

State Route 138 Safety Improvement Project

Los Angeles County, California

07-LA-138-PM 69.3/75.0

EA: 265600

Initial Study with Proposed Mitigated Negative Declaration



Prepared by the
State of California Department of Transportation

February 2013



SCH# _____
07-LA-138-PM 69.3/75.0
EA 265600

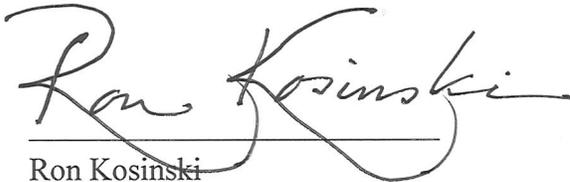
The State of California Department of Transportation proposes a safety improvement project that will widen the shoulders and provide median buffers with rumble strips on State Route 138 between the SR-138/SR-18 Junction (PM 69.3) and the San Bernardino County Line PM (75.0). All of the proposed work is within Caltrans right-of-way.

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INITIAL STUDY with Proposed Mitigated Negative Declaration

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

THE STATE OF CALIFORNIA
Department of Transportation



Ron Kosinski
Deputy District Director
Division of Environmental Planning, District 7
California Department of Transportation



Date of Approval

Proposed Mitigated Negative Declaration

Pursuant to: Division 13, Public Resources Code

Project Description

The State of California Department of Transportation proposes a safety improvement project that will widen the shoulders from two to eight feet, provide two-foot wide rumble strips near the edge of traveling roadway in each direction and provide a four-foot wide median buffer with rumble strips on State Route 138 between the SR-138/SR-18 Junction (PM 69.3) and the San Bernardino County Line (PM 75.0). All of the proposed work is within Caltrans right-of-way.

Determination

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

The Department 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 minimal or no effect on cultural resources, noise, air quality, hazardous waste, traffic operations, socioeconomic, visual resources, hydraulics, water quality or geotechnical resources.

The proposed project would have a less than significant effect on biological resources with the appropriate avoidance, minimization, and mitigation measures incorporated.

Ron Kosinski
Deputy District Director
Division of Environmental Planning, District 7
California Department of Transportation

Date of Approval

Initial Study

Project Title

State Route 138 Safety Improvement Project

Lead Agency Name, Address and Contact Person

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Project Location

The proposed project is located on State Route (SR) 138, in Los Angeles County southeast of the City of Palmdale and northwest of the community of Pinon Hills. The proposed safety improvements begin at the SR-138/SR-18 Junction at PM 69.3 and end at the Los Angeles County/San Bernardino County Line at PM 75.0.

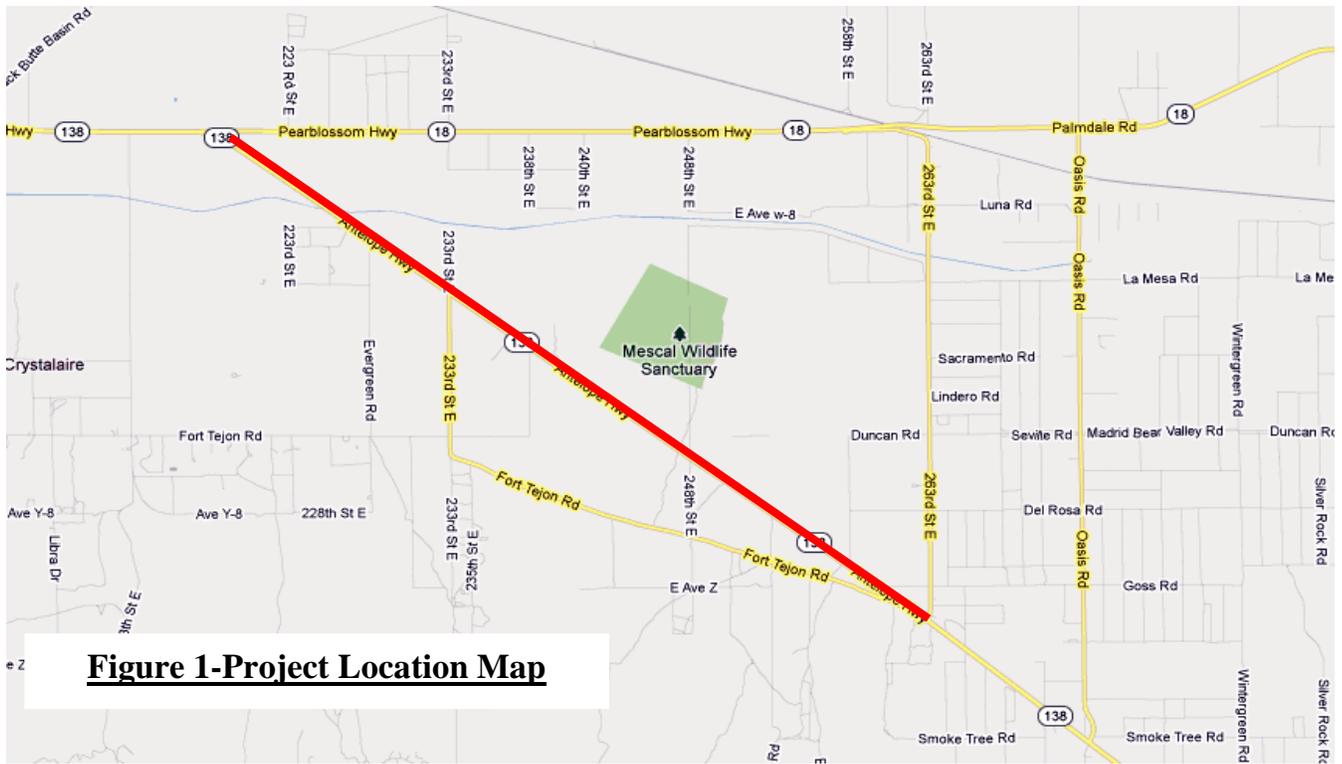


Figure 2- Regional Project Map



Purpose and Need

This project proposes to improve safety on State Route 138 by reducing accident rates, providing sufficient sight distances within the designated passing zones, and rehabilitating deteriorated asphalt pavement.

The project is needed because two segments within the project limits have higher actual accident rates than the statewide average for similar facilities. According to the Traffic Accident Surveillance and Analysis System (TASAS) report, over the 5.7 miles, there were a total of 84 accidents including three fatal accidents with eight fatalities during the latest five-year period ending in September 30, 2007. A summary of the actual rates of accidents along with the corresponding statewide average rates for similar facilities is given in Table 1 below. The higher than statewide average values are shown in **bold**. The types of accidents and the primary collision factors according to the TASAS Reports are summarized in Table 2.

Table 1-Summary of Accident Rates within the Project Limits

Location Description SR-138	Actual Accident Rates (within project limits) (MVM)*			Statewide Average Rates (MVM)*		
	Fatal	Fatal + Injury	Total	Fatal	Fatal + Injury	Total
PM 69.3-71	.031	.51	.88	.035	.045	.93
PM 71.001-73	.027	.35	.56	.035	.045	.93
PM 73.001-74.973	.027	.40	.94	.035	.045	.93

*MVM – Rates Per Million Vehicle Miles

Table 2-Type of Collisions and Primary Collision Factors

Type of Collision	Percent*	Primary Collision Factors
Hit Object	31%	Improper Turn, Run off, (Hit overturned objects on the shoulder, fence, guardrail, object on the road, cut slope or embankment, post mile stick, sign post, trees
Overturn	17%	Improper Turn, Speeding, Driving under the influence, other than driver (run off the road, snowy/icy)

Rear End	14%	Following too close, speeding
Sideswipe	13%	Improper turn, failure to yield, speeding, pass other, influence of alcohol
Broadside	12%	Improper Turn, Failure to Yield, Influence of Alcohol
Head On	11%	Cross into opposite lane, making U-turn, pass other vehicle
Other	2%	Speeding, other violations

*%of total number of Accidents

Description of Project

Within the limits of the proposed project, SR 138 is a two lane highway that traverses through flat rural terrain with a 150-foot wide right-of-way. The existing facility includes one 12-foot wide lane and a 2-foot wide paved shoulder in each direction of travel, with three designated passing zones, which provide an additional lane to allow safe passage by motorists. The posted speed limit is 55 mph.

There are 2 alternatives proposed for this project.

Alternative 1 is the no-build. This alternative would maintain the existing facility in its present condition.

Alternative 2 would provide an eight-foot wide outside paved shoulder with rumble strips, and a four-foot median buffer with rumble strips and channelizers within no-passing zones. The estimated cost for Alternative 2 is \$17.8 million in 2009 dollars. The escalated project cost in the proposed program year will be \$21.9 million. The proposed improvements for Alternative 2 in this 5.7 mile segment of SR-138 include the following:

- Provide a four-foot wide median buffer with rumble strips by shifting the existing centerline of the roadway two feet;
- Widen the paved shoulders from two to eight feet and provide two-foot wide rumble strips near the edge of the traveled way in both directions;
- Install Type FG-300 channelizers at 50 ft intervals in the center of the median buffer within the no-passing zones;
- Adjust the limits of the three existing passing zones;
- Re-stripe the highway segment and rehabilitate the deteriorating pavement;
- Install approximately 500-feet of Metal Beam Guard Rail at the Mescal Creek bridge;

Surrounding Land Uses and Setting

SR-138 is an east-west directed highway that connects Interstate 5 (I-5) near Gorman in Los Angeles County to Interstate 15 (I-15) near the Cajon Pass in San Bernardino County. SR-138 was originally constructed in 1934 and is classified as a conventional highway.

The proposed project area is in unincorporated Los Angeles County and is located southeast of the City of Palmdale and northwest of the community of Pinon Hills. The majority of land along this stretch of SR-138 is zoned Rural Land and Open Space. The County of Los Angeles General Plan and the Antelope Valley Area wide General Plan govern land uses within the study area. The proposed project is consistent with the circulation and land use elements of both documents.

The proposed project setting is in a completely rural area with open areas adjacent on all sides. There are no structures adjacent to the right-of-way. The regional context of this project is the Mojave Desert. To the northwest the California Aqueduct runs under SR-138 at PM 70.2 and to the southeast a dry wash with a man-made channel also runs under SR-138 at PM 72.2. Observations of wildlife include several species of birds, coyotes, and lizards. Additionally, this area falls within the historic range for the Desert Tortoise, a federally listed species and the Mohave ground squirrel, a state listed species. The dominant vegetation in this area includes desert scrub, Joshua Tree woodland, creosote bush, buckwheat and cactus.

Zoning

The proposed project area is in unincorporated Los Angeles County and is located southeast of the City of Palmdale and northwest of the community of Pinon Hills. The majority of land along this stretch of SR-138 is zoned Rural Land and Open Space. This area is not expected to experience significant growth in the future, as higher density and intensity uses will be structured within the existing urban areas of the Antelope Valley community. The project is being undertaken to improve safety and is not likely to stimulate growth within the area, allowing for the continued promotion and enhancement of a rural community character.

Permits and Approvals Needed

California Department of Fish and Wildlife 1602 Streambed Alteration Agreement

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities/Service Systems
- Mandatory Findings of Significance

Impacts Checklist

The impacts checklist starting on the next page identifies physical, biological, social, and economic factors that might be affected by the proposed project. The California Environmental Quality Act impact levels include “potentially significant impact,” “less than significant impact with mitigation,” “less than significant impact,” and “no impact.”

A brief explanation of each California Environmental Quality Act checklist determination follows each checklist item. The checklist is followed by a focused discussion of biological issues relating to this project.

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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I. AESTHETICS — Would the project:

- a) Have a substantial adverse effect on a scenic vista? X
Hydro-seeding/mulching is too used where necessary to minimize storm water impacts.
- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? X
- c) Substantially degrade the existing visual character or quality of the site and its surroundings? X
- d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area? X

“No Impact” determination in this section is based on the Visual Impact Assessment, April 2012.

II. AGRICULTURE 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. Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? X
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? X
- c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? X

“No Impact” determinations in this section are based that there is no farmland within the project limits and the area is zoned rural and open space.

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

- a) Conflict with or obstruct implementation of the applicable air quality plan? X

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?

d) Expose sensitive receptors to substantial pollutant concentrations?

e) Create objectionable odors affecting a substantial number of people?

“No Impact” determinations in this section are based on the Air Quality Review Memo dated March 2012.

IV. BIOLOGICAL RESOURCES — Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

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?

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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preservation policy or ordinance?

- 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?

Joshua Tree Woodland Alliance is ranked G4 S3 by CDFW and is considered to be vulnerable and highly imperiled. Based on the current project plans, approximately 321 Joshua Trees will be impacted with 81 Joshua Trees to be removed and 240 Joshua Trees to be properly relocated outside of the project impact area with the exception of those that do not meet the health criteria at the time of relocation.

Agustin Barajas initiated Section 7 Informal Consultation with the United States Fish and Wildlife Service (USFWS) through Carl T. Benz, Assistant Field Supervisor. A request for a Threatened and Endangered species list occurring within the project vicinity was submitted to his office on August 8, 2011. A letter was received on November 7, 2011 from USFWS concurring with our initial determination that the proposed project is not within designated critical habitat for the desert tortoise and no other federally listed, proposed or candidate species, or designated critical habitat are known to occur in the proposed project area.

The drainages within the Biological Study Area (BSA) are not considered jurisdictional waters of the U.S. by the ACOE Los Angeles District because the ephemeral streams within the BSA are located within a closed basin and do not connect to navigable waterways. The ephemeral streams are isolated waters and project activities would not require authorization under section 404 of the CWA. Water Quality Certification from RWQCB pursuant to section 401 of the CWA is not required as project activities are not subject to regulation under section 404 permits. Approximately 1.016 acres were identified as Waters of the State between PM 69.35-74.97. The 1.016 acres of Waters of the State consist of desert ephemeral drainage courses within CDFW jurisdiction.

V. CULTURAL RESOURCES — Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

- d) Disturb any human remains, including those interred outside of formal cemeteries?

“No Impact” determinations in this section are based on the Historic Property Survey Report dated April 2012 and the Archaeological Survey Report dated April 2012.

VI. GEOLOGY AND SOILS — Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

“No Impact” determinations in this section are based on the Geotechnical Review Memo dated July 2012. There are no geological or geotechnical conditions that would preclude the construction of the proposed project.

VII. HAZARDS AND HAZARDOUS MATERIALS —

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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accident conditions involving the release of hazardous materials into the environment?

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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“No Impact” determinations in this section are based on the Hazardous Waste Assessment memo dated April 2012.

VIII. HYDROLOGY AND WATER QUALITY —

Would the project:

a) Violate any water quality standards or waste discharge requirements?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or offsite?

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or offsite?

e) Create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

f) Otherwise substantially degrade water quality?

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?

i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?

j) Result in inundation by a seiche, tsunami, or mudflow?

“No Impact” determinations in this section are based on the comments provided by the District 7 Stormwater Unit in March 2012 and the “no comment” email from Hydraulics dated July 2012.

IX. LAND USE AND PLANNING — Would the project:

a) Physically divide an established community?

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

c) Conflict with any applicable habitat conservation

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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plan or natural community conservation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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“No Impact” determinations in this section are based on the Community Impact Analysis memo dated April 2012.

X. MINERAL RESOURCES — Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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“No Impact” determinations in this section are based on the Geotechnical Review Memo dated July 2012.

XI. NOISE — Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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“No Impact” determinations in this section are based on the Noise Review memo dated April 2012. This is not considered a Type 1 project and there are no noise sensitive receptors with the project limits.

XII. POPULATION AND HOUSING — Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

“No Impact” determinations in this section are based on the scope and location of the project. No relocations or displacements will occur with the proposed project.

XIII. 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 public services:

Fire protection?

Police protection?

Schools?

Parks?

Other public facilities?

“No Impact” determinations in this section are based on the scope and location of the project. This portion of State Route 138 would remain open during construction.

XIV. RECREATION —

a) Would the project increase the use of existing neighborhood and regional parks or other recreational

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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facilities such that substantial physical deterioration of the facility would occur or be accelerated?

- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?
- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

“No Impact” determinations in this section are based on the scope and location of the project.

XV. TRANSPORTATION/TRAFFIC — Would the project:

- a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?
- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

- b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

- e) Result in inadequate emergency access?
- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

- f) Result in inadequate parking capacity?
- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

- g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?
- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

“No Impact” determinations in this section are based on the scope of this proposed project.

XVI. UTILITY AND SERVICE SYSTEMS — Would the project:

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

“No Impact” determinations in this section are based on the scope of this proposed project.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE —

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The potential for biological impacts are discussed below in sections Affected Environment, Environmental Consequences and Mitigation Measures.

Affected Environment, Environmental Consequences, and Mitigation Measures

This section focuses only on the Biological Environment, as that is the only environmental factor potentially affected by the proposed project. All other physical, social, and economic factors have been determined to have no impact based on the checklist above and associated technical studies.

Biological Resources

Regulatory Setting

The California Department of Fish and Wildlife (CDFW) has regulatory responsibility for the protection of special-status plant and animal species. “Special-status” species are selected for protection because they are rare and/or subject to population and habitat declines. Special status is a general term for species that are afforded varying levels of regulatory protection. The highest level of protection is given to threatened and endangered species; these are species that are formally listed or proposed for listing as endangered or threatened under the Federal Endangered Species Act (FESA) and/or the California Endangered Species Act (CESA).

State laws and regulations pertaining to wildlife include the following:

- California Environmental Quality Act
- Sections 1600 – 1603 of the Fish and Wildlife Code
- Section 4150 and 4152 of the Fish and Wildlife Code

Section 1602 of CDFW Code

Pursuant to Section 1602 of the California Department of Fish and Wildlife Code, CDFW has direct jurisdiction over any activities that will divert or obstruct the natural flow, or change the bed, channel, or bank of any river, stream, or lake designated by CDFW in which there is at any time an existing fish or wildlife resource, or from which these resources derive benefit pursuant to the California Department of Fish and Wildlife. The California Department Fish and Wildlife Code require that formal notification and subsequent agreement, including mitigation measures, must be completed prior to initiating such changes. General project plans must be submitted to CDFW, sufficiently indicating the nature of a project, including if the project would divert, obstruct, or change a streambed; use material from the streambeds; or result in the disposal or deposition of debris, waste, or other material containing crumbled, flaked, or ground pavement where it can pass into a stream. Section 1602 of the California Department of Fish and Wildlife Code requires a notification package be submitted in support of a Streambed Alteration Agreement for review by CDFW. The areas of jurisdiction are typically defined on a case-by-case basis for the location, nature and extent of disturbance, and mitigation recommendations.

Section 2081(b) of the California Fish and Wildlife Code

Section 2080 of the California Department of Fish and Wildlife Code prohibits "take" of any species that the Fish and Wildlife Commission determines to be an endangered species or a threatened species. "Take" is defined in Section 86 of the Fish and Wildlife Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." The California Endangered Species Act (CESA) allows for take incidental to otherwise lawful development projects. CESA emphasizes early consultation to avoid potential impacts to rare, endangered, and threatened species and to develop appropriate mitigation planning to offset losses of listed species populations and their essential habitats resulting from implementation of projects (CDFW 2003).

Affected Environment

The proposed project setting is located in the Mojave Desert floristic province in northeastern Los Angeles County with vegetation consisting of predominately low, widely spaced shrubs including creosote bush (*Larrea tridentata*), and widely spaced trees including California junipers (*Juniperus californica*) and Joshua trees (*Yucca brevifolia*); this growth pattern is typical of regions with arid conditions and high temperatures. A broad, high desert valley known as the Antelope Valley surrounds the project area. The Antelope Valley is interspersed with sprawled development and large tracts of open space. Los Angeles County has identified several Significant Ecological Areas in the Antelope Valley. These areas have unique plant communities and serve as habitat for threatened or endangered species. The Joshua tree woodlands designated as significant ecological areas are located in the western portion of the Antelope Valley west and northwest of the Antelope Valley California Poppy Reserve in an unincorporated area of the County approximately 40 miles away from the project limits. The proposed project lies in the desert-montane transect, a designated significant ecological area in the Antelope Valley, which consists of several desert and mountain vegetation communities including creosote bush scrub, sagebrush scrub, pinyon-juniper woodland, Joshua tree woodland, desert chaparral, and mixed conifer forest habitat. Excellent stands of Joshua tree woodland within the desert montane transect are found along Alpine Butte and Lovejoy Butte approximately 9 miles away from the project limits.

The Biological Study area (BSA) consists of creosote bush scrub, Joshua trees, and California junipers, with creosote bush as the dominate species west of Mescal Creek and California juniper as the dominate species east of Mescal Creek. Joshua tree is a co-dominant species occurring at a low density within the Joshua Tree Woodland Alliance and California Juniper Woodland Alliance within the BSA. Plant communities adjacent to the BSA are of high quality due to minimal impacts and Joshua tree occurs at a higher density in BSA adjacent communities. To the northwest the California Aqueduct runs under SR-138 at PM 70.3 and to the southeast an ephemeral stream, Mescal Creek, with a man-made channel runs under SR-138 at PM 72.66. Within the project footprint there are a total of five ephemeral streams. Within the project limits, there are no urbanized areas though there are sparsely vegetated areas. Rural areas associated with the town of Llano are northwest and

residential developments associated with the town of Pinon Hills are southeast of the project limits. The land cover is primarily native vegetation with some ruderal species and invasive grasses. Within a 50 ft buffer of the roadway, there is an increased presence of invasive species and high human disturbance with evidence of trash dumping, off-road vehicles use, and vandalism.

The following plant communities were identified and characterized within the BSA during the field investigations: Joshua tree woodland, California juniper woodland, and ruderal. Most of the land within this segment is largely undeveloped except for dispersed rural residential development, roads, infrastructure of powerline corridors, and recreational activities. Roadway adjacent vegetation typically has a high occurrence of invasive species and does not have the species diversity and richness of interior habitat communities. Several sensitive desert flora and fauna species are known to occur within the vicinity of the project site such as: short-joint beavertail, white pygmy-poppy, Joshua Tree, desert tortoise, Mohave ground squirrel, Nelson's Antelope squirrel, western mastiff bat, San Diego desert woodrat, coast horn lizard, pallid San Diego pocket mouse, southern grasshopper mouse, Le Conte's thrasher and nesting migratory birds and raptors. Focused surveys will be conducted during the appropriate season prior to construction to determine presence/absence of special status species. The project limits are along SR-138 with a disturbed shoulder, presence of invasive species, and lack of endemic vegetation; therefore, the plant communities within the BSA should not be classified as suitable habitat and are marginal at best for sensitive desert flora and fauna. Joshua Tree Woodland Alliance is ranked G4 S3, and is considered to be vulnerable and highly imperiled by CDFW. Although the individual Joshua tree is not officially listed as sensitive by the California National Plant Society (CNPS), it is a plant of note for most counties and cities in which it occurs, including Los Angeles County.

The biological study area was defined by a review of the project plans, along with a study of the 2012 update of the California Natural Diversity Database (CNDDB), USFWS Information, Planning, and Conservation System (IPAC), and the 2012 California Native Plant Society (CNPS) electronic database of the USGS 7.5 minute *Mescal Creek*, *Valyermo*, *LoveJoy Buttes*, *El Mirage*, *Shadow Mountain SE*, and *Phelan* quadrangles. These were reviewed to identify special-status plant and wildlife species (those species considered rare, threatened, endangered, or otherwise sensitive by various state and federal resource agencies) that have been known to historically occur in the vicinity of the project site. Due to the geographic and biological uniqueness of the project limits and the micro habitat of the area, the quadrangles of *Crystal Lake*, *Mount San Antonio*, and *Telegraph Peak* were not used in identifying regional species and habitat of concern. Photographs and a review of existing literature were conducted to gain additional information on the project location.

Caltrans has identified nine (9) sensitive animal species whose presence needed to be addressed by pre-project surveys and/or habitat assessments. Of the nine species identified, one, the San Diego Desert Woodrat was observed during surveys conducted by Caltrans biologists. Focused surveys will be conducted during

the appropriate season prior to construction to determine presence/absence of the San Diego Desert Woodrat. Feasible measures will be implemented to minimize impacts to species present in the BSA.

The CNDDDB and IPAC species lists reported the potential for the federally and state threatened desert tortoise, the state threatened Mohave ground squirrel, the state threatened Nelson's Antelope squirrel, the state species of special concern western mastiff bat, the state species of special concern coast horn lizard, the state species of special concern pallid San Diego pocket mouse, the state species of special concern southern grasshopper mouse, the state species of special concern San Diego desert woodrat, and the state species of special concern Le Conte's thrasher to occur within the proposed project area.

Special Status Plant Species

Joshua Tree Woodland Alliance (*Yucca brevifolia*)

Joshua Tree Woodland contains Joshua tree as an emergent small tree over a shrub or grass canopy with *Ambrosia dumosa*, *Artemisia tridentata*, *Ephedra nevadensis*, *Larrea tridentata*. The habitat exists on gentle alluvial fans, ridges, gentle to moderate slopes and occurs between the elevation of 2560-5240 feet. *Juniperus ssp.* may be present; however, they must be less than one percent absolute cover. Joshua Tree Woodland Alliance is ranked G4 S3 by CDFW, and is considered to be vulnerable and highly imperiled.

The Joshua tree is a yucca endemic to the Mojave Desert of California, southern Nevada, northwestern Arizona, and southeastern Utah. Joshua trees occur within desert grasslands and shrublands on well-drained sandy to gravelly alluvial fans adjacent to desert mountain ranges (Cole et al. 2011). Joshua tree is noted by CNPS as too common and is not designated as a state species of special concern by CDFW. Los Angeles County does not currently have ordinances protecting individual Joshua trees; however, many cities in the Antelope Valley do have such ordinances. Los Angeles County and the CDFW typically request that projects avoid impacts to or transplant Joshua trees.

Short-joint Beavertail (*Opuntia basilaris var. brachyclada*)

Short-joint beavertail is a small, spreading cactus species ranked by CNPS as 1B.2 or uncommon in the Rare Plant Ranking. The species typically occurs within chaparral, Joshua tree woodland, Mojavean desert scrub, and Pinyon-juniper woodland. These plant communities are present within the eastern portion of the project limits. According to CNDDDB, the nearest known occurrence of short-joint beavertail was in 1999 approximately 2.2 miles southwest of the BSA.

White Pygmy-poppy (*Canbya candida Parry*)

White pygmy-poppy is a low growing annual herb ranked by CNPS as 4.2 or uncommon in the Rare Plant Ranking. It occurs in Joshua tree woodland and

Mojavean desert scrub. These plant communities are present within the eastern portion of the project limits. According to CNDDDB, the last known occurrence of white pygmy-poppy was in 1986 within the BSA between PM 73.0-74.0.

Special Status Animal Species

Pallid San Diego Pocket Mouse (*Chaetodipus fallax pallidus*)

Pallid San Diego pocket mouse is a small mammal that can be found in gravelly and sandy soils in southwestern California. General habitat typically consists of coastal scrub, chamise-redshank chaparral, mixed chaparral, sagebrush, desert wash, desert scrub, desert succulent scrub, and pinyon-juniper vegetation cover (Zeiner et al. 1990). According to CNDDDB, the nearest known occurrence of pallid San Diego pocket mouse was in 1951 approximately 1.7 miles southwest of the BSA.

Southern Grasshopper Mouse (*Onychomys torridus Ramona*)

Southern grasshopper mouse is a small mammal that can be found in desert scrub habitats with friable soils for digging, with low to moderate shrub cover. General habitat typically consists of a variety of low, open and semi-open scrub habitats including coastal sage scrub, mixed chaparral, low sagebrush, riparian scrub, and annual grassland with scattered scrubs (Collins 1998). According to CNDDDB, the nearest known occurrence of southern grasshopper mouse was in 1988 approximately 2.4 miles northwest of the BSA.

San Diego Desert Woodrat (*Neotoma lepida intermedia*)

The San Diego desert woodrat is a small mammal found in southern California inhabiting Joshua tree, pinyon-juniper, mixed and chamise-redshank chaparral, sagebrush, and most desert habitats. Nest middens are built against a rock crevice, at the base of creosote or cactus or in the lower branches of trees (Zeiner et al. 1990).

Nelson's Antelope Squirrel (*Ammospermophilus nelsoni*)

Nelson's Antelope squirrel is a small mammal found on dry sparsely vegetated loam soils where they dig burrows or use kangaroo rat burrows for habitation. Vegetation usually consists of forbs and grasses growing on broken terrain with gullies and washes. According to CNDDDB, the nearest known occurrence of Nelson's Antelope squirrel was in 1954 approximately 800 feet northwest of the BSA, near the California Aqueduct. The species is typically found at lower elevations (200-1200 feet), and this 1954 occurrence was likely a misidentification.

Mohave Ground Squirrel (*Xerospermophilus mohavensis*)

Mohave ground squirrel is a ground dwelling mammal that occupies creosote bush scrub, saltbush scrub, and Joshua tree woodland type plant communities. The

species is found in open areas of sandy and gravelly soils devoid of rocky areas in the eastern and northern parts of the Mojave Desert region. The species will utilize burrows found at the bases of shrubs for both cover and nesting purposes. They are active in the spring from February to July and estivate throughout most of the remaining months. Juveniles will remain above ground well into July and August, foraging in preparation for winter. According to CNDDDB, Mohave ground squirrel was observed in 1993 near the SR-138/SR-18 intersection within the BSA.

Le Conte's Thrasher (*Toxostoma lecontei*)

Le Conte's thrasher is primarily found in open desert wash, desert scrub, and desert succulent scrub habitat. The species commonly nests in a dense, spiny shrub or densely branched cactus in desert wash habitat, usually 2-8 feet above ground (Fitton 2008). According to CNDDDB, the nearest known occurrence of Le Conte's Thrasher was in 1986 within the BSA.

Western Mastiff Bat (*Eumops perotis californicus*)

The western mastiff bat is primarily a cliff-dwelling mammal that occurs in a variety of habitats such as dry desert washes, flood plains, chaparral, oak woodlands, open ponderosa pine forests, grasslands and montane meadows (Pierson and Rainey 1998). According to CNDDDB, the nearest known occurrence of western mastiff bat was in 1929 approximately 3.5 miles northeast of the BSA.

Coast Horned Lizard (*Phrynosoma blainvillii*)

Coast horned lizard frequents a wide variety of habitats and is most common in lowlands along sandy washes with scattered low bushes. The species utilizes open areas for sunning, bushes for cover, patches of loose soil for burial and needs abundant supply of ants and other insects (Zeiner et al. 1990). According to CNDDDB, the nearest known occurrence of coast horned lizard was in 1968 approximately 3.2 miles southwest of the BSA.

Desert Tortoise (*Gopherus agassizii*)

The desert tortoise is a large, herbivorous reptile found within the creosote, shadscale, and Joshua tree series of Mojavean desert scrub. Optimal habitat has been characterized as creosote bush scrub in which precipitation ranges from 2 to 8 inches, with a relatively high diversity of perennial plants and production of ephemeral streams. Soils must be friable enough for the digging of burrows and firm enough to prevent burrows from collapsing. Desert tortoises are most active during spring and early summer when annual plants are most common. Additional activity occurs during warmer fall months and occasionally after summer rainstorms. Desert tortoises spend the remainder of the year in burrows, escaping the extreme conditions of the desert (CDFW 2000). Consultation with USFWS has determined that the federally threatened desert tortoise (*Gopherus agassizii*) may occur in the subject project area, but the proposed project is not within designated critical habitat. According to CNDDDB, the nearest known occurrence of desert tortoise was in 2004 approximately 7.7 miles northeast of the BSA.

Impacts

Joshua Tree Woodland

Approximately 3.30 acres of degraded Joshua tree woodland will be permanently impacted by the shoulder widening. Temporary and indirect effects such as dust, noise and vibration from construction will be limited through the implementation of proper BMP's. Approximately 5.9 acres of degraded Joshua tree woodland will be temporarily impacted.

Based on the current project plans, approximately 321 Joshua trees will be impacted with 81 Joshua trees to be removed and 240 Joshua trees to be properly relocated outside of the project impact area with the exception of those that do not meet the health criteria at the time of relocation; avoidance and minimization measures will be implemented to minimize impacts to Joshua tree woodland and individual Joshua trees.

Short-joint Beavertail

There is a low potential for occurrence as the roadway adjacent habitat associated with the short-joint beavertail is marginal at best and should not be considered suitable habitat. Although there is a low potential for the species to occur, avoidance and minimization measures will be implemented to minimize potential impacts to the species. Direct or indirect impacts to short-joint beavertail are not expected to occur.

White Pygmy-poppy

There is a low potential for occurrence as the roadway adjacent habitat associated with the white pygmy-poppy is marginal at best and should not be considered suitable habitat. Although there is a very low potential for the species to occur, avoidance and minimization measures will be implemented to minimize potential impacts to the species. Direct or indirect impacts to white pygmy-poppy are not expected to occur.

Pallid San Diego Pocket Mouse

The individual number of pallid San Diego pocket mouse expected to occur within the BSA is low, if at all, due to degraded habitat adjacent to the roadway. Although there is a low potential for the species to occur, avoidance and minimization measures will be implemented to minimize potential impacts to the species.

Southern Grasshopper Mouse

The individual number of southern grasshopper mouse expected to occur within the BSA is low, if any, due to degraded habitat adjacent to the roadway. The BSA is fragmented and isolated with the California Aqueduct acting as a geographic barrier from the higher quality habitat of the nearest known occurrence of the species. Although there is a low potential for the species to occur, avoidance and minimization measures will be implemented to minimize potential impacts to the species.

San Diego Desert Woodrat

San Diego desert woodrat were found during diurnal ground surveys, however, due to the degraded habitat adjacent to the roadway, the individual number of species expected to occur within the BSA is low. Although there is a low potential for the species to occur, avoidance and minimization measures will be implemented to minimize potential impacts to the species.

Nelson's Antelope Squirrel

Nelson's Antelope squirrel was not found during surveys and is not expected to occur within the BSA. Direct or indirect impacts to Nelson's Antelope squirrel are not expected to occur.

Mohave Ground Squirrel

The Mohave ground squirrel was not found during the surveys conducted from March 2012 to July 2012 and is not expected to occur within the BSA. Although the species is not expected to occur, further focused protocol surveys should be conducted to determine presence/absence of the species. According to CDFW, small mammal surveys have a shelf life of one year and should be conducted during the appropriate season prior to construction. If individuals are found during pre-construction surveys, construction activities will stop and Caltrans will coordinate with CDFW to initiate Section 2081 process of the CDFW Code, and implement all conditions and mitigation measures in the Section 2081 permit. If individuals are not found, no impacts to this species would occur as a result of the implementation of this proposed project; therefore, no further action would be necessary. Direct or indirect impacts to Mohave ground squirrel are not expected to occur.

Le Conte's Thrasher

The individual number of Le Conte's thrasher expected to occur within the BSA is low due to degraded habitat adjacent to the roadway. Although there is a low potential for the species to occur, avoidance and minimization measures will be implemented to minimize potential impacts to the species. Direct impacts to Le Conte's thrasher are not expected to occur.

Western Mastiff Bat

The individual number of western mastiff bat expected to occur within the BSA is low due to degraded habitat adjacent to the roadway. Although there is a low potential for the species to occur, avoidance and minimization measures will be implemented to minimize potential impacts to the species. Direct impacts to western mastiff bat are not expected to occur.

Coast Horned Lizard

The individual number of coast horned lizard expected to occur within the BSA is low due to degraded habitat adjacent to the roadway. Although there is a low potential for the species to occur, avoidance and minimization measures will be implemented to minimize potential impacts to the species.

Desert Tortoise

The individual number of desert tortoise expected to occur within the BSA is low due to degraded habitat adjacent to the roadway. The BSA is fragmented and isolated with the California Aqueduct acting as a geographic barrier from the higher quality habitat of the nearest known occurrence of the species. Although there is a very low potential for the species to occur, clearance surveys should be conducted to determine presence/absence of the species prior to construction. If individual species are found Caltrans will coordinate with CDFW per Section 2081 and USFWS per Section 7 respectively, to capture and relocate and, if necessary, implement measures such as installation of USFWS approved desert tortoise exclusion fencing. If individuals are not found, no impacts to this species would occur as a result of the implementation of this proposed project; therefore, no further action would necessary. Direct or indirect impacts to desert tortoise are not expected to occur.

Avoidance, Minimization, and/or Mitigation Measures

Joshua Tree Woodland Alliance Mitigation

A qualified biologist will recommend approved limits of disturbance, including construction staging areas and access routes, to minimize impacts to Joshua tree woodland and if necessary, maintain a buffer around individual Joshua trees using Environmentally Sensitive Area (ESA) fencing during all phases of construction. Relocation of existing Joshua trees and planting of associated endemic species will ensure a minimum 2.5 percent density of Joshua trees is maintained within the onsite restoration area of Joshua tree woodland.

To minimize impacts, trees will be relocated with the original soil material surrounding root ball and maintain proper orientation. All relocation will be performed by experienced tree workers and monitored by a qualified biologist with experience in Joshua tree relocation. Although the larger, branching Joshua trees have a much lower survival rate after being transplanted, smaller Joshua trees (two feet with minimal branching) typically survive being transplanted. Individual specimens will be properly relocated outside of the project impact area using a 90 inch tree spade.

As a biological provision, permanent impacts to 3.30 acres of Joshua tree woodland within the project impact area will be mitigated at no more than a 2:1 ratio. Temporary and indirect impacts to 5.9 acres of Joshua tree woodland will be mitigated through onsite restoration and enhancement.

Special Status Plant and Animal Protection-Avoidance and Minimization Measures

Short Joint Beavertail

A qualified biologist will recommend approved limits of disturbance, including construction staging areas and access routes, to minimize impacts to any short-joint beavertail potentially occurring in adjacent habitat outside of the BSA and,

if necessary, maintain a buffer using ESA fencing during all phases of construction. Focused plant surveys should be conducted to determine presence/absence of the species during the appropriate season prior to construction. If the species is found in the project impact area, Caltrans will maintain a buffer around the individual specimens using ESA fencing during all phases of construction. If this is not possible, a qualified biologist will transplant individual species and/or remove seed bed material with soil to nearby equally suitable sites beyond the project impact area. If individuals are not found, no impacts to this species would occur as a result of the implementation of this proposed project; therefore no further action would necessary.

There is a low potential for occurrence of the short-joint beavertail within the BSA; nor will this project have a detrimental effect on short-joint beavertail populations, therefore, compensatory mitigation will not be necessary.

White Pygmy-poppy

A qualified biologist will recommend approved limits of disturbance, including construction staging areas and access routes, to minimize impacts to adjacent habitat. Focused plant surveys should be conducted to determine presence/absence of the species during the appropriate season prior to construction. If the species is found in the project impact area, Caltrans will maintain a buffer around the individual specimens using ESA fencing during all phases of construction. If this is not possible, a qualified biologist will transplant individual species and/or remove seed bed material with soil to nearby equally suitable sites beyond the project impact area. If individuals are not found, no impacts to this species would occur as a result of the implementation of this proposed project; therefore no further action would necessary.

There is a low potential for occurrence of the white pygmy-poppy within the BSA; nor will this project have a detrimental effect on white pygmy-poppy populations, therefore, compensatory mitigation will not be necessary.

Pallid San Diego Pocket Mouse

The individual number of pallid San Diego pocket mouse expected to occur within the BSA is low, if at all. Although there is a low potential for the species to occur, a qualified biologist will recommend approved limits of disturbance, including construction staging areas and access routes, to minimize impacts to adjacent habitat. A qualified biologist will also conduct focused surveys to determine presence/absence of the species. According to CDFW, small mammal surveys have a shelf life of one year and should be conducted during the appropriate season prior to construction. If individual species are found, feasible measures will be implemented to minimize impacts. Feasible measures may include, but are not limited to, having a qualified biologist monitor construction during clearing, grading and/or trenching activities for any occurrence of the species. If individuals are not found, no impacts to this species would occur as a result of the implementation of this proposed project; therefore no further action would necessary.

Pallid San Diego pocket mouse is not known to occur within the project limits. No impacts to this species are expected; therefore, compensatory mitigation will not be necessary.

Southern Grasshopper Mouse

The individual number of southern grasshopper mouse expected to occur within the BSA is low, if any. Although there is a low potential for the species to occur, a qualified biologist will recommend approved limits of disturbance, including construction staging areas and access routes, to minimize impacts to adjacent habitat. A qualified biologist will also conduct focused surveys to determine presence/absence of the species. According to CDFW, small mammal surveys have a shelf life of one year and should be conducted during the appropriate season prior to construction. If individual species are found, feasible measures will be implemented to minimize impacts. Feasible measures may include, but are not limited to, having a qualified biologist monitor construction during clearing, grading and/or trenching activities for any occurrence of the species. If individuals are not found, no impacts to this species would occur as a result of the implementation of this proposed project; therefore no further action would necessary.

Southern grasshopper mouse is not known to occur within the project limits. No impacts to this species are expected; therefore, compensatory mitigation will not be necessary.

San Diego Desert woodrat

San Diego desert woodrat were found during diurnal ground surveys; however, due to the degraded habitat adjacent to the roadway, the individual number of this species expected to occur within the BSA is low. To minimize impacts to individuals of this species a qualified biologist will recommend approved limits of disturbance, including construction staging areas and access routes, to minimize impacts to adjacent habitat. A qualified biologist will also conduct focused surveys to determine presence/absence of the species. According to CDFW, small mammal surveys have a shelf life of one year and should be conducted during the appropriate season prior to construction. If individuals of this species are found, feasible measures will be implemented to minimize impacts. Feasible measures may include, but are not limited to, having a qualified biologist monitor construction during clearing, grading and/or trenching activities for any occurrence of the species, and any individual species found will be relocated outside of the project impact area. If individuals are no longer found, no impacts to this species would occur as a result of the implementation of this proposed project; therefore, no further action would necessary.

San Diego desert woodrat were found during diurnal ground surveys; however, due to the degraded habitat adjacent to the roadway, the number of individuals of this specie expected to occur within the BSA is low; therefore, compensatory mitigation will not be necessary.

Nelson's Antelope Squirrel

Nelson's Antelope squirrel has a very low potential to occur within the BSA; therefore, avoidance and minimization efforts will not be necessary.

Nelson's Antelope squirrel was not found during surveys and is not expected to occur within the BSA; therefore, compensatory mitigation will not be necessary.

Mohave Ground Squirrel

Mohave ground squirrel has a very low potential to occur within the BSA; therefore, avoidance and minimization efforts will not be necessary.

Mohave ground squirrel was not found during surveys and is not expected to occur within the BSA; therefore, compensatory mitigation will not be necessary.

Le Conte's Thrasher

A qualified biologist will recommend approved limits of disturbance, including construction staging areas and access routes, to minimize impacts to adjacent habitat. To ensure the avoidance of Le Conte's thrasher, the following measures will be implemented pursuant to the Migratory Bird Treaty Act (MBTA). Clearing and grubbing of vegetation will be conducted outside of bird-nesting season. If clearing and grubbing of vegetation needs to be conducting during bird-nesting season (February 15th to September 1st) a qualified biologist will monitor construction during clearing, grading and/or trenching activities for any occurrence of the species nesting. In the event that Le Conte's thrasher is observed nesting, construction should stop until it is determined that the fledglings have left their nests. If this is not possible, coordination with a qualified biologist should take place in order to minimize the risk of violating the Migratory Bird Treaty Act. A 150 ft. buffer should be maintained using ESA fencing during all phases of construction.

Impacts to Le Conte's thrasher are not expected to occur; therefore, compensatory mitigation will not be necessary.

Western Mastiff Bat

A qualified biologist will recommend approved limits of disturbance, including construction staging areas and access routes, to minimize impacts to adjacent habitat. To ensure the avoidance of western mastiff bat, pre-construction surveys will be conducted of rock faces adjacent to the roadway, and any trees designated for removal due to the initiation of construction related activities to assess any potential presence of the species. Clearing and grubbing of vegetation will be conducted outside of the bat maternity season. If clearing and grubbing of vegetation needs to be conducting during bat maternity season (March 1st to October 15th), a qualified biologist will monitor construction during clearing, grading and/or trenching activities for any occurrence of the species breeding. If any species are found during

pre-construction surveys they will be excluded using CDFW, USFS, and USFWS approved methods. Alternate bat habitat will be provided for any excluded bats.

Impacts to western mastiff bat are not expected to occur; therefore, compensatory mitigation will not be necessary.

Coast Horned Lizard

The individual number of coast horned lizard expected to occur within the BSA is low. Although there is a low potential for the species to occur, a qualified biologist will recommend approved limits of disturbance, including construction staging areas and access routes, to minimize impacts to adjacent habitat. A qualified biologist will also conduct clearance surveys to determine presence/absence of the species. According to CDFW, focused reptile surveys have a shelf life of one year and should be conducted during the appropriate season prior to construction. If individual species are found, feasible measures will be implemented to minimize impacts. Feasible measures may include, but are not limited to, having a qualified biologist monitor construction during clearing, grading and/or trenching activities for any occurrence of the species, and any individual species found will be relocated outside of the project impact area. If individuals are not found, no impacts to this species would occur as a result of the implementation of this proposed project; therefore, no further action would be necessary. Direct or indirect impacts to coast horned lizards are not expected to occur.

There is a low potential of occurrence of the coast horned lizard within the BSA; therefore, compensatory mitigation will not be necessary.

Desert Tortoise

The desert tortoise has a very low potential to occur and is not expected within the BSA; therefore, avoidance and minimization efforts will not be necessary.

Desert tortoise has a very low potential to occur within the BSA; therefore, compensatory mitigation will not be necessary.

Bird Protection

Migratory Bird Treaty Act and State Fish and Game Code § 3503.5 and § 3800

Migratory birds may nest within the trees and shrubs that are present within the desert wash habitat within the project area. To avoid any impacts to migratory birds, vegetation removal must take place outside of the bird-nesting season (February 15th to September 1st). If vegetation removal takes place during bird-nesting season, a qualified biologist will conduct surveys to determine if birds are nesting. In the event that nesting birds are observed, vegetation removal shall not be conducted until it is determined that the fledglings have left their nests. If this is not possible, a buffer of 150 ft for songbirds and 500ft for raptors must be maintained during all phases of

construction to minimize the risk of violating the MBTA. Nesting birds may not be impacted by any construction activity including noise and dust pollution along with destruction of habitat.

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The following Caltrans staff contributed to the preparation of this Initial Study:

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Carlos Montez, Environmental Branch Chief

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Appendix B - References

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Appendix D – Environmental Commitment Record

District 7 ENVIRONMENTAL COMMITMENTS RECORD

SR 138 Safety Improvement Project

EA 265600

07-LA-138 PM 69.3/75.0

Log No.	Commitment Type	Responsible Party	Monitoring Frequency	Implementation/ Monitoring Phase	SSP# / NSSP#	Env Doc/ Permits/ Specs/ Plans/ Estimates REFERENCE	Commitment Measure	Completed Signature Page	Remarks
BIOLOGY									
1-1	Environmentally Sensitive Areas	Biologist	as required	All phases of construction		Initial Study/NES	A qualified biologist will recommend approved limits of disturbance, including construction staging areas and access routes, to minimize impacts to any sensitive plant species potentially occurring in adjacent habitat outside of the BSA and if necessary maintain a buffer using ESA fencing during all phases of construction.		
1-2	Bird Protection- Nesting Birds	Biologist	weekly/ as required between 02-15 and 09-01	Construction	S5-625	Initial Study/NES	Vegetation removal must take place outside of the bird-nesting season (February 15th to September 1st). If vegetation removal takes place during the bird nesting season, a qualified biologist will conduct surveys to determine if birds are nesting. *In the event that nesting birds are observed, vegetation removal shall not be conducted until it is determined that the fledglings have left their nests. If this is not possible, a buffer of 150 ft for songbirds and 500 ft for raptors must be maintained during all phases of construction.		
	Permits	Biologist/RE		All phases of construction		CDFW 1600/NES	California Department of Fish and Wildlife 1602 Streambed Alteration Agreement will be obtained. Every permit stipulation must be followed.		
1-6	Compensatory Measures-Joshua Tree Woodland	Biologist/RE/ Landscape	as required	All phases of construction		Initial Study/NES	Permanent Impacts to 3.30 acres of Joshua Tree Woodland within the project impact area will be mitigated at no more than a 2:1 ratio. Native endemic vegetation and relocated Joshua Trees should be included in the landscaping plan.		
1-9	Joshua Tree Woodland Removal	Biologist	as required	All phases of construction	NSSP	Initial Study/NES	A qualified biologist will recommend approved limits of disturbance, including construction staging areas and access routes to minimize impacts to Joshua Tree Woodland and if necessary maintain a buffer around individual Joshua Trees using ESA fencing during all phases of construction. Individual specimens will be properly relocated outside of the project impact area using a 90 inch tree spade.		

District 7 ENVIRONMENTAL COMMITMENTS RECORD
 SR 138 Safety Improvement Project
 EA 265600
 07-LA-138 PM 69.3/75.0

Log No.	Commitment Type	Responsible Party	Monitoring Frequency	Implementation/ Monitoring Phase	SSP# / NSSP#	Env Doc/ Permits/ Specs/ Plans/ Estimates REFERENCE	Commitment Measure	Completed Signature Page	Remarks
1-10	Plant Surveys	Biologist	as required	Pre-construction		Initial Study/NES	<p>Focused plant surveys should be conducted to determine presence/absence of sensitive plant species during the appropriate season prior to construction. *If sensitive plant species are found in the project impact area, Caltrans will maintain a buffer around the individual specimens using ESA fencing during all phases of construction. If this is not possible, a qualified biologist will transplant individual species and/or remove seed bed material with soil to nearby equally suitable sites beyond the project impact area.</p>		
1-11	Animal Surveys	Biologist	as required	Pre-construction		Initial Study/NES	<p>A qualified biologist will recommend approved limits of disturbance, including construction staging areas and access routes to minimize impacts to adjacent habitat. A qualified biologist will also conduct focused surveys to determine presence/absence of sensitive animal species. According to CDFW, small mammal surveys have a shelf life of one year and should be conducted during the appropriate season prior to construction. *If individuals are found during pre-construction surveys, construction activities will stop and Caltrans will coordinate with CDFG to initiate Section 2081 process of the CDFG Code, and implement all conditions and mitigation measures in the Section 2081 permit. Feasible measures may be implemented to minimize impacts and may include, but are not limited to, having a qualified biologist monitor construction during clearing, grading, and or trenching activities for any occurrence of the species.</p>		
	Desert Tortoise Surveys	Biologist	as required	Pre-construction	NSSP	Initial Study/NES	<p>A qualified biologist will conduct clearance surveys to determine presence/absence of the species prior to construction. *If individual species are found Caltrans will coordinate with CDFG per Section 2081 and USFWS per Section 7 respectively, to capture and relocate and, if necessary, implement measures such as installation of USFWS approved desert tortoise exclusion fencing.</p>		

District 7 ENVIRONMENTAL COMMITMENTS RECORD

SR 138 Safety Improvement Project

EA 265600

07-LA-138 PM 69.3/75.0

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1-12	Bat Survey-Western Mastiff Bat	Biologist	as required	Pre-construction		Initial Study/NES	A qualified biologist will recommend approved limits of disturbance, including construction staging areas and access routes, to minimize impacts to adjacent habitat. Pre-construction surveys will be conducted of rock faces adjacent to the roadway and any trees designated for removal due to the initiation of construction related activities to assess any potential presence of the species. Clearing and grubbing of vegetation will be conducted outside of the bat maternity seson. If clearing and grubbing of vegetation need to be conducted during bat maternity season (March 1st to October 15th), a qualified biologist will monitor construction during clearing, grubbing and/or trenching activities for any occurance of the species breeding.		