" under CESA is to "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill," and Caltrans' activities do not meet this statutory definition. Therefore, a section 2081(b) Incidental Take Permit under the California Fish and Game Code (CFGC) will not be required.

The coast horned lizard is a State-designated Species of Special Concern. Coast horned lizard may have a low likelihood of occurrence within the Oro Grande Wash PIA. Therefore, Caltrans has determined that special-status reptile species will not be impacted.

Avian Species

The special-status avian species includes burrowing owl (*Athene cunicularia*), loggerhead shrike (*Lanius ludovicianus*), and Le Conte's thrasher (*Toxostoma lecontei*). These avian species are State-listed Species of Special Concern. The Oro Grande Wash PIA contains disturbed desert scrub and natural habitat, which may provide low habitat suitability to burrowing owl, loggerhead shrike, and Le Conte's thrasher. Loggerhead shrike can nest within western Joshua tree, a tree species present in the BSA. A 2007 historical CNDDB occurrence reported a nesting pair and active nest within a Joshua tree. This species is common in desert areas, especially near water bodies. There is suitable habitat for Le Conte's thrasher within the Oro Grande Wash PIA, however, no historical occurrences have been reported within a 5-mile radius of the BSA. Impacts to burrowing owls are not anticipated, as suitable habitat in the majority of the PIA is considered low due to general disturbance of habitat and compacted soils; there is a low likelihood of occurrence within Oro Grande Wash due to general disturbance in the vicinity and proximity to a busy highway. There is a low likelihood of impact to loggerhead shrike and Le Conte's thrasher during the nesting bird season.

Mammal Species

The following mammal species have been identified: palid bat (*Antrozous pallidus*) and Mohave ground squirrel (*Xerospermophilus mohavensis*). The palid bat is a California Species of Special Concern, while the Mohave ground squirrel is a State-listed as threatened species and BLM

Sensitive. The presence of the Oro Grande Wash and disturbed Mojavean desert scrub within the BSA indicates potentially suitable habitat for pallid bats. Since the BSA is near buildings and other urban development, there is plenty of structure for the bats to roost. The CNDDB reports a 2016 historical occurrence in Bear Valley Road Bridge over the Mojave River, approximately 8 miles east of the BSA. One to ten adults were detected during nighttime exit surveys. This species is non-migratory but can change roosts and occur year-round. This species is generally decreasing. There is a likelihood of occurrence of roosting bats with the Oro Grande Wash PIA. Pallid bats or Mohave ground squirrel have potentially suitable habitat or previously occupied habitat within the BSA. The PIA only contains potentially suitable habitat within Oro Grande Wash. Caltrans will implement avoidance and minimization measures to minimize impacts to pallid bats and Mohave ground squirrel.

Habitat Connectivity

Transportation facilities, particularly freeways and roadways, pose an inherent barrier to wildlife and habitat connectivity. Threats to habitat connectivity and wildlife movement include habitat loss, fragmentation from development, and barriers created by linear infrastructure, such as roads, highways, dams, canals, and railroads. Such barriers impede wildlife movement, population demographics, gene flow, resilience, and California wildlife populations. The proposed project occurs on the existing US-395 paved roadways with construction staging on disturbed shoulders and some driving/parking off pavement. Some work will take place within adjacent natural areas, which might provide suitable wildlife corridors or wildlife habitat connectivity. The California Department of Fish and Wildlife's (CDFW) Areas of Conservation Emphasis (ACE) dataset contains terrestrial conservation information on species Biodiversity, Significant Habitats, and Climate Resilience. The Terrestrial Connectivity layer, one of four ACE key components, was developed to support conservation planning efforts by allowing users to spatially evaluate an area's relative contribution to terrestrial connectivity based on statewide, regional, and other connectivity analyses. ACE Connectivity Ranks are of 1-5, with Rank 1 being low potential and Rank 5 being high potential.

The Project BSA is located on SR-395 and is within developed and undeveloped natural habitat. According to the terrestrial connectivity map, the BSA is mostly a Rank 4 and 1, Conservation Planning Linkages and Limited Connectivity Opportunities. The Project BSA also includes Rank 2 and 3. Project work will take place on the paved roadway and disturbed habitat areas of the Caltrans ROW, areas that do not provide a high level of connectivity. The proposed project work occurs on the existing US-395 paved roadway and a culvert at PM 5.45, within the Oro Grande Wash, with possible construction staging on disturbed shoulders or within Southern California Edison easements. Such areas may provide suitable wildlife corridors or wildlife habitat connectivity. No work is planned within the California Aqueduct. The proposed project poses no risk of reducing or worsening existing levels of habitat connectivity and does not warrant subsequent design changes, agency consultation, or species permits.

Response to Item b) Less Than Significant with Mitigation Incorporated

Regional Species and Habitats and Natural Communities of Concern

A literature search identified a total of nine (9) special-status plants and animals and zero (0) natural communities as potentially occurring within the vicinity of the Project. The nine special-status plants include: White pygmy-poppy (*Canbya candida*), Mojave paintbrush (*Castilleja plagiotoma)*, Mojave spineflower (*Chorizanthe spinosa*), Booth's evening-primrose (*Eremothera boothii* ssp. *Boothii)*, sagebrush loeflingia (*Loeflingia squarrosa* var.*artemisiarum*), crowned muilla (*Muilla coronate*), short-joint beavertail (*Opuntia basilaris* var. *brachyclada*), Latimer's woodland-gilia (*Saltugilia latimeri*), and Joshua tree (*Yucca brevifolia*).

Vernal Pools/Depressions

Vernal pools are characterized by hardpan depressions, often clay soils, that hold water after rainfall, typically during the wet season. Vernal pools are defined as "seasonal wetlands that occur in depression areas that have wetlands indicators of all three parameters (soils, vegetation, and hydrology) during the wetter portion of the growing season but normally lack wetlands indicators of hydrology and/or vegetation during the drier portion of the growing season." Vernal pools are supported by a variety of species, including special-status invertebrate species such as fairy shrimp. No vernal pool indicator species were included in the CNDDB, however, due to the localized nature of vernal pools and the possibility of presence throughout areas of California, they should not be discounted. There is a very low probability of vernal pools or claypan depressional areas occurring within the BSA, which could contain listed fairy shrimp species, as soils are predominantly sandy and lack required restrictive layers. The NWI identifies Oro Grande Wash as a Cowardin system Riverine jurisdictional drainage.

Caltrans does not anticipate impacts to vernal pools or depressions, as soils lack potential restrictive layers restrictive layers required to support such pools. The PIA will generally occur on previously paved road and barren disturbed or shoulder with compacted or barren soils for staging.

Response to Items c) Less Than Significant with Mitigation Incorporated

Jurisdictional Waters

Drainage work extends approximately 70 feet from road centerline and 58 feet from the existing ETW. Oro Grande Wash is a jurisdictional waterway and is classified as a Cowardin system Riverine drainage. Oro Grande Wash may contain suitable habitat for special-status or listed species, such as desert tortoise or Mohave ground squirrel. Work will take place within Oro Grande Wash, an NWI-labeled jurisdictional waterway. No work is expected within the California Aqueduct. The following permits will be required: California Department of Fish and Wildlife (CDFW) - Section 1602 of the California Fish and Game Code (CFGC) for Lake and Streambed Alteration Agreement; Regional Water Quality Control Board (RWQCB) Section 401 Water Quality Certification (WQC) of the Federal Clean Water Act (CWA); and (USACE) Section 404 of the CWA Non-Reporting permit.

Response to Item e): No Impact. Chapter 88.01 of the San Bernardino County Development Code (SBCDC) provides regulations and guidelines for the management of plant resources in the unincorporated areas of the County on property or combinations of property under private or public ownership. The intent of the regulations is to promote and sustain the health, vigor, and productivity of plant life and aesthetic values within the County through appropriate management techniques. Section 88.01.060 provides regulations for the removal or harvesting of specified desert native plants in order to preserve and protect the plants and to provide for the conservation and wise use of desert resources. Desert native plants or any part of them, except the fruit, shall not be removed except under a Tree or Plant Removal Permit in compliance with Section 88.01.050 (Tree or Plant Removal Permits). However, removal of regulated trees or plants shall not apply to lands owned by the United States or State of California and is exempt under Section 88.01.030. Therefore, Caltrans is exempt under Section 88.01.030.

Response to Item f): No Impact. The proposed project is not located within the boundaries of an established HCP, NCCP, or other natural resources conservation plan. The proposed project footprint is not located within Federally designated Critical Habitat for any listed species. Therefore, the proposed project would not conflict with the provisions of an adopted HCP, NCCP, or other approved local, regional, or state habitat conservation plan.

Avoidance, Minimization, and/or Mitigation Measures
The following measures will be included with implementation of the proposed project:

BIO-1 (BIO-Plant-1 Rare Plant Surveys, Flagging and Fencing): Within 30 days prior to construction and during the rare plant blooming season for white pygmy-poppy (*Canbya candida),* Mojave paintbrush (*Castilleja plagiotoma*), Mojave spineflower (*Chorizanthe spinosa*), Booth's evening-primrose (*Eremothera boothii* ssp. *bothii*), sagebrush loeflingia (*Loeflingia squarrosa* var. *artemisiarum*), crowned muilla (*Muilla coronata*), short-joint beavertail (*Opuntia basilaris* var. *brachyclada*), Latimer's woodland-gilia (*Saltugilia latimeri*), and Joshua tree (*Yucca brevifolia*) (March-August), a preconstruction survey must be conducted by a Contractor Supplied Biologist for rare plants within the following areas: (1) construction staging areas; (2) the limits of the PIA; and (3) any back fill and gully areas, up to the limit of the BSA. Rare plants must be flagged for visual identification to construction personnel for work avoidance. A 40-foot Environmentally Sensitive Area (ESA) fencing buffer will be placed around all Joshua trees within the BSA. A 10-foot ESA fencing buffer will be placed around all other rare plants within the BSA.

BIO-2 (**BIO-General-1 Equipment Staging, Storing, and Borrow Sites):** All staging, storing, and borrow sites require the approval of the Contractor Supplied Biologist.

BIO-3 (Bio-Arthropod-1 Rare Insect Host Plant Preconstruction Clearance Survey, Flagging, and Fencing): No more than 30 days prior to project activities, a Contractor Supplied biologist must perform a preconstruction survey for rare insect host plants (i.e. milkweed). Should any rare insect host plants be found, the Resident Engineer and Caltrans biologist must be contacted, and host plants must be flagged by the Contractor Supplied biologist for visual identification to construction personnel for work avoidance. Should multiple plants in a single location be found, the groupings must be fenced with Environmentally Sensitive Area (ESA) temporary fencing.

BIO-4 (**Bio-General-6 Species Avoidance):** If during project activities a desert tortoise is discovered within the project site, all construction activities must stop within 100 feet and the Caltrans biologist and Resident Engineer must be notified. Coordination with the USFWS, BLM, and CDFW may be required prior to restarting activities.

BIO-5 (Bio-Reptile-1 Equipment Flagging): Project personnel must attach surveyor flagging tape to a conspicuous place on each piece of equipment to remind the operator to check under the equipment for special-status reptile species - desert tortoise and coast horned lizard - before operating equipment at any time.

BIO-6 (Bio-Reptile-2 Pre-Project Surveys): To assess the number of listed reptile species that may be potentially impacted, pre-project surveys for desert tortoise must be conducted within the shoulder widening and culvert drainage project impact area according to the current protocol provided by the USFWS.

BIO-7 (Bio-Reptile-5 Trash/Predation): Caltrans must implement measures to reduce the attractiveness of job sites to southern desert tortoise, coast horned lizard, and other subsidized predators by controlling trash and educating workers.

BIO-8 (Bio-DT-1 Agency Notification & Reporting Requirements): Any worker who observes desert tortoises within or near the job site found alive, injured, or dead during the implementation of the Project must provide immediate notification to the Resident Engineer and Caltrans biologist. Caltrans biologist must then notify USFWS and CDFW. Veterinary treatment and/or final deposition must follow USFWS and CDFW approval.

BIO-9 (BIO-Avian-1 Pre-Construction Nesting Bird Survey): If project activities cannot avoid the nesting season, generally regarded as February 1 – September 30, then preconstruction nesting bird surveys must be conducted up to the limit of the BSA no later than 3 days prior to construction by a qualified biologist to locate and avoid nesting birds. If an active avian nest is located, a no-construction buffer (100 feet for non-passerine, 300 feet for passerine, and 500 feet for raptors) may be established and monitored by the qualified biologist.

BIO-10 (BIO-Avian-2 Preconstruction Burrowing Owl Survey): Two burrowing owl preconstruction surveys must be performed: one survey 14-30 days prior to project activities, and one survey 24 hours prior to project activities.

BIO-11 (Bio-General-4): Preconstruction Surveys: Mohave ground squirrel surveys must be conducted by a Contractor Supplied Biologist 7 days prior to project activities within PM 4.8 to PM 7.6. If a Mohave ground squirrel is located, the Resident Engineer and Caltrans biologist must be contacted and additional measures (i.e. protocol surveys) and/or agency coordination may be required.

BIO-12 (Bio-General-7 Worker Environmental Awareness Program (WEAP)): A Contractor Supplied biologist must present a biological resource information program/WEAP for desert tortoise, Mohave ground squirrel, and special-status invertebrates, plants, reptiles, birds, mammals, and bats, prior to project activities to all personnel that will be present within the project limits for longer than 30 minutes at any given time.

BIO-13 (Bio-Reptile-2 Pre-Project Surveys): To assess the number of listed reptile species that may be potentially impacted, pre-project surveys for desert tortoise must be conducted within the shoulder widening and culvert drainage project impact area according to the current protocol provided by the USFWS.

BIO-14 (Bio-Bat-2 Pre-Construction Survey and Monitoring by a Qualified Bat Biologist): Prior to construction start, a qualified bat biologist must conduct a survey to determine if bats are roosting within the Oro Grande Wash PIA. If work with roosting bats must be scheduled during the bat maternity season (Apr 1–Aug 31), then a qualified bat biologist must perform biological monitoring throughout the duration of Project work in the Oro Grande Wash PIA. The qualified bat biologist must check for disturbance and ensure that measures are being implemented and documented.

V. CULTURALRESOURCES

Would the project:

Question	CEQA Determination
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	No Impact
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	No Impact

Response to items a), b): No Impact. Information from this section was taken from the Archaeological Survey Report (ASR) and Historic Property Survey Report (HPSR) (Caltrans 2022). Caltrans uses a single process to fulfill both its CEQA and National Historic Preservation Act (NHPA) Section 106 responsibilities. The Area of Potential Effects (APE) is delineated to encompass the maximum extent of ground disturbance as well as direct, indirect, and cumulative effects, including visual and atmospheric effects to the setting, required by the Project design. The horizontal APE was established from the direct project footprint, including the drainage location. It encompasses the existing Caltrans ROW and portions of new additional ROW. The horizontal APE extends eight feet from the edge of pavement with exception of the work at the culvert/down drain location. The maximum anticipated depth of disturbance (vertical APE) is 2.61 feet. A cultural resources review was performed in August 2022, which included a review of location maps, project plans, aerial photography, the Native American Heritage Commission (NAHC) Sacred Lands File, a review of the Caltrans Cultural Resource Database (CCRD), and Caltrans Historic Bridge Inventory.

A Sacred Lands file request was sent out to the NAHC November 18, 2021. A response with a negative Sacred Lands File finding was received December 30, 2021. Twenty-nine Palms and San Manuel were consulted under Section 106 and AB 52. After consultation with the DNAC initial consultation letters were sent. Initial consultation letters were sent on November 18, 2021. A second letter was sent to Twenty-Nine Palms on January 3, 2022 and a third letter was sent April 6, 2022. No response was received. San Manuel Band of Mission Indians responded on

December 16, 2021, stating that while the proposed project is located within Serrano ancestral territory, and of interest of the Tribe, the nature and location of the proposed project, San Manuel Band of Mission Indians does not have any concerns with the project's implementation as planned, at this time. San Manuel Band of Mission Indians requested that certain language be made part of the project's measures. These requests are already included in the standardized Environmental Commitments **CR-1** and **CR-2** of the Environmental Commitments Record.

A total of 2 previously recorded cultural resources were identified in the APE. These previously recorded cultural resources include: Highway 395 (P36-007545/CA-SBR-7545H) and Phelan Road (P36-008082/CA-SBR-8082H).

Caltrans, pursuant to Section 106 PA Stipulation IX.A and as applicable PRC 5024 MOU Stipulation IX.A.2, has determined a Finding of No Historic Properties Affected is appropriate for this undertaking. As a result, no historical resources will be impacted by the proposed project activities as outlined in State CEQA Guidelines 15064.5(a).

Response to Item c): No Impact. No human remains were discovered during field surveys conducted for the proposed project, and no formal cemeteries are located within the project site. If buried cultural materials, including human remains, are encountered during construction, it is Caltrans' policy that work stop in that area until a qualified archaeologist can evaluate the nature and significance of the find. If human remains are discovered, California Health and Safety code (H&SC) Section 7050.5 will be followed, which, in summary, states that further disturbances and activities shall stop in any area or nearby area suspected to overlie remains, and the County Coroner contacted. If the remains are thought to be Native American, the Native American Heritage Commission will be contacted, who pursuant to PRC Section 5097.98 will then notify the Most Likely Descendent (MLD), as further detailed in measure CR-2.

Avoidance, Minimization, and/or Mitigation Measures

The following measures will be included with implementation of the proposed project:

CR-1: Treatment of Previously Unidentified Cultural Resources. If cultural materials are discovered during construction, all earthmoving activity within 60 feet of the discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find.

CR-2: Treatment of Human Remains. In the event that human remains are found the county coroner shall be notified and ALL construction activities within 60 feet of the discovery shall stop. Pursuant to Public Resources Code Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission (NAHC) who will then notify the Most Likely Descendent (MLD). The person who discovered the remains will contact the District 8 Division of Environmental Planning; Andrew Walters, DEBC: (909) 260-5178 and Gary Jones, DNAC: (909) 261-8157. Further provisions of Public Resources Code 5097.98 are to be followed as applicable.

VI. ENERGY

Would the project:

Question	CEQA Determination
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

Response to a) and b) No Impact. The proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation, as the proposed project involves construction of a four-foot median buffer and maintaining existing centerline rumble strips and install shoulder rumble strips on US-395. The project proposes to widen the existing roadbed to accommodate the installation of rumble strips on the eight feet outside paved shoulders and four feet median buffer. In addition, at PM R5.45 a drainage culvert and down drain facility is proposed to be widened and upgraded due to the widening of the roadbed. The proposed project would not conflict with or obstruct state or local plans for renewable energy or energy efficiency.

Caltrans promotes energy-efficient development by incorporating statewide goals from California's Energy Efficiency Strategic Plan, setting policies, codes, and actions. Implementing these actions would assist in energy conservation and would minimize the impact on climate change.

Avoidance, Minimization, and/or Mitigation Measures

No measures are required for Energy.

VII. GEOLOGY AND SOILS

Would the project:

Question	CEQA Determination
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	No Impact
ii) Strong seismic ground shaking?	No Impact
iii) Seismic-related ground failure, including liquefaction?	No Impact
iv) Landslides?	No Impact
b) Result in substantial soil erosion or the loss of topsoil?	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	No Impact

Response to Item a.i), a.ii): No Impact. None of the project segments are near an Alquist-Priolo Special Studies Zone; therefore, no impacts are anticipated. The project area, like most of Southern California, is located in a seismically active area. According to the California Division of Mines and Geology (CDMG) Preliminary Fault Activity Map, there are no faults in the project vicinity.

Compliance with the most current Caltrans procedures regarding seismic design, which is standard practice on all Caltrans projects, is anticipated to avoid or minimize any significant impacts related to seismic ground shaking. Seismic design would also meet county requirements under the Uniform Building Code. Therefore, through the incorporation of standard seismic design practices, the proposed project would result in no impact because project construction and operation would have no opportunity to

rupture a known earthquake fault or cause seismic shaking as the project would primarily consist of constructing a four-foot median buffer widening of existing roadbed.

Response to Item a.iii), a.iv): No Impact. According to CDMG liquefaction zone map, the project is not located in a liquefaction zone. Compliance with the most current Caltrans procedures regarding seismic design, which is standard practice on all Caltrans projects, is anticipated to avoid or minimize any significant impacts related to liquefaction and seismic risk. Seismic design would also meet city and county requirements under the Uniform Building Code. Therefore, through the incorporation of standard seismic design practices, the proposed project would result in no impact because construction or operation would not cause any seismic-related ground failure, including liquefaction.

Response to Item b): No Impact. Construction of four-foot median buffer, widening existing roadbed, and other activities during the construction phase of the project would displace soils and temporarily increase the potential for soils to be subject to wind and water erosion. The disturbed soil area is defined by Caltrans as consisting of areas of exposed, erodible soil that are within the construction limits and that result from construction-related activity. Construction site BMPs, which are standard practices for erosion and water quality control, would be used on the project site and would include the use of street sweeping, temporary cover for materials storage, and equipment parking at staging areas and side slopes. Construction methods related to water conservation practices, vehicle and equipment cleaning, fueling, and maintenance would be followed.

Response to Item c) and d): No Impact. According to the CDMG liquefaction zone map, the project is not located in a liquefaction zone. The proposed project would not create substantial direct or indirect risks to life or property. Any earthwork in the project area would be performed in accordance with the most current edition of the Caltrans Standard Specifications; therefore, the proposed project would result in no impact.

Response to Item e): No Impact. The proposed project would not affect existing or proposed septic tanks or alternate wastewater disposal systems, nor would the use of septic tanks be involved during construction. Therefore, no impacts would occur.

Response to Item f): No Impact. Based on limited ground disturbance it is expected that the project would have no effect on paleontological resources.

Avoidance, Minimization, and/or Mitigation Measures

No measures are required for Geology and Soils.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

Question	CEQA Determination
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Less Than Significant
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	No Impact

Response to Item a): Less Than Significant. While the project would result in GHG emissions during construction, it is anticipated that the project would not result in any increase in operational GHG emissions. With implementation of construction GHG-reduction measures, the impact would be less than significant. See extensive climate change section.

Response to Item b): No Impact. The project does not conflict with an applicable plan, policy, or regulation. See extensive climate change section.

Avoidance, Minimization, and/or Mitigation Measures

The following measures would be implemented for Greenhouse Gases:

TRF-1: Implementation of a TMP would involve strategies to maintain traffic safety through the construction zone and to minimize traffic delays.

AQ-1: Fugitive Dust: Contractor must abide by Caltrans' provisions in Section 14-9, Air Quality of the 2018 Standard Specifications and Special Provisions.

AQ-2: Implement and follow Erosion Control and Air Quality Best Management Practices (BMPs).

AQ-3: Comply with AQMD rule 403 for Fugitive Dust.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

Question	CEQA Determination
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 one-quarter 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 two 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

Response to Items a), b): No Impact. Implementation of the project is not expected to result in the creation of any new health hazards or expose people to potential new health hazards, because the project proposes to construct a four-foot median buffer and maintain existing centerline rumble strips and install shoulder rumble strips on US-395.The project proposes to widen the existing roadbed to accommodate the installation of rumble strips on the eight feet outside paved shoulders and four feet median buffer. In addition, at PM R5.45 a drainage culvert and down drain facility is proposed to be widened and upgraded due to the widening of the roadbed. This project includes removal of yellow painted stripes that will produce hazardous waste residue. Therefore, proper measures should be taken for removal and disposal of hazardous waste residue.

The Initial Site Assessment (ISA) Checklist completed for this project determined that the potential for hazardous waste involvement is at a low risk. An Aerially Deposited Lead Survey (ADL) report was completed by way of analyzing 18 soil samples north bound side of US 395. Based on the results of this assessment, the 95% Upper Confidence Level (UCL) of total lead (43.1 mg/kg) are less than the Department of Toxic Substances Control (DTSC) health-risk

based screening level of 320 mg/kg. Caltrans recommends that all soils are acceptable for unrestricted reuse onsite. Contractors performing construction activities are notified that non-hazardous concentrations of lead may be present in soil to a depth of 2 feet below ground surface and that appropriate health and safety measures should be taken to limit exposure.

Following construction of the project, operations are not expected to result in the creation of any new health hazards or expose people to potential new health hazards because the action construction of a four-foot median buffer and maintain existing centerline rumble strips and install shoulder rumble strips on US-395.The project proposes to widen the existing roadbed to accommodate the installation of rumble strips on the eight feet outside paved shoulders and four feet median buffer. In addition, at PM R5.45 a drainage culvert and down drain facility is proposed to be widened and upgraded due to the widening of the roadbed. The inclusion of minimization and avoidance measure listed at the end of this section, it is anticipated that the proposed project will not have an impact.

Response to Item c): No Impact. There are no schools within one-quarter mile of the project site; therefore, no impacts would occur.

Response to Item d): No Impact. The DTSC EnviroStor database did not identify any sites containing hazardous material near the project. No Impacts are expected to occur from project activities.

Response to Items e): No Impact. The proposed project is not located within or near an airport land use plan or, where such a plan has not been adopted. The proposed project would create a temporary impact during construction in regard to safety hazard or excessive noise for people residing or working in the project area but it would not result in a permeant impact.

Response to Item f): No Impact. The project is not anticipated to interfere with any adopted local emergency response plans or emergency evacuation plans. Applicable traffic controls (e.g., flag person, signage), as identified in the Transportation Management Plan (TMP), would be implemented to minimize any potential interference with any adopted emergency response plan or evacuation plan (measure **TRF-1**).

Response to Item g): No Impact. The proposed project area is surrounded by underdeveloped, commercial, and residential land. The proposed project is located in High and Moderate fire hazard severity zones (FHSZ). The project would not introduce new structures or uses that exacerbate fire risk or would be vulnerable to fire damage.

Avoidance, Minimization, and/or Mitigation Measures

The following measures will be included with implementation of the proposed project:

HAZ-1: The contractor shall follow Caltrans SSP 7-1.02K(6)(j)(iii), which includes specifications for handling, removing, and disposing of earth material containing lead. Excavated material on the job site is not considered hazardous waste. The SSP 7-1.02K(6)(j)(iii) requires a lead compliance plan.

HAZ-2: The contractor shall follow Caltrans SSP 14-11.12. which includes specifications

for separate removal and disposal of yellow traffic stripe with hazardous waste residue. The management of this material must be addressed in the lead compliance plan.

X. HYDROLOGY AND WATER QUALITY

Would the project:

Question	CEQA Determination
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Less Than Significant
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such the project may impede sustainable groundwater management of the basin?	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) result in substantial erosion or siltation on- or off-site;	Less Than Significant
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- 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

Response to Item a): Less Than Significant.

The potential temporary effects of the project on the quality of the water in the area would come from runoff during construction, including erosion. The National Pollution Discharge Elimination System (NPDES) permits issued by the RWQCB set limits on discharges, schedules for compliance, special conditions, and monitoring programs. These permits also limit discharges, set water quality standards, and establish a monitoring program of the waste discharge. Permitting of underground storage tanks and cleanup of waste discharge is also enforced by RWQCB. Grading during the construction of the project would require the limited removal of vegetation and moving of soils. This would temporarily increase the exposure of soils to wind and water erosion and could increase the amount of sediments entering downstream drainages and waterways. Sediments can adversely affect water

quality and negatively affect fish, aquatic plants, and other organisms. The proposed project includes a total Disturbed Soil Area (DSA) of 10.5 acres which requires a Storm Water Pollution Prevention Plan (SWPPP). A SWPPP will be prepared for the project to control pollutants, and their sources, including sources of sediment associated with construction, construction site erosion, and all other activities associated with construction. Temporary construction site BMPs would be implemented to reduce or eliminate pollutants in storm water discharges. Temporary construction site BMPs may include, but are not limited to, temporary soil binders, job site management, temporary fiber roll, temporary gravel bag berm, temporary construction entrance/exit, temporary concrete washout, and temporary drainage inlet protection. Temporary BMPs will be implement for all components of the project until such time that vegetation has been restored to pre-project conditions or permanent post-construction BMPs are in place and functioning. All excess soil excavated as part of the project that is not used onsite should be stockpiled in an upland location such that it will not be transported by wind or water into a surface water. All excess soil excavated as part of the Project that is not used onsite should be stockpiled in an upland location such that it will not be transported by wind or water into a surface water. An adequate combination of sediment and erosion control BMPs must be implemented and maintained to temporarily stabilize the stockpiled soils until such time that they are reused and/or permanently stabilized.

The project would use stormwater controls, as required, to minimize the amount of roadway pollution from the project area during construction. Compliance with the NPDES requirements would further reduce such polluting impacts. Projects within Caltrans' right of way are obligated to comply with the latest Caltrans and RWQCB water quality standards relative to the treatment of post-construction stormwater runoff. Determination and implementation of BMPs within the right of way are defined based on the evaluation of existing site constraints, constituents of concern at the receiving waters, soil conditions, and hydraulic conditions. At this time, the project will have temporary construction BMPs, thus less-than significant impacts are anticipated.

Response to Item b): No Impact. The project proposes to construct a four-foot median buffer and maintain existing centerline rumble strips and install shoulder rumble strips on US-395. The project proposes to widen the existing roadbed to accommodate the installation of rumble strips on the eight feet outside paved shoulders and four feet median buffer. In addition, at PM R5.45 a drainage culvert and down drain facility is proposed to be widened and upgraded due to the widening of the roadbed. The project would be within an area of rural desert without major infrastructure. It is not expected to substantially deplete groundwater supplies or interfere substantially with groundwater recharge. The proposed project is not expected to affect the amount water consumed regionally through increased withdrawals from groundwater sources.

Response to Items c (i): Less Than Significant. The project proposes to construct a four-foot median buffer and maintain existing centerline rumble strips and install shoulder rumble strips on US-395. The project proposes to widen the existing roadbed to accommodate the installation of rumble strips on the eight feet outside paved shoulders and four feet median buffer. In addition, at PM R5.45 a drainage culvert and down drain facility is proposed to be widened and upgraded due to the widening of the roadbed.

Those project elements would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river or through the addition of impervious surfaces in a manner which would result in substantial erosion or siltation on or off-site with the implementation of a SWPPP.

Response to Items c (ii): No Impact. The project proposes to construct a four-foot median buffer and maintain existing centerline rumble strips and install shoulder rumble strips on US-395. The project proposes to widen the existing roadbed to accommodate the installation of rumble strips on the eight feet outside paved shoulders and four feet median buffer. In addition, at PM R5.45 a drainage culvert and down drain facility is proposed to be widened and upgraded due to the widening of the roadbed. Those project elements would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river or through the addition of impervious surfaces in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding or siltation on or off-site with the implementation of a SWPPP.

Response to Items c (iii): No Impact. The project proposes to construct a four-foot median buffer and maintain existing centerline rumble strips and install shoulder rumble strips on US-395. The project proposes to widen the existing roadbed to accommodate the installation of rumble strips on the eight feet outside paved shoulders and four feet median buffer. In addition, at PM R5.45 a drainage culvert and down drain facility is proposed to be widened and upgraded due to the widening of the roadbed. Those project elements would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river or through the addition of impervious surfaces in a manner which would substantially increase the rate or amount of surface runoff in a manner which would 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 with the implementation of a SWPPP.

Response to Items c (iv): No Impact. The project proposes to construct a four-foot median buffer and maintain existing centerline rumble strips and install shoulder rumble strips on US-395. The project proposes to widen the existing roadbed to accommodate the installation of rumble strips on the eight feet outside paved shoulders and four feet median buffer. In addition, at PM R5.45 a drainage culvert and down drain facility is proposed to be widened and upgraded due to the widening of the roadbed**.** Those project elements would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river or through the addition of impervious surfaces in a manner which would substantially increase the rate or amount of surface runoff in a manner which would create or contribute runoff water which would impede or redirect flood flows with the implementation of a SWPPP.

Response to Item d): No Impact. Based on the FEMA Flood Insurance Rate Map (FIRM), the proposed project is located outside of a floodplain. The proposed project is not anticipated to risk release of pollutants due to project inundation.

Response to Item e): No Impact. The project proposes to construct a four-foot median buffer

and maintain existing centerline rumble strips and install shoulder rumble strips on US-395. The project proposes to widen the existing roadbed to accommodate the installation of rumble strips on the eight feet outside paved shoulders and four feet median buffer. In addition, at PM R5.45 a drainage culvert and down drain facility is proposed to be widened and upgraded due to the widening of the roadbed. Those project elements would not conflict with or obstruct implementation of a SWPPP.

Avoidance, Minimization, and/or Mitigation Measures

The following standard measures will be included for Hydrology and Water Quality:

WQ-1: Prior to the start of construction, a SWPPP for reducing impacts on water quality shall be developed by the contractor, and approved by the Department.

WQ-2: The SWPPP control measures shall address the following categories: soil stabilization practices; sediment control practices; sediment tracking control practices; wind erosion control practices; and non-stormwater management and waste management and disposal control practices.

WQ-3: The contractor shall be required to comply with water pollution control provisions and SWPPP and conform to the requirements of the Department's Standard Specification Section 13 "Water Pollution," of the Standard Specifications.

WQ-4: If necessary, soil disturbed areas of the project site will be fully protected using soil stabilization and sediment control BMPs at the end of each day, unless fair weather is predicted.

XI. LAND USE AND PLANNING

Would the project:

Question	CEQA Determination
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

Response to Items a), b): No Impact. According to the San Bernardino County Land Use Plan – Public San Bernardino County Map Viewer, the project area is mapped as Rural Living, and Resource Conservation. The proposed project is located with the cities of Hesperia and Victorville. The established communities within Hesperia exist but the project is not a new alignment or realignment of an existing highway, thus the current project is not dividing the communities. The proposed project involves construction a four-foot median buffer and maintain existing centerline rumble strips and install shoulder rumble strips on US-395. The project proposes to widen the existing roadbed to accommodate the installation of rumble strips on the eight feet outside paved shoulders and four feet median buffer. In addition, at PM R5.45 a drainage culvert and down drain

facility is proposed to be widened and upgraded due to the widening of the roadbed**.** The proposed project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The project improvements would occur within Caltrans right of way and additional right of way, but no detours would be required for the project.

Avoidance, Minimization, and/or Mitigation Measures

No measures are required for Land Use and Planning.

XII. MINERAL RESOURCES

Would the project:

Question	CEQA Determination
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

Response to Items a), b): No Impact. No classified or designated mineral deposits of statewide or regional significance are known to occur within the project area. Also, the project is located outside of mineral resource recovery sites; therefore, no impacts are anticipated to occur.

Avoidance, Minimization, and/or Mitigation Measures

No measures are required Mineral Resources.

XIII. NOISE

Would the project result in:

Question	CEQA Determination
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 two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	No Impact

Response to Item a): No Impact. There are structures sparsely located near the alignment; therefore, there are noise-sensitive receptors located within or near the project. Temporary Construction noise impacts would occur because the noise receptors are adjacent to the project area. Additionally, construction noise would be short term and intermittent during the 110-day (working days) construction period and construction would be conducted in accordance with Caltrans Standard Specifications Section 14.8-02 (measure **NOI-1 and NOI-2** The project would not expose people to or generate noise levels in excess of standards established in a general plan or noise ordinance, or applicable standards of other agencies.

Response to Item b): No Impact. Any ground borne noise or vibration would be limited to the 3-month construction period (110-working days) and would be short in duration.

Response to Item c): No Impact. There is no airport or private airstrip near the project vicinity. The proposed project would comply with Caltrans' Standard Specifications as outlined in **NOI-1** and **NOI-2**, no impacts would occur.

Avoidance, Minimization, and/or Mitigation Measures

The following Noise measures would be implemented to minimize potential impacts located in Caltrans' provisions in Section 14-8, "Noise Control," of the 2018 Standard Specifications and Special Provisions:

NOI-1: The contractor shall comply with all local sound control and noise level rules, regulations, and ordinances that apply to any work performed pursuant to the contract.

NOI-2: Each internal combustion engine, used for any purpose on the job or related to the job, shall be equipped with a muffler or a type recommended by the manufacturer. No internal combustion engine shall be operated on the project without the muffler

XIV. POPULATION AND HOUSING

Would the project:

Question	CEQA Determination
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

Response to Item a): No Impact. The project is a State Highway Operation and Protection Program (SHOPP) project and would not induce population growth in an area, either directly or indirectly. The proposed project would not result in any construction of new homes, businesses, nor would the project result in the need for roads or other infrastructure that would facilitate an increase in population. No impacts are anticipated in this regard.

Response to Item b): No Impact. The project would require additional right of way acquisition. Sixteen parcels are needed for right of way of acquisitions including 15 privately-owned parcels and one administered by the California Department of Water Resources (CA Aqueduct). The required parcel acquisition would include sliver takes because only a small portion of each parcel is needed for the purposes of this project. No residents or businesses would need to be relocated as a result of implementing the project. The proposed project would not necessitate the relocation of any existing developments and/or people. No impacts are anticipated in this regard.

Avoidance, Minimization, and/or Mitigation Measures

No measures are required for Population and Housing.

XV. PUBLIC SERVICES

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 following public services:

Question	CEQA Determination
a) Fire protection?	No Impact
b) Police protection?	No Impact
c) Schools?	No Impact
d) Parks?	No Impact
e) Other public facilities?	No Impact

Response to a) Fire Protection: No Impact. San Bernardino County and the City of Victorville provide fire protection in the project vicinity. There are several fire stations along the project area, which includes San Bernardino County Fire Stations (#305 and #315) and the City of Victorville Fire Station (#313). The proposed project involves pavement rehabilitation and facility upgrades which would not result in an increase population and therefore not increase the demand for community services. In addition, the proposed project would not induce growth or increase population in the study area or the greater community beyond that previously planned for and would not result in the need for additional fire protection. No fire stations would be acquired or displaced.

Response to b) Police Protection: No Impact. The San Bernardino County Sheriff's Department, Victor Valley Sheriff's Station, Victorville Sheriff's Department, Hesperia Police Department, and California Highway Patrol (CHP), as appropriate, provide police protection in the project vicinity. The proposed project would not induce population growth in the area beyond that previously planned for and would not result in the need for additional police protection. No impacts on police protection from operation of the proposed project would occur. Implementation of a construction-period TMP (**TRF-1**, refer to Section XVII for measure), which is prepared for all Caltrans highway projects, would ensure that access is maintained to and from the project area and that the police service providers are notified prior to the start of

construction activities; therefore, there are no anticipated impacts.

Response to c) Schools: No Impact. There are no schools located within the project vicinity. The proposed project would not result in accessibility problems to existing schools in the vicinity of the project and is not expected to result in any other impacts on school services.

Response to d) Parks: No Impact. There are no parks located within the project vicinity. Thus, there will be no impact on parks.

Response to e) Other Public Facilities: No Impact. There are no other public facilities in the immediate project area and, as such, there would be no impacts on public facilities as a result of construction or operation of the project.

Avoidance, Minimization, and/or Mitigation Measures

No measures are required for Public Services.

XVI. RECREATION

Question	CEQA Determination
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

Response to Items a) and b): No Impact. Project implementation does not have the capacity to generate a substantial increase to any existing neighborhood, regional parks, or other recreational facilities such that substantial physical deterioration would occur, nor would it require the construction or expansion of existing recreational facilities.

Avoidance, Minimization, and/or Mitigation Measures

No measures are required for Recreation.

XVII. TRANSPORTATION

Would the project:

Question	CEQA Determination
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	No Impact

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	No Impact
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	No Impact
d) Result in inadequate emergency access?	Less Than Significant Impact

Response to Items a) and b): No Impact. The project would not conflict with any adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities. Accordingly, no impacts in this regard are expected. The project would not increase traffic because no new land uses are proposed. The project would accommodate existing traffic demand, but it would not create new demand, directly or indirectly. The project would also not reduce congestion and/or improve the level of service of traffic. The proposed project would not conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. No impacts are anticipated.

Response to Item c): No Impact. Due to the nature and scope of the project, no change in road alignment including curves or intersections area proposed.

Response to Item d): Less-Than-Significant Impact. Construction activities have the potential to result in temporary, localized, site-specific disruptions during the 110-day (working days) construction period. This could lead to an increase in delay times for emergency response vehicles during construction; however, the proposed project would include the preparation and implementation of a Transportation Management Plan (TMP) (measure **TRF-1**), which would avoid or minimize any potential impacts. Applicable traffic controls (e.g., flag person, signage), as identified in the TMP, would be implemented to minimize any potential interference with any adopted emergency response plan or evacuation plan. Impacts would be less-than-significant during the construction period.

Avoidance, Minimization, and/or Mitigation Measures

The following avoidance and/or minimization measure would be implemented to minimize potential traffic impacts.

TRF-1: Prior to construction, a Traffic Management Plan will be developed by Caltrans to minimize potential impacts on emergency services and commuters during construction.

XVIII. TRIBAL CULTURAL RESOURCES

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 Determination
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 Determination**
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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	No Impact

Response to Item a) No Impact. A Sacred Lands file request was sent out to the NAHC November 18, 2021. A response with a negative Sacred Lands File finding was received December 30, 2021. Twenty-nine Palms and San Manuel were consulted under Section 106 and AB 52. After consultation with the DNAC initial consultation letters were sent. Initial consultation letters were sent on November 18, 2021. A second letter was sent to Twenty-Nine Palms on January 3, 2022 and a third letter was sent April 6, 2022. No response was received. San Manuel Band of Mission Indians responded on December 16, 2021, stating that while the proposed project is located within Serrano ancestral territory, and of interest of the Tribe, the nature and location of the proposed project, San Manuel Band of Mission Indians does not have any concerns with the project's implementation as planned, at this time. San Manuel Band of Mission Indians requested that certain language be made part of the project's measures. These requests are already included in the standardized Environmental Commitments **CR-1** and **CR-2** of the Environmental Commitments Record. As such, no impacts on Tribal Cultural Resources are anticipated at this time.

Response to Item b) No Impact. There are no significant resources for a California Native American tribe identified near or within the project study area.

Avoidance, Minimization, and/or Mitigation Measures

CR-1: Treatment of Previously Unidentified Cultural Resources. If cultural materials are discovered during construction, all earthmoving activity within 60 feet of the discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find.

CR-2: Treatment of Human Remains. In the event that human remains are found the county coroner shall be notified and ALL construction activities within 60 feet of the discovery shall stop. Pursuant to Public Resources Code Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission (NAHC) who will then notify the Most Likely Descendent (MLD). The person who discovered the remains will contact the District 8 Division of Environmental Planning; Andrew Walters, DEBC: (909) 260-5178 and Gary Jones, DNAC: (909) 261-8157. Further provisions of Public Resources Code 5097.98 are to be followed as applicable.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

Question	CEQA Determination
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	No Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	No Impact
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	No Impact
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	No Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	No Impact

Response to Item a): No Impact. Construction of the project would not generate the need for additional wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities. No impacts would occur.

Response to Item b): No Impact. The project would not require a water supply, as there are no existing entitlements or resources within the project area. No impacts would occur.

Response to Item c): No Impact. The proposed project would not require wastewater treatment. As a result, there would be no impact.

Response to Item d), e): No Impact. The proposed project would be in compliance with

all federal, state, and local solid waste statutes and regulations; therefore, there would be no impact.

Avoidance, Minimization, and/or Mitigation Measures

No measures are required for Utility and Service Systems.

XX. WILDFIRE

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

Question	CEQA Determination
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

Response to Item a): No Impact. The proposed project is not located in any very high fire severity zones. Construction activities have the potential to result in temporary, localized, site-specific disruptions during 110-day construction period. This could lead to an increase in delay times for emergency response vehicles during construction. However, the proposed project would include the preparation and implementation of a TMP (measure **TRF-1**), which would avoid or minimize any potential impacts.

Response to Item b): No Impact. The project area is surrounded by rural, commercial, and residential land. Based on Cal Fire, Fire Hazard Severity Zones Map of the County of San Bernardino, the proposed project is in areas designated as High or Moderate fire hazard severity zones (FHSZ). The project would not introduce new structures or uses that exacerbate fire risk or would be vulnerable to fire damage.

Response to Item c), and d): No Impact. The proposed project is not located in any very high fire severity zones. The proposed project involves widening the existing roadbed to accommodate the installation of rumble strips, four-foot median buffer, and widened/upgraded drainage culvert and down drain facility, thus the project will not install infrastructure that may result in increased fire risk. The proposed project would not

significantly alter drainage patterns that would cause downslope or downstream flooding or landslides should a fire occur.

Avoidance, Minimization, and/or Mitigation Measures

No measures are required for Wildfire.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Question	CEQA Determination
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	Less Than Significant with Mitigation Incorporated
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	No Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	No Impact

Response to Item a): Less-than-Significant Impact with Mitigation Incorporated. The proposed project will result in *no effect* on the following federally-listed as endangered or threatened species: Monarch butterfly (*Danaus plexippus),* Mojave tui chub *(Siphateles bicolor mohavensis)*, and California condor (*Gymnogyps californianus*). No federally designated critical habitat occurs within the BSA. Therefore, Caltrans has determined the project will have *no effect* on federally-designated critical habitat. Since work will be occurring in or near the Oro Grande Wash, desert tortoise is presumed to have a low to high probability of occurrence within the Project Impact Area. Caltrans has determined the proposed Project "May Affect, [is] Likely to Adversely Affect" desert tortoise within the Oro Grande Wash and shoulder widening area. Caltrans will request that the U.S. Fish and Wildlife Service (USFWS) concur the Project is consistent with the Programmatic Biological Opinion (PBO) agreement between Caltrans and the USFWS. Caltrans will implement the following avoidance/minimization measures: **BIO-4 (Bio-General-6)**, **BIO-12** (**Bio-General-7)**, **BIO-5(Bio-Reptile-1)**, **BIO-6 (Bio-Reptile-2)**, **BIO-7 (Bio-Reptile-5)**, and **BIO-8 (Bio-DT-1)**.

Caltrans has determined, in accordance with the California Endangered Species Act, the Project will have *no take* of the following species that are State-listed as threatened or endangered, or Candidates for State-listing: Joshua tree (*Yucca brevifolia*) SCT; Mojave tui chub (*Siphateles bicolor mohavensis*) SE; desert tortoise (*Gopherus agassizii*) ST; California

condor (*Gymnogyps californianus*) SE; and mountain lion (*Puma concolor*) SCT. Caltrans does not anticipate "take" of Mohave ground squirrel due to proposed Project activities with the implementation of **BIO-12 (Bio-General-4)** and **BIO-13 (Bio-General-7)** avoidance and minimization measures, which include pre-construction surveys.

Agency coordination or permits for wetlands and other waters will be required. Jurisdictional waterway permits will be required for work within Oro Grande Wash. Permits are anticipated to be required from the California Department of Fish and Wildlife (CDFW) - Section 1602 of the California Fish and Game Code (CFGC) for Lake and Streambed Alteration Agreement; Regional Water Quality Control Board (RWQCB) Section 401 permit of the federal Clean Water Act (CWA); or the U.S. Army Corps of Engineers (USACE) Section 404 of the CWA permit.

Response to Item b): No Impact. The project's impacts are either temporary and/or avoidable. In the case of temporary impacts, Caltrans standard measures will be implemented to avoid and/or minimize potential impacts. In the case of biological resources, specific measures will be implemented to minimize potential impacts or avoid impacts altogether. Therefore, there will be no cumulatively considered impacts.

Response to Item c): No Impact. The project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

Avoidance, Minimization, and/or Mitigation Measures

No measures that have not already been identified for other topics are required for Mandatory Findings of Significance.

Climate Change

Climate change refers to long-term changes in temperature, precipitation, wind patterns, and other elements of the Earth's climate system. The Intergovernmental Panel on Climate Change, established by the United Nations and World Meteorological Organization in 1988, is devoted to greenhouse gas (GHG) emissions reduction and climate change research and policy. Climate change in the past has generally occurred gradually over millennia, or more suddenly in response to cataclysmic natural disruptions. The research of the Intergovernmental Panel on Climate Change and other scientists over recent decades, however, has unequivocally attributed an accelerated rate of climatological changes over the past 150 years to GHG emissions generated from the production and use of fossil fuels.

Human activities generate GHGs consisting primarily of carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), tetrafluoromethane, hexafluoroethane, sulfur hexafluoride (SF_6), and various hydrofluorocarbons (HFCs). CO_2 is the most abundant GHG; while it is a naturally occurring and necessary component of Earth's atmosphere, fossil-fuel combustion is the main source of additional, human-generated CO_2 that is the main driver of climate change. In the U.S. and in California, transportation is the largest source of GHG emissions, mostly CO_2.

The impacts of climate change are already being observed in the form of sea level rise, drought, extended and severe fire seasons, and historic flooding from changing storm patterns. The most important strategy to address climate change is to reduce GHG emissions. Additional strategies are necessary to mitigate and adapt to these impacts. In the context of climate change, "mitigation" involves actions to reduce GHG emissions to lessen adverse impacts that are likely to occur. "Adaptation" is planning for and responding to impacts to reduce vulnerability to harm, such as by adjusting transportation design standards to withstand more intense storms, heat, and higher sea levels. This analysis will include a discussion of both in the context of this transportation project.

REGULATORY SETTING

This section outlines federal and state efforts to comprehensively reduce GHG emissions from transportation sources.

Federal

To date, no national standards have been established for nationwide mobile-source GHG reduction targets, nor have any regulations or legislation been enacted specifically to address climate change and GHG emissions reduction at the project level.

The National Environmental Policy Act (NEPA) (42 United States Code [USC] Part 4332) requires federal agencies to assess the environmental effects of their proposed actions prior to making a decision on the action or project.

The Federal Highway Administration (FHWA) recognizes the threats that extreme weather, sea level change, and other changes in environmental conditions pose to valuable transportation infrastructure and those who depend on it. FHWA therefore supports a sustainability approach that assesses vulnerability to climate risks and incorporates resilience into planning, asset

management, project development and design, and operations and maintenance practices (FHWA 2019). This approach encourages planning for sustainable highways by addressing climate risks while balancing environmental, economic, and social values— "the triple bottom line of sustainability" (FHWA n.d.). Program and project elements that foster sustainability and resilience also support economic vitality and global efficiency, increase safety and mobility, enhance the environment, promote energy conservation, and improve the quality of life.

The federal government has taken steps to improve fuel economy and energy efficiency to address climate change and its associated effects. The most important of these was the Energy Policy and Conservation Act of 1975 (42 USC Section 6201) as amended by the Energy Independence and Security Act (EISA) of 2007; and Corporate Average Fuel Economy (CAFE) Standards. This act established fuel economy standards for on-road motor vehicles sold in the United States. The U.S. Department of Transportation's National Highway Traffic and Safety Administration (NHTSA) sets and enforces the CAFE standards based on each manufacturer's average fuel economy for the portion of its vehicles produced for sale in the United States. The Environmental Protection Agency (U.S. EPA) calculates average fuel economy levels for manufacturers, and also sets related GHG emissions standards under the Clean Air Act. Raising CAFE standards leads automakers to create a more fuel-efficient fleet, which improves our nation's energy security, saves consumers money at the pump, and reduces GHG emissions (U.S. DOT 2014).

U.S. EPA published a final rulemaking on December 30, 2021, that raised federal GHG emissions standards for passenger cars and light trucks for model years 2023 through 2026, increasing in stringency each year. This rulemaking revised lower emissions standards that had been previously established for model years 2021 through 2026 in the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part Two in June 2020. The updated standards will result in avoiding more than 3 billion tons of GHG emissions through 2050 (U.S. EPA 2021a).

State

California has been innovative and proactive in addressing GHG emissions and climate change by passing multiple Senate and Assembly bills and executive orders (EOs) including, but not limited to, the following:

EO S-3-05 (June 1, 2005): The goal of this EO is to reduce California's GHG emissions to: (1) year 2000 levels by 2010, (2) year 1990 levels by 2020, and (3) 80 percent below year 1990 levels by 2050. This goal was further reinforced with the passage of Assembly Bill (AB) 32 in 2006 and Senate Bill (SB) 32 in 2016.

Assembly Bill (AB) 32, Chapter 488, 2006, Núñez and Pavley, The Global Warming Solutions Act of 2006: AB 32 codified the 2020 GHG emissions reduction goals outlined in EO S-3-05, while further mandating that the California Air Resources Board (ARB) create a scoping plan and implement rules to achieve "real, quantifiable, cost-effective reductions of greenhouse gases." The Legislature also intended that the statewide GHG emissions limit continue in existence and be used to maintain and continue reductions in emissions of GHGs beyond 2020 (Health and Safety Code [H&SC] Section 38551(b)). The law requires ARB to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost- effective GHG reductions.

EO S-01-07 (January 18, 2007): This order sets forth the low carbon fuel standard (LCFS) for California. Under this EO, the carbon intensity of California's transportation fuels is to be reduced by at least 10 percent by the year 2020. ARB re-adopted the LCFS regulation in September 2015, and the changes went into effect on January 1, 2016. The program establishes a strong framework to promote the low-carbon fuel adoption necessary to achieve the governor's 2030 and 2050 GHG reduction goals.

Senate Bill (SB) 375, Chapter 728, 2008, Sustainable Communities and Climate Protection: This bill requires ARB to set regional emissions reduction targets for passenger vehicles. The Metropolitan Planning Organization (MPO) for each region must then develop a "Sustainable Communities Strategy" (SCS) that integrates transportation, land-use, and housing policies to plan how it will achieve the emissions target for its region.

SB 391, Chapter 585, 2009, California Transportation Plan: This bill requires the State's long-range transportation plan to identify strategies to address California's climate change goals under AB 32.

EO B-16-12 (March 2012) orders State entities under the direction of the Governor, including ARB, the California Energy Commission, and the Public Utilities Commission, to support the rapid commercialization of zero-emission vehicles. It directs these entities to achieve various benchmarks related to zero-emission vehicles.

EO B-30-15 (April 2015) establishes an interim statewide GHG emission reduction target of 40 percent below 1990 levels by 2030 to ensure California meets its target of reducing GHG emissions to 80 percent below 1990 levels by 2050. It further orders all state agencies with jurisdiction over sources of GHG emissions to implement measures, pursuant to statutory authority, to achieve reductions of GHG emissions to meet the 2030 and 2050 GHG emissions reductions targets. It also directs ARB to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of carbon dioxide equivalent ($MMTCO_2e$). [GHGs differ in how much heat each traps in the atmosphere, called global warming potential, or GWP. CO_2 is the most important GHG, so amounts of other gases are expressed relative to CO_2, using a metric called "carbon dioxide equivalent," or CO_2e. The global warming potential of CO_2 is assigned a value of 1, and the GWP of other gases is assessed as multiples of CO_2.] Finally, it requires the Natural Resources Agency to update the state's climate adaptation strategy, *Safeguarding California*, every 3 years, and to ensure that its provisions are fully implemented.

SB 32, Chapter 249, 2016, codifies the GHG reduction targets established in EO B-30-15 to achieve a mid-range goal of 40 percent below 1990 levels by 2030.

SB 1386, Chapter 545, 2016, declared "it to be the policy of the state that the protection and management of natural and working lands … is an important strategy in meeting the state's greenhouse gas reduction goals, and would require all state agencies, departments, boards, and commissions to consider this policy when revising, adopting, or establishing policies, regulations, expenditures, or grant criteria relating to the protection and management of natural and working lands."

SB 743, Chapter 386 (September 2013): This bill changes the metric of consideration for transportation impacts pursuant to CEQA from a focus on automobile delay to alternative

methods focused on vehicle miles traveled, to promote the state's goals of reducing greenhouse gas emissions and traffic related air pollution and promoting multimodal transportation while balancing the needs of congestion management and safety.

SB 150, Chapter 150, 2017, Regional Transportation Plans: This bill requires ARB to prepare a report that assesses progress made by each metropolitan planning organization in meeting their established regional greenhouse gas emission reduction targets.

EO B-55-18 (September 2018) sets a new statewide goal to achieve and maintain carbon neutrality no later than 2045. This goal is in addition to existing statewide targets of reducing GHG emissions.

EO N-19-19 (September 2019) advances California's climate goals in part by directing the California State Transportation Agency to leverage annual transportation spending to reverse the trend of increased fuel consumption and reduce GHG emissions from the transportation sector. It orders a focus on transportation investments near housing, managing congestion, and encouraging alternatives to driving. This EO also directs ARB to encourage automakers to produce more clean vehicles, formulate ways to help Californians purchase them, and propose strategies to increase demand for zero-emission vehicles.

ENVIRONMENTAL SETTING

The proposed project is in urban and rural areas of San Bernardino County along US-395 from PM R4.8 to PM 7.6. US 395 begins in the Mojave Desert communities of Hesperia and Victorville near the junction of I-15. The highway proceeds north across the Mojave Desert crossing the California Aqueduct around PM 6.7. The route is a major transportation corridor, carrying traffic and various goods across the Western United States. Within the project limits, US 395 consists of a four- lane to two-lane highway, which is surrounded by residential, undeveloped desert, state, and federal lands. A metropolitan or regional transportation plan (RTP)/sustainable communities' strategy (SCS) by Southern California Association of Governments (SCAG) guides transportation and housing development in the project area. The San Bernardino County General Plan Sustainability element addresses GHGs in the project area.

GHG Inventories

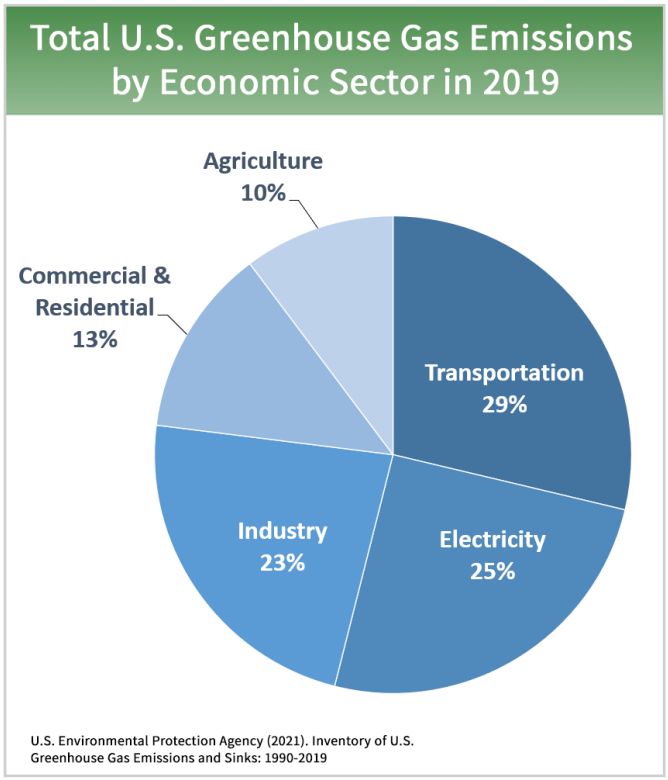
A GHG emissions inventory estimates the amount of GHGs discharged into the atmosphere by specific sources over a period of time, such as a calendar year. Tracking annual GHG emissions allows countries, states, and smaller jurisdictions to understand how emissions are changing and what actions may be needed to attain emission reduction goals. U.S. EPA is responsible for documenting GHG emissions nationwide, and the ARB does so for the state, as required by H&SC Section 39607.4. Cities and other local jurisdictions may also conduct local GHG inventories to inform their GHG reduction or climate action plans.

NATIONAL GHG INVENTORY

The annual GHG inventory submitted by the U.S. EPA to the United Nations provides a comprehensive accounting of all human-produced sources of GHGs in the United States. The 1990-2019 inventory found that overall GHG emissions were 6,558 million metric tons (MMT) in

2019, down 1.7 percent from 2018 but up 1.8% from 1990 levels. Of these, 80 percent were CO_2, 10 percent were CH_4, and 7 percent were N_2O; the balance consisted of fluorinated gases. CO_2 emissions in 2019 were 2.2 percent less than in 2018, but 2.8 percent more than in 1990. As shown on Figure 1, the transportation sector accounted for 29 percent of U.S. GHG emissions in 2019 (U.S. EPA 2021b, 2021c).

Figure 1. U.S. 2019 Greenhouse Gas Emissions (Source: U.S. EPA 2021d)



STATE GHG INVENTORY

ARB collects GHG emissions data for transportation, electricity, commercial/residential, industrial, agricultural, and waste management sectors each year. It then summarizes and highlights major annual changes and trends to demonstrate the state's progress in meeting its GHG reduction goals. The 2021 edition of the GHG emissions inventory reported emissions trends from 2000 to 2019. It found total California emissions were 418.2 $MMTCO_2e$ in 2019, a reduction of 7.2 $MMTCO_2e$ since 2018 and almost 13 $MMTCO_2e$ below the statewide 2020 limit of 431 $MMTCO_2e$. The transportation sector (including intrastate aviation and off road sources) was responsible for about 40 percent of direct GHG emissions, a 3.5 $MMTCO_2e$ decrease from 2018 (Figure 2). Overall statewide GHG emissions declined from 2000 to 2019 despite growth in population and state economic output (Figure 3) (ARB 2021a).

Figure 2. California 2019 Greenhouse Gas Emissions by Economic Sector (Source: ARB 2021a)

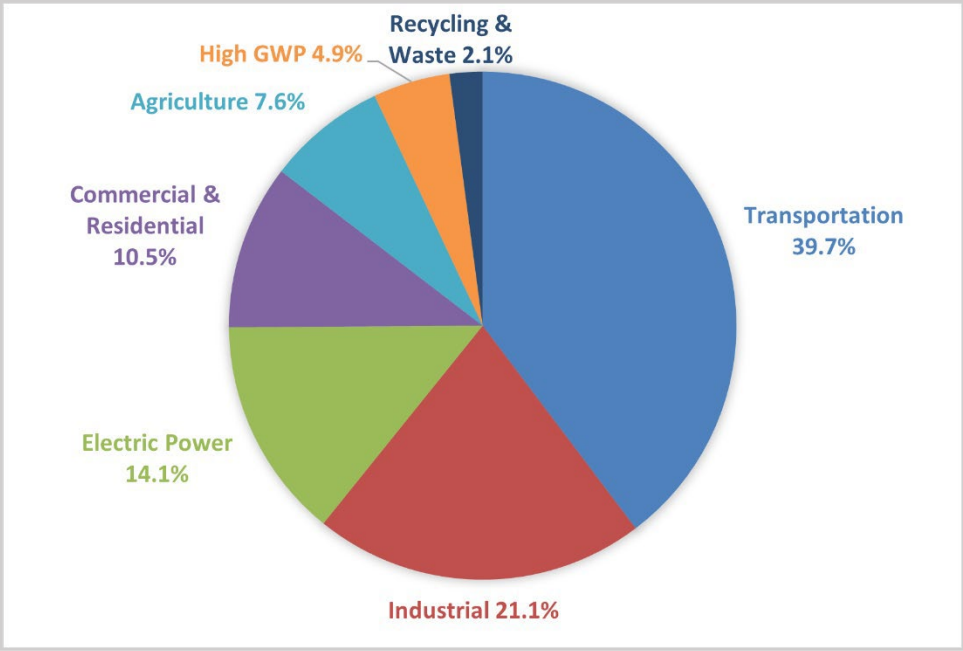
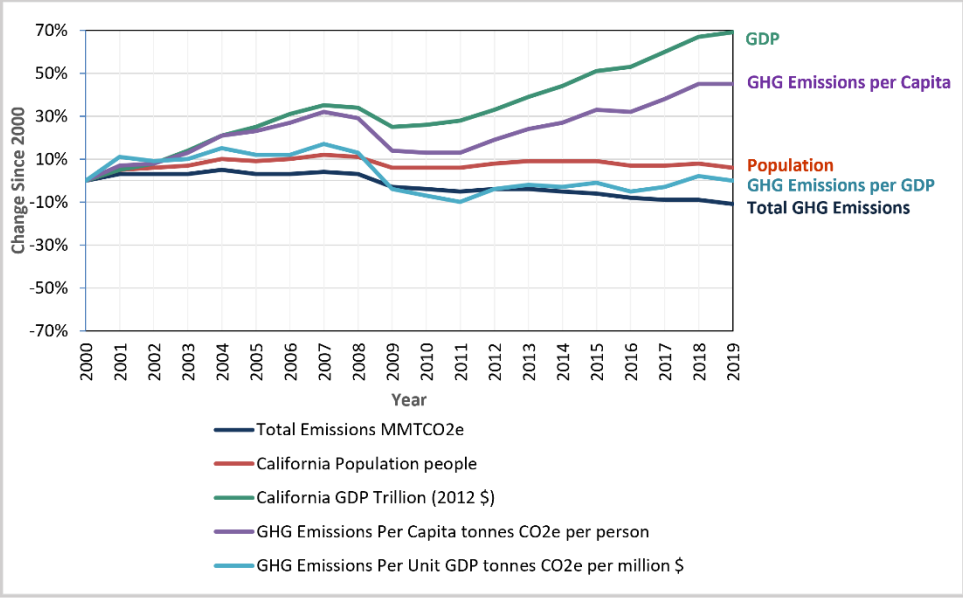


Figure 3. Change in California GDP, Population, and GHG Emissions since 2000 (Source: ARB 2021a)



AB 32 required ARB to develop a Scoping Plan that describes the approach California will take to achieve the goal of reducing GHG emissions to 1990 levels by 2020, and to update it every 5 years. ARB adopted the first scoping plan in 2008. The second updated plan, *California's 2017 Climate Change Scoping Plan*, adopted on December 14, 2017, reflects the 2030 target

established in EO B-30-15 and SB 32. The AB 32 Scoping Plan and the subsequent updates contain the main strategies California will use to reduce GHG emissions.

Regional Plans

ARB sets regional GHG reduction targets for California's 18 metropolitan planning organizations (MPOs) to achieve through planning future projects that will cumulatively achieve those goals, and reporting how they will be met in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). Targets are set at a percent reduction of passenger vehicle GHG emissions per person from 2005 levels. The proposed project is included in the 2020-2045 RTP/SCS for Southern California Association of Governments (SCAG), Connect SoCal, and is listed under RTP ID REG0701-SBDLS01 as part of a group of projects for safety improvements – SHOPP Collision Reduction Program. The City of Hesperia and Victorville selected a goal to reduce their community GHG emissions to a level that is 40% below its 2020 level of GHG emissions by 2030 (San Bernardino County Regional Green House Gas Reduction Plan 2021). Additionally, SCAG, San Bernardino County and City of Hesperia and Victorville's policies directed at reducing GHG emissions include the following, among other measures.

Table 2. Regional and Local Greenhouse Gas Reduction Plans

Title	GHG Reduction Policies or Strategies
Southern California Association of Governments *2020- 2045 Regional Transportation Plan/Sustainable Communities Strategy* (adopted September 2020)	• Improve mobility, accessibility, reliability, and travel safety for people and goods • Enhance the preservation, security, and resilience of the regional transportation system • Increase person and goods movement and travel choices within the transportation system • Reduce greenhouse gas emissions and improve air quality • Adapt to a changing climate and support an integrated regional development pattern and transportation network • Leverage new transportation technologies and data-driven solutions that result in more efficient travel
San Bernardino County Regional Greenhouse Gas Reduction Plan (adopted March 2021)	• Implement measures to reduce exhaust emissions from construction equipment. • Alternative Fueled Transit Fleets • Encourage Use of Mass Transit Transportation Demand management and Synchronization • Expand Bike Routes Community Fleet Electrification
City of Hesperia's Climate Action Plan (adopted July 2010)	• Increase Transit Use • Increase bicycle use through a safe and well-connected system of bicycle paths and end of trip facilities

	• Use traffic calming measures to improve traffic flow, pedestrian orientation, and bicycle use. • Use parking facility designs and parking management to reduce vehicle trips
City of Victorville's Climate Action Plan (adopted September 2015)	• Increase fuel economy of all vehicles • Reduce vehicle miles traveled by increased use of alternative modes transportation, carpooling, alternative work schedules and smart growth. • Idling limitations, and increased use of electric or alternatively fueled vehicles and equipment.

PROJECT ANALYSIS

GHG emissions from transportation projects can be divided into those produced during operation of the State Highway System (SHS) (operational emissions) and those produced during construction. The primary GHGs produced by the transportation sector are CO_2, CH_4, N_2O, and HFCs. CO_2 emissions are a product of burning gasoline or diesel fuel in internal combustion engines, along with relatively small amounts of CH_4 and N_2O. A small amount of HFC emissions related to refrigeration is also included in the transportation sector.

The CEQA Guidelines generally address greenhouse gas emissions as a cumulative impact due to the global nature of climate change (Pub. Resources Code, § 21083(b)(2)). As the California Supreme Court explained, "because of the global scale of climate change, any one project's contribution is unlikely to be significant by itself." (Cleveland National Forest Foundation *v.* San Diego Assn. of Governments (2017) 3 Cal.5th 497, 512). In assessing cumulative impacts, it must be determined if a project's incremental effect is "cumulatively considerable" (CEQA Guidelines Sections 15064(h)(1) and 15130).

To make this determination, the incremental impacts of the project must be compared with the effects of past, current, and probable future projects. Although climate change is ultimately a cumulative impact, not every individual project that emits greenhouse gases must necessarily be found to contribute to a significant cumulative impact on the environment.

Operational Emissions

The purpose of the project is to widen the existing roadbed to accommodate the installation of rumble strips on the eight feet outside paved shoulders and four feet median buffer. In addition, at PM R5.45 a drainage culvert and down drain facility will need to be widened to accommodate the widening of the roadbed. These project elements will not increase the vehicle capacity of the roadway. This type of project generally causes minimal or no increase in operational GHG emissions. Because the project would not increase the number of travel lanes on US-395, no increase in vehicle miles traveled (VMT) would occur as result of project implementation. While some GHG emissions during the construction period would be unavoidable, no increase in operational GHG emissions is expected.

Construction Emissions

Construction GHG emissions would result from material processing and transportation, on-site construction equipment, and traffic delays due to construction. These emissions will be produced at different levels throughout the construction phase; their frequency and occurrence can be reduced through innovations in plans and specifications and by implementing better traffic management during construction phases.

Use of long-life pavement, improved traffic management plans, and changes in materials, can also help offset emissions produced during construction by allowing longer intervals between maintenance and rehabilitation activities.

The Cal-CET model was used to estimate construction-related GHG emissions for the proposed project. Construction is expected to require 110 working days during a 4-month construction window and to result in approximately 564.31 metric tons of CO2-equivalent (CO2e).

All construction contracts include Caltrans Standard Specifications related to air quality. Section 7-1.02A and 7-1.02C, Emissions Reduction, requires contractors to comply with all laws applicable to the project and to certify they are aware of and will comply with all ARB emission reduction regulations. Section 14-9.02, Air Pollution Control, requires contractors to comply with all air pollution control rules, regulations, ordinances, and statutes. Certain common regulations, such as equipment idling restrictions, that reduce construction vehicle emissions also help reduce GHG emissions.

CEQA Conclusion

While the proposed project will result in GHG emissions during construction, it is anticipated that the project will not result in any increase in operational GHG emissions. The proposed project does not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. With implementation of construction GHG reduction measures, the impact would be less than significant.

Caltrans is firmly committed to implementing measures to help reduce GHG emissions. These measures are outlined in the following section.

GREENHOUSE GAS REDUCTION STRATEGIES

Statewide Efforts

In response to AB 32, California is implementing measures to achieve emission reductions of GHGs that cause climate change. Climate change programs in California are effectively reducing GHG emissions from all sectors of the economy. These programs include regulations, market programs, and incentives that will transform transportation, industry, fuels, and other sectors, to take California into a sustainable, low-carbon and cleaner future, while maintaining a robust economy (ARB 2022).

Major sectors of the California economy, including transportation, will need to reduce emissions to meet 2030 and 2050 GHG emissions targets. The Governor's Office of Planning and Research identified five sustainability pillars in a 2015 report: (1) Increasing the share of

renewable energy in the State's energy mix to at least 50 percent by 2030; (2) Reducing petroleum use by up to 50 percent by 2030; (3) Increasing the energy efficiency of existing buildings by 50 percent by 2030; (4) Reducing emissions of short-lived climate pollutants; and (5) Stewarding natural resources, including forests, working lands, and wetlands, to ensure that they store carbon, are resilient, and enhance other environmental benefits (OPR 2015).

The transportation sector is integral to the people and economy of California. To achieve GHG emission reduction goals, it is vital that the state build on past successes in reducing criteria and toxic air pollutants from transportation and goods movement. GHG emission reductions will come from cleaner vehicle technologies, lower-carbon fuels, and reduction of vehicle miles traveled (VMT). Reducing today's petroleum use in cars and trucks is a key state goal for reducing greenhouse gas emissions by 2030 (California Environmental Protection Agency 2015).

In addition, SB 1386 (Wolk 2016) established as state policy the protection and management of natural and working lands and requires state agencies to consider that policy in their own decision making. Trees and vegetation on forests, rangelands, farms, and wetlands remove carbon dioxide from the atmosphere through biological processes and sequester the carbon in above- and below-ground matter.

Subsequently, Governor Gavin Newsom issued Executive Order N-82-20 to combat the crises in climate change and biodiversity. It instructs state agencies to use existing authorities and resources to identify and implement near- and long-term actions to accelerate natural removal of carbon and build climate resilience in our forests, wetlands, urban greenspaces, agricultural soils, and land conservation activities in ways that serve all communities and in particular low- income, disadvantaged, and vulnerable communities. To support this order, the California Natural Resources Agency released *Natural and Working Lands Climate Smart Strategy Draft* for public comment in October 2021.

Caltrans Activities

Caltrans continues to be involved on the Governor's Climate Action Team as the ARB works to implement EOs S-3-05 and S-01-07 and help achieve the targets set forth in AB 32. EO B-30-15, issued in April 2015, and SB 32 (2016), set an interim target to cut GHG emissions to 40 percent below 1990 levels by 2030. The following major initiatives are underway at Caltrans to help meet these targets.

CLIMATE ACTION PLAN FOR TRANSPORTATION INVESTMENTS

The California Action Plan for Transportation Infrastructure (CAPTI) builds on executive orders signed by Governor Newsom in 2019 and 2020 targeted at reducing GHG emissions in transportation, which account for more than 40 percent of all polluting emissions, to reach the state's climate goals. Under CAPTI, where feasible and within existing funding program structures, the state will invest discretionary transportation funds in sustainable infrastructure projects that align with its climate, health, and social equity goals (California State Transportation Agency 2021).

CALIFORNIA TRANSPORTATION PLAN

The California Transportation Plan (CTP) is a statewide, long-range transportation plan to meet our future mobility needs and reduce GHG emissions. It serves as an umbrella document for all the other statewide transportation planning documents. The CTP 2050 presents a vision of a safe, resilient, and universally accessible transportation system that supports vibrant communities, advances racial and economic justice, and improves public and environmental health. The plan's climate goal is to achieve statewide GHG emissions reduction targets and increase resilience to climate change. It demonstrates how GHG emissions from the transportation sector can be reduced through advancements in clean fuel technologies; continued shifts toward active travel, transit, and shared mobility; more efficient land use and development practices; and continued shifts to telework (Caltrans 2021a).

CALTRANS STRATEGIC PLAN

The *Caltrans 2020–2024 Strategic Plan* includes goals of stewardship, climate action, and equity. Climate action strategies include developing and implementing a Caltrans Climate Action Plan; a robust program of climate action education, training, and outreach; partnership and collaboration; a VMT monitoring and reduction program; and engaging with the most vulnerable communities in developing and implementing Caltrans climate action activities (Caltrans 2021b).

CALTRANS POLICY DIRECTIVES AND OTHER INITIATIVES

Caltrans Director's Policy 30 (DP-30) Climate Change (June 22, 2012) established a Department policy to ensure coordinated efforts to incorporate climate change into Departmental decisions and activities. *Caltrans Greenhouse Gas Emissions and Mitigation Report* (Caltrans 2020) provides a comprehensive overview of Caltrans' emissions. The report documents and evaluates current Caltrans procedures and activities that track and reduce GHG emissions and identifies additional opportunities for further reducing GHG emissions from Department- controlled emission sources, in support of Departmental and State goals.

Project-Level GHG Reduction Strategies

The following measures will also be implemented in the project to reduce GHG emissions and potential climate change impacts from the project:

TRF-1: Implementation of a TMP would involve strategies to maintain traffic safety through the construction zone and to minimize traffic delays.

AQ-1: During construction, the contractor shall comply with Caltrans Standard Specifications Section 7-1.02A and 7-1.02C, Emissions Reductions, and comply with all applicable laws and certify they are aware of all and will comply with all Air Resources Board (ARB) emission reduction regulations.

AQ-2: During construction, the contractor shall comply with Caltrans Standard Specifications, Section 14-9.02, "Air Pollution Control," for exhaust and particulate matter emissions control to comply with air-pollution-control rules, regulations, ordinances, and statutes.

ADAPTATION

Reducing GHG emissions is only one part of an approach to addressing climate change. Caltrans must plan for the effects of climate change on the state's transportation infrastructure and strengthen or protect the facilities from damage. Climate change is expected to produce increased variability in precipitation, rising temperatures, rising sea levels, variability in storm surges and their intensity, and in the frequency and intensity of wildfires. Flooding and erosion can damage or wash out roads; longer periods of intense heat can buckle pavement and railroad tracks; storm surges combined with a rising sea level can inundate highways. Wildfire can directly burn facilities and indirectly cause damage when rain falls on denuded slopes that landslide after a fire. Effects will vary by location and may, in the most extreme cases, require that a facility be relocated or redesigned. Accordingly, Caltrans must consider these types of climate stressors in how highways are planned, designed, built, operated, and maintained.

Federal Efforts

Under NEPA Assignment, Caltrans is obligated to comply with all applicable federal environmental laws and FHWA NEPA regulations, policies, and guidance.

The *Fourth National Climate Assessment*, published in 2018, presents the foundational science and the "human welfare, societal, and environmental elements of climate change and variability for 10 regions and 18 national topics, with particular attention paid to observed and projected risks, impacts, consideration of risk reduction, and implications under different mitigation pathways."

The U.S. DOT Policy Statement on Climate Adaptation in June 2011 committed the federal Department of Transportation to "integrate consideration of climate change impacts and adaptation into the planning, operations, policies, and programs of DOT in order to ensure that taxpayer resources are invested wisely, and that transportation infrastructure, services and operations remain effective in current and future climate conditions" (U.S. DOT 2011).

FHWA order 5520 (*Transportation System Preparedness and Resilience to Climate Change and Extreme Weather Events,* December 15, 2014) established FHWA policy to strive to identify the risks of climate change and extreme weather events to current and planned transportation systems. FHWA has developed guidance and tools for transportation planning that foster resilience to climate effects and sustainability at the federal, state, and local levels (FHWA 2019).

State Efforts

Climate change adaptation for transportation infrastructure involves long-term planning and risk management to address vulnerabilities in the transportation system. A number of state policies and tools have been developed to guide adaptation efforts.

California's Fourth Climate Change Assessment (Fourth Assessment) (2018) is the state's effort to "translate the state of climate science into useful information for action." It provides information that will help decision makers across sectors and at state, regional, and local scales

protect and build the resilience of the state's people, infrastructure, natural systems, working lands, and waters. The State's approach recognizes that the consequences of climate change occur at the intersections of people, nature, and infrastructure. The Fourth Assessment reports that if no measures are taken to reduce GHG emissions by 2021 or sooner, the state is projected to experience a 2.7 to 8.8 degrees Fahrenheit increase in average annual maximum daily temperatures, with impacts on agriculture, energy demand, natural systems, and public health; a two-thirds decline in water supply from snowpack and water shortages that will impact agricultural production; a 77% increase in average area burned by wildfire, with consequences for forest health and communities; and large-scale erosion of up to 67% of Southern California beaches and inundation of billions of dollars' worth of residential and commercial buildings due to sea level rise (State of California 2018).

Sea level rise is a particular concern for transportation infrastructure in the coastal zone. Major urban airports will be at risk of flooding from sea level rise combined with storm surge as early as 2040; San Francisco airport is already at risk. Miles of coastal highways vulnerable to flooding in a 100-year storm event will triple to 370 by 2100, and 3,750 miles will be exposed to temporary flooding. The Fourth Assessment's findings highlight the need for proactive action to address these current and future impacts of climate change.

In 2008, then-governor Arnold Schwarzenegger recognized the need when he issued EO S-13- 08, focused on sea level rise. Technical reports on the latest sea level rise science were first published in 2010 and updated in 2013 and 2017. The 2017 projections of sea level rise and new understanding of processes and potential impacts in California were incorporated into the *State of California Sea-Level Rise Guidance Update* in 2018. This EO also gave rise to the *California Climate Adaptation Strategy* (2009), updated in 2014 as *Safeguarding California: Reducing Climate Risk* (Safeguarding California Plan), which addressed the full range of climate change impacts and recommended adaptation strategies. The Safeguarding California Plan was updated in 2018 and again in 2021 as the *California Climate Adaptation Strategy*, incorporating key elements of the latest sector-specific plans such as the *Natural and Working Lands Climate Smart Strategy*, *Wildfire and Forest Resilience Action Plan*, *Water Resilience Portfolio,* and the CAPTI (described above). Priorities in the 2021 California Climate Adaptation Strategy include acting in partnership with California Native American Tribes, strengthening protections for climate-vulnerable communities that lack capacity and resources, nature-based climate solutions, use of best available climate science, and partnering and collaboration to best leverage resources (California Natural Resources Agency 2021).

EO B-30-15, signed in April 2015, requires state agencies to factor climate change into all planning and investment decisions. This EO recognizes that effects of climate change in addition to sea level rise also threaten California's infrastructure. At the direction of EO B-30-15, the Office of Planning and Research published *Planning and Investing for a Resilient California: A Guidebook for State Agencies* in 2017, to encourage a uniform and systematic approach.

AB 2800 (Quirk 2016) created the multidisciplinary Climate-Safe Infrastructure Working Group to help actors throughout the state address the findings of California's Fourth Climate Change Assessment. It released its report, *Paying it Forward: The Path Toward Climate-Safe Infrastructure in California*, in 2018. The report provides guidance to agencies on how to address the challenges of assessing risk in the face of inherent uncertainties still posed by the best available science on climate change. It also examines how state agencies can use infrastructure

planning, design, and implementation processes to address the observed and anticipated climate change impacts (Climate Change Infrastructure Working Group 2018).

Caltrans Adaptation Efforts

Caltrans Vulnerability Assessments

Caltrans completed climate change vulnerability assessments to identify segments of the State Highway System vulnerable to climate change effects of precipitation, temperature, wildfire, storm surge, and sea level rise.

The climate change data in the assessments were developed in coordination with climate change scientists and experts at federal, state, and regional organizations at the forefront of climate science. The findings of the vulnerability assessments guide analysis of at-risk assets and development of Adaptation Priority Reports as a method to make capital programming decisions to address identified risks.

Project Adaptation Analysis

Sea Level Rise

The proposed project is outside the coastal zone and not in an area subject to sea level rise. Accordingly, direct impacts to transportation facilities due to projected sea level rise are not expected.

Precipitation and Flooding

The proposed project is located outside of a floodplain. The Caltrans Climate Change Vulnerability Assessment for District 8 maps projected changes in 100-year storm precipitation depths under climate change scenario. In the project area, storm depth is projected to change by less than 5% through 2085 (Caltrans 2019). Effects of climate change on precipitation are not likely to adversely affect the project.

Wildfire

The area surrounding the proposed project is mostly undeveloped desert land with sparse vegetation with few small towns sporadically spread throughout the project vicinity. Based on the Cal Fire “Fire Hazard Severity Zones Map” for San Bernardino County, the project is in a Local Responsibility Area (LRA). The proposed project is in areas designated as High or Moderate fire hazard severity zones (FHSZ). The project would not introduce new structures or uses that exacerbate fire risk or would be vulnerable to fire damage. Caltrans 2018 revised Standard Specification 7-1.02M(2) mandates fire prevention procedures during construction, including a fire prevention plan. Accordingly, the project is not anticipated to exacerbate the impacts of wildfires intensified by climate change.

TEMPERATURE

The District Climate Change Vulnerability Assessment does not indicate temperature changes during the project's design life that would require adaptive changes in pavement design or maintenance practices.

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Public Involvement and Draft IS Circulation

Early and continuing coordination with the general public and appropriate public agencies is an essential part of the environmental process. It helps planners determine the scope of environmental documentation and the level of analysis required, and to identify potential impacts and avoidance, minimization, and/or mitigation measures and related environmental requirements. Agency and tribal consultation and public participation for this project have been accomplished through a variety of formal and informal methods, including interagency coordination meetings and Project Development Team (PDT) meetings. This section summarizes the results of Caltrans' efforts to fully identify, address, and resolve project-related issues through early and continuing coordination.

U.S. Fish and Wildlife Service

A list of threatened and endangered species was obtained from the USFWS on April 26, 2022.

Native American Tribes

A Sacred Lands file request was sent out to the NAHC November 18, 2021. A response with a negative Sacred Lands File finding was received December 30, 2021. Twenty-nine Palms and San Manuel were consulted under Section 106 and AB 52. After consultation with the DNAC initial consultation letters were sent. Initial consultation letters were sent on November 18, 2021. A second letter was sent to Twenty-Nine Palms on January 3, 2022, and a third letter was sent April 6, 2022. No response was received. San Manuel Band of Mission Indians responded on December 16, 2021, stating that while the proposed project is located within Serrano ancestral territory, and of interest of the Tribe, the nature and location of the proposed project, San Manuel Band of Mission Indians does not have any concerns with the project's implementation as planned, at this time. San Manuel Band of Mission Indians requested that certain language be made part of the project's measures.

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Appendix A Maps

- Figure 5. Project Vicinity Map
- Figure 6. Aerial Project Location Map
- Figure 7. Project Location Map

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Figure 4. Vicinity Map

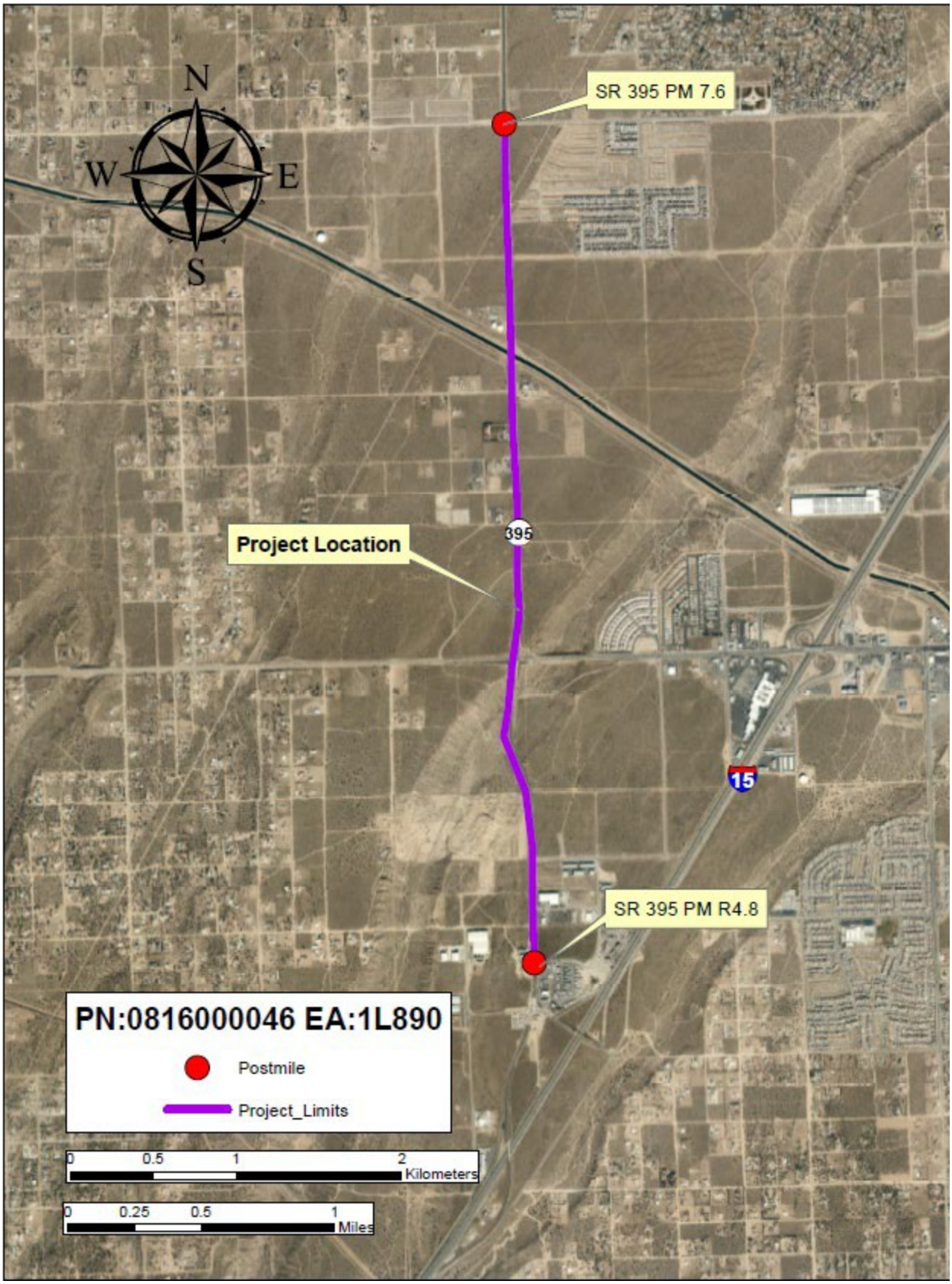

Figure *5*. Aerial Project Location Map

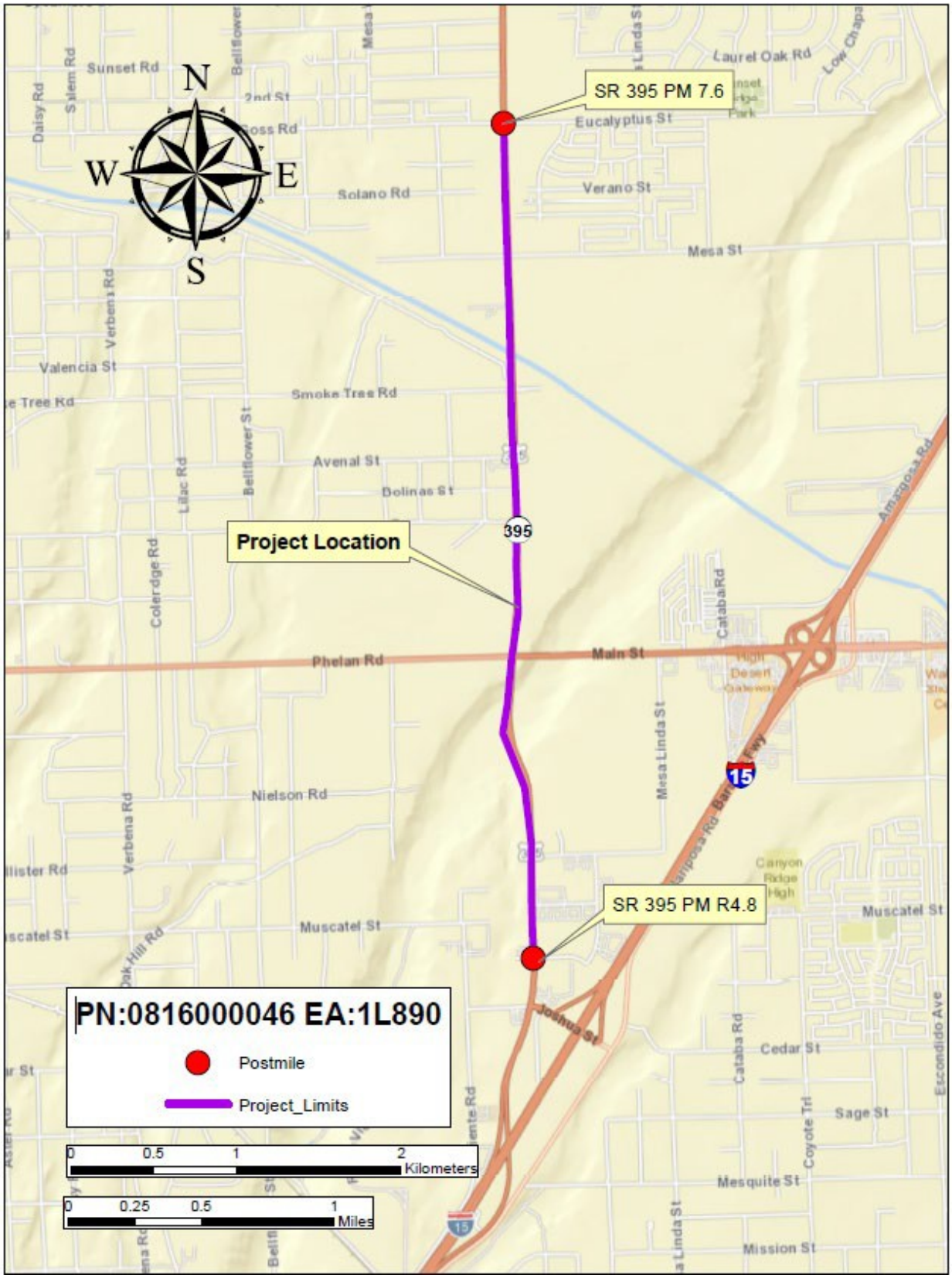

Figure 6. Project Location Map

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Appendix B Distribution List

A public notice of this IS and/or a Notice of Intent to Adopt a Mitigated Negative Declaration was distributed to federal, state, regional and local agencies, elected officials and utilities and service providers. In addition, a Notice of Intent was published in the local newspaper with instructions to access the Draft Environmental Document for public comment.

John Wickum, Captain
San Bernardino County
Sheriff's Department
14200 Amargosa Road
Victorville, CA 92392
Email:
paffairs@sbcsd.org

Jeff Armstrong, Fire Chief
Fire Station 313
City of Victorville Fire Department
13086 Amethyst Road
Email: jarmstrong@victorvilleca.gov

Jeremy Martinez,
Captain Victor Valley
Patrol Station
San Bernardino County Sheriff's Department
11613 Bartlett Ave
Adelanto, California
92301
Email: victor-valley@sbcsd.org

Representative Jay Obernolte
California 8th District
Hesperia District Office
Suite 201
Hesperia, CA 92345

Hesperia – Station 305
8331 Caliente Rd.
Hesperia, CA 92344

Victorville California
Highway Patrol
(CHP) 14210
Amargosa Road
Victorville, CA 92395

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City of Hesperia
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9700 Seventh Ave
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Email: planning@cityofhesperia.us

Rebekah Swanson
Council Member of Hesperia
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Hesperia, CA 92345
Email:
csecretary@cityofhesperia.us

William J. Holland
Mayor Pro Tem of Hesperia
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Hesperia, CA 92345
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csecretary@cityofhesperia.us

Cameron Gregg
Council Member of Hesperia
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Victor Valley Office
14343 Civic Drive, First Floor
Victorville, CA 92392

State Assembly member Thurston
Smith 33rd Assembly District
9700 7th Avenue, Suite 227
Hesperia, CA 92345

Kevin Johnston
2288 Buena Vista Ave
Livermore, CA 94550

U.S. Fish and Wildlife Service
Carlsbad Office
2177 Salk Avenue
Suite 250
Carlsbad, CA 92008

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Mayor of Victorville,
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Blanca Gomez Council Member
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Scott Web City
Planner Planning
Department
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California Departmentof Fish
an d Wildlife Region 6
3602 Inland Empire Blvd Suite
C-220
Ontario CA 91764
Email:AskRegion6@wildlife.c a.gov

California Native American
Heritage Commission
1550 Harbor Blvd, Suite 100 West
Sacramento, CA 95691
Email: nahc@nahc.ca.gov

California Water Boards Lahontan
Regional Water Quality Control Board
15095 AmargosaRd, Bld – Suite 210
Victorville, CA 92394

Donald Jue
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Main Hesperia LLC
9960 Cheyenne Ave
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California Department of Water Resources
715 P Street
Sacramento, CA

Appendix C List of Preparers

The following personnel contributed to the preparation of this IS:

California Department of Transportation

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- Adam Compton, Senior Environmental Planner, Regulatory Permits
- Gabrielle Duff, Senior Environmental Planner, Environmental Studies "B"
- Victoria Stosel, Associate Environmental Planner, Cultural Studies
- Gabriella Machal, Associate Environmental Planner, Biological Studies
- Andrew Walters, Senior Environmental Planner, Cultural Studies
- Nancy Frost, Senior Environmental Planner, Biological Studies
- Paul Phan, Civil Engineer/Environmental Engineering, Branch Chief: Environmental Engineering "A"
- Rodrigo Panganiban, Civil Engineer/Environmental Engineering, Environmental Engineering "A"
- Lisa Farzana, Civil Engineer/Environmental Engineering, Environmental Engineering "A"
- Neil Azzu, Civil Engineer/Environmental Engineering, Environmental Engineering "A"
- Darian Wong, Environmental Planner, Regulatory Permits

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Appendix D Title VI Policy Statement

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY Gavin Newsom, Governor

DEPARTMENT OF TRANSPORTATION
OFFICE OF THE DIRECTOR
P.O. BOX 942873, MS-49
SACRAMENTO, CA 94273-0001
PHONE (916) 654-6130
FAX (916) 653-5776
TTY 711
www.dot.ca.gov

Making Conservation a California Way of Life.

November 2019

NON-DISCRIMINATION POLICY STATEMENT

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

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

For information or guidance on how to file a complaint, or obtain more information regarding Title VI, please contact the Title VI Branch Manager at (916) 324-8379 or visit the following web page: https://dot.ca.gov/programs/business-and-economic-opportunity/title-vi.

To obtain this information in an alternate format such as Braille or in a language other than English, please contact the California Department of Transportation, Office of Business and Economic Opportunity, at 1823 14th Street, MS-79, Sacramento, CA 95811; (916) 324-8379 (TTY 711); or at Title.VI@dot.ca.gov.

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Director

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Appendix E List of Technical Studies

Historic Property Survey Report, US-395 Median Buffer, 08-SBD-395- PM R4.8/7.6, EA 1L890/0821000009. Prepared by Victoria Stosel, Caltrans, August 2022.

Visual Impact Assessment for US-395 Media Buffer, 08-SBD-395- PM R4.8/7.6, EA 1L890/0821000009. Prepared by Dawn Rourk, Caltrans, September 2022.

Initial Site Assessment (ISA) Checklist for US-395 Median Buffer, 08-SBD-395- PM R4.8/7.6, EA 1L890/0821000009. Prepared by Lisa Farzana, Caltrans, August 2022.

Aerially Deposited Lead (ADL) Survey Report, SBD-395-CONSTRUCT FOUR-FOOT MEDIAN, 08-SBD-395- PM R4.8/7.6, EA 1L890/0821000009. Prepared by Neil Azzu, Caltrans, August 2022

Natural Environment Study (Minimal Impacts) (NESMI), Construct four-foot Buffer, Maintain Existing Centerline Rumble Strips, and Install Shoulder Rumble Strips, 08-SBD-395- PM
R4.8/7.6, EA 1L890/0821000009. Prepared by Gabriella Machal Caltrans, August 2022.

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Appendix F Environmental Commitments Record

In order to be sure that all of the environmental measures identified in this document are executed at the appropriate times, the following mitigation program (as articulated on the proposed Environmental Commitments Record [ECR] which follows) would be implemented. During project design, avoidance, minimization, and /or mitigation measures will be incorporated into the project's final plans, specifications, and cost estimates, as appropriate. All permits will be obtained prior to implementation of the project. During construction, environmental and construction/engineering staff will ensure that the commitments contained in this ECR are fulfilled. Following construction and appropriate phases of project delivery, long- term mitigation maintenance and monitoring will take place, as applicable. As the following ECR is a draft, some fields have not been completed, and will be filled out as each of the measures is implemented. Note: Some measures may apply to more than one resource area. Duplicative or redundant measures have not been included in this ECR.

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Permit Type	Agency	**Date Received**	**Expiration**	**Notes**
1600	California Department of Fish & Wildlife	N/A	N/A	N/A
401	Report of Waste Discharge (RWD) from the State Water Resources Quality Control Board	N/A	N/A	N/A
404	U.S. Army Corps of Engineers	N/A	N/A	Non Reporting

Date of ECR: 10/28/2022
Date: IS:
CE:

ENVIRONMENTAL COMMITMENTS RECORD
(US-395 Median Buffer)

PM R4.8-7.6

EA 08-1L890
PN 0816000046)

Project Phase:
☒ PA/ED (*DED/FED*)
☐ PS&E Submittal 100%
☐ Construction

Generalist: JaShawn Combs
ECL:

Avoidance, Minimization, and/or Mitigation Measures	**Page**	**Environmental Analysis Source**	**Responsible for Development and/or Implementation of Measure**	**Timing/ Phase**	**SSP or NSSP:**	**Action(s) Taken to Implement Measure/if checked No, add Explanation here**	**PS&E Task Complete**	**Construction Task Complete**	**Environmental Compliance**	
							Date / Initials	**Date / Initials**	**YES**	**NO**
CULTURAL RESOURCES										
CUL-1: Stop work if buried cultural resources are encountered during construction until a qualified archaeologist can evaluate the nature and significance of	N/A	HPSR (May 14, 2021	District Cultural Studies/ District Design/ Resident	Design/ Construction	SP: 14-2.03A					

Date of ECR: 10/28/2022
Date: IS:
CE:

ENVIRONMENTAL COMMITMENTS RECORD (US-395 Median Buffer)

PM R4.8-7.6

EA 08-1L890
PN 0816000046)

Project Phase:
☒ PA/ED (*DED/FED*)
☐ PS&E Submittal 100%
☐ Construction

Generalist: JaShawn Combs
ECL:

Avoidance, Minimization, and/or Mitigation Measures	Page	Environmental Analysis Source	Responsible for Development and/or Implementation of Measure	Timing/ Phase	SSP or NSSP:	Action(s) Taken to Implement Measure/if checked No, add Explanation here	PS&E Task Complete	Construction Task Complete	Environmental Compliance	
							Date / Initials	Date / Initials	YES	NO
the find. In the event that human remains, including isolated, disarticulated bones or fragments, are discovered during construction-related activity, cease in the vicinity of the human remains.			Engineer/ Contractor							
CUL-2: In the event that human remains are found, the county coroner shall be notified and ALL construction activities within 50 feet of the discovery shall stop. Pursuant to Public Resources Code Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission (NAHC) who will then notify the Most Likely Descendent (MLD).	N/A	HPSR (May 14, 2021)	District Cultural Studies/ District Design/ Resident Engineer/ Contractor	Final Design, Construction	SP: 14-2.03A					

Date of ECR: 10/28/2022
Date: IS:
CE:

ENVIRONMENTAL COMMITMENTS RECORD (US-395 Median Buffer)

PM R4.8-7.6

EA 08-1L890
PN 0816000046)

Generalist: JaShawn Combs
ECL:

Project Phase:
☒ PA/ED (*DED/FED*)
☐ PS&E Submittal 100%
☐ Construction

Avoidance, Minimization, and/or Mitigation Measures	Page	Environmental Analysis Source	Responsible for Development and/or Implementation of Measure	Timing/ Phase	SSP or NSSP:	Action(s) Taken to Implement Measure/if checked No, add Explanation here	PS&E Task Complete	Construction Task Complete	Environmental Compliance	
							Date / Initials	Date / Initials	YES	NO
The person who discovered the remains will contact the District 8 Division of Environmental Planning; Andrew Walters, DEBC: (909)383-2647and Gary Jones, DNAC: (909)383-7505. Further provisions of PRC 5097.98 are to be followed as applicable.										
BIOLOGICAL RESOURCES										
BIO-1 (BIO-Plant-1 Rare Plant Surveys, Flagging and Fencing): Within 30 days prior to construction and during the rare plant blooming season for white pygmy-poppy (*Canbya candida),* Mojave paintbrush (*Castilleja plagiotoma*), Mojave		NES(MI) ()	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction	SSP or NSSP					

Date of ECR: 10/28/2022
Date: IS:
CE:

ENVIRONMENTAL COMMITMENTS RECORD (US-395 Median Buffer)

PM R4.8-7.6

EA 08-1L890
PN 0816000046)

Generalist: JaShawn Combs
ECL:

Project Phase:
☒ PA/ED (*DED/FED*)
☐ PS&E Submittal 100%
☐ Construction

Avoidance, Minimization, and/or Mitigation Measures	Page	Environmental Analysis Source	Responsible for Development and/or Implementation of Measure	Timing/ Phase	SSP or NSSP:	Action(s) Taken to Implement Measure/if checked No, add Explanation here	PS&E Task Complete	Construction Task Complete	Environmental Compliance	
							Date / Initials	Date / Initials	YES	NO
spineflower (*Chorizanthe spinosa*), Booth's evening-primrose (*Eremothera boothii* ssp. *bothii*), sagebrush loeflingia (*Loeflingia squarrosa* var. *artemisiarum*), crowned muilla (*Muilla coronata*), short-joint beavertail (*Opuntia basilaris* var. *brachyclada*), Latimer's woodland-gilia (*Saltugilia latimeri*), and Joshua tree (*Yucca brevifolia*) (March-August), a preconstruction survey must be conducted by a Contractor Supplied Biologist for rare plants within the following areas: (1) construction staging areas; (2) the limits of the PIA; and										

Date of ECR: 10/28/2022
Date: IS:
CE:

ENVIRONMENTAL COMMITMENTS RECORD (US-395 Median Buffer)

PM R4.8-7.6

EA 08-1L890
PN 0816000046)

Generalist: JaShawn Combs
ECL:

Project Phase:
☒ PA/ED (*DED/FED*)
☐ PS&E Submittal 100%
☐ Construction

Avoidance, Minimization, and/or Mitigation Measures	Page	Environmental Analysis Source	Responsible for Development and/or Implementation of Measure	Timing/ Phase	SSP or NSSP:	Action(s) Taken to Implement Measure/if checked No, add Explanation here	PS&E Task Complete	Construction Task Complete	Environmental Compliance	
							Date / Initials	Date / Initials	YES	NO
(3) any back fill and gully areas, up to the limit of the BSA. Rare plants must be flagged for visual identification to construction personnel for work avoidance. A 40-foot Environmentally Sensitive Area (ESA) fencing buffer will be placed around all Joshua trees within the BSA. A 10-foot ESA fencing buffer will be placed around all other rare plants within the BSA.										
BIO-2 (BIO-General-1 Equipment Staging, Storing, and Borrow Sites): All staging, storing, and borrow sites require the		NES(MI) ()	District Design / District Environmental Planning /	Final Design, Construction	SSP					

Date of ECR: 10/28/2022
Date: IS:
CE:

ENVIRONMENTAL COMMITMENTS RECORD (US-395 Median Buffer)

PM R4.8-7.6

EA 08-1L890
PN 0816000046)

Project Phase:
☒ PA/ED (*DED/FED*)
☐ PS&E Submittal 100%
☐ Construction

Generalist: JaShawn Combs
ECL:

Avoidance, Minimization, and/or Mitigation Measures	Page	Environmental Analysis Source	Responsible for Development and/or Implementation of Measure	Timing/ Phase	SSP or NSSP:	Action(s) Taken to Implement Measure/if checked No, add Explanation here	PS&E Task Complete	Construction Task Complete	Environmental Compliance	
							Date / Initials	Date / Initials	YES	NO
approval of the Contractor Supplied Biologist.										
BIO-3 (Bio-Arthropod-1 Rare Insect Host Plant Preconstruction Clearance Survey, Flagging, and Fencing): No more than 30 days prior to project activities, a Contractor Supplied biologist must perform a preconstruction survey for rare insect host plants (i.e. milkweed). Should any rare insect host plants be found, the Resident Engineer and Caltrans biologist must be contacted, and host plants must be flagged by the Contractor Supplied biologist		NES(MI) (January 15, 2021)	District Design / District Environmental Planning / Resident Engineer / Contractor	Pre-Construction						

Date of ECR: 10/28/2022
Date: IS:
CE:

ENVIRONMENTAL COMMITMENTS RECORD (US-395 Median Buffer)

PM R4.8-7.6

EA 08-1L890
PN 0816000046)

Project Phase:
☒ PA/ED (*DED/FED*)
☐ PS&E Submittal 100%
☐ Construction

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ECL:

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for visual identification to construction personnel for work avoidance. Should multiple plants in a single location be found, the groupings must be fenced with Environmentally Sensitive Area (ESA) temporary fencing.										
BIO-4 (Bio-General-6 Species Avoidance): If during project activities a desert tortoise is discovered within the project site, all construction activities must stop within 100 feet and the Caltrans biologist and Resident Engineer must be		NES(MI) (	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						

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notified. Coordination with the USFWS, BLM, and CDFW may be required prior to restarting activities .										
BIO-5 (Bio-Reptile-1 Equipment Flagging): Project personnel must attach surveyor flagging tape to a conspicuous place on each piece of equipment to remind the operator to check under the equipment for special-status reptile species - desert tortoise and coast horned lizard - before operating equipment at any time.		NES(MI) (January 15, 2021)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						

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BIO-6 (Bio-Reptile-2 Pre-Project Surveys): To assess the number of listed reptile species that may be potentially impacted, pre-project surveys for desert tortoise must be conducted within the shoulder widening and culvert drainage project impact area according to the current protocol provided by the USFWS.		NES(MI) (January 15, 2021)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construc tion						
BIO-7 (Bio-Reptile-5 Trash/Predation): Caltrans must implement measures to reduce the		NES(MI) (January 15, 2021)	District Design / District Environment	Final Desig n, Const						

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attractiveness of job sites to southern desert tortoise, coast horned lizard, and other subsidized predators by controlling trash and educating workers.			al Planning /	ruc tion						
BIO-8 (Bio-DT-1 Agency Notification & Reporting Requirements): Any worker who observes desert tortoises within or near the job site found alive, injured, or dead during the implementation of the Project must provide immediate notification to the Resident Engineer and Caltrans biologist. Caltrans biologist		NES(MI) (January 15, 2021)	District Design / District Environmental Planning / Resident	Final Design, Construction						

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must then notify USFWS and CDFW. Veterinary treatment and/or final deposition must follow USFWS and CDFW approval.										
BIO-9 (BIO-Avian-1 Pre-Construction Nesting Bird Survey): If project activities cannot avoid the nesting season, generally regarded as February 1 – September 30, then preconstruction nesting bird surveys must be conducted up to the limit of the BSA no later than 3 days prior to construction by a qualified biologist to locate and avoid nesting birds. If an active avian nest is located,		NES(MI) (January 15, 2021)	District Design / District Environmental Planning / Resident	Final Design, Construc tion						

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a no-construction buffer (100 feet for non-passerine, 300 feet for passerine, and 500 feet for raptors) may be established and monitored by the qualified biologist.										
BIO-10 (BIO-Avian-2 Preconstruction Burrowing Owl Survey): Two burrowing owl preconstruction surveys must be performed: one survey 14-30 days prior to project activities, and one survey 24 hours prior to project activities.		NES(MI) (January 15, 2021)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construc tion						

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BIO-11 (Bio-General-4): Preconstruction Surveys: Mohave ground squirrel surveys must be conducted by a Contractor Supplied Biologist 7 days prior to project activities within PM 4.8 to PM 7.6. If a Mohave ground squirrel is located, the Resident Engineer and Caltrans biologist must be contacted and additional measures (i.e. protocol surveys) and/or agency coordination may be required		NES(MI) (January 15, 2021)	Environmental Planning / Resident Engineer / Contractor	Construction						
BIO-12 (Bio-General-7 Worker Environmental Awareness Program (WEAP)): A Contractor Supplied biologist must		NES(MI) (January 15, 2021)	District Design / District Environmental Planning / Resident	Final Design, Construction						

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present a biological resource information program/WEAP for desert tortoise, Mohave ground squirrel, and special status invertebrates, plants, reptiles, birds, mammals, and bats, prior to project activities to all personnel that will be present within the project limits for longer than 30 minutes at any given time.			Engineer / Contractor							
BIO-13 (Worker Environmental Awareness Program (WEAP)): A Contractor Supplied biologist must present a biological resource information program/WEAP for desert		NES(MI) (January 15, 2021)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construction						

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tortoise, Mohave ground squirrel, and special-status invertebrates, plants, reptiles, birds, mammals, and bats, prior to project activities to all personnel that will be present within the project limits for longer than 30 minutes at any given time.										
BIO-14 (Bio-Bat-2 Pre-Construction Survey and Monitoring by a Qualified Bat Biologist): Prior to construction start, a qualified bat biologist must conduct a survey to determine if bats are roosting within the Oro Grande Wash PIA. If work		NES(MI) (January 15, 2021)	District Design / District Environmental Planning / Resident Engineer / Contractor	Final Design, Construc tion						

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with roosting bats must be scheduled during the bat maternity season (Apr 1– Aug 31), then a qualified bat biologist must perform biological monitoring throughout the duration of Project work in the Oro Grande Wash PIA. The qualified bat biologist must check for disturbance and ensure that measures are being implemented and documented.										
TRAFFIC AND TRANSPORTATION/BICYCLE AND PEDESTRIAN FACILITIES										
TR-1: Prior to construction, a Traffic Management Plan will be developed by Caltrans to		ISMND	District Design / District	Pre-Construction						

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minimize potential impacts on emergency services and commuters during construction.			Traffic Management / District Environmental Planning / Resident Engineer / Contractor							
WATER QUALITY AND STORM RUNOFF										
WQ-1: Prior to the start of construction, a SWPPP for reducing impacts on water quality shall be developed by the contractor and approved by the Department.		ISMND	Resident Engineer	Pre-Construction						

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WQ-2: The SWPPP control measures shall address the following categories: soil stabilization practices; sediment control practices; sediment tracking control practices; wind erosion control practices; and non-stormwater management and waste management and disposal control practices.		ISMND	District Design / District Storm Water / Resident Engineer / Contractor	Pre-Construction						
WQ-3: The contractor shall be required to comply with water pollution control provisions and SWPPP.		ISMND	District Design / District Storm Water / Resident Engineer / Contractor	Construction						

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WQ-4: If necessary, soil disturbed areas of the project site will be fully protected using soil stabilization and sediment control BMPs at the end of each day, unless fair weather is predicted.		ISMND	District Design / District Storm Water / Resident Engineer / Contractor	Construction						
AIR QUALITY										
AQ-1: During construction, the contractor shall comply with Caltrans Standard Specifications Section 7-1.02A and 7-1.02C, Emissions Reductions, and comply with all applicable laws and certify they are aware of all and will comply with all Air Resources Board		ISMND ()	District Design / District Environmental Engineering / Resident Engineer / Contractor	Final Design, Construction	SP 7-1.02A 7-1.02C					

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(ARB) emission reduction regulations.										
AQ-2: Implement and follow Erosion Control and Air Quality Best Management Practices (BMPs).		ISMND ()	District Design / District Environmental Engineering / Resident Engineer / Contractor	Final Design, Construction	SP 14-9.02					
Hazardous Waste										
HAZ-1: The contractor shall follow Caltrans SSP 7-1.02K(6)(j)(iii), which includes specifications for handling, removing, and disposing of earth material containing lead.		ISA Checklist (10/20/22)	District Design / District Environmental Engineering / Resident Engineer /	Final Design, Construction	SSP: 7-1.02 K(6)(j)(iii)					

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Excavated material on the job site is not considered hazardous waste. The SSP 7-1.02K(6)(j)(iii) requires a lead compliance plan.										
HAZ-2: The contractor shall follow Caltrans SSP 14-11.12. which includes specifications for separate removal and disposal of yellow traffic stripe with hazardous waste residue. The management of this material must be addressed in the lead compliance plan.		ISA Checklist (10/20/22)	District Design / District Environmental Engineering / Resident Engineer /	Final Design, Construction	SSP 14-11.12					