

Kettleman Roundabout

Intersection of State Route 41 and Bernard Drive in Kettleman City
in Kings County

06-KIN-41-PM 16.6-16.9

Project Number 0619000078

State Clearinghouse Number 2021080315

Initial Study with Negative Declaration

Volume 1 of 2



Prepared by the
State of California Department of Transportation

December 2021



General Information About This Document

Document prepared by: Rebecca Ashjian, Environmental Planner

[The following text has been added since the draft environmental document was circulated.] Language has been added throughout the document to indicate where a change has been made since the circulation of the draft environmental document. Minor editorial changes and clarifications have not been so indicated.

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State Clearinghouse Number 2021080315
06-KIN-41-PM 16.6-16.9
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Build a dual-lane roundabout at the intersection of State Route 41 and
Bernard Drive in Kettleman City from post mile 16.6 to post mile 16.9 in Kings
County

**INITIAL STUDY
with Negative Declaration**

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

THE STATE OF CALIFORNIA
Department of Transportation



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



Date

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Negative Declaration

Pursuant to: Division 13, Public Resources Code

State Clearinghouse Number: 2021080315

District-County-Route-Post Mile: 06-KIN-41-PM 16.6-16.9

EA/Project Number: EA 06-0X950 and Project Number 0619000078

Project Description

The California Department of Transportation (Caltrans) proposes to build a dual-lane roundabout at the intersection of State Route 41 and Bernard Drive in Kettleman City from post mile 16.6 to post mile 16.9 in Kings County.

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 agriculture and forest resources, air quality, cultural resources, energy, geology and soils, land use and planning, mineral resources, transportation, tribal cultural resources, utilities and service systems, aesthetics, population and housing, recreation, paleontology, hydrology and water quality, noise, public services, and wildfire.

The project will have no significant effect on hazards and hazardous materials, biological resources, and greenhouse gas emissions.



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



Date

Table of Contents

Chapter 1	Proposed Project	1
1.1	Introduction.....	1
1.2	Purpose and Need.....	1
1.2.1	Purpose.....	2
1.2.2	Need	2
1.3	Project Description	3
1.4	Project Alternatives.....	6
1.4.1	Build Alternatives	6
1.4.2	No-Build (No-Action) Alternative	12
1.5	Identification of a Preferred Alternative.....	12
1.6	Standard Measures and Best Management Practices Included in All Alternatives.....	12
1.7	Discussion of the NEPA Categorical Exclusion	13
1.8	Permits and Approvals Needed	13
Chapter 2	CEQA Evaluation	15
2.1	CEQA Environmental Checklist	15
2.1.1	Aesthetics	15
2.1.2	Agriculture and Forest Resources.....	16
2.1.3	Air Quality	17
2.1.4	Biological Resources.....	18
2.1.5	Cultural Resources.....	23
2.1.6	Energy.....	23
2.1.7	Geology and Soils.....	23
2.1.8	Greenhouse Gas Emissions	25
2.1.9	Hazards and Hazardous Materials	27
2.1.10	Hydrology and Water Quality	29
2.1.11	Land Use and Planning.....	30
2.1.12	Mineral Resources	31
2.1.13	Noise.....	31
2.1.14	Population and Housing.....	32
2.1.15	Public Services	32
2.1.16	Recreation	33
2.1.17	Transportation.....	34
2.1.18	Tribal Cultural Resources	34
2.1.19	Utilities and Service Systems.....	35
2.1.20	Wildfire.....	36
2.1.21	Mandatory Findings of Significance	37
Appendix A	Title VI Policy Statement	39
Appendix B	Comment Letters and Responses	41

Chapter 1 Proposed Project

1.1 Introduction

This project proposes to build a roundabout at the intersection of State Route 41 and Bernard Drive in Kings County, in the census-designated town of Kettleman City (see Figure 1-1 for the project vicinity map and Figure 1-2 for the project location map). The intersection is 0.3 mile north of the junction of Interstate 5 and State Route 41. State Route 41 is classified as an arterial, runs north and south, and connects the Central California Coast to the Fresno metropolitan area and beyond to Yosemite National Park. The Interstate 5/State Route 41 junction is a diamond interchange on Interstate 5 halfway between the City of Los Angeles and the San Francisco Bay Area.

The Bernard Drive intersection is the only signalized intersection within the commercial area that connects the census-designated town of Kettleman City to Interstate 5. Due to its proximity to Interstate 5 and Kettleman City, this commercial area has been used as a rest stop for freight trucks and commuters and as a shopping center for Kettleman City residents.

The intersection at Ward Drive is 350 feet south of Bernard Drive. It is the only other access route to the commercial area east of State Route 41. This T-intersection has only a right-in and right-out access to northbound State Route 41. Bernard Drive and Ward Drive do not have any storage length for vehicles turning onto southbound or northbound State Route 41.

Preliminary traffic studies have shown that all Ward Drive traffic uses the Bernard Drive intersection at State Route 41, causing long queues for U-turns and right and left turns at this signalized intersection. Traffic congestion and resulting delays are more noticeable during weekends and holidays, impeding the signal's effectiveness and requiring the California Highway Patrol to take control of the intersection to avoid possible collisions and ease traffic congestion.

The project was programmed in the State Highway Operation and Protection Program with funding from the Kings County Association of Governments' Congestion Mitigation and Air Quality Program.

1.2 Purpose and Need

The purpose and need sections discuss the reasons for the project and justify its development.

1.2.1 Purpose

The purpose of the project is to improve safety, reduce the number of collisions for the life of the project, and improve traffic operations.

1.2.2 Need

The Bernard Drive and State Route 41 intersection has been experiencing traffic congestion due to recent commercial development. As a result, southbound vehicles on State Route 41 have been using the shoulder as a through lane, compromising the safety of other vehicles and pedestrians using the intersection.

A collision history was taken at the State Route 41 intersection at Bernard Drive and at the State Route 41 mainline between post mile 16.5 and post mile 17.0. The three-year period from October 1, 2015, to September 30, 2018, shows that the actual fatal collision rate for both intersections is lower than the statewide average fatal collision rate. However, the actual fatal-plus injury and the total collisions are higher than the statewide average rates (see Table 1.1 and Table 1.2). Twelve collisions were reported on the State Route 41 intersection at Bernard Drive; 10 collisions were reported on the State Route 41 mainline between post mile 16.5 and post mile 17.0 during this time period.

Table 1.1 Collision Rates in Collisions per Million Vehicles at the Bernard and State Route 41 Intersection

Bernard Drive	Fatal	Fatal and Injury	Total
Actual	0.00	0.28	0.66
Average	0.006	0.23	0.58

Source: Air Quality Memorandum, April 2, 2021.

Table 1.2 Collision Rates in Collisions per Million Vehicles on State Route 41 Between Post Mile 16.5 and Post Mile 17.0

State Route 41 (Post Mile 16.5 to Post Mile 17.0)	Fatal	Fatal and Injury	Total
Actual	0.00	0.41	1.36
Average	0.017	0.34	0.80

Source: Air Quality Memorandum, April 2, 2021.

Compared to other types of intersections, roundabouts have demonstrated safety and other benefits. The proposed roundabout will have fewer vehicular conflict points in comparison to the existing conventional signal intersection. Hence, the potential for high-severity collisions, such as right angle and left-

turn head-on collisions, will be greatly reduced. The optimal geometric design of this roundabout can lower entry speeds, allowing drivers more time to react to potential conflicts. This additional reaction time improves the safety and performance of the roundabout. Furthermore, low vehicle speeds within the roundabout will help reduce crash severity, resulting in fewer potential fatalities and serious injuries.

The Level of Service will further deteriorate for the intersection at Bernard Drive and State Route 41. Level of Service is a qualitative system used to measure the effectiveness of a roadway or interchange to transport vehicles. The Level of Service rating system uses letters “A” through “F” to describe and measure service quality. A designation of Level of Service “A” indicates excellent travel conditions, while Level of Service “F” indicates very poor, congested conditions. According to Caltrans’ standards, Level of Service “D” is considered an acceptable rating. Traffic conditions from the year 2018 for the intersection of Bernard Drive and State Route 41 show that it operated at a Level of Service “F” and will continue to do so if the project is not built. If the project is built, the delay time will improve with a corresponding Level of Service of “B.”

Additionally, due to the lack of storage length for U-turn and left-turn movements, long queues are formed on Bernard Drive and northbound State Route 41 for vehicles heading back to Interstate 5. This has caused a higher likelihood of collisions to occur and increased delay time.

Furthermore, the existing pedestrian and bicycle facilities do not conform to the provision of complete streets and should be upgraded to accommodate safer pedestrian crossings.

1.3 Project Description

This safety project will build a dual-lane roundabout at the intersection of State Route 41 and Bernard Drive in Kettleman City from post mile 16.6 to post mile 16.9 in Kings County.

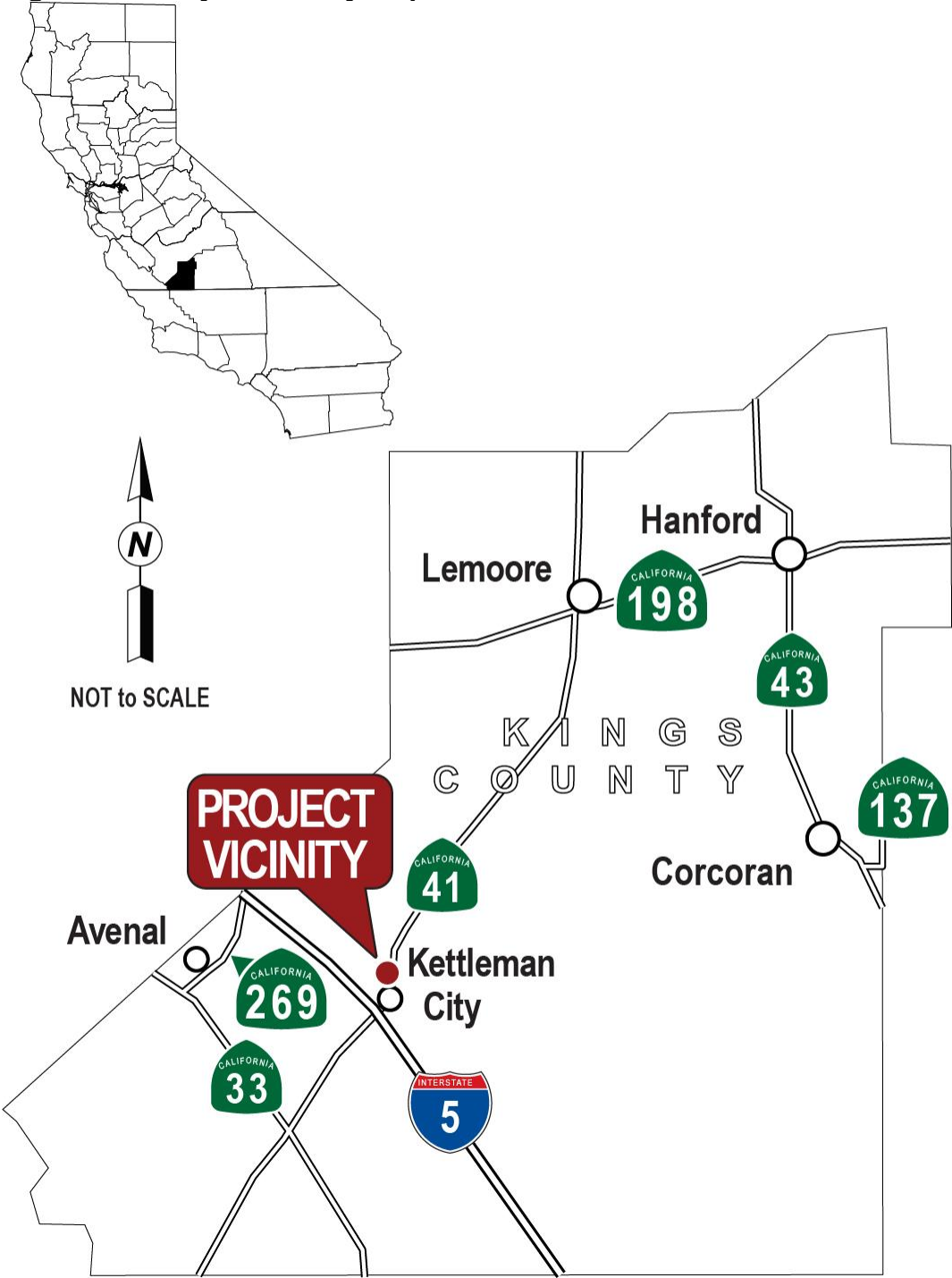
A permanent road will be built to serve as a construction detour and reduce traffic congestion in the commercial area. The road will extend Dana Circle to the intersection of State Route 41 and Hubert Way. The extension will provide a permanent right-turn connection to and from northbound State Route 41. The median will be raised at the State Route 41 and Hubert Way intersection to prevent traffic from crossing over State Route 41.

The Dana Circle extension, a county road, will be funded and administered by Kings County before the construction of the roundabout.

This project includes a Build Alternative and a No-Build Alternative. Current project costs for the year 2021 include the following:

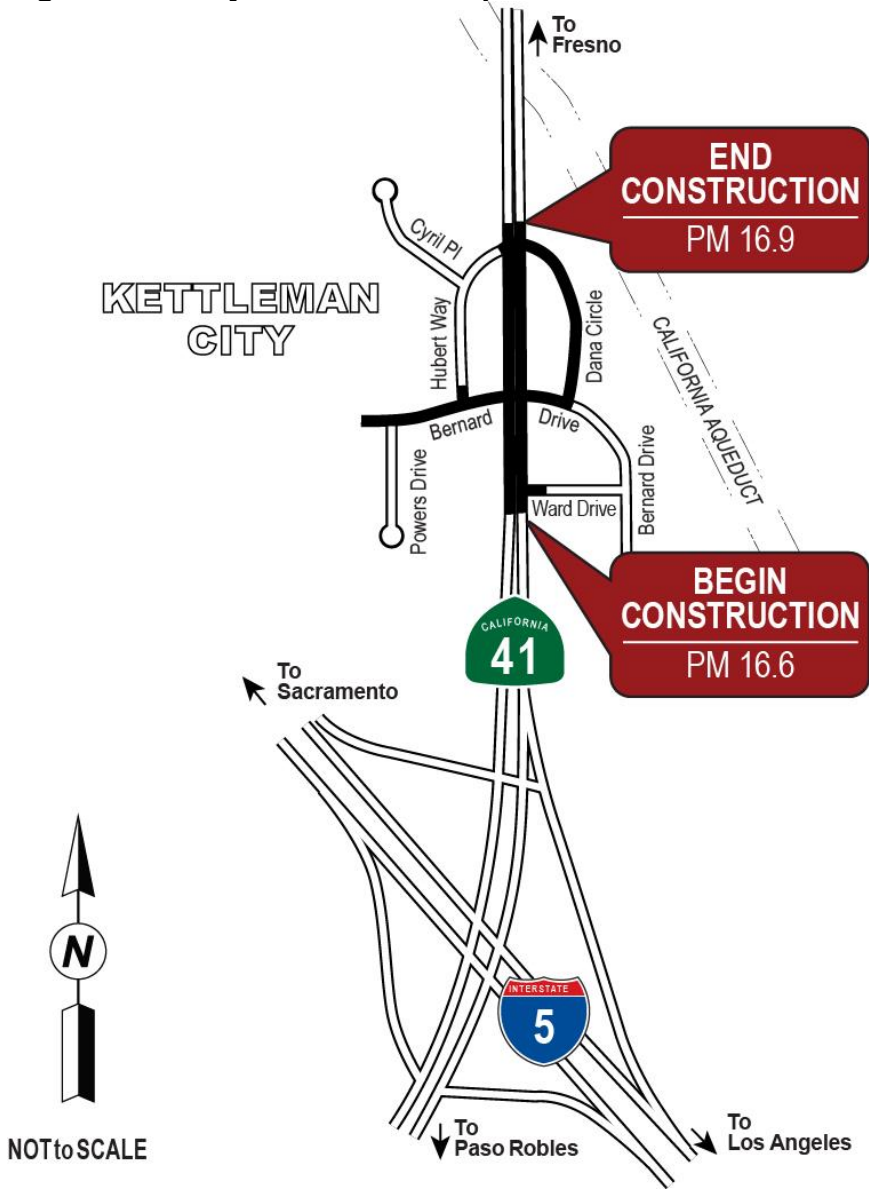
- Support costs: \$3,817,000
- Construction costs: \$2,517,000
- Right-of-Way costs: \$1,238,000

Figure 1-1 Project Vicinity Map



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Figure 1-2 Project Location Map



1.4 Project Alternatives

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

1.4.1 Build Alternatives

The Build Alternative proposes to build a dual-lane roundabout with a single right turn onto eastbound Bernard Drive. The pavement within the intersection will be a dark contrast Jointed Plain Concrete Pavement. Additionally, a separate Jointed Plain Concrete Pavement concrete truck apron at the center

of the roundabout will accommodate standard trucks and oversized trucks using State Route 41. The roundabout will maintain existing traffic patterns with modified driveways in addition to installing lighting facilities, sidewalks, splitter islands, pedestrian crossings, and bike ramps. There will also be the construction of drainage inlets, drainage pipes, and relocation of utilities. Commercial signs will be removed or relocated to prevent drivers' sight distance blockage. There will be partial right-of-way acquisitions from six parcels and two temporary construction easements for construction work and a detour. See Table 1.3 for the list of assessor's parcel numbers that will require partial right-of-way acquisitions.

Table 1.3 Partial Right-of-Way Acquisitions From the Following Properties

Assessor's Parcel Number	Right-of-Way Required (Acre)
042-360-011	0.40
042-360-008	0.23
042-380-002	0.05
042-370-007	0.065
042-370-006	0.035
042-370-008	0.02

A permanent road will extend Dana Circle to State Route 41 and Hubert Way to serve as a construction detour and alleviate traffic congestion for the commercial area. The extension will provide a permanent right-turn connection to and from northbound State Route 41. The median will be raised at State Route 41 and the Hubert Way intersection to prevent traffic from crossing over State Route 41. The Dana Circle extension, a county road, will be funded and administered by Kings County before the construction of the roundabout.

The project will be built in three stages. The first stage of construction will start by removing and rebuilding the existing median splitter islands on State Route 41. The northbound and southbound traffic on State Route 41 will be detoured into the median. Bernard Drive will be closed on both sides for the construction of the drainage systems, sidewalks, curbs, and pavements on four corners of the intersection. Temporary traffic signals will be placed at the intersection of State Route 41 and Hubert Way for northbound and southbound traffic to make left turns and right turns onto Hubert Way and Dana Circle. Northbound traffic will have the option to use Ward Drive to access commercial businesses on the east side of State Route 41. Temporary traffic signals will also be placed at the intersection of Bernard Drive and Hubert Way. See Figure 1-3 for stage one of construction, Figure 1-4 for stage two of construction, and Figure 1-5 for stage three of construction.

During the second stage of construction, the temporary State Route 41 detour will be removed, and the remaining portion of the roundabout will be built. State Route 41 northbound and southbound will be kept open to traffic, using the built portion of the roundabout, whereas the Bernard Drive cross traffic will be detoured. In this stage, Bernard Drive cross traffic will temporarily use Hubert Way and Dana Drive to bypass the intersection. See Figure 1-5.

During the third stage of construction, the temporary striping for the detours will be replaced with final striping and pavement markings, while other minor work is done off the pavement to complete construction.

Project construction is slated to start in April 2024 and finish in February 2025. A total of 140 working days will be needed to complete the 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 Alternatives.

Figure 1-3 Aerial Map Showing Stage One of Construction

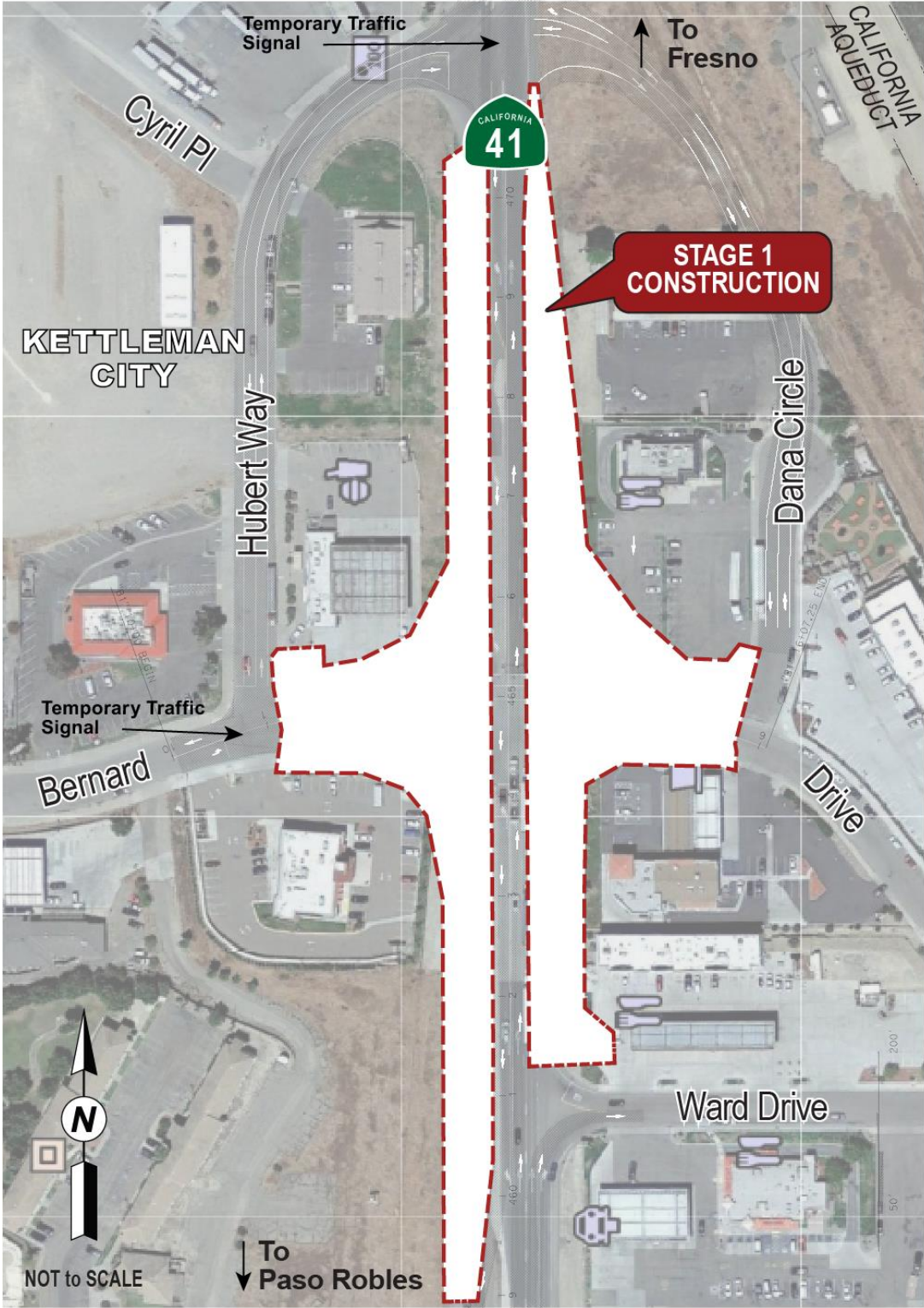
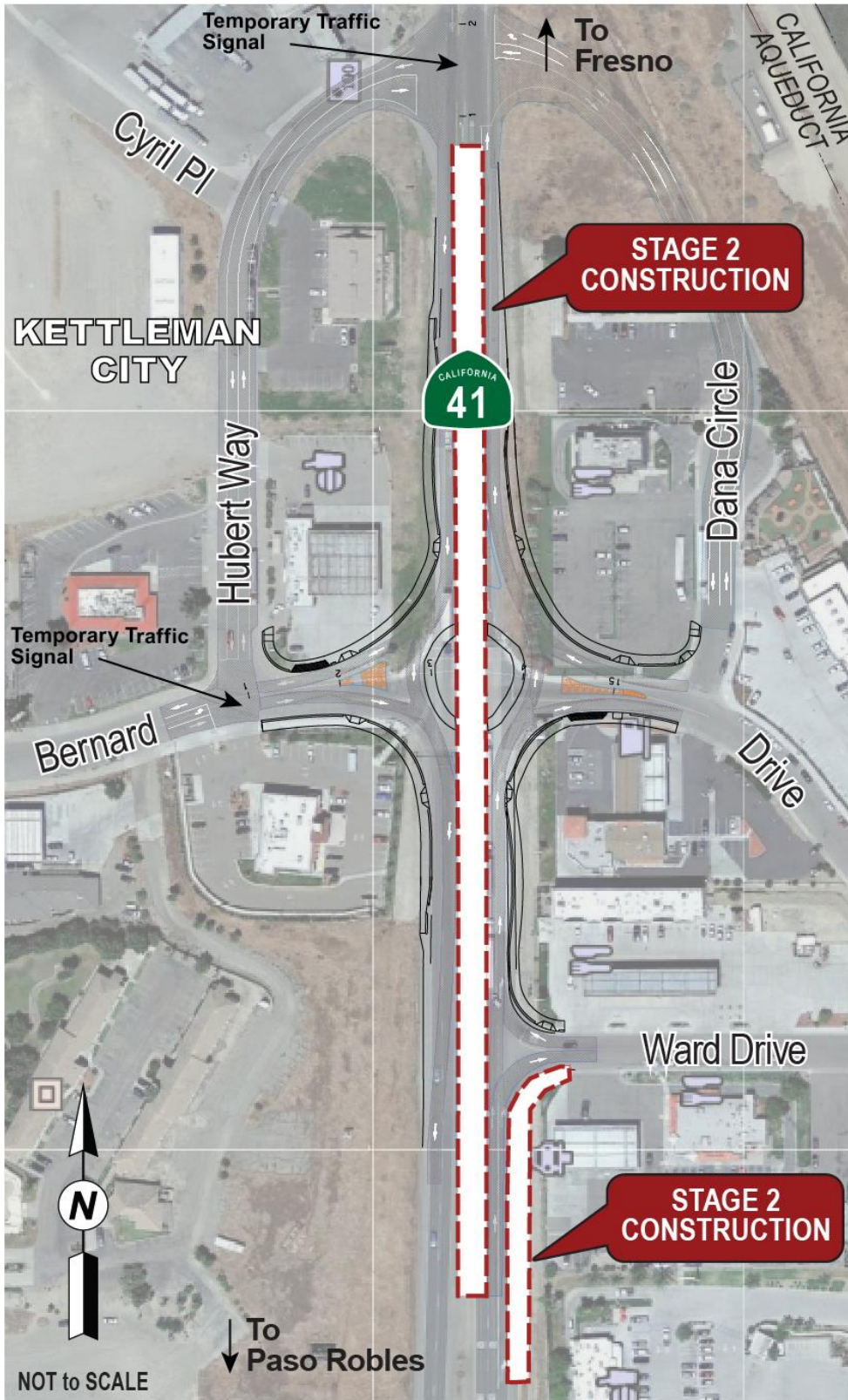
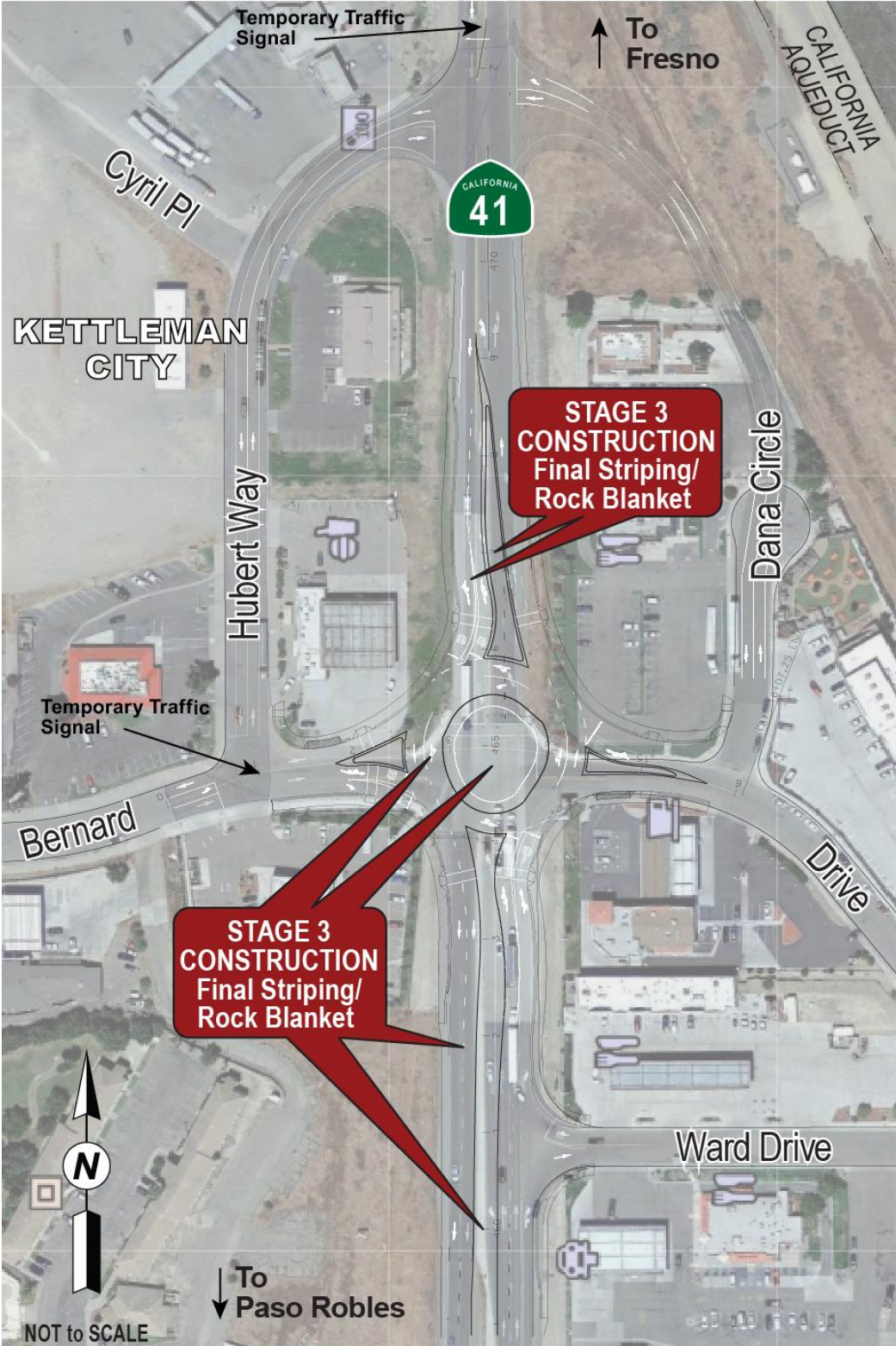


Figure 1-4 Aerial Map Showing Stage Two of Construction



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Figure 1-5 Aerial Map Showing Stage Three of Construction



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1.4.2 No-Build (No-Action) Alternative

The No-Build (No-Action) Alternative will not meet the purpose and need statement and may result in further deterioration of the Level of Service, additional collisions, and congestion at the Bernard Drive and State Route 41 intersection.

1.5 Identification of a Preferred Alternative

The Build Alternative meets the purpose and need of the project by constructing a roundabout at the intersection of State Route 41 and Bernard Drive in Kettleman City that will improve safety and traffic operations. For this reason, Caltrans recommends that this be selected as the preferred alternative.

1.6 Standard Measures and Best Management Practices Included in All Alternatives

7-1.02A Comply with laws, regulations, orders, and decrees applicable to the project.

7-1.02C Emissions Reduction: The contractor will certify they are aware of and will comply with all Air Resources Board emission reduction regulations.

10-5 Dust Control: General specifications for controlling dust resulting from the work.

14-8.02 Noise Control: Pertains to controlling and monitoring noise resulting from work activities. Noise levels are not to exceed 86 A-weighted decibels at 50 feet from the job site from 9:00 p.m. to 6:00 a.m.

14-9.02 Air Pollution: Comply with air pollution control rules, regulations, ordinances, and statutes that apply to work performed under the construction contract.

14-11.12 Removal of Yellow Traffic Stripe and Pavement Marking and Hazardous Waste Residue: Includes specifications for removing, handling, and disposing of yellow thermoplastic and yellow-painted traffic stripe and pavement marking. The residue from the removal of this material is a generated hazardous waste (lead chromate). Removal of existing yellow thermoplastic and yellow-painted traffic stripe and pavement marking exposes workers to health hazards that must be addressed in a lead compliance plan.

14-11.14 Treated Wood Waste: Includes specifications for handling, storing, transporting, and disposing of treated wood waste.

Caltrans' Standard Special Provisions Section 7-1.02K(6)(j)(iii) Earth Material Containing Lead.

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 (NEPA). 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—in other words, 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
U.S. Fish and Wildlife Service	Letter of Concurrence	A Letter of Concurrence was received on July 22, 2021.
Regional Water Quality Control Board	Notice of Intent	To be obtained before the start of construction.

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 with Mitigation Incorporated, Less Than Significant Impact, and No Impact. In many cases, background studies performed in connection with a project will indicate that there are no impacts to a particular resource. A No Impact answer reflects this determination. The questions in this checklist are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

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

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

2.1.1 Aesthetics

Considering the information in the Visual Impact Assessment dated June 29, 2020, 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.

The project will not convert prime farmland, unique farmland, or farmland of statewide importance to nonagricultural use or conflict with existing zoning for agricultural use or a Williamson Act contract. There are no forest lands or timberlands within the project area that could be impacted. Considering the information from the Kings County General Plan dated January 26, 2010, the following significant 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 nonagricultural use?	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	No Impact
c) Conflict with existing zoning, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?	No Impact
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural 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 2, 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

Question—Would the project:	CEQA Significance Determinations for Air Quality
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	No Impact
c) Expose sensitive receptors to substantial pollutant concentrations?	No Impact
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	No Impact

2.1.4 Biological Resources

Considering the information in the Biological Assessment dated May 17, 2021, and the Natural Environment Study (Minimal Impacts) dated June 7, 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 and Atmospheric Administration Fisheries?	Less Than Significant Impact
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

Question—Would the project:	CEQA Significance Determinations for Biological Resources
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	No Impact

Affected Environment

The action area was defined to assess the impacts of the project on biological resources. The action area includes the proposed roundabout location, roadway shoulders, and a 100-foot study buffer surrounding the proposed roundabout location and potential habitat onsite.

The action area is made up of disturbed and developed lands throughout the project area. Commercial properties surround the project area, including motels, gasoline stations, and restaurants. The portions of these areas that are vegetated typically consist of non-native landscapes and weedy species, which are regularly maintained.

A list of federally endangered species and critical habitat(s) that may be affected by the project was first requested from the U.S. Fish and Wildlife Service on March 26, 2019, and has been updated on January 26, 2021. 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 San Joaquin kit fox and the loggerhead shrike that may be present within the project footprint. [The following text has been added since the draft environmental document was circulated.] A letter of concurrence from the U.S. Fish and Wildlife Service was received on July 22, 2021.

General wildlife surveys were performed during two site visits, and a botanical survey was performed during one site visit on February 25, 2020, March 12, 2020, and February 24, 2021. Wildlife camera surveys took place in April 2020, May 2020, July 2020, August 2020, and from March 8, 2021, to March 12, 2021. No listed species were seen during the general wildlife surveys. No images of listed species were captured in photos taken during the camera surveys.

San Joaquin Kit Fox

The San Joaquin kit fox is designated as a federal endangered species and state threatened species. San Joaquin kit foxes are primarily nocturnal and stay active throughout the year. They use dens for shelter, reproduction, protection from predators, and temperature regulation. Their dens typically have a distinct keyhole-shaped entrance. San Joaquin kit foxes occupy valley and foothill grasslands, or grassy open-stage habitats with scattered shrubs, in areas of loose-textured soils.

The closest occurrence of the San Joaquin kit fox occurred 3.55 miles southwest of the project area, with the most recent sighting in 2001. An evaluation of the potential habitat for this species was conducted during a general wildlife survey. It was determined there is a 1.02-acre plot of isolated, low-quality potential habitat adjacent from Caltrans' right-of-way where the Dana Circle extension will be built, with Taco Bell bordering to the south and the California Aqueduct bordering to the east.

Camera stations were set up within the 1.02-acre plot of potential habitat onsite and captured no images of small mammal activities in the area. A small number of mammal burrows were found within 0.33 acre of the 1.02-acre plot in which permanent impacts to potential San Joaquin kit fox habitat could occur. This small and isolated habitat that is present within the action area, where the Dana Circle extension will be built, is already disturbed by human activities. Potential San Joaquin kit foxes that may be in the area would find it difficult to migrate into the action area due to State Route 41, Interstate 5, and the California Aqueduct acting as barriers to species migration.

Loggerhead Shrike

The loggerhead shrike is designated as a species of concern by the California Department of Fish and Wildlife. The loggerhead shrike is a medium-sized passerine, with a grayish back, black wings, white breast, and a distinctive black mask around its eyes, which runs down its forehead. Loggerhead shrikes are 8 to 10 inches long, with a 12-inch wingspan and a hooked beak that differs from most passerines.

Loggerhead shrikes range from Central Canada to the Midwest of the U.S. and as far south as California. In California, the loggerhead shrike is both a year-round resident and winter resident, found in the lowlands and foothills, excluding the coast and Coast Range north of Mendocino. Loggerhead shrikes prefer open habitats with scattered shrubs, fences, posts, and other perches. They also prefer open canopied valley foothill riparian, valley foothill hardwood, valley foothill hardwood conifer, pinyon-juniper, juniper, desert riparian, and Joshua tree habitat.

The most recent observation reported for the loggerhead shrike occurred in 2001, approximately 10 miles northwest of the project area. The loggerhead shrike was not detected during general wildlife surveys; however, there are

1.02 acres of potentially suitable foraging habitat within the northeast section of the study area. Additionally, non-native landscape species of trees used by commercial properties within the study area may also provide potential nesting habitat for the loggerhead shrike.

Environmental Consequences

San Joaquin Kit Fox

San Joaquin kit foxes are unlikely to occur in the project footprint, and there is a low probability that dispersing or transient individuals could be affected by construction. However, direct effects are expected due to the permanent impact and removal of 0.33 acre of potential low-quality habitat during construction of the Dana Circle extension; these impacts are considered minimal and are not expected to have any effect on San Joaquin kit foxes that may occur in the general area. With the implementation of general and species-specific conservation measures, Caltrans determines there would be no adverse effects on this species.

Loggerhead Shrike

Both permanent and temporary impacts (less than 0.5 acre) to the loggerhead shrike are expected to be minimal due to the small area required to complete the work. Although the study area has potential foraging and nesting habitat for the loggerhead shrike, including trees, posts, fences, utility lines, and other perches, the majority of the impact area is poor and overrun with non-native grasses and invasive species. Based on surveys, potential habitat conditions, and proximity to a highly trafficked highway, the project is not expected to adversely affect the species with the implementation of avoidance and minimization measures.

Avoidance, Minimization, and/or Mitigation Measures

San Joaquin Kit Fox

The following avoidance and minimization measures would be implemented for San Joaquin kit foxes:

- Project-related vehicles should observe a 20 miles per hour speed limit in all project areas, except on county roads and state and federal highways; this is particularly important at night when San Joaquin kit foxes are most active. To the extent possible, nighttime construction should be minimized. Off-road traffic outside of designated project areas should be prohibited.
- To prevent inadvertent entrapment of San Joaquin kit foxes or other animals during the construction phase of the project, all excavated, steep-walled holes or trenches more than 2 feet deep should be covered at the close of each working day by plywood or similar materials. If trenches cannot be closed, one or more escape ramps built of earth fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals.

- Preconstruction surveys would be conducted for San Joaquin kit foxes no less than 14 days and no more than 30 days before the beginning of ground disturbance and/or construction activities or any project activities likely to impact the San Joaquin kit fox.
- All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at the end of each workday.
- San Joaquin kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for San Joaquin kit foxes before they are used or moved in any way.
- Use of rodenticides and herbicides in the project area should be restricted.
- No firearms shall be allowed on the project site.
- No pets, such as dogs or cats, should be allowed on the project site to prevent harassment, the mortality of San Joaquin kit foxes, or the destruction of dens.
- An employee education project should be conducted before construction activities start. The program should consist of a brief presentation by persons knowledgeable in San Joaquin kit fox biology and legislative protection to explain endangered species concerns to contractors and their employees. The program should include the following: a description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of San Joaquin kit foxes in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet communicating this information should be prepared for distribution to the previously referenced people and anyone else who may enter the project site.

Loggerhead Shrike

The following avoidance and minimization measures would be implemented for the loggerhead shrike:

- Preconstruction surveys would be conducted no more than 30 days before the beginning of construction.
- If nesting loggerhead shrikes are found, a 100-foot no-work buffer would be implemented.

2.1.5 Cultural Resources

Considering the information in the Section 106 Compliance-Screened Undertaking for the Kettleman City Roundabout project dated July 2, 2020, 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

Construction activities will cause a temporary increase in energy consumption, but it will not be significant. The increase may be offset over time by the improvements proposed in the project area. The project is an intersection control improvement project that will not increase capacity. Considering the reasons provided and guidance from the Caltrans Standard Environmental Reference Chapter 13-Energy, the following significance determinations have been made:

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

2.1.7 Geology and Soils

Considering the information in the California Geological Survey webpage, Faulting in California, the California Department of Conservation Map Data Viewer webpage, and a Paleontological Identification Report dated March 18, 2019, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Geology and Soils
<p>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <p>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.</p>	No Impact
<p>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <p>ii) Strong seismic ground shaking?</p>	No Impact
<p>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <p>iii) Seismic-related ground failure, including liquefaction?</p>	No Impact
<p>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <p>iv) Landslides?</p>	No Impact
<p>b) Result in substantial soil erosion or the loss of topsoil?</p>	No Impact
<p>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?</p>	No Impact
<p>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?</p>	No Impact
<p>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?</p>	No Impact

Question—Would the project:	CEQA Significance Determinations for Geology and Soils
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 Air Quality Memorandum dated April 2, 2021, and the Climate Change Report dated April 21, 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?	Less Than Significant Impact

Affected Environment

The project is in Kings County, in the census-designated town of Kettleman City, at the intersection of State Route 41 and Bernard Drive. The intersection is 0.3 mile north of the junction of Interstate 5 and State Route 41. With recent commercial development, the intersection has been experiencing more traffic congestion and higher collision rates. The surrounding area is primarily commercial buildings and light industrial.

The purpose of this project is to improve safety and ease congestion by building a dual-lane roundabout at the intersection of State Route 41 and Bernard Drive.

Kings County Association of Governments' 2018 Regional Transportation Plan/Sustainable Communities Strategy guides transportation in the project area. Chapter 12 of the plan (Sustainable Communities Strategy) discusses the emissions reduction strategy for the region. The Sustainable Communities Strategy strives to reduce air emissions and improve system preservation, which includes maintaining system pavement, bridges and improving system reliability, mobility, and safety.

Environmental Consequences

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

However, construction equipment, material process, and delivery may generate short-term greenhouse gas emissions during construction. Carbon dioxide emissions generated from construction equipment were estimated using the Caltrans Construction Emissions Tool. The estimated emissions would be 224 tons of carbon dioxide over 140 working days.

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

Avoidance, Minimization, and/or Mitigation Measures

Measures to reduce project-level greenhouse gas emissions may include:

- Caltrans' Standard Specifications Section 7-1.02A Comply with laws, regulations, orders, and decrees applicable to the project.
- Caltrans' Standard Specifications Section 7-1.02C Emissions Reduction: The contractor will certify they are aware of and will comply with all Air Resources Board emission reduction regulations.
- Caltrans' Standard Specifications Section 14-9.02 "Air Pollution Control" requires contractors to comply with air pollution control rules, ordinances, regulations, and statutes.
- Caltrans' Standard Specifications Section 14-10.02 "Solid Waste and Recycling Report" requires contractors to submit a solid waste disposal and recycling report between January 1 and 15 for each year work is performed under the contract at any time during the previous year. The report shows the types and amounts of project-generated solid waste taken to or diverted from landfills or reused on the project from January 1 to December 31 of the previous calendar year.
- Caltrans' Standard Specifications Section 14-10.03 "Recycling Materials Reporting" requires contractors to submit a recycled materials report form within five business days after contract acceptance. The report shows the types and amount of recycled materials incorporated into the project.
- Idling is limited to five minutes for delivery trucks and dump trucks, and other diesel-powered equipment.
- Reduce the construction water consumption of potable water by using recycled water.

- Reduce the need to transport earthen materials by balancing cut and fill quantities.

2.1.9 Hazards and Hazardous Materials

Considering the information in the Initial Site Assessment and Preliminary Site Investigation Summary dated August 20, 2020, 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?	Less Than Significant 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

Affected Environment

The Cortese List is a compilation of contaminated and potentially contaminated sites. The Cortese List was reviewed as part of the initial

screening for this project. This list, or a property's presence on the list, has a bearing on the local permitting process as well as on compliance with the California Environmental Quality Act. The project will require the partial acquisition of new right-of-way from four parcels that were identified on the Cortese List as being currently occupied and/or were formerly occupied by gas stations and/or leaking underground storage tanks. Table 2.1 shows the potentially hazardous waste and materials concerns for the project.

Table 2.1 Potentially Hazardous Waste and Materials Concerns

Address	Land Use	Potential Concerns
27585 Bernard Drive	Restaurant. On leaking underground storage tank database with the case closed in 1990.	Gasoline, diesel, and motor oil contamination
33300 Bernard Drive	Gas station with five leaking underground storage tanks; cases closed between 1990 and 1999. No cases are associated with the current occupant.	Gasoline and diesel contamination
25712 Ward Drive	Gas Station. This is currently an active case, and the contamination source remains in place. Two leaking underground storage tank cases closed in 1999 and 2016.	Gasoline and diesel contamination
25713 Ward Drive	Gas Station. On leaking underground storage tank database, the case closed in 1999.	Gasoline and diesel contamination

One parcel that will require partial right-of-way acquisition was not a leaking underground storage tank property but is occupied by an active gas station and was evaluated in the study.

An aerially deposited lead study was conducted in April 2001 along State Route 41 between post miles 9.5 and 21.0, and it was determined that high levels of lead may be present within the project area. However, due to a small number of soil samples taken, a project-specific aerially deposited lead study was required.

An Initial Site Assessment and a Preliminary Site Investigation were performed in May 2020 to address environmental concerns related to aerially deposited lead along State Route 41 and potential petroleum contamination at the parcels that would be incorporated into Caltrans' right-of-way.

Environmental Consequences

The Preliminary Site Investigation results determined that the soils within the project area were minimally impacted by aerially deposited lead and can be reused, relinquished, or disposed of as a nonhazardous material.

The soil on the private parcels was found to be contaminated with a low concentration of diesel and motor oil. However, the detected concentrations were below applicable health-based environmental screening levels for industrial and commercial settings. Therefore, no further actions would be required.

Avoidance, Minimization, and/or Mitigation Measures

The following measures would be required:

- A lead compliance plan would be required before construction to minimize exposure to construction workers.
- Caltrans' Standard Specifications Section 14-11.08, Regulated Material Containing Aerially Deposited Lead.
- Caltrans' Standard Specifications Section 14-11.12 Removal of Yellow Traffic Stripe and Pavement Marking with Hazardous Waste Residue: Includes specifications for removing, handling, and disposing of yellow thermoplastic, yellow-painted traffic stripe, and pavement markings. The residue from the removal of this material is a generated hazardous waste (lead chromate). Removing existing yellow thermoplastic, yellow-painted traffic stripe, and pavement marking could expose workers to health hazards that must be addressed in a lead compliance plan.
- Caltrans' Standard Specifications Section 14-11.14, Treated Wood Waste: Required to assess handling and disposal of any potential wood waste generated during the project.
- Caltrans' Standard Special Provisions Section 36-4 for work involving residue from grinding and cold planing that contains lead from paint and thermoplastic.
- Caltrans' Standard Special Provisions Section 84-9.03B for the Removal of Yellow Traffic Stripe and Pavement Marking separate from roadway grinding.
- Caltrans' Standard Special Provisions Section 7-1.02K(6)(j)(iii) Earth Material Containing Lead.

2.1.10 Hydrology and Water Quality

Considering the information in the Water Compliance Memorandum dated August 21, 2020, 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

The project will not physically divide an established community and will not conflict with the Kings County General Plan dated January 26, 2010, or any other policy or regulation meant to avoid or mitigate an environmental effect. Considering this information, 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

Oil and gas have been identified in and extracted from portions of Kings County, according to the Kings County General Plan. These resources are not present within the project limits. Furthermore, project construction will not result in the loss of mineral resources of value to the region and residents of the state. Considering this information included in the Kings County General Plan dated January 26, 2010, 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 March 1, 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
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

The project will require partial right-of-way acquisition from commercial businesses, but no person or business will be relocated or displaced. Considering the scope and location of the project within a rural setting, the following significance determinations have been made:

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

2.1.15 Public Services

Considering the project will not trigger the need for new or modified public 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

No parks or recreational facilities are within proximity of the project area. Furthermore, the project does not include recreational facilities or require the construction or expansion of recreational facilities. Considering this information, 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

This project is listed as a candidate in the 2018 Kings County Regional Transportation Plan for intersection improvements and will improve the roadway, bicycle, and pedestrian facilities.

This project was exempt from vehicle miles traveled analysis under Senate Bill 743 because the project will not likely lead to a substantial or measurable increase in roadway capacity, according to the California Governor’s Office of Planning and Research, 2018 Technical Advisory.

Considering this information, the following significance determinations have been made:

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

2.1.18 Tribal Cultural Resources

Considering the information in the Section 106 Compliance Screened Undertaking for the Kettleman Roundabout dated July 2, 2020, the following significance determinations have been made:

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

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

2.1.19 Utilities and Service Systems

Considering the scope and location of the project within a rural setting, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Utilities and Service Systems
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?	No Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	No Impact
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?	No Impact

Question—Would the project:	CEQA Significance Determinations for Utilities and Service Systems
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	No Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	No Impact

2.1.20 Wildfire

The project is not within or near areas or lands classified as very high fire hazard severity zones. Considering the information from the Fire Hazard Severity Zone Map for Kings County from the California Department of Forestry and Fire Protection dated November 7, 2007, the following significance determinations have been made.

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

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

2.1.21 Mandatory Findings of Significance

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

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
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Making Conservation
a California Way of Life.

August 2020

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; (916) 324-8379 (TTY 711); or at Title.VI@dot.ca.gov.

Original signed by
Toks Omishakin
Director

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

Appendix B Comment Letters and Responses

[The following text has been added since the draft environmental document was circulated.] This appendix contains the comments received during the public circulation and comment period from August 18, 2021, to September 20, 2021, retyped for readability. A Caltrans response follows each comment presented. Copies of the original comment letters and documents can be found in Volume 2 of this document.

Note: The comment letters are stated verbatim, with acronyms, abbreviations, and any original grammatical or typographical errors.

Comment from John Sarinas

Comment 1:

Good Afternoon Chris,

We are in receipt of the attached notice and have a few questions on the planned work;

Will Ward Drive be closed at any given time for our customers coming from the South?

Will Bernard Drive be closed at any given time for our customers coming from the North?

Thank you very much for any assistance you can extend to us to better understand the proposed work,

John Sarinas | Property Manager

O 626 813 5350

13502 Hamburger Lane

Baldwin Park, CA 91706

Caltrans' response to comment 1: (The response was sent during the public circulation period on the draft environmental document). Hi John. The current schedule is to begin project construction in summer 2024. The majority of the roadway construction is centered on the intersection at State Route 41 and Bernard Drive. While the Bernard Drive leg of the intersection is closed, another access point will be established by extending Dana Circle to the State Route 41/Hubert Way intersection.

The final staging plans have not been developed; however, the current plans are to put a temporary traffic signal at the State Route 41/Hubert Way/Dana Circle extension intersection. This would allow travelers who visit the businesses on the east side of State Route 41 to have the ability to turn back onto southbound State Route 41 under signal control. Ward Drive would have minimal isolated closures at times to rebuild the sidewalk at that intersection. The construction would be sequenced so that Ward Drive would not be closed at the same time as Bernard Drive. The intent is to always have an accessible path to the businesses in the area.

More information on this project can be found at this link:

<https://dot.ca.gov/caltrans-near-me/district-6/district-6-projects/06-0x950>

The draft environmental document can be downloaded from this link:
<https://dot.ca.gov/caltrans-near-me/district-6/district-6-projects/06-0x950>

Kettleman Roundabout (ca.gov)

Let me know if you have any additional questions.

Thank you,

Chris Gardner PE, PMP

Project Manager

Caltrans District 6 Project Management

Cell: 559-978-1888

Comment from Samantha McCarty

Comment 1:

Dear Juergen and Chris,

Thank you for contacting the Santa Rosa Rancheria Tachi-Yokut Tribe regarding: Kettleman Roundabout Project at the Intersection of State Route 41 and Bernard Drive in Kettleman City, California. The Tribe has concerns with this project and is requesting to be notified of any and all discoveries made related to the project. If you have any questions, comments, and or concerns please contact the Santa Rosa Rancheria Cultural Department, Thank you.

Sincerely

Samantha McCarty

Santa Rosa Rancheria Tachi-Yokut Tribe

Cultural Specialist II

SMcCarty@tachi-yokut-nsn.gov

Caltrans' response to comment 1: On Wednesday, October 27, 2021, Caltrans District Native American Coordinator and District Native American Liaisons met with the Santa Rosa Rancheria Cultural Resources staff. Director Shana Powers expressed concerns about sharing or disclosing information and the proposed ground-disturbing work this project will require. In summary, monitoring during construction by a Caltrans archaeologist and a representative of the Santa Rosa Rancheria Tachi Yokut Tribe will be required in specific areas.

Caltrans prepared a Historic Property Survey Report and an Archaeological Survey Report on November 1, 2021, due to the required tribal monitoring for the project. Caltrans' archaeological studies have determined a Finding of No Historic Properties Affected based on the absence of specific eligible cultural resources. In further consultation with the Santa Rosa Rancheria of Tachi Yokuts, the project study includes ancestral lands that were developed upon preceding specific cultural resource laws and tribal consultation. The tribe has recommended, and Caltrans has agreed, to implement a monitoring protocol during construction as needed to avoid and minimize potential impacts to exposed cultural resources. The implementation of a monitoring protocol would allow for immediate action to be taken to avoid delays during construction and also to determine the level of archaeological studies or analysis needed if resources are present.

Comment from Jackson Hurst

Comment 1:

Hi I would like to sign for project updates and be added to the mailing list for the Kettleman Roundabout Project.

Caltrans' response to comment 1: (The response was sent during the public circulation period on the draft environmental document). Hi Jackson. Will do. Did you happen to find the information at this link: <https://dot.ca.gov/caltrans-near-me/district-6/district-6-projects/06-0x950>. Also, the draft environmental document can be downloaded from this link: <https://dot.ca.gov/caltrans-near-me/district-6/district-6-projects/06-0x950>

Thanks,

Chris Gardner PE, PMP

Project Manager

Caltrans District 6 Project Management

Cell: 559-978-1888

Comment from California Department of Fish and Wildlife

Comment 1:

September 15, 2021

Juergen Vespermann

California Department of Transportation, Central Region Environmental

2015 East Shields Avenue, Suite 100-200

Fresno, California 93726

Subject: Kettleman Roundabout (Project) Initial Study with proposed
Negative Declaration State Clearinghouse No. 2021080315

Dear Mr. Vespermann:

The California Department of Fish and Wildlife (CDFW) received a proposed Negative Declaration (ND) 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 construct a roundabout at an existing light-controlled intersection. This Project will necessitate the acquisition of right-of-way and include demolition of the existing roadway and hard shoulder, conversion of the existing shoulder backing to a widened paved roadway, the conversion of adjacent ruderal, scrub, and grassland habitat areas which persist at the north and south ends of the Project Area to new shoulder backing, and the reconstruction of the roadway.

Location: The roundabout will be constructed at the existing intersection of State Route 41 and Bernard Drive in the city of Kettleman City in southern Kings County. The Project Area will involve 0.3 miles of State Route 41 where it approaches and departs the intersection. This segment of State Route 41 exists between post mile 16.6 and post mile 16.9.

Timeframe: Unspecified.

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 ND indicates that the Project-related impacts to Biological Resources would be less-than-significant with implementation of specific Avoidance, Minimization, and/or Mitigation Measures. However, as currently drafted, it is unclear: 1) whether some of the species specific measures proposed in the IS sufficiently reduce to less-than-significant the potential Project-related impacts to those species, and 2) how Caltrans came to the conclusion that there will be no impacts to at least one State listed and fully protected species CDFW considers potentially present in the vicinity of the Project Area.

In particular, Caltrans concludes there will be: 1) less-than-significant impacts to the State threatened and federally endangered San Joaquin kit fox (*Vulpes macrotis mutica*) and the State species of special concern loggerhead shrike (*Lanius ludovicianus*) with implementation of proposed Avoidance,

Minimization and/or Mitigation Measures, and 2) no Project-related impacts to the State and federally endangered (and State fully-protected) blunt-nosed leopard lizard (*Gambelia sila*) or the rare and endemic Crotch bumble bee (*Bombus crotchii*) a Species of Greatest Conservation Need (SGCN) in California (CDFW 2015). CDFW does not agree with these conclusions and will herein suggest measures to avoid Project-related impacts to these species, thereby reducing to less-than-significant the Project-related impacts to them. CDFW will also provide herein a path forward for Caltrans in the event avoidance of three of the four species is not feasible.

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: San Joaquin Kit Fox (SJKF)

Issue: The Project activities will involve varying degrees of ground disturbance, staging, and laydown of equipment and materials along the 0.3-mile segment of State Route 41 north and south of Bernard Drive. Some of the Project activities may constitute a novel disturbance sufficient to cause denning SJKF to abandon their dens causing increased susceptibility to predation and resulting in abandoned pups. Caltrans proposes “Pre-construction surveys would be conducted for San Joaquin kit foxes no less than 14 days and no more than 30 days before the beginning of ground disturbance and/or construction activities or any project activities likely to impact the San Joaquin kit fox.” However, Caltrans provides no details regarding the survey area, the survey methods, or the no-disturbance buffers which would be observed in the event active dens are detected in the vicinity of the Project Area.

Specific Impacts: While CDFW agrees with Caltrans’ plans to conduct pre-construction surveys and the other measures proposed to minimize and/or avoid impacts to the species, CDFW has specific recommendations as to the survey methods, survey areas, and no-disturbance buffers in the event active dens are detected.

Evidence impact would be significant: While habitat loss resulting from agricultural, urban, and industrial development is the primary threat to SJKF (Cypher et al., 2013), disturbance in proximity to a den can result in unsuccessful pupping and cause individuals to become more susceptible to predation. Both results of the Project-related disturbance could constitute significant impacts to the species.

Recommended Potentially Feasible Avoidance, Minimization and Mitigation Measure(s): Because SJKF are known to occur in the general vicinity of the Project footprint and because dens could be present in the vicinity of the Project Area, CDFW recommends the following edits to the SJKF Avoidance, Minimization, and Mitigation Measure section of the IS. Further, CDFW recommends these revised measures be made conditions of Project approval.

Caltrans' response to comment 1: Where Caltrans has legal authority to do so, preconstruction surveys for San Joaquin kit fox dens will be conducted within 250 feet of the project area. If a San Joaquin kit fox den is found to be present onsite, then Caltrans will coordinate with the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service to incorporate an appropriate no-disturbance buffer. The buffer may include a 250-foot, no-disturbance buffer around natal dens, a 100-foot, no-disturbance buffer around known dens, and a 50-foot, no-disturbance buffer around potential or atypical dens.

Comment 2:

Loggerhead Shrike

Issue: Loggerhead shrikes are known to occur in the vicinity of the Project Area (CDFW 2021). The Project activities will involve varying degrees of ground disturbance within the right-of-way and while CDFW agrees that individuals of the species in the area may have become habituated to vehicular traffic along the right-of-way and the commercial activity adjoining Project Area, CDFW considers it possible that the Project-related activities would represent a novel stimulus which could result in nest abandonment if they occur within 250 feet of an active nest. This nest abandonment would represent a significant impact to the species.

Specific Impacts: In the IS, Caltrans indicates it will survey for nesting loggerhead shrike no more than 30 days prior to commencing Project activities and maintain a 100-foot no disturbance buffer around any active nests detected. However, CDFW considers this 100-foot no disturbance buffer insufficient to avoid impacts to nesting individuals of the species. Therefore, CDFW does not agree that the proposed 100-foot no-disturbance buffer reduces to less-than-significant the potential Project-related impact on the species.

Evidence impact would be significant: Loggerhead shrike may nest in shrubs which occur within the ruderal and scrub habitat areas adjoining the north and south ends of the Project Area, or in ornamental shrubs which occur as part of the commercial development adjoining portions of the Project Area. Adoption of the ND as it is written will allow activities that will involve ground disturbance, grading, paving, demolition, and excavation employing

heavy equipment and work crews within 100 feet of active loggerhead shrike nests. These activities could affect these nests and have the potential to result in nest abandonment, significantly affecting nesting loggerhead shrike.

Recommended Potentially Feasible Avoidance and Mitigation

Measure(s): Because the Project-related activities could 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 impacts on the species. CDFW recommends the following edits to the loggerhead shrike avoidance, minimization, and mitigation measures section of the IS. Further, CDFW recommends these revised measures be made conditions of Project approval.

Recommended Edits to Avoidance, Minimization, and/or Mitigation Measures for Loggerhead Shrike which begin on page 21 of the IS.

Currently, under the Avoidance, Minimization and/or Mitigation Measures section of the IS, Caltrans proposes a 100-foot no-work buffer around active loggerhead shrike nests at and near the Project Area. CDFW recommends Caltrans edit this measure to require a minimum 250-foot buffer around active nests detected during the pre-construction surveys. If the aforementioned edit to the existing measure is not made, and/or the aforementioned buffer is not feasible, CDFW recommends Caltrans propose consultation with the CDFW prior to commencing Project activities.

Caltrans' response to comment 2: Although there have been no reported California Natural Diversity Database occurrences of the loggerhead shrike within 15 miles of the project location, Caltrans will conduct preconstruction surveys to determine the presence/absence of the loggerhead shrike in the project area and within 250 feet where Caltrans has the legal authority to do so. If loggerhead shrikes are found in the Biological Study Area during preconstruction surveys, Caltrans will coordinate with the California Department of Fish and Wildlife to determine the appropriate no-disturbance buffer.

Comment 3:

Blunt-Nosed Leopard Lizard (BNLL)

Issue: BNLL are known to occur in the general vicinity of the Project Area (CDFW 2021). While much of the land on both sides of the Project site exists as landscaped areas associated with commercial development, there are discreet areas adjoining the north and south ends of the Project Area which persist as ruderal, scrub, and grassland habitats. CDFW recommends Caltrans require in the IS that these areas be assessed to determine if they represent suitable BNLL habitat. If these areas are found to constitute suitable BNLL habitat, and if small mammal burrows at and within 50 feet of

Project Area cannot be avoided during Project implementation, Caltrans should require in the IS that protocol-level surveys in these areas be conducted in advance of Project activities to demonstrate that the species is not present and that the Project-related impacts to this species is less than significant.

Specific Impacts: Without a determination with respect to the presence or absence of even marginal BNLL habitat at and adjoining the Project Area, CDFW cannot concur that the Project-related impacts to the species are less-than-significant. BNLL spend much of their time underground in burrow chambers which extend as far as 50 feet from a burrow opening and unless those burrow openings are avoided by 50 feet, Project-related ground disturbance can result in take of the species through burrow chamber collapse, entrapment, etc. In the IS, Caltrans does not address the potential presence or Project-related impacts on the species.

Evidence impact would be significant: Habitat loss resulting from agricultural, urban, and industrial development is the primary threat to BNLL. Very little suitable habitat for this species remains along the western floor of the San Joaquin Valley. The range for BNLL now consists of scattered parcels of undeveloped land within the valley floor and the foothills of the Coast Range (USFWS 1998). As the adjacent aqueduct levy appears to provide connectivity between the Project Area and known occupied BNLL habitat southeast and southwest of the Project Area (CDFW 2021), BNLL could continue to occupy these habitat areas at and adjoining the Project Area and the Project-related ground disturbance in these areas could result in significant impacts on the species.

Recommended Potentially Feasible Avoidance and Mitigation

Measure(s) Because suitable BNLL habitat may be present in the vicinity of at least portions of the Project Area, CDFW recommends the following measures be added to ensure that impacts to the species will be less-than-significant and completely avoided. Further, CDFW recommends these measures be made conditions of Project approval.

Recommended Addition of Avoidance Measure for Blunt-Nosed Leopard Lizard to the IS.

If suitable habitat is present at or within 50 feet of the Project area, CDFW recommends conducting surveys in accordance with the “Approved Survey Methodology for the Blunt-nosed Leopard Lizard” (CDFW 2019) prior to initiating any vegetation- or ground-disturbance activities. This survey protocol, designed to optimize BNLL detectability, reasonably assures CDFW that ground disturbance will not result in take of this fully-protected species.

CDFW advises completion of BNLL surveys no more than one year prior to initiation of ground disturbance. Please note that protocol-level surveys must

be conducted on multiple dates during late spring, summer, and fall and that within these time periods there are specific protocol-level date, temperature, and time parameters which must be adhered to. As a result, protocol-level surveys for BNLL are not synonymous with 30-day “pre-construction surveys” often recommended for other wildlife species. In addition, the BNLL protocol specifies different survey effort requirements based on whether the disturbance results from maintenance activities or if the disturbance results in habitat removal (CDFW 2019).

Caltrans’ response to comment 3: During initial surveys, Caltrans investigated the study area and found the soil to be highly compacted and to contain high levels of gravel. Caltrans also found very few burrows in the area that could be used by blunt-nosed leopard lizards. In addition, Caltrans observed domestic animals frequently using the area as well. All of these factors contributed to the conclusion that this area is heavily disturbed and unsuitable for blunt-nosed leopard lizards. However, Caltrans will resurvey the area and reevaluate the habitat for blunt-nosed leopard lizards before construction to confirm that the conditions are not suitable and habitat is not present within 50 feet of the project area.

Comment 4:

Crotch Bumble Bee (CBB)

Issue: CBB have been documented to occur within areas of suitable habitat within the Project vicinity (CDFW 2021). Suitable CBB habitat includes areas of grasslands and upland scrub that contain requisite habitat elements, such as small mammal burrows. CBB primarily nest in late February through late October underground in abandoned small mammal burrows but may also nest under perennial bunch grasses or thatched annual grasses, under brush piles, in old bird nests, and in dead trees or hollow logs (Williams et al. 2014; Hatfield et al. 2015). Overwintering sites utilized by CBB mated queens include soft, disturbed soil (Goulson 2010), or under leaf litter or other debris (Williams et al. 2014). Therefore, potential ground disturbance and vegetation removal associated with Project implementation may significantly impact local CBB populations.

While much of the land on both sides of the Project site exists as commercial development, there are discreet areas adjoining the north and south ends of the Project Area which persist as ruderal, scrub, and grassland habitat. CDFW recommends Caltrans conduct an assessment of these habitat areas adjoining the Project Area for potentially suitable CBB habitat. If suitable CBB habitat exists in areas of planned Project-related ground disturbance, equipment staging, or materials laydown, potential CBB nesting sites in these areas would have to be avoided in order to reduce to less-than-significant the Project-related impacts to the species.

Specific Impacts: Without a determination with respect to the presence or absence of CBB habitat at and adjoining the Project Area, CDFW cannot concur that the Project-related impacts to the species are less-than-significant. CBB nest in underground burrows and in thatched area and unless these potential nest sites are avoided, Project-related ground disturbance could result in take of the species. In the IS, Caltrans does not address the potential for the presence of CBB at or near the Project area.

Evidence impact would be significant: CBB was once common throughout most of the central and southern California; however, it now appears to be absent from most of it, especially in the central portion of its historic range within California's Central Valley.

(Hatfield et al. 2014). Analyses by the Xerces Society et al. (2018) suggest there have been sharp declines in relative abundance by 98% and persistence by 80% over the last ten years. CBB could continue to occupy the habitat areas within and adjoining portions of the Project Area and Project-related ground disturbance in these areas could result in significant impacts to the species.

Recommended Potentially Feasible Avoidance, Minimization, and Mitigation Measure: Because suitable CBB habitat may be present in the vicinity of at least portions of the Project Area, CDFW recommends the following measure be added to ensure that impacts to the species will be less-than-significant and completely avoided. Further, CDFW recommends these measures be made conditions of Project approval.

Recommended addition of Avoidance, Minimization, and/or Minimization Measures for CBB in the IS.

In order to determine if CBB occupy habitat areas of the right-of-way or adjoining lands, CDFW recommends Caltrans revise the IS to include plans to assess whether habitat areas within or adjoining the right-of-way constitute suitable habitat for CBB. If not, this should be addressed in the IS and no further measures would be needed. But if suitable habitat is present at or near the right-of-way, and suitable burrows or areas of thatch cannot be avoided, CDFW recommends the IS include a measure requiring surveys for CBB in advance of commencing Project activities. If no individuals or nests are detected during these surveys, Caltrans may in fact be able to accomplish the Project avoiding the species and significant impacts to the species. However, if CBB are found to occupy habitat areas at or near the right-of-way, the Project would have the potential to result in significant impacts to the species unless the potential nesting sites can be avoided. If this avoidance is not feasible, CDFW recommends Caltrans propose consultation with CDFW in the revised IS.

Caltrans' response to comment 4: Although there have been no reported California Natural Diversity Database occurrences of Crotch's bumblebee within 15 miles of the project location, Caltrans will conduct a habitat evaluation before construction to determine if suitable habitat is present onsite and, if needed, will conduct surveys for Crotch's bumblebee. If Crotch's bumblebees are found in the Biological Study Area during preconstruction surveys, Caltrans will coordinate with the California Department of Fish and Wildlife to determine the appropriate no-disturbance work buffer.

Comment 5:

II. Editorial Comments and/or Suggestions

Appropriateness of ND: In summary, the above recommended revisions to the IS pertain to avoidance of SJKF and their dens, nesting loggerhead shrike, BNLL and CBB within specified buffers from the Project Area to completely avoid significant impacts to these species under this Negative Declaration. If surveys confirm the presence of any of the aforementioned species at or within the species-specific buffers, Caltrans may not be able to accomplish the Project avoiding significant impacts to these species without first obtaining incidental take authorization under section 2081 subdivision (b) of Fish and Game Code (except in the case of BNLL for which CDFW cannot issue incidental take authorization and CBB for which take authorization would not be required). Incidental take authorization would involve minimization of, and mitigation for, take of the permitted species. Considering this, CDFW recommends Caltrans incorporate the recommended revisions to the IS and propose an MND for the Project, in lieu of the currently proposed ND.

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/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address:

CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

Caltrans' response to comment 5:

With the proposed avoidance and minimization measures outlined in Chapter 2, Section 2.1.4 Biological Resources, no impacts to listed species are anticipated. Therefore, the Negative Declaration is the appropriate level of documentation for the project.

Caltrans did not submit the California Natural Diversity Database form because there were no special-status species found onsite.

Comment 6:

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).

Caltrans' response to comment 6: Upon filing a Notice of Determination for this project, Caltrans will pay the California Department of Fish and Wildlife a filing fee of \$2,480.25.

Comment 7:

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 Steven 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,

Julie A. Vance

Regional Manager

Attachment 1: Recommended Mitigation and Monitoring Reporting Program

Caltrans' response to comment 7: Thank you for your support of the project and for taking the time to comment.

Comment from California Highway Patrol

Comment 1:

The California Highway Patrol (CHP) recently received the "Notice of Completion" environmental impact document for the Kettleman Roundabout Proposed Project, SCH #2021080315. The CHP is the primary agency which provides traffic law enforcement, safety and management services within this portion of unincorporated Kings County. As a result of this project, we anticipate local CHP operations will be impacted.

The Kettleman Roundabout site is located on State Route 41 (SR-41) at the intersection with Bernard Drive, in a rural area of southwestern Kings County. This location is approximately one quarter mile north of Interstate 5 (I-5) and is primarily surrounded by restaurants, gas stations, and hotels. FedEx and UPS both have freight facilities in the area, which increases the number of commercial vehicles traveling through this location. Due to the types of businesses and services available, this area is a common stopping place for travelers along the I-5 corridor. As such, traffic volumes vary greatly from hour to hour based on the time of day, day of the week, and holiday travel.

Three main concerns with the Kettleman Roundabout project have been identified. There have been no current traffic counts obtained for peak holiday travel periods, there has been no information provided regarding the maximum flow rate of vehicles or capacity of the proposed roundabout, and if traffic volumes exceed the flow rate, the ability to conduct traffic control would be negatively impacted by a roundabout. We estimate traffic control would require double the amount of personnel resources to safely and effectively manage traffic flows, posing the potential to reduce the level of service to the motoring public. Thanksgiving week sees the largest increase in traffic volume and the CHP Coalinga Area has current traffic control operational plans in place to maintain the flow of traffic. During peak travel periods pedestrian traffic also increases with people crossing SR-41 to visit other businesses in the area. Since traffic volumes vary greatly hour to hour, the roundabout would need to be able to handle the highest levels of peak vehicle and pedestrian traffic.

The CHP Coalinga Area is comprised of 24 patrol officers and a shared communications center located in the city of Fresno which services four geographically separate CHP Areas within the San Joaquin Valley. This project could have a negative impact on CHP Coalinga Area operations with additional calls for service and traffic control dependent upon the performance and capacity of the roundabout to handle peak levels of vehicular and pedestrian traffic.

If you have any questions regarding this information, please contact Sergeant Jimmy Beeson at (559) 935-2093.

Sincerely,

R. M. BRUNELL, Lieutenant Commander

Coalinga Area

Caltrans' response to comment 1: The project manager coordinated a teleconference meeting between the project developmental team, Kings County, and Lieutenant Commander Robert Brunell from the California Highway Patrol on September 27, 2021. The purpose of the meeting was to resolve the California Highway Patrol's concerns as described in their comment letter.

Caltrans will do the following items that address the California Highway Patrol's concerns.

- Caltrans has conducted traffic and pedestrian counts around this Thanksgiving holiday using battery-operated cameras. The expected peak days of travel are the Wednesday before Thanksgiving and the weekend after Thanksgiving. Caltrans will work with the contracted third party to obtain the traffic data, then insert the information into the software that analyzes roundabout operations. The information will be provided to the California Highway Patrol in spring 2022.
- The project will include, at a minimum, the underground infrastructure for Rectangular Rapid-Flashing Beacons for the mainline crosswalks. This will allow for the Rectangular Rapid-Flashing Beacons to be installed later if warranted. Further pedestrian and traffic operation analysis may change this recommendation to allow for the full installation at the onset.
- To control heavy traffic at the roundabout, the traffic control options would be to install an underground infrastructure for a roundabout meter system. This will allow for a metering system to be installed at a later date if warranted. Caltrans recommends building the roundabout without the metering system installed and monitoring the operations. Also, there is development occurring at the southwest corner of Utica Avenue and Interstate 5, south of Kettleman City, that could potentially reduce the number of Interstate 5 travelers to the Kettleman City area. The proposed development is called Jackson Ranch, and the first business will open in spring 2022.

Caltrans will be in further communication with the California Highway Patrol for the duration of the project for some detailed traffic management discussions.

List of Technical Studies Bound Separately (Volume 2)

Air Quality Memorandum: April 2, 2021

Climate Change Report: April 22, 2021

Noise Compliance Study: March 1, 2021

Water Compliance Memorandum: August 21, 2020

Biological Assessment: May 17, 2021

Natural Environment Study (Minimal Impacts): June 7, 2021

Section 106 Compliance – Screened Undertaking for the Kettleman Roundabout Project in Kings County: July 2, 2020

Initial Site Assessment and Preliminary Site Investigation Summary: August 20, 2020

Visual Impact Assessment: June 29, 2020

Paleontological Identification Report: March 18, 2020

Historic Property Survey Report: November 1, 2021

Archaeological Survey Report: November 1, 2021

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

Juergen Vespermann
District 6 Environmental Division
California Department of Transportation
2015 East Shields Avenue, Suite 100-200, Fresno, California 93726

Or send your request via email to: juergen.vespermann@dot.ca.gov
Or call: 559-832-0051

Please provide the following information in your request:

Project title

General location information

District number-county code-route-post mile

Project ID number