

Red Rock Canyon Bridge Replacement

On State Route 14 between 0.1 mile south of Red Rock Canyon Bridge
(No. 50-0178) and 0.4 mile north of Red Rock Canyon Bridge.

06-KER-14-39.8 to 40.3

06-0H180

SCH.: 2009081084

Initial Study with Mitigated Negative Declaration



Prepared by the
State of California Department of Transportation

November 2009



General Information About This Document

What's in this document?

This document contains a Mitigated Negative Declaration, which examines the environmental effects of a proposed project on State Route 14 in Kern County.

The Initial Study and proposed Mitigated Negative Declaration were circulated to the public from August 25, 2009 to September 24, 2009. Comment letters were received on the draft document. Responses to the circulated document are shown in the Comments and Responses section of this document, which has been added since the draft. Elsewhere throughout this document, a line in the margin indicates a change made since the draft document circulation.

What happens after this?

The proposed project has completed environmental compliance after the circulation of this document. When funding is approved, the California Department of Transportation can design and construct the project.

For individuals with sensory disabilities, this document is available in Braille, in large print, on audiocassette, or on computer disk. To obtain a copy in one of these alternate formats, please contact: Caltrans, Attn: Sarah Gassner, Southern Sierra Environmental Analysis Branch, 2015 E. Shields Avenue, Suite 100 Fresno, CA 93726; 559-243-8243 Voice, or use the California Relay Service TTY number, 1-800-735-2929.

Mitigated Negative Declaration

Pursuant to: Division 13, Public Resources Code

Project Description

The California Department of Transportation (Caltrans) proposes to remove and replace the existing Red Rock Canyon Bridge (No. 50-0178) on State Route 14 between post miles 39.8 and 40.3 within Red Rock Canyon State Park in Kern County.

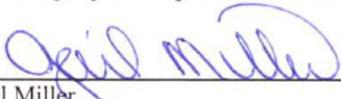
Determination

Caltrans has prepared an Initial Study for this project and, following public review, anticipates 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 the risk of earthquake damage, or on farmland, timber resources, land use or growth, local or regional air quality, water quality, traffic levels, regulatory floodplains, regional hydrology, noise, cultural resources, unique paleontological resources, geological or topographical features, mineral resources, population and housing, or utility and service systems.
- The proposed project would have no significant effect on: public services, recreation, pedestrian facilities, hazardous waste sites, or transportation and traffic.

In addition, the proposed project would have no significantly adverse effect on aesthetics and visual environment, threatened and endangered species, special status species, or wetlands and other waters of the U.S. because the following mitigation measures would reduce potential effects to insignificance:

- Impacts to aesthetics and visual environment would be mitigated by color and texture treatments, design features, and measures to preserve and replace vegetation.
- Impacts to threatened and endangered species would be mitigated by terms and conditions provided in the U.S. Fish and Wildlife Service "May Affect, Not Likely To Adversely Affect" concurrence, standard contract provisions, and Best Management Practices.
- Impacts to wetlands and waters of the United States would be mitigated by the terms and conditions provided in the Streambed Alteration Agreements, U.S. Army Corps of Engineers Section 404 and 401 permits. All construction activity would be limited to the project impact area and an environmental sensitive area would be implemented.



Gail Miller
Acting Office Chief, Central Region
Environmental North

11-25-09
Date

Section 1 Project Information

Project Title

Red Rock Canyon Bridge Replacement

Lead Agency Name and Address

California Department of Transportation
2015 E. Shields Avenue, Suite 100
Fresno, California 93726

Contact Person and Phone Number

Sarah Gassner, Branch Chief, Southern Sierra Environmental Analysis Branch
(559) 243-8243

Project Location

The project is located on State Route 14 between 0.1 mile south of Red Rock Canyon Bridge (No. 50-0178) and 0.4 mile north of Red Rock Canyon Bridge within Red Rock Canyon State Park in Kern County. Figure 1-1 shows the project location and Figure 1-2 shows the project vicinity.

Project Sponsor's Name and Address

California Department of Transportation
2015 E. Shields Avenue, Suite 100
Fresno, California 93726

General Plan Description and Zoning

The project is located within Red Rock Canyon State Park, which is managed by the California Department of Parks and Recreation.

Description of Project

The California Department of Transportation (Caltrans) proposes to remove and replace the existing Red Rock Canyon Bridge (No. 50-0178) on State Route 14 between post miles 39.8 and 40.3 within Red Rock Canyon State Park in Kern County.

Surrounding Land Uses and Setting

The project is located on the west side of Red Rock Canyon State Park in eastern Kern County, about 24 miles northeast of the City of Mojave and 80 miles east of Bakersfield. The park is located where the southernmost tip of the Sierra Nevada

comes together with the El Paso Range. The park features about 270,000 acres of desert cliffs, buttes, and unique and colorful rock formations. The park offers two natural preserves, a visitors' center, trails for hiking and horseback riding, one campground, and dirt roads for off-highway vehicles.

The Red Rock Wash crosses State Route 14 at the Red Rock Canyon Bridge. Mostly dry throughout the year, the dry wash occasionally experiences flash floods that flow into Koehn Lake, southwest of the park. The portion of the State Route 14 is a four-lane access controlled highway with a posted speed limit of 65 miles per hour.

Other Public Agencies Whose Approvals Are Required

The following permits, reviews, and approvals would be required for project construction:

Agency	Permit/Approval	Status
United States Fish and Wildlife Service	Section 7 Consultation for Threatened and Endangered Species	Concurrence of Not Likely to Adversely Affect Determination was obtained from the U.S. Fish and Wildlife Service on July 21, 2009. (See Appendix C)
United States Army Corps of Engineers	Section 404 Permit for filling or dredging waters of the United States	Application for Section 404 permit and Preliminary Jurisdictional Delineation report is anticipated after the final environmental document is approved.
California Department of Fish and Game	1602 Streambed Alteration Agreement Section 2081 Agreement for Threatened and Endangered Species	Application for 1602 agreement and Section 2081 permit is anticipated before construction.
California Regional Water Quality Control Board	Section 401 Permit for water discharge	Application for permit to be submitted after final environmental is approved.

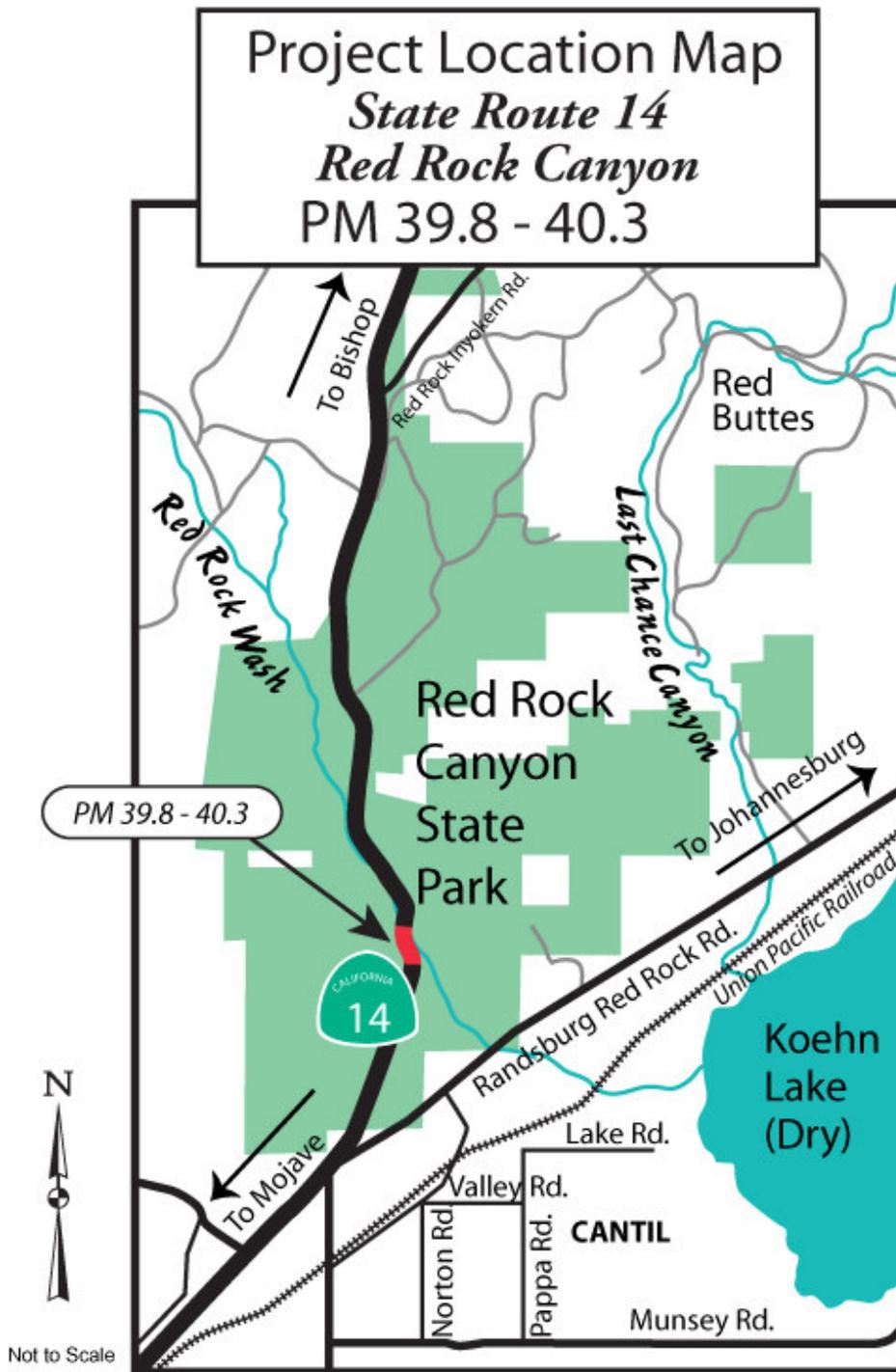


Figure 1-1 Project Location Map

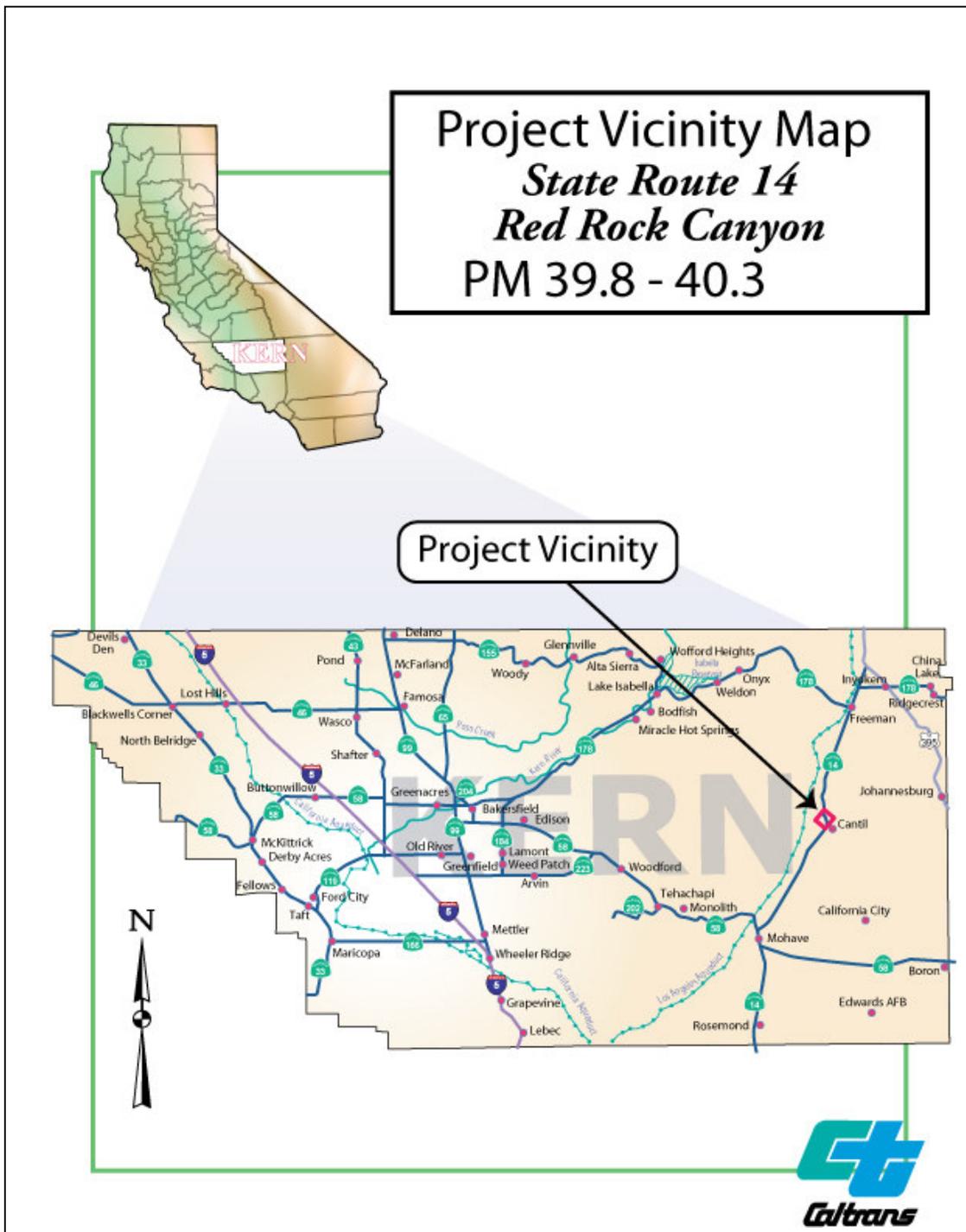


Figure 1-2 Project Vicinity Map

Section 2 Environmental Factors Potentially Affected

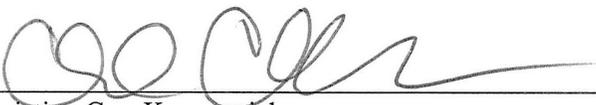
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

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

Section 3 Determination

On the basis of this determination:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Christine Cox-Kovacevich

Office Chief, Central Region
Environmental North

7/30/09

Date

Section 4 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. Direct and indirect impacts are addressed in checklist items I through XVI. Mandatory Findings of Significance are discussed in item XVII. 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. Lengthy explanations, if needed, are provided after the checklist.

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?

Explanation: Measures to visually blend the replacement bridge with its visual surrounding and to preserve and replace vegetation would potentially maintain and enhance the visual setting after construction. (Visual Impact Assessment, September 24, 2009) See Additional Explanations later in this section.

- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Explanation: Please see I (a).

- c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Explanation: Please see I (a).

- d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Explanation: No new source of light or glare would be created.

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?

Explanation: No right-of-way would be acquired. Prime, Unique, and/or Important farmland would not be converted.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Explanation: Refer to II (a).

- 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?

Explanation: Refer to II (a).

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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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?

Explanation: According to 40 Code of Regulations, Section 93.126, the project is exempt from regional emissions analysis requirements. Under federal standards, the project is in nonattainment for ozone and attainment for particulate matter. For state standards, the project is in nonattainment for ozone and particulate matter. The project is in attainment for other federal and state and priority air pollutants. (Air Quality Assessment Report, April 24, 2007)

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Explanation: Refer to III (a). (Air Quality Assessment Report, April 24, 2007)

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)?

Explanation: Refer to III (a). (Air Quality Assessment Report, April 24, 2007)

d) Expose sensitive receptors to substantial pollutant concentrations?

Explanation: The project is located within a State park with no residences. Caltrans Standard Specifications pertaining to dust control and dust palliative requirement would effectively reduce and control emissions impacts to sensitive receptors during construction. (Air Quality Assessment Report, April 24, 2007)

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

Explanation: The project is a bridge replacement project located within a State park with no residences along State Route 14. The project does not propose any activity that would introduce new objectionable odors. (Air Quality Assessment Report, April 2009)

IV. BIOLOGICAL RESOURCES — Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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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?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Explanation: Direct and indirect impacts may occur on special-status species and their habitat. (Natural Environmental Study, June 2009) For more detail, see Additional Explanations later in this section.

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?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Explanation: For more detail, see Additional Explanations later in this section. (Natural Environmental Study, June 2009)

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

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Explanation: For more detail, see Additional Explanations later in this section.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Explanation: The project would not interfere with the movement of fish or wildlife species. (Natural Environmental Study, June 2009) For more detail, see Additional Explanations later in this section.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Explanation: The project would not conflict with local policies or ordinances.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Explanation: There are no Habitat Conservation Plans in effect, for this area.

V. CULTURAL RESOURCES — Would the project:

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<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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Explanation: The project would not cause adverse changes to historical resources. (Historic Property Survey Report, June, 2009)

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?
 Archaeological resources are considered “historical resources” and are covered under question V(a).

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

Explanation: The project would not cause direct or indirect destruction of paleontological resources. (Paleontology Compliance Study, January 5, 2009)

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

Explanation: There are no known burial sites within the project area that would be affected. (Historic Property Survey Report, May 2009)

VI. GEOLOGY AND SOILS — Would the project:

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

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.

Explanation: The project would replace a bridge and would not increase seismic risk. There are no known faults in the project area. (Project Scope Summary Report, November 15, 2007)

ii) Strong seismic ground shaking?

Explanation: See VI (a) (i). (Project Scope Summary Report, November 15, 2007)

iii) Seismic-related ground failure, including liquefaction?

Explanation: See VI (a) (i). (Project Scope Summary Report, November 15, 2007)

iv) Landslides?

Explanation: See VI (a) (i). (Project Scope Summary Report, November 15, 2007)

b) Result in substantial soil erosion or the loss of topsoil?

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Explanation: All disturbed area of this project would receive standard erosion control and storm water runoff control measures. (Project Scope Summary Report, November 15, 2007)

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"/>
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Explanation: The proposed project is not located in an area that is susceptible to landslides, lateral spreading or collapse.

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"/>
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Explanation: The project proposes to replace a bridge; no buildings are proposed. Therefore, the project is exempt from the Uniform Building Code.

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"/>
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Explanation: The project would not generate wastewater nor need to dispose of wastewater.

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 checked="" type="checkbox"/>	<input type="checkbox"/>
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Explanation: For more detail, see Additional Explanations later in this section. (Hazardous Waste, Compliance Study Report dated April 1, 2009)

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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Explanation: The project would reduce the potential for accidents, spills, and the release of hazardous materials. (Hazardous Waste, Compliance Study Report dated April 1, 2009)

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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Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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Explanation: There are no schools located within one-quarter mile of the project area. (Field Visit, March 19, 2009)

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?

Explanation: The project is not located on a listed hazardous material site pursuant to Government Code Section 65962.5. (Hazardous Waste, Compliance Study Report dated April 1, 2009)

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?

Explanation: The project is not located within an airport land use plan or within two miles of an airport. (Field Visit, March 19, 2009)

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?

Explanation: The project is not located within the vicinity of a private airstrip. (Field Visit, March 19, 2009)

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Explanation: The project would allow the highway to remain in operation during construction and therefore would not interfere with emergency response routes. (Traffic Management Plan, May 11, 2009)

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?

Explanation: The project would not expose nearby residences to wildland fires. (Field Visit, March 19, 2009)

VIII. HYDROLOGY AND WATER QUALITY —

Would the project:

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

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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Explanation: Best management practices through a Water Pollution Control Program or a Storm Water Pollution Prevention Plan would be implemented during construction to prevent surface water runoff impacts. (Water Quality Assessment Report, November 17, 2009)

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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Explanation: The project would not deplete groundwater supplies or interfere with groundwater recharge. (Water Quality Assessment Report, November 17, 2009)

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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Explanation: The project would not alter the existing drainage pattern or cause erosion or siltation.

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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Explanation: Refer to VIII (c).

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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Explanation: Refer to VIII (a).

f) Otherwise substantially degrade water quality?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Explanation: Refer to VIII (a). (Project Scope Summary Report, November 15, 2007)

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?

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation: The Red Rock Canyon Wash lies in a designated “Zone A” floodplain within the project area. The “Zone A” floodplain would not be affected because the project proposes to replace the existing bridge. The project would not increase the flood backwater elevations. The project would not constitute a significant encroachment or risk on the floodplain as defined by 23 CFR 650.105. (Floodplain Evaluation Report Summary, January 28, 2009)

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

Explanation: Refer to VIII (g). (Floodplain Evaluation Report Summary, January 28, 2009)

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?

Explanation: There is no levee or dam located in the project area. (Field Review, March 19, 2009)

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

Explanation: There are no lakes, oceans, or mudflows in the project area. (Field Review, March 19, 2009)

IX. LAND USE AND PLANNING — Would the project:

a) Physically divide an established community?

Explanation: The project is located within Red Rock Canyon State Park. There is no community in or near the project area. (Project Scope Summary Report, November 15, 2009)

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?

Explanation: The project would not conflict with the Red Rock Canyon State Park General Plan, (1981). (Correspondence with the California State Parks, Tehachapi District, July 28, 2009).

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

Explanation: The project would not conflict with any habitat conservation plans. (Natural Environmental Study, July 2009)

X. MINERAL RESOURCES — Would the project:

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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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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Explanation: The project would not affect the availability of aggregate, which is an important resource in the production of concrete.

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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Explanation: The project would not affect the availability of aggregate, which is an important resource in the production of concrete.

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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Explanation: There are no existing sensitive receptors from residences, schools, hospitals, or churches in the project area. The entrance to the Red Rock Canyon State Park Visitors Center and Campground is about two-thirds of a mile north of the project. There would be a temporary increase in noise levels during construction. The noise levels would vary in intensity and be intermittent depending on the type of construction activity. Caltrans standard special provisions for noise would be followed: mufflers would be required for all construction equipment engines during the construction phase. Further noise abatement would not be required. (Noise Assessment Report, February 26, 2009)

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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Explanation: Refer to XI (a).

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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Explanation: Refer to XI (a).

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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Explanation: Refer to XI (a).

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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Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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Explanation: The project is not located within an airport land use plan or within two miles of any airport. (Field Review, February 2009)

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?

Explanation: Refer to XI (e).

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)?

Explanation: The project is the replacement of an existing bridge, which by its nature is not growth-inducing.

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

Explanation: No right-of-way acquisition or residential relocations would be needed for the project. (Field review, February 2009)

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

Explanation: Refer to XII (b). (Field review, February 2009)

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?

	Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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Parks?

Other public facilities?

Explanation: The project would not impact fire or police protection, schools, and other public facilities. Construction-related activities would temporarily affect recreational access for hiking, bicycling, off-highway vehicle use and other pursuits. Without the proposed project the existing Red Rock Canyon Bridge, bridge No. 50-0178, would be subject to failure. The proposed bridge would be wider, longer, and more resistant to the degradation and erosion caused by flash floods in the Red Rock Wash. The replacement bridge would maintain access in the park for recreational users. (Project Scope Summary Report, November 15, 2007)

XIV. RECREATION —

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Explanation: The project would not modify existing use of Red Rock Canyon State park. The project would replace the existing Red Rock Canyon Bridge, bridge No. 50-0178, which is subject to failure. The proposed bridge would be wider, longer, and more resistant to the degradation and erosion caused by flash floods in the Red Rock Wash. The replacement bridge would maintain access in the park for recreational users. (Project Scope Summary Report, November 15, 2007)

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?

Explanation: The project would not modify existing use of the State park. Refer to XIV a. (Project Scope Summary Report, November 15, 2007)

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)?

Explanation: The project is a bridge replacement project and is not capacity increasing. (Project Scope Summary Report, November 15, 2007)

b) Exceed, either individually or cumulatively, a level of service standard established by the county

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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congestion management agency for designated roads or highways?

Explanation: Refer to XV (a). (Project Scope Summary Report, November 15, 2007)

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?

Explanation: There are no airports within the project vicinity. (Field review, February 2009)

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Explanation: The project would correct roadway deficiencies and address safety issues. The project would replace the existing Red Rock Canyon Bridge, bridge No. 50-0178, which is subject to failure. The proposed bridge would be wider, longer, and more resistant to the degradation and erosion caused by flash floods in the Red Rock Wash. The replacement bridge would maintain access and vehicle operations along State Route 14 within the park. (Project Scope Summary Report, November 15, 2007)

e) Result in inadequate emergency access?

Explanation: The project would allow the highway to remain in operation during construction and therefore would not interfere with emergency response routes. (Traffic Management Plan, May 11, 2007)

f) Result in inadequate parking capacity?

Explanation: The project would have no affect on parking capacity. (Field Review, February 2009)

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Explanation: The project would not conflict with any alternative transportation plan.

XVI. UTILITY AND SERVICE SYSTEMS — Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Explanation: The project is a bridge replacement, which does not affect wastewater.

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?

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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Explanation: See explanation for XVI (a).

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"/>
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Explanation: Construction of new or expanded facilities is not part of this project.

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"/>
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Explanation: Sufficient water is available to serve project needs during construction.

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"/>
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Explanation: No wastewater would be generated by the project.

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"/>
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Explanation: Any solid waste would be disposed of at appropriate facilities, including landfills, with sufficient capacity to accept it.

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"/>
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Explanation: Solid waste would be disposed of in compliance with all laws, rules and regulations that apply.

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 type="checkbox"/>	<input checked="" 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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Explanation: The bridge replacement project would be contained within Caltrans' right-of-way. Direct impacts may occur on special-status species and their habitat because of the proposed project. However, the project would not substantially reduce the number or restrict the range of any rare or endangered species. (Natural Environmental Study, July 2009). Refer to the discussion at the end of the checklist.

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)?

Explanation: Cumulative impacts would not occur from construction of the proposed project or in connection with other known projects in the study area.

c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Explanation: On the basis of this Initial Study, the project would not have substantial or adverse effects to human beings.

Additional Explanations for Questions in the Impacts Checklist

I. Aesthetics (checklist questions a, b and c)

Affected Environment

A Visual Impact Assessment was completed on September 24, 2009.

Red Rock Canyon State Park features scenic desert cliffs, buttes, and spectacular rock formations. The project area is surrounded by distinctive cliffs and rolling hills supporting desert vegetation. The cliffs, eroded by wind and rain, reveal layers of white, pink, red, and brown. Flooding has carved channels and washes in the hills, which are spotted with riparian vegetation.

The native plant community of the project area is typical of the eastern Mojave Desert. Creosote, saltbush, and native grasses dot the flats and slopes with small groupings of willow and riparian vegetation in the big washes. Lush riparian vegetation flourishes in the drainages of the rolling terrain.

The Red Rock Wash under the Red Rock Canyon Bridge allows recreational users (including hikers and those on recreational vehicles) to travel between the east and west portions of the park. The bridge acts as a visual “gateway” for these users.

Environmental Consequences

The proposed project would construct a larger bridge (about 12 feet wider and longer) than the existing bridge and the necessary removal of native vegetation during construction could have a visual impact for the recreational user in the project area. One red willow tree would be removed.

Avoidance, Minimization, and/or Mitigation Measures

The potential visual impact would be minimized with the following measures required.

- Using aesthetic treatments on the replacement bridge structure to blend it with its surroundings would maintain and enhance the visual experience of travelers and recreational users after construction. Caltrans landscape architects would work with staff in bridge architecture and aesthetics to select colors and finishes that will enhance visual harmony.

- Existing native vegetation would be protected and avoided when possible. Before construction, Caltrans would establish environmentally sensitive areas marked with orange mesh fencing.
- Replanting with native vegetation would be required. A landscape architect would determine and approve of the native seed mix, application rates, and planting methods.
- Topsoil and duff from the project area would be collected and stored for use as replacement soil for disturbed areas before replanting is undertaken. The topsoil would have fungi and other soil organisms and seeds that would benefit the new planting areas.
- Willows would be replaced at a 3:1 ratio within Caltrans' right-of-way and/or offsite, and would be monitored for one year.

IV. Biological Resources (checklist questions a, b and c)

The biological study area runs the length of the project limits and includes the area within Caltrans right-of-way and an 800-foot radius outside the right-of-way. The project impact area, a subset of the biological study area, would be directly impacted by construction-related activities.

Threatened and Endangered Species

Affected Environment

A Natural Environmental Study was completed in June 2009.

Desert Tortoise

The potential desert tortoise habitat observed within the biological study area was low quality. No desert tortoise or evidence of the tortoise was observed during protocol-level surveys. The closest recorded occurrence of a desert tortoise was about three miles to the southeast of the project site according to the California Natural Diversity Database.

There is no designated or proposed critical habitat for the desert tortoise within the biological study area.

Mohave Ground Squirrel

The Mohave ground squirrel is a state listed threatened species. Although the squirrel was not observed during biological surveys, there are reported occurrences of the squirrel within three-quarters of a mile to the northwest of the biological study area, according to the California Natural Diversity Database.

Environmental Consequences

Desert Tortoise

The proposed project is not likely to adversely affect the desert tortoise since the project site features steep hillsides and low quality habitat, and is used by off-highway vehicles. In addition, no desert tortoise or sign of desert tortoise was observed during surveys of the biological study area, and no recorded occurrences of desert tortoise exist within the biological study area. A “May Affect, Not Likely to Adversely Affect” concurrence from U.S. Fish and Wildlife Service was obtained on July 22, 2009. (See Appendix C).

Mohave Ground Squirrel

Project impacts, both direct and indirect, are likely to adversely affect Mohave ground squirrel.

Construction-related activities would potentially impact the Mohave ground squirrel both directly and indirectly. The squirrel could potentially be injured or killed if crushed by equipment during construction activities. Collapsed or excavated burrows could also potentially kill or injure this species. The potential total area of the Mohave ground squirrel habitat impacted would be 22.024 acres.

Avoidance, Minimization, and/or Mitigation Measures

Desert Tortoise

The following avoidance and mitigation measures would reduce potential impacts to desert tortoise and desert tortoise habitat:

- A worker education program and well-defined operational procedures would be implemented to avoid the take of desert tortoise and minimize loss of their habitat during construction activities.
- All persons employed on the construction project would receive instruction regarding the desert tortoise before performing on-site work. Instruction would include the importance of the desert tortoise to the environment and the

importance of following all terms and conditions provided in the U.S. Fish and Wildlife Service not likely to adversely affect concurrence. Employees would be notified that they are not authorized to handle or otherwise move desert tortoise encountered on the project site.

- Temporary desert tortoise fencing would be installed around the perimeter of the project area before the start of on-site construction. Installation of the desert tortoise fencing would be monitored by a qualified biologist(s) to ensure that tortoises would not be killed or injured during this activity. The temporary desert tortoise fencing would be installed in construction areas that are beyond the perimeter of the Caltrans right-of-way in areas where construction staging would occur. After installation, the tortoise fence would be regularly inspected to ensure its integrity. Vehicle access outside desert tortoise fencing would be prohibited. The installation of desert tortoise fencing would prevent tortoises from entering the project limits during construction activities, thereby minimizing project impacts.
- The entire project area would be surveyed for desert tortoise by a qualified biologist(s) after installation of the tortoise fencing. If a desert tortoise were found within the area, California Department of Transportation would contact U.S. Fish and Wildlife Service immediately for additional consultation.
- A qualified biologist(s) would be present during all initial brushing or grading activities within the project area. During project implementation, all workers would inform the qualified biologist(s) if a desert tortoise was found within or near the project area. If a tortoise was found, all work in the vicinity of the desert tortoise, which could injure or kill the animal, would stop and the desert tortoise would be observed until it leaves the project area. If this situation occurs, the Fish and Wildlife Service would be contacted immediately.
- Workers would inspect for desert tortoises under vehicles and equipment before such equipment was moved. If a desert tortoise was present, the worker would wait for the desert tortoise to move from under the vehicle.
- All food-related trash items would be placed in a container that prevents access to wildlife (i.e., common ravens and coyotes). Food-related trash would be regularly removed from the construction site and disposed of at an approved refuse disposal site. Workers would not deliberately feed wildlife.

- A qualified biologist(s) would maintain a record of all desert tortoises or sign of desert tortoise (i.e., scat, tracks, burrows, shells, scutes, etc.) encountered during project activities in the project area.
- The construction contractor would comply with all requirements specified by the California Department of Fish and Game and U.S. Fish and Wildlife Service.
- Standard contract provisions and best management practices would be implemented to minimize impacts to the desert tortoise.

Mohave Ground Squirrel

Caltrans would compensate for all potential impacts to Mohave ground squirrel and its habitat by preserving habitat in areas that are important for the recovery of the Mohave ground squirrel population. Caltrans proposes to replace each acre of lost habitat, due to direct or indirect impacts, with three acres of quality habitat at a U.S. Fish and Wildlife Service and California Department of Fish and Game approved location. The construction of the project would directly and indirectly impact 22.024 acres of potential Mohave ground squirrel habitat; therefore, at a 3:1 compensation ratio, 66.072 acres of quality Mohave ground squirrel habitat would be acquired and preserved for the recovery of the Mohave ground squirrel.

The temporary fencing that would be used as an avoidance measure for the Desert tortoise and the Red Rock tar plant would also benefit the Mohave ground squirrel. Please see the discussion on desert tortoise (above) and the plant discussion for detailed information regarding these species.

Wetlands and Other Waters of the U.S.

Affected Environment

A Natural Environmental Study was completed in June 2009.

Surface drainage throughout the biological study area is from northwest to southeast. The Red Rock Wash, which crosses State Route 14 at the Red Rock Canyon Bridge, is the one main drainage channel in the biological study area. The dry wash is seasonal and flows directly or indirectly into Koehn Lake. Although it is dry most of the year, the wash does experience flash flooding due to rainstorm events in higher elevations and seasonal water flow from seeps or springs.

Wetland plants such as salt grass, Baltic grass, mulefat, salt cedar, common monkey flower, and Red Rock tarplant dominate the seeps or springs located within and next to the Red Rock Wash. This area has a sensitive biological habitat value for the Mojave Desert, and provides potential breeding, nesting, and foraging habitat for a variety of species.

A jurisdictional delineation of the biological study area was conducted on March 18, March 19, and May 7, 2009. It was determined that the Red Rock Wash, within the biological study area, is considered a potential water of the United States. In addition, it was determined that the habitat within and next to the wash is a potential wetland.

Environmental Consequences

The project would result in permanent and temporary impacts to riparian and wetland habitats. Permanent impacts to riparian habitat include the potential removal of one red willow tree.

Avoidance, Minimization, and/or Mitigation Measures

All construction work would be limited to the areas within the project impact area. Before construction, Caltrans would establish environmentally sensitive areas using orange mesh fencing, to help prevent unplanned construction accidents to the wetland and waters. Best management practices would be followed during construction to reduce the potential for sediments and other pollutants entering the waters of the United States. Parking of equipment, project access, supply logistics, equipment maintenance, and other project-related activities would occur in areas pre-approved for staging by a Caltrans biologist. Terms, conditions, and provisions provided in the Streambed Alteration Agreements, Clean Water Act, Section 404 and 401 permits were designed to minimize and avoid impacts to waterways and wetlands.

To ensure that temporary impacts to wetland habitats are minimized to the greatest extent possible, wetland habitat areas would be restored once construction activities are complete. In areas where it is possible for Red Rock tarplant to occur, the topsoil (containing seeds) would be collected and stored to be redistributed after construction. The red willow tree, if removed, would be replaced at a 3:1 ratio within Caltrans' right-of-way and/or offsite, and would be monitored for one year to ensure it survives.

Plant Species

“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 and/or the California Endangered Species Act. Please see the earlier Threatened and Endangered Species discussion for detailed information regarding these species.

This discussion examines all the other special-status plant species, including California Department of Fish and Game fully-protected species and species of special concern, U.S. Fish and Wildlife Service candidate species, and non-listed California Native Plant Society rare and endangered plants.

Affected Environment

A Natural Environmental Study was completed in June 2009.

The biological study area includes potential suitable habitat for five special-status plant species.

Alkali Mariposa Lily

Alkali Mariposa lily is listed as a California Native Plant Species 1B.2 species. Suitable habitat is present within the biological study area in the floodplain, ephemeral wash, and seep habitats. The alkali Mariposa lily was not observed during the surveys. There is one record of occurrence within the general area of the biological study area according to the California Natural Diversity Database. This species has the potential to occur within the biological study area.

Red Rock Tarplant

Red Rock tarplant is listed as rare by the State of California and is listed as a California Native Plant Species List 1B.2 species. A small population of the Red Rock tarplant was observed within the biological study area in the seep and spring habitats of the Red Rock Wash.

Red Rock Poppy

Red Rock poppy is listed as a California Native Plant Species 1B.2 species. The California Natural Diversity Database indicates recorded occurrences for this species within a mile of the biological study area. The Red Rock poppy was not observed during surveys within the biological study area. However, suitable Mojave Creosote

Bush Scrub habitat for this species was present within the biological study area and would be affected by construction-related activities.

Creamy Blazing Star

Creamy blazing star is listed as a California Native Plant Species 1B.3 species. The creamy blazing star was not observed during surveys. However, there is a California Natural Diversity Database occurrence for this species within one half mile of the biological study area. Suitable Mojave Creosote Bush Scrub habitat was within the biological study area and would be affected by construction related activities.

Charlotte's Phacelia

Charlotte's phacelia is listed as a California Native Plant Species 1B.2 species. The California Natural Diversity Database indicates there are several recorded occurrences for this species within and in the immediate vicinity of the biological study area. Charlotte's phacelia was not observed during surveys within the biological studies but suitable Mojave Creosote Bush Scrub habitat was present. The Mojave Creosote Bush Scrub habitat would be affected by construction related activities.

Environmental Consequences

The project may affect the alkali Mariposa lily, Red Rock tarplant, Red Rock poppy, creamy blazing star, and Charlotte's phacelia.

The work on the rock slope protection would disturb an area where a small population of Red Rock tarplant occurs. The impacts would be minimal. Flash floods in the biological study area would have a greater disturbance on this population.

Avoidance, Minimization, and/or Mitigation Measures

Alkali Mariposa Lily

Preconstruction surveys would be conducted for the species during its blooming period. If the species were discovered in the biological study area, the California Department of Fish and Game would be consulted. An environmentally sensitive area would be established for the species and avoided during construction to prevent potential disturbance.

Red Rock Tarplant

Preconstruction surveys would be conducted for this species during its blooming period the year before construction to identify the exact location of the plant in the biological study area.

Red rock tarplant areas avoided during construction would be established as an environmentally sensitive area, and would be bordered by orange mesh fencing. This would avoid construction-related impacts. In areas where avoidance is not possible, the following minimization measures would be implemented:

- Under the direction of a Caltrans biologist, topsoil/duff would be collected and salvaged from areas where the red rock tarplant would be disturbed. The topsoil/duff would then be stored within the biological study area. After construction activities were completed, the topsoil/duff would be relocated back to the Red Rock tarplant disturbed areas. No other soil should replace these disturbed areas.

Red Rock Poppy, Creamy Blazing Star, Charlotte's Phacelia

The project would avoid and minimize impacts to the Mojave creosote bush scrub habitat to the greatest extent possible. Seed planting would be used for erosion control or revegetation in project impact areas.

Animal Species

This discussion examines potential impacts and permit requirements associated with wildlife not listed or proposed for listing under the state or federal Endangered Species Act. Species listed or proposed for listing as threatened or endangered were discussed earlier. All other special-status animal species are discussed here, including California Department of Fish and Game fully protected species and species of special concern, and the U.S. Fish and Wildlife Service or National Oceanic and Atmospheric Fisheries Service candidate species.

Affected Environment

A Natural Environmental Study was completed in June 2009.

Eight special-status species potentially exist within the biological study area. See Appendix B for a list of the special-status species within the biological study area. Suitable habitat for these species exists within the biological study area.

Tricolored Blackbird

The tricolored blackbird is a California Department of Fish and Game Species of Special Concern. Although the tricolored blackbird was not observed during biological surveys, there are reported occurrences four miles southeast of the project

area according to the California Natural Diversity Database. Nesting and foraging habitat for this species exists within the biological study area.

Burrowing Owl

The burrowing owl is a California Department of Fish and Game Species of Special Concern. Although the burrowing owl was not observed during biological surveys, there is a reported occurrence about two miles southeast of the project area according to the California Natural Diversity Database. Nesting and foraging habitat for this species exists within the biological study area.

Crissal Thrasher

The Crissal thrasher is a California Department of Fish and Game Species of Special Concern. Although the Crissal thrasher was not observed during biological surveys, there are reported occurrences near the biological study area according to the California Natural Diversity Database. Suitable desert scrub habitat is present within the biological study area. The project area is within the known range of the species. Nesting and foraging habitat for this species exists within the biological study area.

Le Conte's Thrasher

The Le Conte's thrasher is a California Department of Fish and Game Species of Special Concern. Although the Le Conte's thrasher was not observed during biological surveys, there are reported occurrences near the biological study area according to the California Natural Diversity Database. Suitable desert scrub habitat is present within the biological study area. The project area is within known range of the species. Nesting and foraging habitat for this species exists within the biological study area.

Pallid Bat

The pallid bat is a California Department of Fish and Game Species of Special Concern. The pallid bat was not observed during biological surveys; however, during surveys there were unidentified bat species roosting on the underside of the Red Rock Canyon Bridge and foraging near the bridge. There are reported occurrences near the biological study area according to the California Natural Diversity Database. Suitable habitat is present within the biological study area and the bat is known to use bridge structures.

Spotted Bat

The spotted bat is a California Department of Fish and Game Species of Special Concern. The spotted bat was not observed during biological surveys. During surveys, however, there were unidentified bat species roosting on the underside of the Red Rock Canyon Bridge and foraging was found near the bridge. There are reported occurrences near the biological study area according to the California Natural Diversity Database. Suitable habitat is present within the biological study area and the bat is not known to use bridge structures.

Tulare Grasshopper Mouse

The Tulare grasshopper mouse is a California Department of Fish and Game Species of Special Concern. Although the Tulare grasshopper mouse was not observed during biological surveys, there are reported occurrences near the biological study area according to the California Natural Diversity Database. Suitable habitat is present within the biological study area.

American Badger

The American badger is a California Department of Fish and Game Species of Special Concern. Although the badger was not observed during biological surveys, there are reported occurrences near the biological study area according to the California Natural Diversity Database.

Environmental Consequences

Tricolored Blackbird

Potential direct impacts to tricolored blackbirds would include the displacement of the bird to another area or the loss of suitable habitat. Potential indirect impacts could include long-term decline of habitat quality.

Burrowing Owl

Potential direct impacts to the burrowing owl would include the displacement of the owl to another area or the loss of suitable nesting and foraging habitat. Potential indirect impacts could include long-term decline of habitat quality.

Crissal Thrasher

Potential direct impacts to this species would be the loss of suitable habitat during construction related activities. The Crissal thrasher share the same habitat with the desert tortoise so the potential impacts to their habitat would be similar. See Threatened and Endangered Species section in this document.

Le Conte's Thrasher

Potential direct impacts to this species would be the loss of suitable habitat during construction related activities. The Le Conte's thrasher shares the same habitat with the Mohave ground squirrel so the potential impacts to their habitat would be similar. See Threatened and Endangered Species section in this document.

Pallid Bat

Demolition of the existing bridge would have a potential direct impact to the pallid bat by potentially injuring or killing this species. Mortality would be highest if the bridge was demolished anytime between April and September, when young bats would likely be present.

Spotted Bat

Demolition of the existing bridge would have a potential direct impact to the spotted bat by potentially injuring or killing this species. Mortality would be highest if the bridge was demolished anytime between April and September, when young bats would likely be present.

Tulare Grasshopper Mouse

Construction-related activities would potentially impact the Tulare grasshopper mouse both directly and indirectly. The mouse could potentially be injured or killed if crushed by equipment during construction activities. Collapsed or excavated burrows could also potentially kill or injure this species. The potential total area of the Tulare grasshopper mouse habitat impacted would be 22.024 acres.

American Badger

Construction related activities would potentially impact the American badger both directly and indirectly. The badger could potentially be injured or killed if crushed by equipment during construction activities. Collapsed or excavated burrows could also potentially kill or injure this species. The potential total area of the American badger habitat impacted would be 22.024 acres.

Avoidance, Minimization, and/or Mitigation Measures

Tricolored Blackbird

No mitigation is proposed for the tricolored blackbird. The temporary fencing that would be used as an avoidance measure for the desert tortoise would also protect the

tricolored blackbird. Please see the discussion on Threatened and Endangered Species for detailed information on the desert tortoise.

Burrowing Owl

The following avoidance and mitigation measures would be incorporated to reduce impacts to burrowing owl and burrowing owl habitat:

- Pre-construction surveys for burrowing owl would be conducted in accordance with the survey requirements detailed in the California Department Fish and Games' *Staff Report on Burrowing Owl Mitigation* (October 17, 1995). Pre-construction surveys of construction areas would be conducted no more than 30 days before ground disturbing activities. If more than 30 days lapse between the time of the preconstruction survey and the start of ground-disturbing activities, another preconstruction survey must be completed.
- If burrowing owls were present on the construction site during the breeding season (April 15 through July 15), and appear to be engaged in nesting behavior, a fenced 500-foot buffer would be installed between the nest site or active burrow and any earth-moving activity or other disturbance. This 500-foot buffer would be removed once it was determined by a qualified biologist that the young have left the burrow. Typically, the young vacate the burrow before the end of August or earlier.
- If burrowing owls are present in the non-breeding season and must be passively relocated from the project site, passive relocation should not begin until October 1, and must be completed by February 1 in accordance with the survey requirements detailed in the Department of Fish and Games' *Staff Report on Burrowing Owl Mitigation* (October 17, 1995). Passive relocation must be conducted by a qualified biologist or ornithologist and with approval by Department of Fish and Game. After passive relocation was completed, the area where owls occurred and its immediate vicinity (within 500 feet) would be monitored by a qualified biologist daily for one week and once per week for an additional two weeks to survey any additional owl occurrences.

Compensation for the loss of burrowing owl habitat would be based on the number of owls or pairs of owls located in the area of potential impact or biological study area during pre-construction surveys. Mitigation would follow the California Department of Fish and Games' *Staff Report on Burrowing Owl Mitigation*, (October 17, 1995).

Compensatory mitigation for the Mohave ground squirrel (Threatened Species section) would also benefit the burrowing owl, because the two species share similar habitat.

Crissal Thrasher

Although the Crissal thrasher was not observed during surveys, Migratory Bird Special Provisions would be included in the construction contract. These provisions would require pre-construction surveys for nesting migratory birds, including Crissal thrashers, so that if Crissal thrashers were identified, avoidance measures could be taken.

Le Conte's Thrasher

Although the Le Conte's thrasher was not observed during surveys, Migratory Bird Special Provisions would be included in the construction contract. These provisions would require pre-construction surveys for nesting migratory birds, including Le Conte's thrashers, so that if Le Conte's thrashers were identified, avoidance measures could be taken.

Pallid Bat

Exclusion measures would be required before construction to prevent the bat species from roosting on the Red Rock Canyon Bridge. Measures may include installation of exclusionary features while the bats were away from the roost before April 15 of the construction year. No exclusion measures would take place during the maternity season (April-September).

Caltrans would provide temporary bat roosts during construction, if there were no suitable roosting habitat in the vicinity of the biological study area.

Bat roosting habitat would be incorporated into the structural design of the new bridge and/or offsite near the bridge. Bats would be allowed to continue roosting on the existing bridge until the new structure and/or offsite habitat was complete. If bats were present at the time of demolition, they would be excluded from roosting in the existing bridge via installation of exclusion netting and/or filling of the expansion joints. These methods would not exclude all bats and therefore a monitor would be present during the exclusion and bridge demolition to remove remaining bats. Exclusion measures would be timed so that no exclusion occurs during the maternity season (April-September).

Spotted Bat

Exclusion measures would be required before construction to prevent the bat species from roosting on the Red Rock Canyon Bridge. Measures may include installation of exclusionary features while the bats were away from the roost before April 15 of the construction year. No exclusion measures would take place during the maternity season (April-September).

Caltrans would need to provide temporary bat roosts during construction, if there are no suitable roosts near the biological study area.

Bat roosting habitat would be incorporated into the structural design of the new bridge and/or near the bridge. Bats would be allowed to continue roosting on the existing bridge until the new structure and/or offsite habitat was complete. If bats were present at the time of demolition, they would be excluded from roosting in the existing bridge via installation of exclusion netting and/or filling of the expansion joints. These methods would not exclude all bats and therefore a monitor would be present during the exclusion and bridge demolition to remove remaining bats. Exclusion measures would be timed so that no exclusion occurs during the maternity season (April-September).

Tulare Grasshopper Mouse

Worker education programs would be conducted to avoid take of Tulare grasshopper mouse and to minimize loss of habitat during construction activities. If a Tulare grasshopper mouse were found within or near the project area, a qualified biologist would be notified immediately. All work near the Tulare grasshopper mouse, that could injure or kill this species, would stop until the mouse were moved from harm's way by an authorized biologist, or moves from the construction area on its own accord. If an authorized biologist identifies a Tulare grasshopper mouse using burrows within the project area, the California Department of Fish and Game would be consulted regarding the need for a trapping effort to relocate this species to a safe location. The construction contractor would comply with the requirements specified by the California Department of Fish and Game and U.S Fish and Wildlife Service.

Compensatory mitigation for Mojave ground squirrel habitat (Threatened and Endangered Species section) would consist of similar potentially suitable habitat that could benefit the Tulare grasshopper mouse.

American Badger

Compensatory mitigation for the Mojave ground squirrel (Threatened and Endangered Species section) would also benefit the American badger, because the two species share similar habitat.

IV. Hazards and Hazardous Materials (Checklist question a)

Hazardous Waste or Materials

Affected Environment

Caltrans conducted a Hazardous Waste Compliance Study Report dated April 1, 2009. Aerially deposited lead and Title 22 metals investigations were conducted along the highway shoulders. The existing Red Rock Canyon Bridge was studied for lead-based paint and asbestos containing material.

Environmental Consequences

Aerially deposited lead and heavy metals were found to be present in the shoulder soils. However, the results were well below regulatory criteria for special handling and disposal.

No lead-based paint was found on the bridge structure or guardrails.

Asbestos-containing material was found in the bridge structure at concentrations above Federal and State regulatory criteria. Concentrations were found at 40 to 50 percent in samples representing about 100 square feet and at two percent in samples representing about 10 square feet. Federal and State standards classify asbestos-containing material as any material or product ranging from 0.1 percent to two percent asbestos.

Avoidance, Minimization, and/or Mitigation Measures

Caltrans would coordinate with Department of Parks and Recreation (State Parks) and would follow best management practices before and during demolition of the bridge. Measures to protect worker safety mentioned below would also protect park visitors.

A Lead Compliance Plan to prevent or minimize worker exposure to lead while handling material containing lead would be developed by the contractor. The plan would follow Title 8, California Code of Regulations, Section 1532.1(e)(2)(B). Before submission to the Resident Engineer, the Lead Compliance Plan would be

approved by an Industrial Hygienist certified in Comprehensive Practice by the American Board of Industrial Hygiene.

An asbestos inspection of the bridge would be completed before demolition of the bridge. If asbestos-containing materials that would be disturbed during demolition were found, they would need to be removed beforehand.

In accordance with the Kern County Air Pollution Control District Regulation IV, Rule 402, written notification would be sent to the District 10 working days before demolition activity, whether asbestos is present or not. This written notification would require a report from a certified asbestos consultant assessing the presence and percentage of asbestos materials before demolition activities.

California Occupational Safety and Health Administration would require Caltrans to monitor health and safety of workers (including contractors) for asbestos exposure. An independent third party certified asbestos inspector would inspect and test/monitor for asbestos in construction materials and in the air just before construction as well as after. Caltrans would hire this independent inspector before the preconstruction meeting. The inspector's role would also be clearly described in the Special Provisions. The consultant who does the initial survey identifying asbestos would not be involved in the removal or monitoring of the asbestos.

Pursuant to District Rule 3050, notifications for the bridge demolition would be submitted to the Kern County Air Pollution Control District.

The project would require a Demolition Permit Release form when a building department demolition permit would be needed. Building officials would require an approved copy of this form, signed by Kern County Air Pollution Control District, before demolition of the bridge.

XIII. PUBLIC SERVICES

Parks and Recreation

Affected Environment

A Traffic Management Plan was prepared on May 11, 2007.

On State Route 14, the project is located on the west side of Red Rock Canyon State Park, in eastern Kern County, about 24 miles northeast of the City of Mojave and 80 miles east of Bakersfield. The park is located where the southernmost tip of the Sierra

Nevada comes together with the El Paso Range. The park features about 270,000 acres of desert cliffs, buttes, and unique and colorful rock formations. The park offers two natural preserves, a visitor center, trails for hiking and horseback riding, one campsite, and dirt roads for off-highway vehicles.

The project is located between the park's two natural preserves: Red Cliffs Natural Preserve lies to the north and Hagen Canyon Natural Preserve is to the south. Iron Canyon Road is less than a half-mile north of the project. The entrance to the Red Rock Canyon State Park Visitors Center and Campground is at Abbot Road about two-thirds of a mile north of the project. Off the highway, the Red Cliffs day use area and trail is located within the preserve to the north.

State Route 14 is a designated bike route and pedestrians are allowed on the highway within the project area. Off-highway vehicles, bicyclists, and hikers use the dry wash below the bridge to access each side of the park. The future Red Rock Canyon State Park General Plan would potentially exclude off-highway vehicle use from using the access under the bridge, according to staff from the park. The highway within the project area is a four-lane access controlled highway with a posted speed limit of 65 miles per hour.

Environmental Consequences

The project would not require additional right-of-way. This project would not encroach upon Red Rock Canyon State Park.

Construction-related activities would temporarily affect recreational access for hiking, bicycling, off-highway vehicle use, and other pursuits.

Avoidance, Minimization, and/or Mitigation Measures

Construction-related activities would temporarily affect access for recreational activities. An access road for off-road vehicles and pedestrians would be open under the bridge during the construction phase whenever feasible. The Traffic Management Plan would be updated and a detailed access plan would be developed.

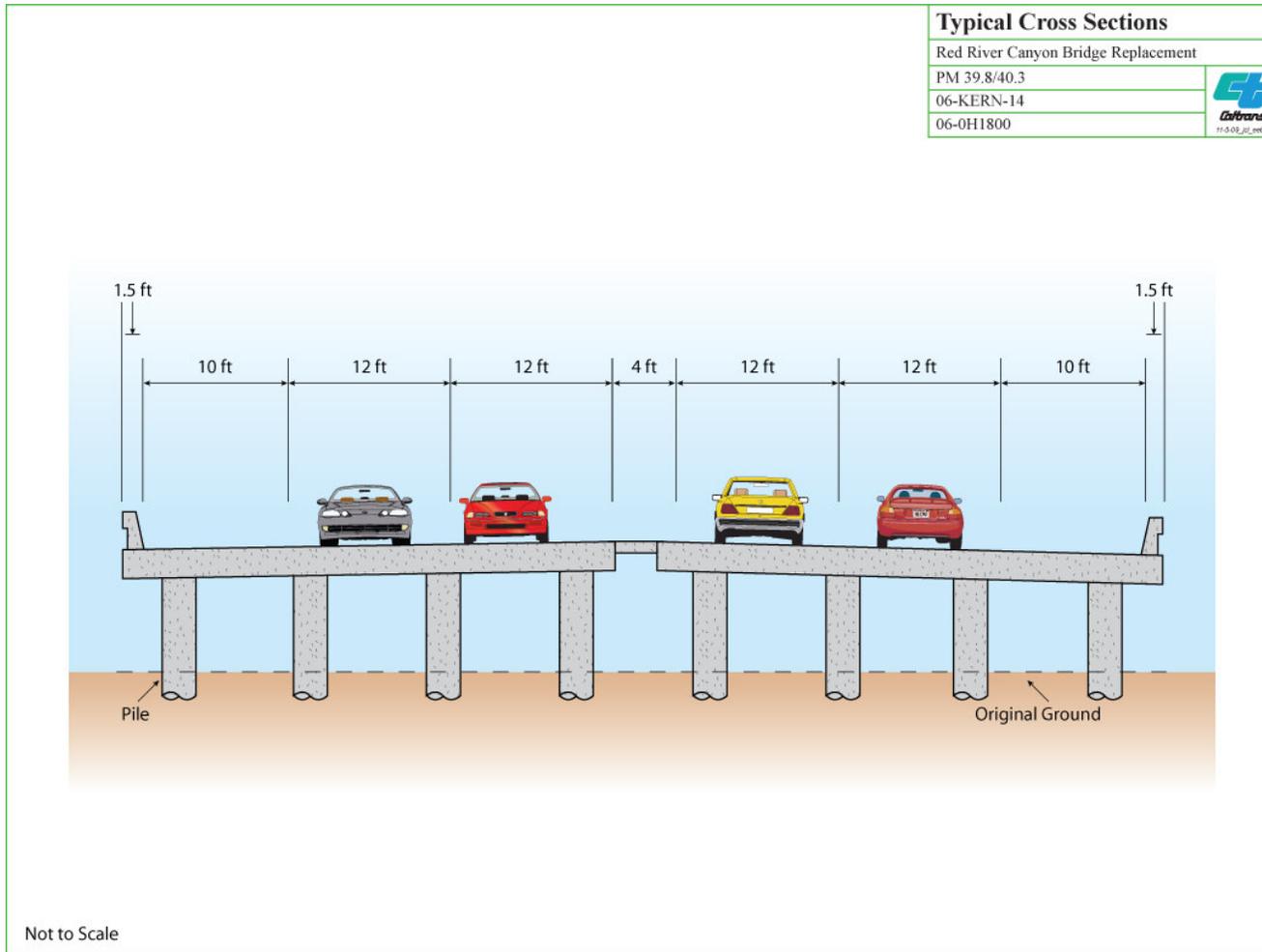
Along State Route 14, pedestrian and bicycle traffic would be accommodated during the construction phase of the project. Bicycles would be routed around the construction zone in the same manner as vehicular traffic. Shuttles for pedestrians and bicyclists may be provided. Caltrans, Red Rock Canyon State Park officials, and the

Additional Explanations

Bureau of Land Management's Jawbone Visitor's Center would coordinate to address access needs for recreational users.

Without the proposed project the existing Red Rock Canyon Bridge, bridge No. 50-0178, would be subject to failure. The proposed bridge would be wider, longer, and more resistant to the degradation and erosion caused by flash floods in the Red Rock Wash. The replacement bridge would maintain access in the park for vehicle and recreational users.

Appendix A Build Alternative Cross-Section



Appendix B Special Status Species Potentially Occuring within the Biological Study Area

Scientific Name	Common Name	Status	General Habitat Description	Habitat Present/Absent	Determination/Rationale
Plants:					
<i>Calchortus striatus</i>	alkali Mariposa-lily	CNPS 1B.2	Alkali meadows, ephemeral washes, vernal moist depressions and seeps.	P	May Affect, Not Likely to Trend Toward Listing. Suitable ephemeral wash and seep habitat is present within the BSA. This species was not observed during surveys of the BSA.
<i>Deinandra arida</i>	Red Rock tarplant	SR, CNPS 1B.2	Sandy to gravelly washes, and moist alkaline margins of seeps and springs.	P	May Affect, Not Likely to Trend Toward Listing. Suitable seeps and springs are present within the BSA. Species was observed within the BSA.
<i>Eschscholzia minutiflora ssp. twisselmannii</i>	Red Rock poppy	CNPS 1B.2	Mojave Creosote Bush Scrub habitat.	P	May Affect, Not Likely to Trend Toward Listing. Mojave Creosote Bush Scrub habitat is present within the BSA. This species was not observed during surveys of the BSA.
<i>Mentzelia tridentate</i>	creamy blazing star	CNPS 1B.3	Rocky, gravelly and sandy areas within Mojave Creosote Bush Scrub habitat.	P	May Affect, Not Likely to Trend Toward Listing. Suitable Mojave Creosote Bush Scrub habitat exists within the BSA. This species was not observed during surveys of the BSA.

Scientific Name	Common Name	Status	General Habitat Description	Habitat Present/Absent	Determination/Rationale
<i>Phacelia nashiana</i>	Charlotte's phacelia	CNPS 1B.2	Mojave Creosote Bush Scrub habitat.	P	May Affect, Not Likely to Trend Toward Listing. Suitable Mojave Creosote Bush Scrub habitat exists within the BSA. A recorded occurrence (CNDDDB) for this species exists within the BSA. This species was not observed during surveys of the BSA.
Reptiles:					
<i>Gopherus agassizii</i>	desert tortoise	FT	Desert scrub, desert wash and Joshua tree habitats.	P	Not Likely to Adversely Affect. Low quality habitat for the desert tortoise exists within the BSA. However, no desert tortoise or sign of desert tortoise (i.e., burrows, scat, tracks, etc.) was observed during surveys of the BSA.
Birds:					
<i>Agelaius tricolor</i>	tricolored blackbird	SSC	Nest near fresh water and prefer emergent wetland vegetation with tall, dense cattails or tules. Also found in thickets of willow, blackberry, wild rose, and tall herbs.	P	May Affect, Not Likely to Trend Towards Listing. Suitable habitat is present within the BSA. There is a recorded occurrence (CNDDDB) of this species within 4.0 miles of the BSA. This species was not observed during surveys of the BSA.

Scientific Name	Common Name	Status	General Habitat Description	Habitat Present/Absent	Determination/Rationale
<i>Asio otus</i>	long-eared owl	SSC	Conifer, oak, riparian, pinyon-juniper, and desert woodland habitat that is either open or adjacent to grasslands, meadows, or shrublands.	A	No Effect. Suitable habitat is not present within the BSA.
<i>Athene cunicularia</i>	burrowing owl	SSC	Open, dry grassland and desert habitats. Require rodent or other burrows for roosting and nesting cover. Forage in open plains, grasslands, and prairies.	P	May Affect, Not Likely to Trend Towards Listing. Suitable habitat is present within the BSA. There is a recorded occurrence (CNDDDB) of this species within 6.6 miles of the BSA.
<i>Charadrius alexandrinus nivosus</i>	western snowy plover	FT	Sandy beaches, salt pond levees, and shores of large alkali lakes in northeastern California, Central Valley, and southeastern deserts.	A	No Effect. Suitable habitat of sandy beaches, salt pond levees, and shores of large alkali lakes are not present within the BSA.
<i>Coccyzus americanus</i>	yellow-billed cuckoo	FC	Riparian thickets with dense understory foliage near slow moving watercourses; preferably with a dense sub-canopy layer dominated by willows.	A	No Effect. Suitable riparian thickets with dense understory foliage are not present within the BSA.

Scientific Name	Common Name	Status	General Habitat Description	Habitat Present/Absent	Determination/Rationale
<i>Empidonax trallii extimus</i>	southwestern willow flycatcher	FE	Wet meadow and montane riparian habitats in the Sierra Nevada and Cascade Range. Most often occur in broad, open river valleys or large mountain meadows with lush growth of shrubby willows.	A	No Effect. Suitable wet meadow and montane riparian habitat is not present within the BSA.
<i>Gymnogyps californianus</i>	California condor	FE	Open savannah, grasslands and foothill chaparral. Nests on mountains, gorges, and hillsides, which create updrafts, thus providing favorable soaring conditions.	A	No Effect. Suitable savannah, grasslands and foothill chaparral habitat is not present within the BSA.
<i>Toxostoma crissale</i>	Crissal thrasher	SSC	Variety of desert riparian and scrub habitats from below sea level to over 6000 feet. Regardless of habitat type, dense, low scrubby vegetation is required.	P	May Affect, Not Likely to Trend Towards Listing. Suitable habitat is present within the BSA. There are recorded occurrences (CNDDDB) of this species within the BSA. This species was not observed during surveys of the BSA.

Scientific Name	Common Name	Status	General Habitat Description	Habitat Present/Absent	Determination/Rationale
<i>Toxostoma lecontei</i>	Le Conte's thrasher	SSC	Desert flats with sparse vegetation and sandy soils. Nests in tall, robust saltbushes that can support a nest approximately 26-38 inches above the ground.	P	May Affect, Not Likely to Trend Towards Listing. Suitable habitat is present within the BSA. There are recorded occurrences (CNDDDB) of this species within the BSA. This species was not observed during surveys of the BSA.
<i>Vireo bellii pusillus</i>	Least Bell's vireo	FE	Riparian habitats dominated by willows with dense understory vegetation.	A	No Effect. Suitable riparian habitat dominated by willows with dense understory vegetation is not present within the BSA.
Mammals:					
<i>Antrozous pallidus</i>	Pallid bat	SSC	Grasslands, shrublands, woodlands, and forests from sea level up through mixed conifer forests. Common in open, dry habitats with rocky areas for roosting. Locally common species in low elevations in California.	P	May Affect, Not Likely to Trend Towards Listing. Suitable roosting habitat is present in the bridge and rocky outcrop habitat within the BSA. There are recorded occurrences (CNDDDB) of this species within the BSA. Unidentified bat species were observed within the BSA.

Scientific Name	Common Name	Status	General Habitat Description	Habitat Present/Absent	Determination/Rationale
<i>Euderma maculatum</i>	Spotted bat	SSC	Wide variety of habitats from arid deserts and grasslands through mixed conifer forests. Prefers to roost in rock crevices, but occasionally found in caves and buildings.	P	May Affect, Not Likely to Trend Towards Listing. Suitable roosting habitat is present in the bridge and rocky outcrop habitat within the BSA. There are recorded occurrences (CNDDDB) of this species within the BSA. Unidentified bat species were observed within the BSA.
<i>Onychomys torridus tularensis</i>	Tulare grasshopper mouse	SSC	Shrubland communities in hot, arid grassland and shrubland associations. Including alkali sink and mesquite associations on the Valley Floor, and grassland associations on the sloping margins of the San Joaquin Valley and Carrizo Plain region.	P	May Affect, Not Likely to Trend Towards Listing. Suitable habitat is present within the BSA. However, no Tulare grasshopper mouse or sign of Tulare grasshopper mouse (i.e., burrows, scat, tracks, etc.) was observed during surveys of the BSA.
<i>Spermophilus mohavensis</i>	Mohave ground squirrel	ST	Sandy to gravelly soils in open desert scrub, alkali scrub and joshua tree woodland.	P	Likely to Adversely Affect. Suitable habitat is present within the BSA. There are recorded occurrences (CNDDDB) of this species within the BSA.
<i>Taxidea taxus</i>	American badger	SSC	Dry, open grasslands, edges of farmlands and pastures.	P	May Affect, Not Likely to Trend Towards Listing. Suitable dry, open desert scrub habitat is present within the BSA.

Scientific Name	Common Name	Status	General Habitat Description	Habitat Present/Absent	Determination/Rationale
<p>Federal and State Listing: Federal Endangered [FE], Federal Threatened [FT], Federal Species of Concern [FSC], Federal Candidate [FC], Fully Protected [FP], State Endangered [SE], State Threatened [ST], State Rare [SR], CDFG Species of Special Concern [SSC]</p> <p>California Native Plant Society [CNPS] Listing: Rare, Threatened or Endangered in California and Elsewhere [1B], Fairly Endangered in California [.2], Not Very Endangered in California [.3]</p> <p>Habitat in the Biological Study Area (BSA): Suitable Habitat Present [P], Suitable Habitat Absent [A]</p>					

Appendix C U.S. Fish and Wildlife Service Concurrence Letter



IN REPLY REFER TO:
2009-I-0373

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003



July 21, 2009

Zackary Parker
Branch Chief, Central Region Biology
Department of Transportation
2015 East Shields Avenue, Suite A-100
Fresno, California 93726

Subject: Red Rock Canyon Bridge Replacement Project on State Route 14, Kern County,
California

Dear Mr. Parker:

We have reviewed your letter received in our office via electronic mail on July 2, 2009, requesting our concurrence with your determination that the subject project is not likely to adversely affect the federally threatened desert tortoise (*Gopherus agassizii*). Your request and our response are made pursuant to section 7(a)(2) of the Endangered Species Act of 1973, as amended.

The California Department of Transportation conducted desert tortoise surveys in May 2009; no desert tortoises or their sign were found within the project site. The closest known occurrence was recorded by California Department of Transportation biologists approximately 3.0 miles southeast of the project site. The project is located within low quality habitat because of its proximity to State Route 14; desert tortoise numbers are known to decrease around major highways. In addition, the California Department of Transportation has proposed minimization measures including the installation of a temporary desert tortoise fence around the perimeter of the project area. A qualified biologist will be present during the installation of the fence and will conduct desert tortoise surveys following installation. The qualified biologist will also be present during initial construction activities. Therefore, we concur with your determination that the proposed project is not likely to adversely affect the desert tortoise.

Consequently, further consultation, pursuant to section 7(a)(2) of the Act, is not required. If the proposed action changes in any manner that could result in adverse effects that you have not anticipated, you should contact us immediately to determine whether additional consultation would be appropriate.

Zachary Parker

2

If you have any questions regarding this matter, please contact Erin Shapiro of the Ventura Fish and Wildlife Office at (805) 644-1766, extension 369.

Sincerely,



Carl T. Benz
Assistant Field Supervisor

Appendix D Comments and Responses

This appendix contains the comments received during the public circulation and comment period from to August 25, 2009 to September 24, 2009. A Caltrans response follows each comment presented.

Comment from the State Clearinghouse and Planning Unit



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE of PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

September 25, 2009

Stephen Ruiz
California Department of Transportation, District 6
2015 E. Shields Avenue, Suite 100
Fresno, CA 93726-5428

Subject: Red Rock Canyon Bridge Replacement
SCH#: 2009081084

Dear Stephen Ruiz:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on September 24, 2009, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Acting Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**Document Details Report
State Clearinghouse Data Base**

SCH# 2009081084
Project Title Red Rock Canyon Bridge Replacement
Lead Agency Caltrans #6

Type MND Mitigated Negative Declaration
Description Callans proposes to remove and replace the existing Red Rock Canyon Bridge (No. 50-0178) on SR 14 between PM 39.8 and 40.3 within Red Rock Canyon State Park in Kern County. The proposed project has one build alternative and the No-Build Alternative.

Lead Agency Contact

Name Stephen Ruiz
Agency California Department of Transportation, District 6
Phone 559-243-8250 **Fax**
email
Address 2015 E. Shields Avenue, Suite 100
City Fresno **State** CA **Zip** 93726-5428

Project Location

County Kern
City Mojave
Region
Lat / Long
Cross Streets Red Rock Canyon Bridge on SR 14 in Red Rock Canyon State Park
Parcel No.

Township	Range	Section	Base

Proximity to:

Highways SR 14
Airports
Railways
Waterways Red Rock Wash
Schools
Land Use State Park

Project Issues Biological Resources; Toxic/Hazardous; Recreation/Parks

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 4; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Regional Water Quality Control Bd., Region 6 (Victorville); California Highway Patrol; Department of Toxic Substances Control; Native American Heritage Commission

Date Received 08/26/2009 **Start of Review** 08/26/2009 **End of Review** 09/24/2009

Note: Blanks in data fields result from insufficient information provided by lead agency.

Response to Comment from the State Clearinghouse and Planning Unit

The State Clearinghouse letter acknowledges that Caltrans has complied with review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Comment from the Native American Heritage Commission

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-6390
Web Site www.nahc.ca.gov
e-mail: dc_nahc@pacbell.net



August 28, 2009

Mr. Steven Ruiz, Environmental Planner

CALIFORNIA DEPARTMENT OF TRANSPORTATION – DISTRICT 6

2015 E. Shields Avenue, Suite 100
Fresno, CA 93726

Re: SCH#2009081064, CEQA Notice of Completion: proposed Mitigated Negative Declaration for the Red Rock Canyon Bridge Replacement Project; located in eastern Kern County, California on State Route 14, in Red Rock Canyon State Park

Dear Mr. Ruiz:

The Native American Heritage Commission (NAHC) is the state 'trustee agency' pursuant to Public Resources Code §21070 for the protection and preservation of California's Native American Cultural Resources. The California Environmental Quality Act (CEQA - CA Public Resources Code §21000-21177, amended in 2009) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c)-(f) CEQA guidelines). Section 15382 of the CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ...objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following.

The Native American Heritage Commission did perform a Sacred Lands File (SLF) search in the NAHC SLF Inventory, established by the Legislature pursuant to Public Resources Code §5097.94(a) and Native American Cultural resources were identified within one-half mile of the APE. Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed are the names of the nearest tribes and interested Native American individuals that the NAHC recommends as 'consulting parties,' for this purpose, that may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We recommend that you contact persons on the attached list of Native American contacts. A Native American Tribe or Tribal Elder may be the only source of information about a cultural resource. Also, the NAHC recommends that a Native American Monitor or person be employed whenever a professional archaeologist is employed during the 'Initial Study' and in other phases of the environmental study. Furthermore we suggest that you contact the California Historic Resources Information System (CHRIS) at the Office of Historic Preservation (OHP) Coordinator's office (at (916) 653-7278, for referral to the nearest OHP Information Center of which there are 11.

Consultation with tribes and interested Native American tribes and individuals, as consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA (42 U.S.C. 4321-43351) and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 [f] et seq), and NAGPRA (25 U.S.C. 3001-3013), as appropriate.

Lead agencies should consider avoidance, as defined in Section 15370 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a

project. Also, Public Resources Code Section 5097.98 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery. Discussion of these should be included in your environmental documents, as appropriate.

The authority for the SLF record search of the NAHC Sacred Lands Inventory, established by the California Legislature, is California Public Resources Code §5097.94(a) and is exempt from the CA Public Records Act (c.f. California Government Code §6254.10). The results of the SLF search are confidential. However, Native Americans on the attached contact list are not prohibited from and may wish to reveal the nature of identified cultural resources/historic properties. Confidentiality of "historic properties of religious and cultural significance" may also be protected the under Section 304 of the NHPA or at the Secretary of the Interior' discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C. 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APE and possibly threatened by proposed project activity.

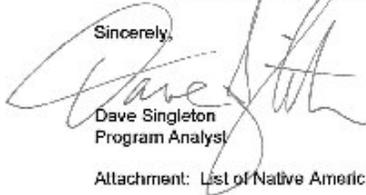
CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave sites.

Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

Again, Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

Native American Contact

Kern County
August 28, 2009

Tule River Indian Tribe
Ryan Garfield, Chairperson
P.O. Box 589
Porterville , CA 93258
chairman@tulerivertribe-nsn.
(559) 781-4271
(559) 781-4610 FAX

Yokuts

Kern Valley Indian Council
Robert Robinson, Historic Preservation Officer
P.O. Box 401
Weldon , CA 93283
brobinson@mohsi.com
(760) 378-4575 (Home)
(760) 549-2131 (Work)

Tubatulabal
Kawaiisu
Koso
Yokuts

Ron Wermuth
P.O. Box 168
Kernville , CA 93238
waroose@earthlink.net
(760) 376-4240 - Home
(916) 717-1176 - Cell

Tubatulabal
Kawaiisu
Koso
Yokuts

Tubatulabals of Kern Valley
Donna Bogay, Tribal Chairwoman
P.O. Box 226
Lake Isabella , CA 93240
(760) 379-4590
(760) 379-4592 FAX

Tubatulabal

Tejon Indian Tribe
Kathy Morgan, Chairperson
2234 4th Street
Wasco , CA 93280

Yowlumne
Kitanemuk

Kern Valley Indian Council
Julie Turner, Secretary
P.O. Box 1010
Lake Isabella , CA 93240
(661) 366-0497
(661) 340-0032 - cell

Southern Palute
Kawaiisu
Tubatulabal
Koso
Yokuts

This list is current only as of the date of this document.
Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code, and federal NEPA (42 USC 4321-43361), NHPA Sections 106, 4(f) (16 USC 470(f) and NAGPRA (25 USC 3001-3013)

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2009081084, CEQA Notice of Completion, proposed Mitigated Negative Declaration for the Red Rock Canyon Bridge Replacement Project, located on S.R. 14 in the Red Rock Canyon State Park in eastern Kern County, California.

Response to Comment from the Native American Heritage Commission

Thank you for your comment on the project.

Caltrans has complied with California Environmental Quality Act guidelines regarding identification of historical resources. All efforts met or exceeded California Environmental Quality Act guidelines, as they also comply with Section 106 of the National Historic Preservation Act, the Programmatic Agreement among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California, and the National Environmental Policy Act.

Caltrans determined that no historic properties or historical resources were present within the project Area of Potential Effects. Caltrans submitted the negative findings within the August 2007 Historic Property Survey Report to the State Historic Preservation Officer.

Comment from the Department of Parks and Recreation



State of California • The Resources Agency

Arnold Schwarzenegger, Governor

DEPARTMENT OF PARKS AND RECREATION
Tehachapi District
43779 15th Street West
Lancaster, CA 92534
(661) 942-0662 * Fax (661) 940-7327

Ruth Coleman, Director

September 21, 2009

Sarah Gassner, Branch Chief
Southern Sierra Environmental Analysis Branch
California Department of Transportation
2015 E. Shields Avenue, Suite 100
Fresno, CA 93726

RE: Red Rock Canyon Bridge Replacement – Draft Mitigated Negative Declaration

Dear Ms. Gassner:

The Tehachapi District of the California Department of Parks and Recreation (State Parks) appreciates the opportunity to comment on the draft Mitigated Negative Declaration (MND) for the Red Rock Canyon Bridge Replacement.

State Parks is a State Agency as defined by the California Environmental Quality Act (CEQA) § 21082.1, a Trustee Agency as used by CEQA, its Guidelines and as defined by CCR § 15386 for the resources affected by this proposed project. Our mission is to provide for the health, inspiration, and education of the people of California by helping preserve the state's extraordinary biodiversity, protecting its most valued natural and cultural resources, and creating opportunities for high quality outdoor recreation.

As the office responsible for the stewardship of Red Rock Canyon State Park, we have an interest and concern about contemplated alterations of land use adjacent to the park. The long-term health of Red Rock Canyon State Park is dependent on the health of the regional ecosystems because the biotic boundaries of the park extend beyond its jurisdictional boundaries.

We wish to begin by complementing the California Department of Transportation (Caltrans) for working collectively with State Parks on this proposed project to reduce and minimize impacts to Red Rock Canyon State Park. We offer the following comments on the proposed project.

AESTHETICS

Red Rock Canyon is recognized for its unique geologic formations and significant natural and cultural resources. The stated purpose for this park is described below:

The purpose of Red Rock Canyon State Park is to protect and perpetuate the spectacular high desert landscape, associated natural ecosystems, and important archeological values for public enjoyment and inspiration, and for scientific study. Prime resources in the unit include the geologic and scenic values associated with the Red Cliffs, Hagen Canyon, Scenic Cliffs, Nightmare Gulch and Last Chance Canyon, which are considered prime resources within the park.

1

In accordance with its state park classification, we request that the proposed project be compatible with this spectacular high desert landscape and measures be taken enhance or highlight these scenic values through the use color and/or textures, which will allow the bridge to blend in naturally with the surrounding environment of Red Rock Canyon State Park.

BIOLOGICAL RESOURCES

2

As described in the draft MND the proposed project will result in long term temporary impacts to riparian and wetland habitats. We are concerned that the proposed project may have potential adverse impact to Red Rock Canyon State Park. This riparian and wetland habitat within Red Rock Canyon State Park, provides much needed surface water, structure, and processes for the desert ecosystem. This drainage is critical to the ecological health of the region. It is also known to support many of the Park's sensitive species. Many of the sensitive species and a large portion of the region's biodiversity depend extensively on the Park's surface and subsurface waters and associated habitats. Desert riparian areas, are among the most rare or threatened of all habitats in California.

3

The proposed project, along with human activities associated with the project may impact habitats within the Park that could have direct result in habitat loss, deterioration of habitat suitability including habitat used by special – status plants and wildlife. We recommend that Caltrans coordinate with State Parks to determine proper mitigation for Red Rock Canyon State Park as result of this impact.

4

We ask that only native species be used to revegetate those areas impacted by the proposed project. We also request that plant seeds and propagules be of local provenance and the use mycorrhizal fungi be used to help establish new plant growth. We recommend that a long term monitoring program be established to ensure and guarantee that those areas impacted by the proposed project are successful revegetated.

CULTURAL RESOURCES

5

Given the proximity of the project site to documented significant cultural sites within the Park, we request that Caltrans coordinates and work with State Parks to implement appropriate mitigation measures to minimize and to avoid any potential accidental impacts to those areas that are adjacent to the proposed project area.

6

HAZARDOUS WASTE OR MATERIALS

We ask that the Caltrans coordinate with State Parks involving the demolition of the bridge, given the location of the project in relationship to the Park; we are concerned about impacts to Park resources and a threat to park visitors. We recommend that appropriate mitigation measures be implemented to minimize and to avoid such impacts.

RECREATION

7

As described in the draft MND the proposed project will result in long term temporarily impacts to recreational access for hiking, bicycling, vehicle use, and other pursuits. We are concerned that the proposed project may have potential adverse impact and diminish recreational opportunities within Red Rock Canyon State Park. We ask that Caltrans work with State Parks to implement appropriate mitigation measures to keep access open and to protect environmentally sensitive areas within the project area.

8

In addition, we requested that an educational program be created to inform park visitors about the proposed project by creating warning/information signs (based on State Parks standards) to advise park visitors of construction activities and/or alternative routes around the proposed project area. Handouts and maps should be available on-line and located at the Red Rock Canyon State Park Visitor Center and the Bureau of Land Management's Jawbone Canyon Visitor Center to alert park visitors about the proposed project.

TRANSPORTATION/CIRCULATION

9

We are concerned that the proposed project will result in long term temporarily impacts that will result in increased amounts of traffic congestion which will affect the regional transportation system. More specifically we are concerned that proposed project will adversely impact park operations and reduce recreational opportunities within Park. We ask that appropriate mitigation measures be implemented to minimize and to avoid such impacts.

Once again, we appreciate the opportunity to comment on the proposed project. As we have outlined in our comments, there are a number of potentially significant issues related to Red Rock Canyon State Park. The State Park is an irreplaceable and priceless asset to the people of the State, the County of Kern and surrounding communities. It is important that all land use decisions adjacent to Red Rock Canyon State Park be compatible with the preservation of the tremendous resources found there. For further discussion, please feel free to contact me or Russ Dingman, Staff Environmental Planner, at (661) 726-1672.

Sincerely,



Kathy Weatherman
District Superintendent

Response to Comment from the California Department of Parks and Recreation

Thank you for your comments on the project.

Response to comment #1: Section 4 has been revised.

During the design stage of the project, aesthetic enhancement treatments such as color and texture applications would be developed to help the new bridge blend into the visual setting. Caltrans would consult with park officials on the design of these aesthetic treatments. The design of the bridge would include open railings to increase visibility of the surrounding landscape from the bridge. Please refer to Additional Explanations in Section 4 of this document for further information.

Response to comment #2: The waters and wetlands identified within the project area would be avoided as much as practicable. To ensure that temporary impacts to wetland habitats would be minimized, wetland habitat areas would be restored after the construction phase of the project.

Before construction, Caltrans would establish Environmentally Sensitive Areas, bordered by orange mesh fencing. This would protect wetlands and waters from unplanned construction related accidents. Standard contract provisions and best management practices would be followed during construction to reduce the potential for sediments and other pollutants to enter the waters of the United States. Equipment parking, project access, supply logistics, maintenance activities, and other project-related work would occur in areas pre-approved for staging by a Caltrans biologist. Terms, conditions, and provisions provided in the Streambed Alteration Agreement, Clean Water Act Section 404 and 401 permits would be designed to minimize and avoid impacts to waterways and wetlands.

Mitigation for the potential removal of willow trees would include the replanting of willows within Caltrans' right-of-way and/or offsite at a 3:1 ratio. In areas where there would be potential for Red Rock tarplant to occur, the topsoil (containing seeds) would be collected and stored then redistributed after construction.

Please refer to Additional Explanations in Section 4 of this document for further information.

Response to comment #3: Caltrans would coordinate with the Department of Fish and Game on biological mitigation measures and would update the Department of

Parks and Recreation (State Parks) about the measures. Caltrans proposes to compensate for permanent and temporary impacts to about 22 acres of Mohave ground squirrel habitat by preserving about 66 acres of quality Mohave ground squirrel habitat.

For biological mitigation measures, refer to Additional Explanations in Section 4 of this document.

Response to comment #4: Section 4 has been revised.

The following measures would be used to preserve and replace native vegetation affected by the project.

- Existing native vegetation would be protected and avoided when possible. Before construction, Caltrans would establish environmentally sensitive areas marked with orange mesh fencing.
- Replanting with native vegetation would be required. A landscape architect would determine and approve of the native seed mix, application rates, and planting methods.
- Topsoil from the project area would be collected and stored to be used as replacement soil for disturbed areas before replanting measures. The topsoil would have fungi and other soil organisms and seeds that would benefit the new planting areas.
- Willows would be replaced at a 3:1 ratio within Caltrans right-of-way and/or offsite, and would be monitored for one year.

Please refer to Additional Explanations in Section 4 of this document for further information.

Response to comment #5: Section 4 has been revised.

Caltrans would cooperate with State Parks to coordinate appropriate measures to avoid potential impacts to culturally sensitive areas next to the project area and outside of Caltrans' right-of-way.

Response to comment #6: Caltrans would coordinate with State Parks involving the demolition of the bridge and would follow best management practices. Measures to protect worker safety would also protect park visitors.

A Lead Compliance Plan would be developed that follows Title 8, California Code of Regulations, Section 1532.1(e)(2)(B). Before submission to the Engineer, the Lead Compliance Plan would be approved by an Industrial Hygienist certified in Comprehensive Practice by the American Board of Industrial Hygiene.

The contractor would prepare a project specific Lead Compliance Plan to prevent or minimize worker exposure to lead while handling material containing lead. This would also follow Title 8, California Code of Regulations, Section 1532.1, for specific Cal-OSHA requirements when working with lead."

Please refer to Additional Explanations in Section 4 of this document for further information.

Response to comment #7: Construction-related activities may temporarily affect access for recreational activities. An access road for off-road vehicles and pedestrians would be open under the bridge during the construction phase whenever feasible. The Traffic Management Plan would be updated and a detailed access plan would be developed with park officials.

Before construction, Caltrans would establish Environmentally Sensitive Areas, bordered by orange mesh fencing. Existing native vegetation in the project area would be protected and avoided when possible.

Please refer to Additional Explanations in Section 4 of this document for further information.

Response to comment #8: Caltrans would coordinate with State Parks on developing information signs and handouts to advise park visitors of the project and its construction related activities. Construction area signing and lane closure requirements in the Caltrans Standard Plans would be used to efficiently route traffic through the construction zones. Portable message signs would be located in areas before vehicles approach construction work zones. The portable message signs would alert drivers to the lane closure ahead and of potential traffic delays.

Response to comment #9: Mitigation measures addressed in the Traffic Management Plan (May 11, 2007) would minimize traffic congestion. During construction, at least

one traffic lane would be open to traffic in each direction. Since there would be two lanes open, one in each direction, delay should be minimal.

Closing one or both of the remaining lanes would be allowed for up to 20 minutes of total delay and would occur only during staging transitions or when heavy equipment is moved. This would be kept to a minimum, and would not be allowed on weekends or on Fridays after 3:00 PM. In addition, the closure of one of the remaining lanes would not be allowed on those Fridays preceding all legal Monday holidays, official State holidays, the Wednesday before Thanksgiving and on the following weekend holidays:

- The Friday before and the Tuesday following Presidents Day
- The Friday before and the Tuesday after the last Monday in May (Memorial Weekend)
- The Friday before the last Saturday in April (opening of fishing season)
- The Friday before and the Tuesday after the first Monday in September (Labor Day Weekend)

Caltrans would coordinate with park officials on other potential special days that would exclude these lane closures. The Traffic Management Plan (May 11, 2007) would be updated during the design phase of the project as coordination with State Parks progresses and the project design develops.

Comment from the California Regional Water Quality Control Board

California Regional Water Quality Control Board Lahontan Region

Linda S. Adams
*Secretary for
Environmental Protection*

Victorville Office
14440 Civic Drive, Suite 200, Victorville, California 92392
(760) 241-6583 • Fax (760) 241-7308
<http://www.waterboards.ca.gov/lahontan>

Arnold Schwarzenegger
Governor

September 22, 2009

File: Environmental Doc Review
Kern County

Sarah Gassner, Branch Chief
Southern Sierra Environmental Analysis Branch
California Department of Transportation
2015 E. Shields Avenue, Suite 100
Fresno, CA 93726

COMMENTS ON THE INITIAL STUDY AND DRAFT PROPOSED MITIGATED NEGATIVE DECLARATION, RED ROCK CANYON BRIDGE REPLACEMENT, KERN COUNTY, STATE CLEARINGHOUSE NO. 2009081084

California Regional Water Quality Control Board, Lahontan Region (Water Board) staff received the Initial Study (IS) and Proposed Mitigated Negative Declaration (MND) for the above-referenced project on August 28, 2009. The IS, dated July 30, 2009, was prepared by the California Department of Transportation (Caltrans) and submitted in compliance with provisions of the California Environmental Quality Act (CEQA). The IS provided a narrative review of the potentially significant impacts on the environment due to this project and discussed the mitigation measures to reduce those potentially significant impacts to less than significant with mitigation.

Pursuant to CEQA Guidelines, California Code of Regulations (CCR), title 14, section 15096, responsible agencies must specify the scope and content of the environmental information germane to their statutory responsibilities. Water Board staff, acting as a responsible agency, has reviewed the above-referenced document in context as to how well the proposed project protects water quality, and ultimately, the beneficial use of waters of the State. We feel that there are a number of potentially significant impacts to water quality that have not been adequately addressed in the IS. Without adequate mitigation, the project, as proposed, could result in significant adverse impacts to water quality and may result in cumulative impacts that would permanently alter the hydrologic and ecological function of the stream channel for Red Rock Wash, thereby adversely affecting beneficial uses of waters of the State. We hope that Caltrans will consider our comments and value our position with respect to protecting and maintaining water quality.

PROJECT OVERVIEW

The proposed project is to replace the existing Red Rock Canyon Bridge on State Route 14 within Red Rock Canyon State Park (Park), Kern County. Red Rock Wash crosses

California Environmental Protection Agency



1

State Route 14 at Red Rock Canyon Bridge. The wash experiences seasonal flash floods and flows into Koehn Lake, which is located southwest of the Park. The proposed bridge will be approximately 72-feet wide and founded on eight piles. According to the IS, the proposed bridge design will be wider, longer, and more resistant to degradation and erosion caused by flash floods in Red Rock Wash. The IS did not contain a discussion of the specific details for the construction of the replacement bridge, nor was there a discussion and/or comparison between the existing bridge design and the proposed bridge design (improvements).

BASIN PLAN

The State Water Resources Control Board (State Water Board) and the Regional Water Board regulate discharges in order to protect the water quality and, ultimately, the beneficial uses of waters of the State. The Water Quality Control Plan for the Lahontan Region (Basin Plan) provides guidance regarding water quality and how the Water Board may regulate activities that have the potential to affect water quality within the region. The Basin Plan includes prohibitions, water quality standards, and policies for implementation of standards. The Basin Plan can be accessed via the Water Board's web site (http://www.waterboards.ca.gov/lahontan/water_issues/programs/basin_plan/references.shtml).

2

We request that the final environmental document reference the Basin Plan in the Hydrology and Water Quality analysis section for the project and require that the project proponent comply with all applicable water quality standards and prohibitions, including provisions of the Basin Plan.

PERMITS

A number of activities associated with the project may require permits issued by either the State Water Board or Regional Water Board because they appear to impact blue-line streams or other drainage areas. The required permits may include:

3

- Discharge of fill material - Clean Water Act (CWA) §401 water quality certification (WQC) for federal waters; or Waste Discharge Requirements (WDRs) for non-federal waters; and
- Land disturbance - CWA §402(p) storm water permit, to include the development of a Stormwater Pollution Prevention Plan and a National Pollutant Discharge Elimination System (NPDES) General Construction Stormwater Permit or individual stormwater permit obtained from the Water Board.

Information regarding these permits, including application forms, can be downloaded from our web site at <http://www.waterboards.ca.gov/lahontan/>.

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POTENTIAL IMPACTS TO SURFACE WATERS

4

The project area includes marked (blue line) and unmarked surface waters that are either waters of the U.S. or waters of the State. Surface waters include, but are not limited to, drainages, streams, washes, ponds, pools, or wetlands, and may be permanent or intermittent. Waters of the State may include waters determined to be isolated or otherwise non-jurisdictional by the U.S. Army Corps of Engineers (USACE). Project implementation will require the appropriate jurisdictional delineations for the surface waters that traverse the site, and will be used to determine if the proposed dredge and fill activities will be certified under section 401 of the CWA or through WDRs issued by the Water Board.

5

The IS does not provide specific project information regarding the design and construction of the proposed bridge structure and the potential impacts to surface waters, particularly impacts to in-channel and riparian areas of Red Rock Wash. The environmental document needs to quantify these impacts and discuss the purpose of the project, need for disturbance, and alternatives (avoidance, minimize disturbances, and mitigation). If impacts to Red Rock Wash and/or other surface waters are unavoidable, then we request that the project be designed such that it would maintain existing hydrologic features and patterns to the extent feasible.

POTENTIAL IMPACTS TO WATER QUALITY AND BENEFICIAL USES

Surface waters are a significant resource, which perform a variety of important hydrologic and biogeochemical functions that affect water quality. In particular, riparian areas associated with both perennial streams and ephemeral drainages provide a natural buffer and help mitigate and control water quality impacts by removing pollutants and sediment from surface runoff. Realignment, channelization, lining, and/or infilling of stream channels will impair the waters beneficial uses by reducing the available riparian habitat thereby eliminating the natural buffer system to filter runoff and enhance water quality.

6

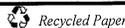
Red Rock Wash is identified in the Basin Plan as a minor surface water. Associated beneficial uses include municipal and domestic supply (MUN), agricultural supply (AGR), groundwater recharge (GWR), navigation (NAV), water contact recreation (REC-1), non-contact water recreation (REC-2), warm freshwater habitat (WARM), and wildlife habitat (WILD). Realignment, channelization, lining, and/or infilling of the stream channel or altering the existing bridge design by increasing the size and/or number of in-channel piles (impervious surface/structure) will result in changes to stream channel functions and may adversely affect these beneficial uses, particularly MUN, GWR, FRSH, WARM, and WILD.

LOW IMPACT DEVELOPMENT STRATEGIES

7

The foremost method of reducing impacts to surface waters and groundwater from urban development is "Low Impact Development" (LID), the goals of which are

California Environmental Protection Agency



maintaining a landscape functionally equivalent to predevelopment hydrologic conditions and minimal generation of nonpoint source pollutants. LID results in less surface runoff and potentially less impacts to receiving waters, the principles of which include:

- Maintaining natural drainage paths and landscape features to slow and filter runoff and maximize groundwater recharge;
- Reducing the impervious cover created by development and the associated transportation network; and
- Managing runoff as close to the source as possible.

Water Board staff requests that you require LID principles to be incorporated into the proposed project design. We understand that LID development practices that would maintain aquatic values could also reduce local infrastructure requirements and maintenance costs, and could benefit air quality, open space, and habitat. Vegetated areas for stormwater management and infiltration onsite are valuable in LID and may enhance the aesthetics of the property. Planning tools to implement the above principles and manuals are available to provide specific guidance regarding LID, with many resources available online.

Thank you for the opportunity to comment on your project. If you have any questions regarding this letter, please contact me at (760) 241-7376 (zimmerman@waterboards.ca.gov) or Patrice Copeland, Senior Engineering Geologist, at (760) 241-7404 (pcopeland@waterboards.ca.gov).

Sincerely,



Jan M. Zimmerman, PG
Engineering Geologist

cc: State Clearinghouse

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California Environmental Protection Agency



Response to Comments from the California Regional Water Quality Control Board

Thank you for your comments on the project.

Response to comment #1: The proposed bridge would replace the existing bridge, which is subject to structural failure. Further erosion in the channel could cause the piles to become unstable and the bridge could fail. The replacement bridge would be more resistant to erosion and degradation caused by flash floods in the Red Rock Wash. This bridge would minimize erosion (scouring) to a depth of at least 21 feet.

The replacement bridge elevation would be about 0.9 feet higher, about 12 feet wider (from 60 to 72 feet), and about 12 feet longer (from 394 to 406 feet) than the bridge it replaces. The existing bridge has a 4-foot median, four 12-foot lanes, and two 4-foot shoulders. The shoulders of the replacement bridge would increase from 4-feet to 10-feet to meet Caltrans current design standards. No changes are proposed to the median width, lane number, or lane width. From 0.1 mile south of the bridge to 0.4 miles north of the bridge, the project would also widen the approach roadway shoulders to the current design standard and match the 10-foot shoulders to the existing roadway. The project would also improve the concrete rock slope protection located at the southern end of the project area on either side of the highway.

Response to comment #2: At minimum, the project would comply with the following: the Federal Clean Water Act, the Porter-Cologne Water Quality Control Act (California Water Code), and the Water Quality Control Plan (Basin Plan) for the California Regional Water Quality Control Board, and the Lahontan Region Basin Plan (December 2005).

Response to comment #3: Caltrans proposes to obtain a Section 401 permit for potential impacts to State waters. Caltrans currently has a Statewide Construction permit and a National Pollutant Discharge Elimination System permit issued by the State Water Resources Control Board for the State Highway System. During the Design phase of this project, Caltrans engineers would be required to reference the Lahontan Basin Plan and obtain concurrence from a coordinator of the National Pollutant Discharge Elimination System.

Caltrans would be required to notify the Lahontan Regional Water Quality Control Board at least 30 days before the start of construction. During construction, Water Board personnel would be allowed to inspect the construction site. The project would require the contractor to develop a Stormwater Pollution Prevention Plan for Caltrans

review and approval before construction begins. The Plan would need to follow the criteria of the General Construction Permit, the Clean Water Act Section 401 certification, and contract specifications. The Board would also have the opportunity to review the Stormwater Pollution Prevention Plan.

Copies of our National Pollutant Discharge Elimination System permit, Stormwater Pollution Prevention Plan requirements, Construction Permit, and information regarding the Caltrans stormwater program may be found on the internet at: <http://www.dot.ca.gov.hq/env.stormwater/>.

Response to comment #4: Caltrans proposes to prepare a Preliminary Jurisdictional Delineation report and apply for a Section 404 and 401 permits for impacts to potential waters of the U.S. and State. Please refer to Additional Explanations in Section 4 of this document for further information.

Response to comment #5: Refer to response #1, above, for bridge design and purpose of the project.

The waters and wetlands identified within the project area would be avoided when possible. Wetland habitat areas would be restored once construction activities were complete. Replacement planting of red willow trees would occur within Caltrans right-of-way and/or offsite at a 3:1 ratio for any removal of a willow. Before construction, Caltrans would establish environmentally sensitive areas marked by orange mesh fencing to avoid accidental construction-related impacts to the wetland and waters. Standard contract provisions and best management practices would be followed during construction to reduce the potential for sediments and other pollutants from entering the waters of the United States. Parking of equipment, project access, supply logistics, equipment maintenance, and other project-related activities would occur in areas pre-approved for staging by a Caltrans biologist. Terms, conditions, and provisions provided in the Streambed Alteration Agreements, Clean Water Act Section 404 permits, and Clean Water Act Section 401 permits would be designed to minimize and avoid impacts to waterways and wetlands. Caltrans would include these permits in the contractor bid information.

Response to comment #6: The project would not have long-term impacts to surface waters or groundwater. Project-specific long-term mitigation measures would reduce or avoid impacts to water quality.

Under the 2003 Caltrans statewide Storm Water Management Plan and Caltran's Project Planning Design Guide, the project design would implement design pollution prevention best management practices to control, reduce and if necessary treat runoff to the maximum extent practical and to ensure continued compliance with existing water quality standards. The project must also comply with the requirements specified in the Caltrans Standard Specifications Section 7, Legal Relations and Responsibility, subsection 7-1.01G.

Best management practices described in the Construction Site Best Management Practices Manual (March 2003) would be required to minimize any potential short-term impacts during construction to the maximum extent practical. Potential short-term impacts on the beneficial uses: MUN (drinking water), GWR (groundwater replenishment), FRSH (freshwater replenishment), WARM (freshwater habitat), and WILD (wildlife habitat) would also be mitigated by using appropriate measures stated in response # 3 above.

1) Drinking Water (MUN): The project as proposed would not adversely affect the flow of water from the upstream source to the point where it percolates into the ground approximately one-fourth mile downstream from the project area.

2) Agriculture (AGR): The normal flow of the wash does not directly reach lands "used for agriculture" except through groundwater pumping of the valley floor. As stated above, the project as proposed would not impede or preclude water movement downstream.

3) Groundwater (GWR): The project as proposed would not adversely affect the flow of water from the upstream source to the point where it percolates into the ground approximately 1/4 mile downstream from the project site.

4) Freshwater Replenishment (FRSH): The project as proposed would not impede or preclude water movement downstream.

5) Navigation (NAV): Red Rock Wash is not classified as navigable.

6) Water Contact Recreation (REC-1) and Non-Contact Water Recreation (REC-2): Mostly dry throughout the year, the Red Rock Wash rarely experiences flash floods that flow into Koehn Lake, southwest of the park. It is not reasonable to describe this water as REC-1 or REC-2. Non-water recreation occurs in the wash throughout the

year, which includes off-highway vehicle use, bicycling, and hiking. For park recreation, see Additional Explanations in Section 4 of this document.

7) Freshwater Habitat (WARM) and Wildlife Habitat (WILD): The wash has been identified as sensitive to State Park and serves as an important biological habitat in the Mojave Desert. The wash is prone to flash flooding, which by nature is destructive and often causes the alteration of existing ecosystems. This process is natural and normal. The ecosystem in the wash area is in a state of flux that is independent of any construction activity. The wash would be avoided to the greatest extent possible. For proposed wetlands mitigation measures, see Additional Explanations in Section 4 of this document.

Response to comment #7: The project would replace an existing bridge within a State park and would not be an urban development project. The project would not add additional urban landscape that would impact surface waters and groundwater. For bridge design features, refer to response #1, above.