

Stratford-Lemoore CAPM

On State Route 41 in Kings County

06-KIN-041-PM 28.4-R39.8

Project ID Number 0617000304

State Clearinghouse Number 2022040547

Initial Study with Mitigated Negative Declaration

Volume 1 of 2



Prepared by the
State of California Department of Transportation

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General Information About This Document

Document prepared by: Cuauhtemoc Galvan, Environmental Planner

[The following text has been added since the draft environmental document was circulated.] The Initial Study circulated to the public for 30 days between March 21, 2022, and April 21, 2022. Comments received during this period are included in Appendix C. Elsewhere, language has been added throughout the document to indicate where a change has been made since the circulation of the draft environmental document. Minor editorial changes and clarifications have not been so indicated.

For individuals with sensory disabilities, this document can be made available in Braille, in large print, on audiocassette, or on computer disk. To obtain a copy in one of these alternate formats, please write to or call Caltrans, Attention: Jennifer H. Taylor, District 6 Environmental, 2015 East Shields Avenue, Suite 100, Fresno, California 93726; 559-287-9844 (Voice), or use the California Relay Service 1-800-735-2929 (Teletype to Voice), 1-800-735-2922 (Voice to Teletype), 1-800-855-3000 (Spanish Teletype to Voice and Voice to Teletype), 1-800-854-7784 (Spanish and English Speech-to-Speech), or 711.

State Clearinghouse Number 2022040547
06-KIN-041-PM 28.4-R39.8
Project ID Number 0617000304

Pavement preservation and culvert repair at various locations on State Route
41 from post miles 28.4 to R39.8 in Kings County

**INITIAL STUDY
with Mitigated Negative Declaration**

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

THE STATE OF CALIFORNIA
Department of Transportation

J. William "Fraid" Norris, AIA

for Jennifer H. Taylor
Environmental Office Chief, District 6
California Department of Transportation
CEQA and NEPA Lead Agency

6/21/2022

Date

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Mitigated Negative Declaration

Pursuant to: Division 13, Public Resources Code

State Clearinghouse Number: 2022040547

District-County-Route-Post Mile: 06-KIN-041-PM 28.4-R39.8

EA/Project Number: EA 06-0W820 and Project ID Number 0617000304

Project Description

The California Department of Transportation (Caltrans) proposes to preserve and resurface the existing lanes on State Route 41, including three ramps in Kings County near Stratford from Nevada Avenue (post mile 28.4) to the State Route 41/State Route 198 Separation Bridge (post mile R39.8).

Determination

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

The project will have no effect on aesthetics, agriculture and forest resources, air quality, cultural resources, energy, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, paleontological resources, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service systems, and wildfire.

The project will have no significant effect on greenhouse gas emissions.

The project will have no significantly adverse effect on biological resources with the incorporation of the identified mitigation measure because the following mitigation measure will reduce potential effects to insignificance:

- A Section 2081 Incidental Take Permit from the California Department of Fish and Wildlife will be obtained for the Tipton kangaroo rat. Caltrans will mitigate a total of 0.02 acre for permanent and temporary habitat impacts.

A handwritten signature in blue ink that reads "Jennifer H. Taylor".

for Jennifer H. Taylor
Environmental Office Chief, District 6
California Department of Transportation

6/21/2022

Date

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Chapter 1 **Proposed Project**

1.1 Introduction

This Capital Preventive Maintenance (known as a “CAPM” project, as noted in the project name) project proposes to preserve and resurface the existing lanes on State Route 41 (see Figure 1-1 for the project vicinity map and Figure 1-2 for the project location map), including three ramps in Kings County near Stratford from Nevada Avenue (post mile 28.4) to the State Route 41/State Route 198 Separation Bridge (post mile R39.8). State Route 41 serves as a major arterial roadway for northbound and southbound traffic in Kings County and connects to State Route 198 and Interstate 5.

The project limits begin about 5 miles south of the census-designated town of Stratford, in a rural, agricultural area consisting of row crops, rural houses, and vacant land. State Route 41 extends northward, paralleled by the Blakeley Canal and next to the southern portion of the Kings River, until passing by the census-designated town of Stratford. State Route 41 extends north, about 6 miles bordered by sporadic rural houses, agricultural and vacant lands, animal farms, and solar energy farms. The project limits end just south of the State Route 41/State Route 198 Separation Bridge and the City of Lemoore.

State Route 41 is a two-lane, undivided highway between post mile 28.4 and post mile 39.24 and is a four-lane, access-controlled expressway between post mile 39.24 and post mile R39.8. Shoulder widths vary along the inside and outside of State Route 41 within the project limits. State Route 41 serves as a major corridor for interregional traffic and is heavily used by trucks and commuters between communities and rural agricultural areas.

1.2 Purpose and Need

1.2.1 Purpose

The purpose of the project is to preserve, repair, and extend the life of the existing lanes and three ramps on State Route 41 near Stratford from Nevada Avenue to the State Route 41/State Route 198 Separation Bridge in Kings County.

1.2.2 Need

The existing state route within the project limits shows considerable distress on its existing flexible pavement. The project is needed to rehabilitate the existing pavement conditions, extend the life of the roadway, and minimize future maintenance expenditures.

1.3 Project Description

The project will preserve and resurface the existing lanes on State Route 41, including three ramps in Kings County near Stratford from Nevada Avenue (post mile 28.4) to the State Route 41/State Route 198 Separation Bridge (post mile R39.8). A Build Alternative and a No-Build Alternative are under consideration for this project. The total cost of the project is estimated to be \$16,400,000. This Capital Preventive Maintenance project will be funded under the State Highway Operation and Protection Program.

The project will repair or replace 12 culverts along the northbound and southbound sides of State Route 41. Clearing, grubbing, and trenching are expected for culvert work, intelligent transportation system elements (traffic count stations and vehicle classification systems used to obtain traffic data and vehicle volume, class, and weight), and electrical facilities. No trenching will be done across State Route 41.

The public will be notified of the construction schedule once a start date has been determined. During construction, K-rail will support a single-lane closure, with flaggers directing reverse traffic lanes. Reverse traffic lanes designate a flagger on either side of the construction work zone that controls the flow of traffic intermittently, with one direction closed and the other direction open to traffic. Emergency vehicle services will be accommodated, and a minimal to no delay is expected, depending on the time of the day and the location of the closure (a four-lane area compared to a two-lane area).

The public will be notified of appropriate ramp closures, including the closure of the nearby State Route 41/State Route 198 southbound ramp. Caltrans will use press releases, media alerts, signage, and a lane closure website to communicate lane and ramp closures to the public. No other detours aside from ramp closure detours are expected for this project.

Figure 1-1 Project Vicinity Map

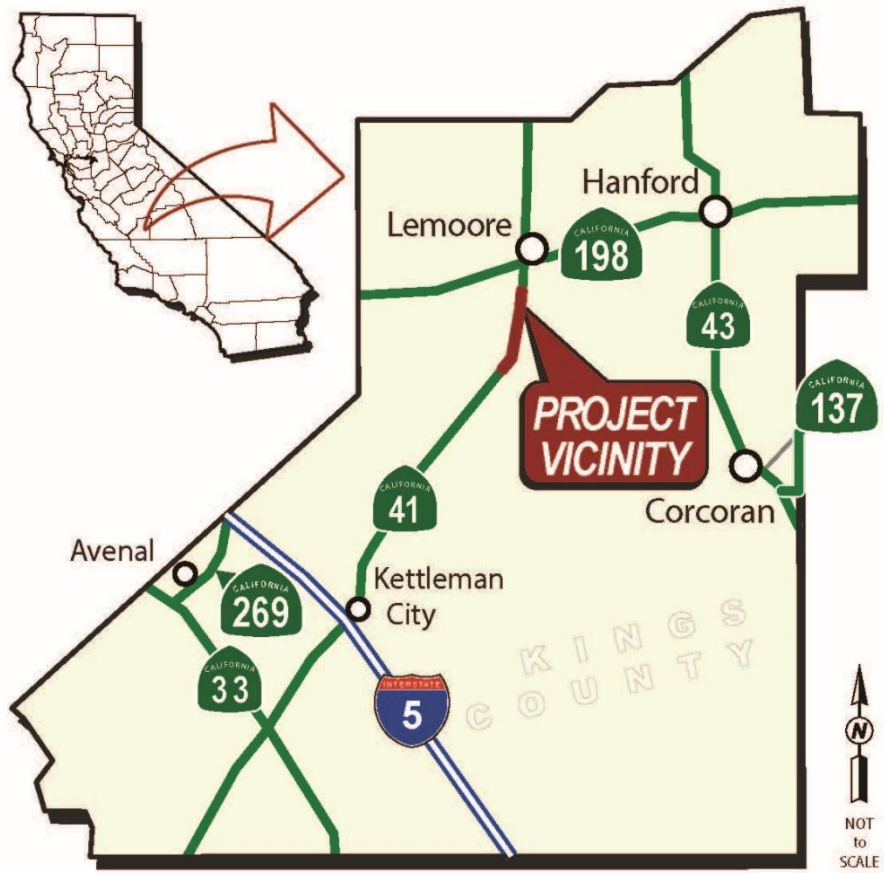
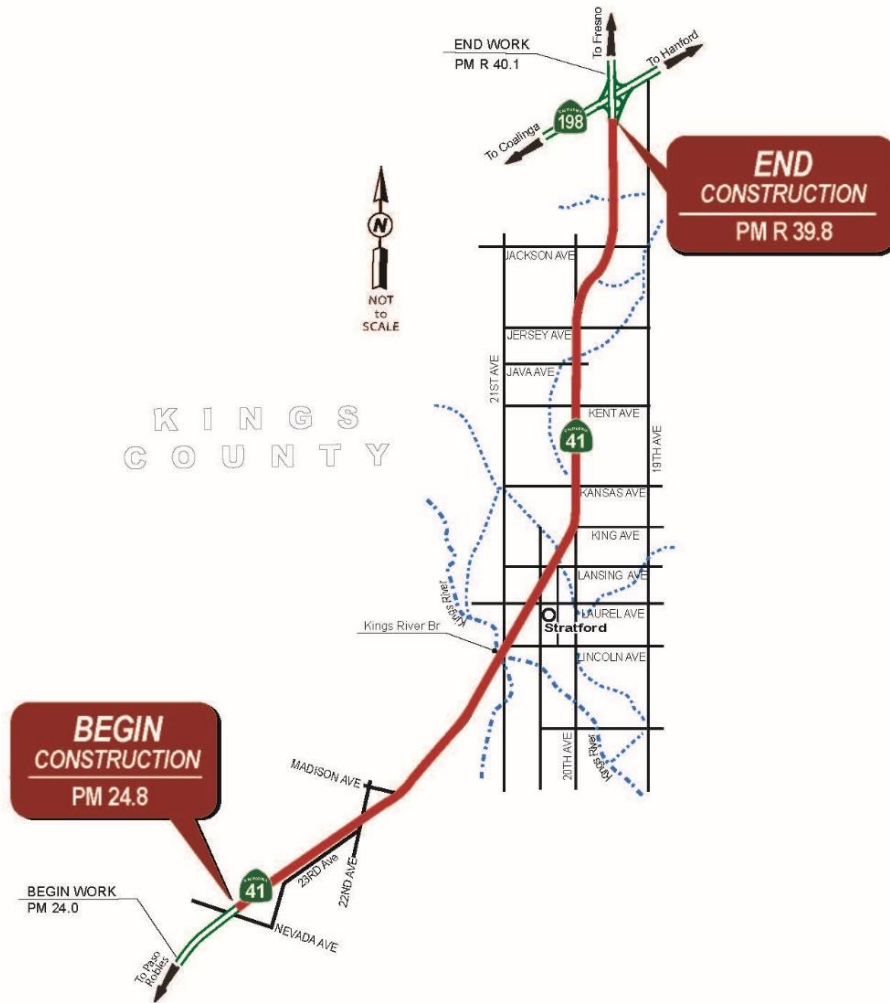


Figure 1-2 Project Location Map



1.4 Project Alternatives

A Build Alternative and a No-Build Alternative are being considered for the project.

1.4.1 Build Alternatives

The project work will include:

Paving:

Remove up to 0.20 foot of existing asphalt concrete pavement and replace with 0.20 foot of Hot Mix Asphalt and 0.10 foot of Rubberized Hot Mix Asphalt.

Culverts:

Replace sections of culverts and/or flared end sections at 12 locations within the project limits. Pipe removal shall start 2 feet away from the inside face of the headwall (see Table 1.1 below for details).

Table 1.1 Culvert Improvements on State Route 41

Location (Post Mile)	Culvert Material	Existing Diameter (Inches)	Proposed Improvement
31.33	Reinforced Concrete Pipe	24	Remove and replace the flared end section along southbound travel lanes.
33.13	Reinforced Concrete Pipe	24	Remove and replace the flared end section under the pavement nearest to the shoulder.
33.18	Reinforced Concrete Pipe	18	Remove and replace 33 feet on the west side and 39 feet on the east side of State Route 41 of an 18-inch reinforced concrete pipe outside the traveled way.
33.48	Reinforced Concrete Pipe	24	Remove and replace the flared end section under the pavement nearest to the shoulder.
33.67	Reinforced Concrete Pipe	24	Remove and replace 31 feet on the west side and 32 feet on the east side of State Route 41 of a 24-inch reinforced concrete pipe outside the traveled way.
34.01	Reinforced Concrete Pipe	36	Remove and replace 34 feet on the west side and 29 feet on the east side of State Route 41 of a 36-inch reinforced concrete pipe outside the traveled way.
34.47	Reinforced Concrete Pipe	24	Remove and replace 18 feet on the west side and 24 feet on the east side of State Route 41 of a 24-inch reinforced concrete pipe outside the traveled way.
36.10	Corrugated Steel Pipe	18	Remove and replace 10 feet on the west side and 12 feet on the east side of State Route 41 of an 18-inch corrugated steel pipe outside of the traveled way.
37.57	Reinforced Concrete Pipe	24	Remove and replace 19 feet on the west side and 22 feet on the east side of State Route 41 of a 24-inch reinforced concrete pipe outside of the traveled way. Remove and replace two concrete flared end sections.
37.63	Reinforced Concrete Pipe	24	Remove and replace one concrete flared end section along the northbound shoulder.
38.13	Reinforced Concrete Pipe	24	Remove and replace 15 feet of a 24-inch reinforced concrete pipe outside of the traveled way. Remove and replace two flared end sections.
33.82	Reinforced Concrete Pipe	42	Repair separated and cracked joints within the existing pipe.

Guardrail:

- Update 3,900 feet of existing metal beam guardrail to the Midwest Guardrail System.
- Provide vegetation control at five locations where guardrails are needed. Concrete will be installed from the guardrails outward to prevent weeds.

Other safety upgrades:

- Replace sign panels with retroreflective sheeting, as needed.
- Provide rumble strips on the centerline of State Route 41 and bicycle-tolerable rumble strips on the outside shoulder for both northbound and southbound State Route 41 where needed.
- Upgrade five Traffic Count Station Systems at post miles 28.57, 32.94, 39.73, 39.78 (State Route 41 southbound off-ramp to eastbound State Route 198), and 39.73 (State Route 41 southbound on-ramp to eastbound State Route 198).
- Upgrade one Vehicle Classification System at post mile 37.18.

Right-of-Way:

- Permanent right-of-way acquisition will occur at post mile 33.82 to accommodate the culvert that extends outside of the current right-of-way and future culvert maintenance (see Table 1.2 below for details).

Table 1.2 Permanent Right-of-Way Acquisition

Action	Location (Post Mile)	Assessor's Parcel Number	Area (Acre)
Permanent Acquisition	33.82	026-100-017-000	0.064

Construction is scheduled to start in spring 2024 and is expected to take 119 working days. Night work is expected for this project.

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

1.4.2 No-Build (No-Action) Alternative

The No-Build Alternative will allow the existing pavement to continue to deteriorate, which will require more extensive and costly repairs in the future.

The existing culverts identified for repair or replacement by this project will also continue to deteriorate, which will cause potential flood damage and pavement failure. The No-Build Alternative will not meet the purpose and need of the project.

1.5 Identification of a Preferred Alternative

[Section 1.5 Identification of a Preferred Alternative has been added since the draft environmental document was circulated.] Caltrans selected the Build Alternative as the preferred alternative. The No-Build Alternative would not meet the purpose and need of the project, which is to rehabilitate the existing pavement conditions, extend the life of the roadway, and minimize future maintenance expenditures on State Route 41.

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

The project may include, but will not be limited to, the following Standard Special Provisions:

Air Quality—Effectively reduce and control emission impacts during construction. The provisions of Caltrans Standard Specifications, Section 14-9.02 “Air Pollution Control” and Section 10-5 “Dust Control.”

Biology—Swainson’s hawk preconstruction surveys will be completed according to “Recommended Timing and Methodology for Swainson’s Hawk Nesting Surveys in California’s Central Valley” (May 31, 2001) during nesting season (February 1 to September 30) the year prior to groundbreaking activities to ensure no nesting Swainson’s hawks will be affected if construction occurs during the nesting season.

Hazardous Waste—Applicable Standard Special Provisions may include but will not be limited to Standard Special Provisions Section 7-1.02K(6)(j)(ii) Lead Compliance Plan; Standard Special Provisions Section 7-1.02K(6)(j)(iii)—ground disturbance of unregulated materials; Standard Special Provisions Section 14-11.08—ground disturbance of regulated aerially deposited lead materials; Non-Standard Special Provisions Section 14-11.14—disposal and handling of treated wood waste; Standard Special Provisions Section 36-4 and/or Section 84-9.03B—cold-planing and/or removal of white/new yellow striping material; and/or Standard Special Provisions Section 14-11.12—removal of old yellow striping material. An asbestos compliance plan will be required for project activities.

Paleontological—If unanticipated fossil discovery occurs during utility work, Caltrans Standard Specifications Section 14-7.03 of the 2018 Standard

Specifications identifies the procedure to be implemented to protect the paleontological resource(s).

1.7 Discussion of the NEPA Categorical Exclusion

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

1.8 Permits and Approvals Needed

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

Agency	Permit/Approval	Status
California Department of Fish and Wildlife	Section 2081 Incidental Take Permit for the Tipton kangaroo rat	Will be obtained during the design phase of the project.
U.S. Fish and Wildlife Service	Biological Opinion	Was obtained on June 1, 2022.
Regional Water Quality Control Board	Report of Waste Discharge	Will be obtained during the construction phase of the project.
California Department of Fish and Wildlife	1602 Permit	Will be obtained during the design phase of the project.

Chapter 2 CEQA Evaluation

2.1 CEQA Environmental Checklist

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

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

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

2.1.1 Aesthetics

Considering the information in the Scenic Resource Evaluation/Visual Impact Assessment dated August 2021, the following significance determinations have been made:

Except as provided in Public Resources Code Section 21099:

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

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

2.1.2 Agriculture and Forest Resources

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

Considering the information in the California Department of Conservation Important Farmland Finder dated November 2021 and the Caltrans Right-of-Way Data Sheet, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Agriculture and Forest Resources
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	No Impact

Question—Would the project:	CEQA Significance Determinations for Agriculture and Forest Resources
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	No Impact
c) Conflict with existing zoning, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?	No Impact
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use?	No Impact

2.1.3 Air Quality

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

Considering the information in the Air Quality Memorandum dated April 2021, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Air Quality
a) Conflict with or obstruct implementation of the applicable air quality plan?	No Impact
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	No Impact
c) Expose sensitive receptors to substantial pollutant concentrations?	No Impact

Question—Would the project:	CEQA Significance Determinations for Air Quality
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	No Impact

2.1.4 Biological Resources

Considering the information in the Caltrans Biological Assessment dated September 2021 and the Natural Environment Study dated December 2021, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Biological Resources
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, or National Oceanic Atmospheric Administration Fisheries?	Less Than Significant Impact With Mitigation Incorporated
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	No Impact
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	No Impact

Question—Would the project:	CEQA Significance Determinations for Biological Resources
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	No Impact

Affected Environment

For details of biological studies, please refer to the Natural Environment Study and the Biological Assessment in Volume 2. A list of federally endangered species and critical habitat(s) that may be affected by the project was requested from the U.S. Fish and Wildlife Service on September 14, 2020, and an updated version on September 7, 2021 (see Appendix B).

The project limits along State Route 41 are predominately surrounded by agriculture, grazing land, and the census-designated town of Stratford. The project action area encompasses about 100 feet on either side of the roadway to account for staging, installing intelligence elements, and preserving culverts. Caltrans biologists analyzed a total of 273.6 acres or 0.43 square mile of the project action area. The habitat within the action area consists of Caltrans’ right-of-way, the Blakeley Canal, the Kings River, valley grasslands, and moderately developed commercial and residential areas. The project footprint encompasses 30 feet on either side of the roadway and around each proposed culvert where direct work will occur, such as foot traffic and the use of heavy equipment. The project footprint or temporary impacts include 82.92 acres or 0.129 square mile.

Based on in-office research (California Native Plant Society, California Department of Fish and Wildlife, and the U.S. Fish and Wildlife Service) and field surveys, Caltrans biologists determined there is potentially suitable habitat for the California jewelflower (*Caulanthus californicus*), the San Joaquin woollythread (*Monolopia congdonii*), the San Joaquin kit fox (*Vulpes macrotis mutica*), and the Tipton kangaroo rat (*Dipodomys nitratoide nitratoide*) that may be present within the project footprint.

The project may affect but is not likely to adversely affect the following species and their habitat.

California jewelflower

The California jewelflower is a federal and state endangered species and is ranked 1B.1 by the California Native Plant Society’s Inventory of Rare and Endangered Plants of California.

This species of jewelflower is native to California and is typically found in Southern San Joaquin Valley counties. No California jewelflowers were seen

during botanical surveys. Although none were seen, suitable habitat is present in the action area and surrounding area.

San Joaquin woollythreads

The San Joaquin woollythread is a federally endangered species and is ranked 1B.2 by the California Native Plant Society's Inventory of Rare and Endangered Plants of California.

The San Joaquin woollythread is a native species that is limited to California. The species is typically found in chenopod scrub, valley and foothill grasslands, and loamy plains. No San Joaquin woollythreads were found during botanical surveys. Although none were seen, suitable habitat is present in the action area.

San Joaquin kit fox

The San Joaquin kit fox is a small canid native to the San Joaquin Valley and is listed as a federally and state endangered species.

On average, this species weighs about 5 pounds and stands about 12 inches tall. The San Joaquin kit fox is mostly nocturnal and feeds on small nocturnal rodents. They typically use various types of agricultural land for denning sites and suitable prey bases. They can also use human-made structures such as culverts and pipes for denning. Historically, this species of fox prefers alkali scrub/shrub, oak woodland, vernal pool communities, and arid grassland habitat.

The San Joaquin kit fox has been found in most of the San Joaquin Valley, ranging from the native valley and foothill grasslands to surrounding foothills. No San Joaquin kit foxes were seen during general wildlife surveys. Although denning and foraging habitat was not found in the action area, the San Joaquin kit fox can cross through the action area.

The project may affect and is likely to adversely affect the following species and their habitat.

Tipton kangaroo rat

The Tipton kangaroo rat is one of three subspecies of the San Joaquin kangaroo rat and is listed as a federally and state endangered species.

This species of kangaroo rat mainly eats seeds, plants, and insects. Foraging activities typically occur from sunset to sunrise and are greatest in the spring while plants are ripening. Tipton kangaroo rat habitat has decreased in recent years due to agriculture and urban development. The current existing habitat consists of iodine bush shrubland and valley saltbush scrub. This species of kangaroo rat is typically seen on flat terrain, and burrows are often found on elevated mounds, such as berms, embankments, or bases of shrubs and fence posts.

The Tipton kangaroo rat has been found spread over the Tulare basin in Tulare and Kern Counties. Currently, about 3.7 percent of their historical habitat range exists today. No Tipton kangaroo rats were seen during surveys. However, surveys were completed during daylight when the species is least active. Species observations were made about 4 miles east of the action area.

Environmental Consequences

Build Alternative

California jewelflower

Construction activities are expected to have minimal and temporary effects on low-quality California jewelflower habitat. Any potential habitat that could be disrupted by construction activities will be available for use after construction. Construction disturbance is unlikely for the California jewelflower because only a limited area within the project is considered suitable habitat, and no evidence of their occupancy in the action area has been seen.

San Joaquin woollythreads

Construction activities are expected to have minimal and temporary effects on low-quality San Joaquin woollythread habitat. Any potential habitat that could be disrupted by construction activities will be available for use after construction. Construction disturbance is unlikely for San Joaquin woollythreads because only a limited area within the project is considered suitable habitat, and no evidence of their occupancy in the action area has been seen.

San Joaquin kit fox

Construction activities are expected to occur during nighttime hours when San Joaquin kit foxes are active and above ground. Any disturbance associated with construction activities may disrupt movement if the species are seen in the action area.

Minor permanent and temporary impacts are expected to potential foraging habitat. Impacts may result from foot traffic, heavy equipment use, and culvert work. About 82.92 acres will be temporarily impacted over the 11-mile-long project area, and 0.0069 acre will be permanently impacted due to flared end culvert repair work.

Work on each culvert is expected to take three days to complete, and most of the work will occur at night. Night work increases the risk of San Joaquin kit foxes being exposed to hazardous and dangerous conditions because they are generally nocturnal. It is possible that dispersing San Joaquin kit foxes could move near or across work areas overnight. However, San Joaquin kit foxes will be expected to avoid active work sites due to human presence, lighting, and active machinery. Avoidance of the action area could cause a temporary reduction in movement. This impact is expected to be minimal since there are no current sightings or evidence of scat or prey remains by San Joaquin kit foxes within the action area.

Tipton kangaroo rat

About 0.0003 acre of Tipton kangaroo rat habitat will be permanently impacted from the installation of culvert flared end sections, and 0.011 acre will be temporarily impacted from foot traffic and off-pavement equipment use.

Permanent impacts may result from the collapsing of burrows near the culvert outlets at post mile 37.57 and post mile 37.63 near Jackson Avenue in documented Tipton kangaroo rat habitat. Based on recent surveys, previous protocol-level surveys, existing habitat conditions, and the work anticipated, the proposed construction activities are anticipated to potentially adversely impact the species.

No-Build Alternative

No impacts to biological resources are expected under the No-Build Alternative.

Avoidance, Minimization, and/or Mitigation Measures

Build Alternative

Tipton kangaroo rat

- Construction activities will permanently impact about 0.0003 acre and temporarily impact 0.011 acre of Tipton kangaroo rat habitat. The impacts are anticipated to be mitigated at a 3-to-1 ratio for permanent impacts and a 1-to-1 ratio for temporary impacts. A total of 0.02 acre will be mitigated.
- Due to potential impacts to burrows, Caltrans anticipates applying for a 2081 Incidental Take Permit from the California Department of Fish and Wildlife.
- Exclusionary fencing will be installed around the two culverts near Jackson Avenue at post mile 37.63 and post mile 37.73. Exclusionary trapping will occur before construction and will continue until no mammals are caught for three consecutive nights. Traps will be placed within the 30-foot work area, and captured individuals will be relocated out of the fenced area.
- Burrows within 50 feet of the work area (culvert opening) will be flagged and avoided except for the culverts at post mile 37.63 and post mile 37.73, where exclusionary trapping will occur.

Caltrans and the contractor will implement the following Standard Best Management Practices during construction:

- Preconstruction worker environmental awareness training conducted by a qualified biologist for migratory birds, the San Joaquin kit fox, and the Tipton kangaroo rat will be required before the start of construction activities.
- Preconstruction surveys for migratory birds will be required if construction is to occur during the avian nesting season (February 1 to September 30). A qualified biologist will complete surveys for migratory birds and raptors no more than 30 days before construction.

- Preconstruction surveys for the San Joaquin kit fox and other special-status species will include a 200-foot buffer around the work area and are to be conducted no more than 30 days before any ground disturbance.
- If staging areas are required, they must be approved by the project biologist and will be clearly designated with stakes/flagging. Storage of equipment and materials will not extend beyond the designated staging area.
- Provide an on-call biologist. A qualified biologist will be on call during construction in case of any San Joaquin kit fox or Tipton kangaroo rat sightings in the vicinity of the project.

California jewelflower and San Joaquin woollythreads

- If California jewelflowers and/or San Joaquin woollythreads are identified during preconstruction surveys, they will be flagged and avoided as best as possible. If they cannot be avoided, the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service will be consulted before continuing work.

San Joaquin kit fox

- Provide escape ramps for any trenches more than 2 feet deep. All excavated, steep-walled holes or trenches more than 2 feet deep will be fitted with one or more escape ramps constructed of earthen fill or wooden planks. Before such holes or trenches are filled, they will be inspected for trapped animals.
- Inspect construction pipes, culverts, or similar structures with a diameter of 4 inches or greater. All construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that are stored on the site for one or more overnight periods will be thoroughly inspected for San Joaquin kit foxes or other special-status animals before the pipe is subsequently buried, capped, or otherwise moved. If an animal is discovered in a pipe, the pipe will not be moved until after the San Joaquin kit fox or another animal has escaped.
- Limit construction vehicle and equipment speeds. Project-related vehicle operators will observe a daytime speed limit of 20 miles per hour and a nighttime speed limit of 10 miles per hour throughout all project areas except on the highway.
- Minimize the adverse effects of lighting. Confine lighting to areas within the construction footprint.
- Prohibit the use of rodenticides, herbicides, and pest or rodent traps on the project site during construction.
- Provide an on-call biologist. A qualified Caltrans biologist will be on call during construction in case of any San Joaquin kit fox sightings in the project vicinity.

No-Build Alternative

No avoidance, minimization, and/or mitigation measures are expected under the No-Build Alternative.

2.1.5 Cultural Resources

In determining whether impacts to cultural resources are significant environmental effects, Caltrans conducted Section 106 consultation with local Native American tribes to accommodate historic and archaeological resource preservation concerns. [The following text has been added since the draft environmental document was circulated.] Comments from consulting parties in response to the draft environmental document were addressed and can be found in Appendix C. In response to the consulting parties’ concerns, Native American monitoring will be conducted during all culvert work during the construction phase of the project.

Considering the information in the Archaeological Survey Report dated June 2022 and the Historic Property Survey Report dated June 2022, the following significance determinations have been made:

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

2.1.6 Energy

Considering the information in the Caltrans Standard Environmental Reference dated November 2021, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Energy
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?	No Impact

Question—Would the project:	CEQA Significance Determinations for Energy
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	No Impact

2.1.7 Geology and Soils

Considering the information in the California Department of Conservation Earthquake Zone Map dated November 2021, California Department of Conservation Landslide Map dated November 2021, Alquist-Priolo Earthquake Fault Zoning Map dated November 2021, and Caltrans Paleontological Identification/Evaluation Report dated December 2021, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Geology and Soils
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. 	No Impact
ii) Strong seismic ground shaking?	No Impact
iii) Seismic-related ground failure, including liquefaction?	No Impact
iv) Landslides?	No Impact
b) Result in substantial soil erosion or the loss of topsoil?	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	No Impact

Question—Would the project:	CEQA Significance Determinations for Geology and Soils
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	No Impact

2.1.8 Greenhouse Gas Emissions

Considering the information in the Climate Change and Greenhouse Gas Emissions Memorandum dated December 2021, the following significance determinations have been made:

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

Affected Environment

This project is 11.4 miles along State Route 41, which turns from a four-lane, access-controlled expressway into a two-lane, undivided highway within the project limits. Land use along State Route 41 varies from agriculture and vacant land to subdivisions/businesses and the census-designated town of Stratford. Trucks and urban commuter traffic use this section of State Route 41.

The 2018 Kings County Regional Transportation Plan by the Kings County Association of Governments guides transportation and housing development in the project area. Chapter 12 of the plan, the Sustainable Communities Strategy, discusses the emission reduction strategy for the region. The Sustainable Communities Strategy strives to reduce air emissions from passenger vehicles and light-duty truck travel by better coordinating transportation expenditures with forecasted development patterns and helping to meet greenhouse gas targets for Kings County.

Environmental Consequences

Build Alternative

Greenhouse gas emissions impacts of non-capacity-increasing projects like the Stratford-Lemoore CAPM project are considered less than significant under CEQA because there will be no increase in operational emissions.

However, construction equipment, traffic delays, and material processing and delivery may generate short-term greenhouse gas emissions during construction. Greenhouse gas emissions for the project were calculated using the Caltrans Construction Emissions Tool v1.1. The estimated emissions will be 579 tons of carbon dioxide per 119 working days.

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

No-Build Alternative

No impacts on greenhouse gas emissions are associated with the No-Build Alternative.

Avoidance, Minimization, and/or Mitigation Measures

Build Alternative

Caltrans Best Management Practices will be implemented during construction activities. Caltrans Standard Specifications that will be incorporated include:

- Caltrans Standard Specifications Section 14-9.02, Air Pollution Control, which requires contractors to comply with all air pollution control rules, regulations, ordinances, and statutes.
- Caltrans Standard Specifications Section 10-5, a Dust Control Plan approved by the San Joaquin Valley Air Pollution Control District, will be needed if at least 2,500 cubic yards of material are moved in a day for at least three days of the project or if 5 or more acres of land will be disturbed during construction.

No-Build Alternative

Avoidance, minimization, and/or mitigation measures will not be required for the No-Build Alternative.

2.1.9 Hazards and Hazardous Materials

Considering the information in the Caltrans Initial Site Assessment dated January 2021, the following significance determinations have been made:

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

2.1.10 Hydrology and Water Quality

Considering the information in the Water Quality Memorandum dated December 2021 and the Hydraulics Recommendation Memorandum dated April 2021, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Hydrology and Water Quality
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water or groundwater quality?	No Impact
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) result in substantial erosion or siltation onsite or offsite;	No Impact
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding onsite or offsite;	No Impact
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	No Impact
(iv) impede or redirect flood flows?	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	No Impact

2.1.11 Land Use and Planning

Considering the information in the 2035 Kings County General Plan, Stratford Community Plan, and the Stratford Land Use Map, the following significance determinations have been made:

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

2.1.12 Mineral Resources

Considering the information in the 2035 Kings County General Plan, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Mineral Resources
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	No Impact
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	No Impact

2.1.13 Noise

Considering the information in the Noise Compliance Study dated December 2021, the following significance determinations have been made:

Question—Would the project result in:	CEQA Significance Determinations for Noise
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	No Impact
b) Generation of excessive groundborne vibration or groundborne noise levels?	No Impact

Question—Would the project result in:	CEQA Significance Determinations for Noise
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	No Impact

2.1.14 Population and Housing

Considering the information in the Caltrans Right-of-Way Data Sheet dated December 2021, the following significance determinations have been made:

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

2.1.15 Public Services

Considering that the project will not affect any government facilities or trigger the need for new facilities or government services, the following significance determinations have been made:

Question:	CEQA Significance Determinations for Public Services
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection?	No Impact
Police protection?	No Impact
Schools?	No Impact
Parks?	No Impact
Other public facilities?	No Impact

2.1.16 Recreation

Considering that the proposed project will not affect parks or recreational facilities or trigger the need for more recreational facilities to be constructed, the following significance determinations have been made:

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

2.1.17 Transportation

Considering the information in the 2035 Kings County General Plan, the 2018 Kings County Association of Governments’ Regional Transportation Plan, and

the Stratford Community Plan, the following significance determinations have been made:

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

2.1.18 Tribal Cultural Resources

In determining whether impacts to tribal cultural resources are significant environmental effects, refer to Section 2.1.5 Cultural Resources for details on Section 106 consultation with Native American Tribes.

Considering the information in the Archaeological Survey Report dated June 2022 and the Historical Property Survey Report dated June 2022, the following significance determinations have been made:

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

Question:	CEQA Significance Determinations for Tribal Cultural Resources
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	No Impact

Question:	CEQA Significance Determinations for Tribal Cultural Resources
<p>b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>	<p>No Impact</p>

2.1.19 Utilities and Service Systems

Considering that the proposed project is a highway maintenance project and will not trigger the need for utilities and service systems, the following significance determinations have been made:

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

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

2.1.20 Wildfire

Considering the information in the California Department of Forestry and Fire Protection’s Fire Hazard Severity Zone Maps, the following significance determinations have been made:

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

Question—Would the project:	CEQA Significance Determinations for Wildfire
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	No Impact
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	No Impact
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	No Impact

Question—Would the project:	CEQA Significance Determinations for Wildfire
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	No Impact

2.1.21 Mandatory Findings of Significance

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

Appendix A Title VI Policy Statement

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

Gavin Newsom, Governor

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE DIRECTOR
P.O. BOX 942873, MS-49
SACRAMENTO, CA 94273-0001
PHONE (916) 654-6130
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www.dot.ca.gov



Making Conservation
a California Way of Life.

September 2021

NON-DISCRIMINATION POLICY STATEMENT

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

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

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

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

To obtain this information in an alternate format such as Braille or in a language other than English, please contact the California Department of Transportation, Office of Civil Rights, at 1823 14th Street, MS-79, Sacramento, CA 95811; PO Box 942874, MS-79, Sacramento, CA 94274-0001; (916) 324-8379 (TTY 711); or at Title.VI@dot.ca.gov.

A blue ink signature of Toks Omishakin, written in a cursive style.

Toks Omishakin
Director

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

Appendix B Federal Endangered Species Act Determinations

Species	Scientific Name	Status	Federal Endangered Species Act Determination
Blunt-nosed leopard lizard	<i>Gambelia sila</i>	Federally Endangered	No effect
California jewelflower	<i>Caulanthus californicus</i>	Federally Endangered	May affect but is not likely to adversely affect
California red-legged frog	<i>Rana draytonii</i>	Federally Threatened	No effect
Delta smelt	<i>Hypomesus transpacificus</i>	Federally Threatened	No effect
Fresno kangaroo rat	<i>Dipodomys nitratooides exilis</i>	Federally Endangered	No effect
Giant garter snake	<i>Thamnophis gigas</i>	Federally Threatened	No effect
Giant kangaroo rat	<i>Dipodomys ingens</i>	Federally Endangered	No effect
Monarch butterfly	<i>Danaus plexippus</i>	Federal Candidate	No effect
San Joaquin kit fox	<i>Vulpes macrotis mutica</i>	Federally Endangered	May affect but is not likely to adversely affect
San Joaquin woollythreads	<i>Monolopia congdonii</i>	Federally Endangered	May affect but is not likely to adversely affect
Tipton kangaroo rat	<i>Dipodomys nitratooides nitratooides</i>	Federally Endangered	May affect and is likely to adversely affect
Vernal pool fairy shrimp	<i>Branchinecta lynchi</i>	Federally Threatened	No effect
Vernal pool tadpole shrimp	<i>Lepidurus packardi</i>	Federally Endangered	No effect
Western snowy plover	<i>Charadrius alexandrinus nivosus</i>	Federally Threatened	No effect

Appendix C Comment Letters and Responses

[Appendix C Comment Letters and Responses has been added since the draft environmental document was circulated.] This appendix contains the comments received during the public circulation and comment period from March 22, 2022, to April 21, 2022, retyped for readability. The comment letters are stated verbatim as submitted, with acronyms, abbreviations, and any original grammatical or typographical errors included. A Caltrans response follows each comment presented. Copies of the original comment letters and documents can be found in Volume 2 of this document.

A public notice in English and Spanish was posted in *The Hanford Sentinel* on March 22, 2022. It stated the public review and comment period for the draft environmental document would run from March 22, 2022, to April 21, 2022, and offered the public an opportunity to request a virtual public hearing. There were no requests for a virtual public hearing during the public circulation.

Comment from the State Clearinghouse and Planning Unit

Comment 1:

The State Clearinghouse (SCH) would like to inform you that our office will transition from providing close of review period acknowledgement on your CEQA environmental document, at this time. During the phase of not receiving notice on the close of review period, comments submitted by State Agencies at the close of review period (and after) are available on CEQAnet. Please visit: <https://ceqanet.opr.ca.gov/search/advanced>

Filter for the SCH# of your project OR your “Lead Agency”

If filtering by “Lead Agency”

Select the correct project

Only State Agency comments will be available in the “attachments” section: bold and highlighted

Thank you for using CEQA Submit.

Meng Heu

Office of Planning and Research (OPR)

State Clearinghouse

Response to comment 1: Thank you for circulating the Initial Study with Proposed Mitigated Negative Declaration for the Stratford-Lemoore CAPM project and acknowledging Caltrans’ compliance with California Environmental Quality Act requirements pursuant to State Clearinghouse guidelines. Caltrans has recorded the corresponding State Clearinghouse number for this project.

Comment from Sherry Hamilton, Resident

Comment 1:

From: Sherry Hamilton partswomen@yahoo.com
Sent: Tuesday, April 5, 2022 5:34 AM
To: Vespermann, Juergen@DOT juergen.vespermann@dot.ca.gov
Subject: Stratford-Lemoore CCAPM Project

Hello,

I live at 19064 Cross Street in Stratford. We received notice of the resurfacing project that will be done on Hwy 41. Our backyard is towards Hwy 41. I don't have any objections, I just have a couple of things I would like to bring up. Is it possible to not put in the rumble strips right alongside the town? They are very noisy. We keep our windows open most of the time. The highway is tall enough, that the sound barrier wall doesn't really help. Also, can we have at least one turn lane into town for people heading South on 41? We keep hearing that even though we have a lot of accidents, not enough people have been killed to get one.

That is really all I wanted to say. Thank you for the notice.

Sherry Hamilton

Response to comment 1: The need to install rumble strips on the outside shoulders at sections alongside Stratford will be analyzed further during the next phase of the project. The rumble strips at the center line (yellow line) will remain part of the project for safety reasons to reduce the number of collisions from opposing traffic.

Caltrans has determined that a left-turn lane into Stratford from State Route 41 is outside the scope of this Capital Preventative Maintenance project. Caltrans has analyzed traffic data at all intersections in Stratford, including where State Route 41 intersects with Lansing Avenue, Main Street, and Sixth Street, and determined that those intersections do not present the appropriate threshold of vehicle collisions to warrant a southbound left-turn lane on the highway.

Comment from Jackson Hurst, Resident

Comment 1:

From: Jackson Hurst ghostlightmater@yahoo.com
Sent: Monday, March 21, 2022 3:22 AM
To: Vespermann, Juergen@DOT juergen.vespermann@dot.ca.gov
Subject: Stratford-Lemoore CAPM IS/MND Document Public Comment

Name—Jackson Hurst

Address—4216 Cornell Crossing, Kennesaw, Georgia 30144

Comment—I have reviewed the IS/MND Document for the Stratford-Lemoore CAPM Project and I approve with the findings and I support the build alternative because the build alternative will replace 12 culverts which will improve safety.

Response to comment 1: Thank you for your comments on the environmental document. Caltrans appreciates your support for this project.

Comment from Robert Pennell, Cultural Resources Director, Table Mountain Rancheria

Comment 1:

From: Robert Pennell
Sent: April 20, 2022
To: Juergen Vespermann
RE: Initial Study with Mitigated Negative Declaration for the Stratford, Lemoore CAPM Project

We appreciate receiving notice; however, this project site is beyond our area of interest.

Sincerely,

Robert Pennell
Cultural Resources Director

Response to comment 1: Thank you for your comment on the environmental document.

Comments from Valerie Cook, Acting Regional Manager, California Department of Fish and Wildlife

Comment 1:

April 19, 2022

Juergen Vespermann
California Department of Transportation, District 6
855 M Street, Suite 200
Fresno, California 93721

Subject: Stratford-Lemoore CAPM Project (Project) Initial Study with proposed Mitigated Negative Declaration

Dear Mr. Vespermann

The California Department of Fish and Wildlife (CDFW) received a proposed Mitigated Negative Declaration (MND) and its supporting Initial Study (IS) prepared by the California Department of Transportation (Caltrans) for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

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

CDFW ROLE

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

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

§ 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in “take” as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

PROJECT DESCRIPTION SUMMARY

Proponent: Caltrans

Objective: Caltrans proposes to preserve an 11.4-mile segment of the existing State Route 41. The preservation work will include the repair/replacement of 12 culverts, resurfacing the existing roadway, upgrading existing traffic count station systems, guardrail work, and the replacement of sign panels. The Project will involve the acquisition of temporary construction easements and the acquisition of a small amount (2,800 square feet) of new permanent right-of-way.

Location: The 11.4-mile segment of State Route 41 (SR 41) which will be preserved exists between post mile 24.8 and post mile 39.8 and is generally southwest of the city of Lemoore in Kings County.

Timeframe: Unspecified.

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments to assist Caltrans in adequately identifying and sufficiently reducing to less-than-significant the potentially significant, direct and indirect Project-related impacts to fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

Currently, the proposed MND indicates that the Project-related impacts to Biological Resources would be reduced to less-than-significant by obtaining State incidental take authorization for the Project-related incidental take of the State and federally endangered Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*) (TKR). Further, Caltrans proposes avoidance and minimization measures which appropriately reduce to less-than-significant the Project-related effects on listed plants and the State threatened and federally endangered San Joaquin kit fox (*Vulpes macrotis mutica*). However, CDFW is concerned that significant impacts and/or unauthorized take may occur as a result of Project implementation to the State threatened Swainson’s hawk (*Buteo swainsoni*) (SWHA) in the event Project-related activities commence during, or extend into, the nesting season. In addition, some of the Project-related activities may occur within streams which would necessitate Notification under Section 1602 of Fish and Game Code. Our specific comments follow.

I. Environmental Setting and Related Impact

Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or the United States Fish and Wildlife Service (USFWS)?

COMMENT 1: Swainson's Hawk (SWHA)

Issue: SWHA are known to have nested in the vicinity of the Project. In the IS, Caltrans indicates it will conduct protocol-level surveys in the event Project-related activities commence or extend into the SWHA nesting season. CDFW does not concur that the mitigation measures listed in the proposed MND are sufficient to reduce potential significant impacts to SWHA and avoid unauthorized take if SWHA are detected.

Specific Impacts: The Project activities will involve varying degrees of ground disturbance within the right-of-way. While CDFW agrees that SWHAs in the area may have become habituated to vehicular traffic along the right-of-way and farming activities on the adjoining cropland, CDFW considers it possible that the Project-related activities would represent a novel stimulus which could result in nest abandonment if they occur within ½-mile of an active SWHA nest. This nest abandonment would represent a significant impact to SWHA and possibly take of the State Threatened species as it is defined in section 86 of Fish and Game Code.

Evidence impact would be significant: SWHA exhibit high nest-site fidelity year after year and lack of suitable nesting habitat in the San Joaquin Valley limits their local distribution and abundance (CDFW 2016). Adoption of the MND as it is written will allow activities that will involve ground disturbance, grading, and excavation employing heavy equipment and work crews within an unspecified buffer around active SWHA nests. These activities could affect these nests and have the potential to result in nest abandonment, significantly effecting nesting SWHA.

Recommended Potentially Feasible Avoidance and Mitigation Measure(s) Because the Project-related activities represent novel stimuli and threaten nest abandonment, CDFW recommends Caltrans propose a greater no-disturbance buffer in order to reduce to less-than-significant the Project-related effects on the species. CDFW recommends the following SWHA avoidance measure be incorporated into the Avoidance, Minimization, and/or Mitigation Measures section of the IS. Further, CDFW recommends these revised measures and be made conditions of Project approval.

Recommended Avoidance Measures for SWHA on page 18 of the IS.

CDFW recommends Caltrans require an unqualified ½-mile no-work buffer around active SWHA nests until the young have fledged and are no longer

reliant on parental care for survival. If the aforementioned measure is not added, and/or the aforementioned buffer is not feasible, CDFW recommends Caltrans propose obtaining incidental take coverage pursuant to Section 2081(b) of Fish and Game Code in the revised IS.

Response to comment 1: Swainson's Hawk—Preconstruction surveys will capture migratory birds and raptors within the anticipated buffer. Caltrans has avoided impacts to Swainson's hawk nesting along the State Highway System throughout the Central Valley by implementing a 500-foot radius no-disturbance buffer. Most of the project is within the agricultural areas of Kings County. Project construction activities, including high levels of vehicular, heavy equipment, and agricultural disturbance from humans occupying the project area, are unlikely to present novel stimuli to migratory birds and raptors.

In the experience of Caltrans biologists, Swainson's hawk and other raptors nesting more than 500 feet from the State Highway System are accustomed to high levels of disturbance and unlikely to experience disruption by construction, especially given the low temporal and spatial impacts of culvert work at each location and the short-term presence or pavement resurfacing work. Culvert replacements are not expected to extend beyond a couple of working days at each location. Resurfacing the pavement should not take more than a day in any specific area.

Comment 2:

II. Editorial Comments and/or Suggestions

Notification in advance of Project-related activities within streams: Under the Permits and Approvals Needed section (page 9) of the IS, Caltrans recognizes the need for, and commits to obtaining, incidental take permits from both CDFW and the USFWS for the Project-related take of TKR, and will apply for Waste Discharge Requirements from the Central Valley Regional Water Quality Control Board. However, while CDFW staff has not toured the Project area, it appears several of the drainages which cross the Project area would be considered streams. Further, because the Project-related activities within these drainages could substantially adversely affect these drainages, CDFW recommends Caltrans commit to notifying CDFW in advance of commencing the Project. CDFW recommends Caltrans revise the Permits and Approvals Needed table on page 9 of the IS to include a Streambed Alteration Agreement if those Project activities will be subject to CDFW jurisdiction.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any

special-status species and natural communities detected during Project surveys to CNDDDB. The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/data/cnddb/submitting-data>. The completed form can be mailed electronically to CNDDDB at the following email address: cnddb@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/data/cnddb/plants-and-animals>.

FILING FEES

If it is determined that the Project has the potential to impact biological resources, an assessment of filing fees will be necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

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

More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/conservation/survey-protocols>). If you have any questions, please contact Steve Hulbert, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 575-6415, or by electronic mail at steven.hulbert@wildlife.ca.gov.

Sincerely,
Valerie Cook
Acting Regional Manager

Attachment 1: Recommended Mitigation and Monitoring Reporting Program

cc: United States Fish and Wildlife Service
2800 Cottage Way, Suite W-2605
Sacramento, California 95825

Attachment 1

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

RECOMMENDED MITIGATION MONITORING AND REPORTING
PROGRAM (MMRP)

PROJECT: Stratford-Lemoore CAPM

SCH No.: 2022040547

RECOMMENDED MITIGATION MEASURE

STATUS/DATE/INITIALS

Before Disturbing Soil or Vegetation

Mitigation Measure 1: SWHA Avoidance

Mitigation Measure 2: SWHA Take Authorization (if avoidance is not feasible)

LITERATURE CITED

CDFW. 2016. Five Year Status Review for Swainson's *Hawk (Buteo swainsoni)*. California Department of Fish and Wildlife. April 11, 2016.

Response to comment 2: Thank you for your comment on the recommendation to submit a notification for potential impacts to streams. In consideration of this comment, upon final design, Caltrans will reanalyze each of the culvert locations identified in the environmental document and determine whether a notification is required. If required, Caltrans will submit a notification to the California Department of Fish and Wildlife and consult with other agencies as needed. A description of work anticipated for each culvert location is included in Appendix A of the Natural Environment Study. It is currently anticipated that one culvert location warrants a Section 1602 Permit, and the environmental document has been updated with this change.

Comments from Samantha McCarty, Cultural Specialist II, Santa Rosa Indian Community of the Santa Rosa Rancheria

Comment 1:

January 12, 2022

Samantha McCarty requested Department of Parks and Recreation and California Historic Resources Information System records search. Native American monitoring for excavation work at culverts has been requested.

Response to comment 1: All requested materials have been given to the tribe. Native American monitoring will be funded during construction, specifically during culvert work.

Comments from Shana Powers, Cultural Resource Director, Santa Rosa Rancheria Tachi Yokut Tribe

Comment 1:

March 30, 2022

ATTN: Juergen Vespermann
Senior Environmental Planner
California Department of Transportation: District 6
2015 E Shields Avenue, Suite 100
Fresno, CA 93726

RE: Stratford-Lemoore CAPM Project

Dear Mr. Vespermann,

Santa Rosa Rancheria Tachi Yokut Tribe respectfully requests to be a consulting party under the National Historic Preservation Act (NHPA) Section 106 Formal Consultation Request for Project Stratford-Lemoore CAPM. Federal law requires the Bureau of Reclamation to take into account the potential effects of a proposed undertaking on properties eligible for listing on the National Register of Historic Places or those identified by Indian Tribes as religiously and culturally significant. Specifically, Section 106 of the NHPA contemplates the participation of federally recognized tribes as “consulting parties” during the evaluation of proposed federal undertakings that could potentially affect properties with cultural, historic, or religious significance as identified by Indian Tribes.

As a “consulting party”, an Indian Tribe may actively participate in the Section 106 process by identifying and articulating concerns and offering advice regarding potential effects of the Project Stratford-Lemoore CAPM undertaking on tribally identified historic properties. In effect, Section 106 of the NHPA allows Indian Tribes, due to their special expertise, to assist lead agencies in identifying significant cultural and historic properties throughout the planning process.

The Tribe is aware of several cultural and religious significant sites and landscapes that will be adversely affected by this proposed undertaking.

The Tribe intends to participate through consultation at each stage of the review process Stratford-Lemoore CAPM to ensure that potential effects by the proposed undertaking on Tribal cultural resources are properly identified, addressed, and the effects are mitigated in a culturally respectful manner. The Tribe hereby identifies our Tribal contacts for this undertaking to be:

1. Leo Sisco, Tribal Chairperson
Office: (559) 924-1278

2. Shana Powers, Cultural Department Director:
Office: (559) 924-1278 Ext: 4093
Cell: (559) 423-3900
Email: spowers@tachi-yokut-nsn.gov
3. Samantha McCarty, Cultural Specialist II
Office: (559) 924-1278 Ext: 4091
Cell: (559) 633-6640
Email: smccarty@tachi-yokut-nsn.gov

In addition, in the event of an Unanticipated Discovery, Unanticipated Adverse Effect of Unanticipated Damage with respect to archaeological sites or human remains, please also contact by phone and email a copy of the notice to:

1. Shana Powers, Cultural Department Director:
Office: (559) 924-1278 Ext: 4093
Cell: (559) 423-3900
Email: spowers@tachi-yokut-nsn.gov
2. Samantha McCarty, Cultural Specialist II
Office: (559) 924-1278 Ext: 4091
Cell: (559) 633-6640
Email: smccarty@tachi-yokut-nsn.gov

The Tribe looks forward to consulting with the California Department of Transportation on this important undertaking. If you have any questions on this request, please contact SRR Cultural Director Powers immediately.

Respectfully,

Leo Sisco, Chairman

Response to comment 1: Recognizing the cultural concerns of the Tribe and the level of sensitivity for cultural resources in the project area, Caltrans Transportation Planning Native American Liaison staff and Environmental Planning Cultural Resources staff conducted meetings with Santa Rosa Rancheria Tachi-Yokut Tribe representatives, including the Santa Rosa Rancheria Cultural and Historical Preservation Department Director and a Cultural Specialist.

During the May 12, 2022 meeting, the cultural staff of Santa Rosa Rancheria Tachi-Yokut Tribe requested to have Native American monitoring for all excavation work at the proposed 12 culvert locations. The Santa Rosa Rancheria Tachi-Yokut Tribe was informed that their request for monitoring was accepted.

Comment 2:

June 9, 2022

Shana Powers spowers@tachi-yokut-nsn.gov

Thank you for taking time to talk to us today. We do want to make a clarification on our letter dated 3/30/2022. The Tribe is concerned that the project may cause adversely to significant sites and cultural landscapes. We do still support Native American Monitoring. Thank you.

Sincerely,
Shana Powers

Response to comment 2: An Archaeological Survey Report and a Historic Property Survey Report will be completed, and Native American Monitoring will be provided for all culvert locations during construction.

List of Technical Studies Bound Separately (Volume 2)

Air Quality Memorandum January 2022

Noise Study Memorandum December 2021

Water Quality Memorandum December 2021

Natural Environment Study December 2021

Biological Assessment August 2021

Location Hydraulic Study November 2021

Hydraulics Recommendation Memorandum April 2021

Archaeological Survey Report June 2022

Historic Property Survey Report June 2022

Hazardous Waste Reports

- Initial Site Assessment January 2022

Scenic Resource Evaluation/Visual Assessment August 2021

Paleontological Identification Report December 2021

Climate Change Memorandum December 2021

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

Jennifer H. Taylor
District 6 Environmental Division
California Department of Transportation
2015 East Shields Avenue, Suite 100, Fresno, California 93726

Or send your request via email to: jennifer.taylor@dot.ca.gov
Or call: (559) 287-9844

Please provide the following information in your request:

Project title: Stratford-Lemoore CAPM

General location information: On State Route 41 in Kings County

District number-county code-route-post mile: 06-KIN-041-PM 28.4-R39.8

Project ID number: 0617000304