

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION**

MID-PACIFIC REGION

**SOUTH-CENTRAL CALIFORNIA AREA OFFICE
FRESNO, CALIFORNIA**

FINDING OF NO SIGNIFICANT IMPACT


WESTSIDE PARKWAY BRIDGE

FONSI-07-115

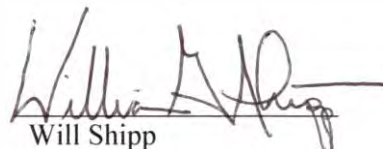
Recommended by:

 Date: 11/20/08
Judi Tapia
Natural Resource Specialist
South-Central California Area Office

Concurred by:

 Date: 11/21/08
Laura Myers
Resource Management Division Chief
South-Central California Area Office

Approved by:

 Date: 11/21/08
Will Shipp
Deputy Area Manager
South-Central California Area Office

This page intentionally left blank.

FINDING OF NO SIGNIFICANT IMPACT

Westside Parkway Bridge

In accordance with section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the South-Central California Area Office of the U.S. Bureau of Reclamation (Reclamation) has determined that the issuance of permits to the City of Bakersfield (City) to construct a bridge over the Friant-Kern Canal (FKC), replace FKC liner, and relocate sewer and gas lines and issuance of a permit to Shell Oil company to relocate their pipeline are not major federal actions that would significantly affect the quality of the human environment and an environmental impact statement is not required. This Finding of No Significant Impact (FONSI) is supported by Reclamation's *Westside Parkway Bridge* Environmental Assessment as well as the Federal Highway Administration's EA/EIR entitled Tier 2 Environmental Assessment/Final Environmental Impact Report – Westside Parkway dated September 2006, and both are hereby incorporated by reference.

BACKGROUND

The City proposes to construct a new east-west freeway referred to as the Westside Parkway. The freeway would be approximately 8.1 miles long and extend from approximately Heath Road to State Route 99 in the City and an unincorporated portion of Kern County. The Westside Parkway is needed to reduce congestion on existing east-west arterials in west Bakersfield and is planned for an ultimate 8-lane build out, although fewer lanes would be required initially. The City, Caltrans, and the Federal Highway Administration (FHWA) prepared a joint Tier 2 Environmental Assessment/Environmental Impact Report (EA/EIR) that evaluated impacts of this Project and issued a Finding of No Significant Impact (FONSI) and Final EIR for the Project in 2006.

The Westside Parkway would cross the Friant-Kern Canal (FKC) and Reclamation's 450-foot wide right-of-way (ROW) associated with the FKC. Because the planned clearance over the FKC would be insufficient to maintain the canal liner, Reclamation requested that the City reconstruct the canal liner beneath the Westside Parkway crossing. Project construction would necessitate relocation of utility lines including sewer, natural gas, and a Shell Oil line. The City requested permits from Reclamation for bridge and off-ramp crossings, canal liner replacement, and utility line relocation within Reclamation's ROW. Shell Oil will also require a permit from Reclamation to relocate their pipeline. Construction disturbances are expected to be about 2.6 acres. Reclamation's purpose and need for the EA are to document and delineate terms and conditions so no harm occurs to federally owned facilities.

FINDINGS

Following are the reasons why the impacts of the Proposed Action are not significant.

Water Quality: The Proposed Action would implement measures in accordance with the construction Storm Water Pollution Prevention Plan that would result in minimal impacts to water quality. The construction activities related to the canal lining portion of the Proposed Action would be entirely within the prism of the canal and would occur during a scheduled dewatering of the canal. The canal lining is being done in anticipation of potential lining of the entire lower portions of the canal to alleviate conveyance constraints. With the overpass construction, easy access to the canal for lining and raising the height of the liner will be severely limited so the canal lining underneath the overpass will occur prior to overpass construction in the event relining the entire canal occurs. Currently there are no specific plans to reline the entire canal and increase capacity but the need has been recognized. The canal relining has also been designed to result in zero maintenance along this portion of the canal since the overpass height will

limit equipment access into the canal. The result of this project is no change to canal capacity since only a portion of the canal lining will be raised. Water deliveries will not be affected any more than would have occurred due to the scheduled canal dewatering. The use of Reclamation's ROW for the building of the overpass over the FKC will not impact water resources. Due to the relining efforts, the canal will not be impacted due to maintenance restrictions due to the overpass design. Therefore, the Proposed Action would have no effect on water resources.

Air Quality: The Proposed Action would implement measures in the San Joaquin Valley Air Pollution Control District Regulation VIII during construction that would result in minimal impacts to air quality.

Land Uses: The Proposed Action would result in changes to the surrounding land uses consistent with land use plans and policy. The City of Bakersfield is replacing the canal access road lost due to the overpass within Reclamation's ROW and is relining the canal to eliminate the need for maintenance therefore the overpass will not change land use conditions within Reclamation's ROW. The Proposed Action would have no effect on land use.

Biological Resources: Very little, if any, habitat or biological resources of any kind are on the project site due traffic and maintenance of the area with herbicides. During the construction period, management practices shall be undertaken to avoid temporary impacts to SJKF. The U.S. Fish and Wildlife Service's (FWS) standardized recommendations for protection of the SJKF will be implemented prior to or during ground disturbance. The FWS issued a biological opinion (BO) entitled Endangered Species Formal Consultation on the Proposed Corridor for State Route 58 between State Route 99 and Interstate 5, Kern County, California dated March 22, 1999. Within this BO the FWS found that the San Joaquin kit fox travel corridors at the FKC crossing will not be obstructed. Reclamation has included BO mitigation measures and the standard avoidance measures in the EA.

Reclamation has determined that the Proposed Action will have no effect on Threaten and Endanger Species or on biological resources in general.

Cultural Resources: Caltrans submitted a Historic Property Survey Report to the State Historic Preservation Office (SHPO) in 2004 that concluded that the FKC was eligible for listing on the National Register of Historic Places and the Westside Parkway Project would have no adverse effect on the FKC because of design and construction provisions. SHPO concurred with these findings and determination.

Indian Trust Assets: Since the action area is entirely situated on Reclamation land, there are no tribes possessing legal property interests held in trust by the United States in the action area for the Proposed Action. The nearest Indian trust assets to this action are located at the about 38 miles away. This action will have no adverse effect on Indian Trust Assets.

Socioeconomic Resources: The canal lining aspect of the Proposed Action is limited to a 250 foot length. No new conveyance capacity, and therefore potential water movement, will be effectuated by the limited canal lining. Reclamation's ROW provides no economic contribution to the surrounding area and therefore minor modifications to this ROW will have. The Proposed Action will have no effect on socioeconomic resources.

Environmental Justice: As the Proposed Action is limited to Reclamation's ROW and canal interior, implementing the Proposed Action would not disproportionately affect minorities or low-income populations and communities.

Cumulative Impacts: As the Proposed Action does not have any effects to any resources, it, when added to other past, present, and future actions does not result in additional diversions of water, or significantly impact biological, cultural, recreation or socioeconomic resources. Neither Indian Trust

Assets nor disadvantaged or minority populations would be impacted. Water quality would not be degraded as a result of construction activities. Overall there would be no cumulative impacts due to this Proposed Action.

RECLAMATION

Managing Water in the West

Final Environmental Assessment

Westside Parkway Bridge

EA-07-115



**U.S. Department of the Interior
Bureau of Reclamation**

November 2008

This page intentionally left blank

Table of Contents

1.0	Purpose of and Need for Action.....	1
1.1	Background	1
1.2	Purpose and Need	1
1.3	Scope and Potential Issues of This Environmental Assessment.....	5
1.3.1	Scope.....	5
1.3.2	Potential Issues.....	5
2.0	Alternatives Including the Proposed Action	6
2.1	No Action – Deny Permit	6
2.2	Proposed Action.....	6
2.3	Environmental Protection Measures	9
3.0	Affected Environment & Environmental Consequences.....	12
3.1	Surface Water Resources	12
3.1.1	Affected Environment.....	12
3.1.2	Environmental Consequences.....	13
3.1.3	Environmental Protection Measures	13
3.2	Land Use.....	14
3.2.1	Affected Environment.....	14
3.2.2	Environmental Consequences.....	14
3.3	Biological Resources	17
3.3.1	Affected Environment.....	17
3.3.2	Environmental Consequences.....	21
3.3.3	Environmental Protection Measures	22
3.4	Cultural Resources	23
3.4.1	Affected Environment.....	23
3.4.2	Environmental Consequences.....	24
3.4.3	Environmental Protection Measures	24
3.5	Indian Trust Assets	24
3.5.1	Affected Environment.....	24
3.5.2	Environmental Consequences.....	25
3.6	Socioeconomic Resources	25
3.6.1	Affected Environment.....	25
3.6.2	Environmental Consequences.....	25
3.7	Environmental Justice	26
3.7.1	Affected Environment.....	26
3.7.2	Environmental Consequences.....	26
3.8	Cumulative Effects.....	26
4.0	Consultation and Coordination	28
4.1	Fish and Wildlife Coordination Act (16 USC §661 et seq.).....	28
4.2	Endangered Species Act (16 USC §1531 et seq.).....	28
4.3	Migratory Bird Treaty Act (16 USC § 703 et seq.)	28
4.4	National Historic Preservation Act (15 USC 470 et seq.)	28
4.5	Executive Order 11988 – Floodplain Management and Executive Order 11990- Protection of Wetlands.....	29
5.0	List of Preparers and Reviewers	30
6.0	References.....	31

List of Figures

Figure 1-1	Westside Parkway Bridge Project Location	2
Figure 1-2	Westside Parkway Bridge Topographic Map	3
Figure 1-3	Westside Parkway Bridge Aerial Photograph.....	4
Figure 2-1	Westside Parkway Bridge Project Components	7
Figure 3-1	Land Use Designations	15
Figure 3-2	Zoning Designations	16

List of Tables

Table 2-1	Environmental Protection Measures	10
Table 3-1	Federally listed species and critical habitat—Gosford Quadrangle.....	19
Table 3-2	Federally listed species covered in the Biological Opinion and the Metropolitan Bakersfield Habitat Conservation Plan	22

Appendices

Representative Design Drawings	Appendix A
USFWS Species List/CNDDB Information.....	Appendix B
State Historic Preservation Office Concurrence Letters	Appendix C

Acronyms

APE	Area of Potential Effects
BMP	Best Management Practices
City	City of Bakersfield
CNDDDB	California Natural Diversity Database
CWA	Clean Water Act
CVRWQCB	Central Valley Regional Water Quality Control Board
EA	Environmental Assessment
EIR	Environmental Impact Report
EPM	Environmental Protection Measures
FHWA	Federal Highway Administration
FKC	Friant-Kern Canal
FONSI	Finding of No Significant Impact
FWCA	Fish and Wildlife Coordination Act
FWUA	Friant Water Users Authority
HCP	Habitat Conservation Plan
HPSR	Historic Property Survey Report
ITA	Indian Trusts Asset
MBHCP	Metropolitan Bakersfield Habitat Conservation Plan
NAHC	Native American Heritage Commission
NEPA	National Environmental Policy Act of 1969
NHPA	National Historic Preservation Act
NRHP	National Register of Historic Places
Reclamation	U.S. Bureau of Reclamation
ROW	Right of Way
Service	U.S. Fish and Wildlife Service
SHPO	State Historic Preservation Office
SWPPP	Storm Water Pollution Prevention Plan
RWQCB	Regional Water Quality Control Board
SWRCB	State Water Resources Control Board

1.0 PURPOSE OF AND NEED FOR ACTION

1.1 BACKGROUND

The City of Bakersfield (City) proposes to construct a new east-west freeway referred to as the Westside Parkway. The freeway would be approximately 8.1 miles long and extend from approximately Heath Road to State Route 99 in the City and an unincorporated portion of Kern County. The Westside Parkway is needed to reduce congestion on existing east-west arterials in west Bakersfield and is planned for an ultimate 8-lane build out, although fewer lanes would be required initially. The City, Caltrans, and the Federal Highway Administration (FHWA) prepared a joint Tier 2 Environmental Assessment/Environmental Impact Report (EA/EIR) that evaluated impacts of this Project and issued a Finding of No Significant Impact (FONSI) and Final EIR for the Project (City, 2006).

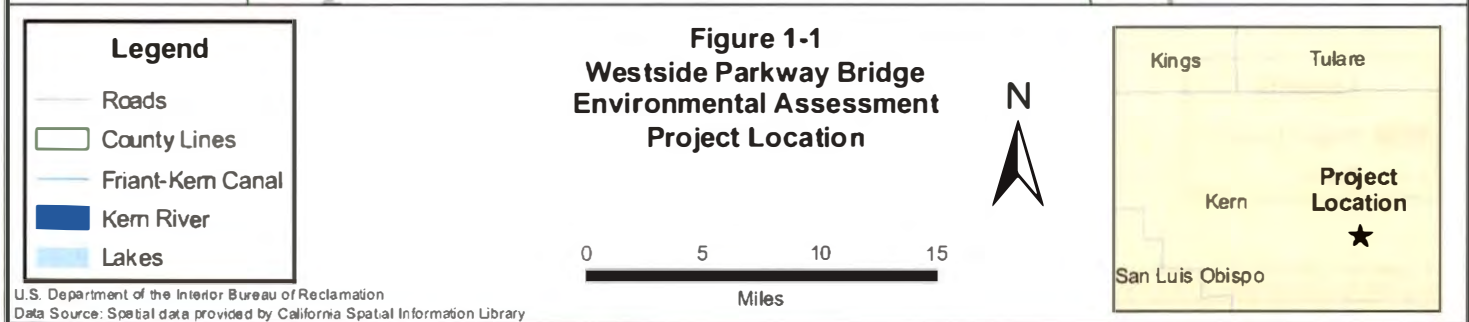
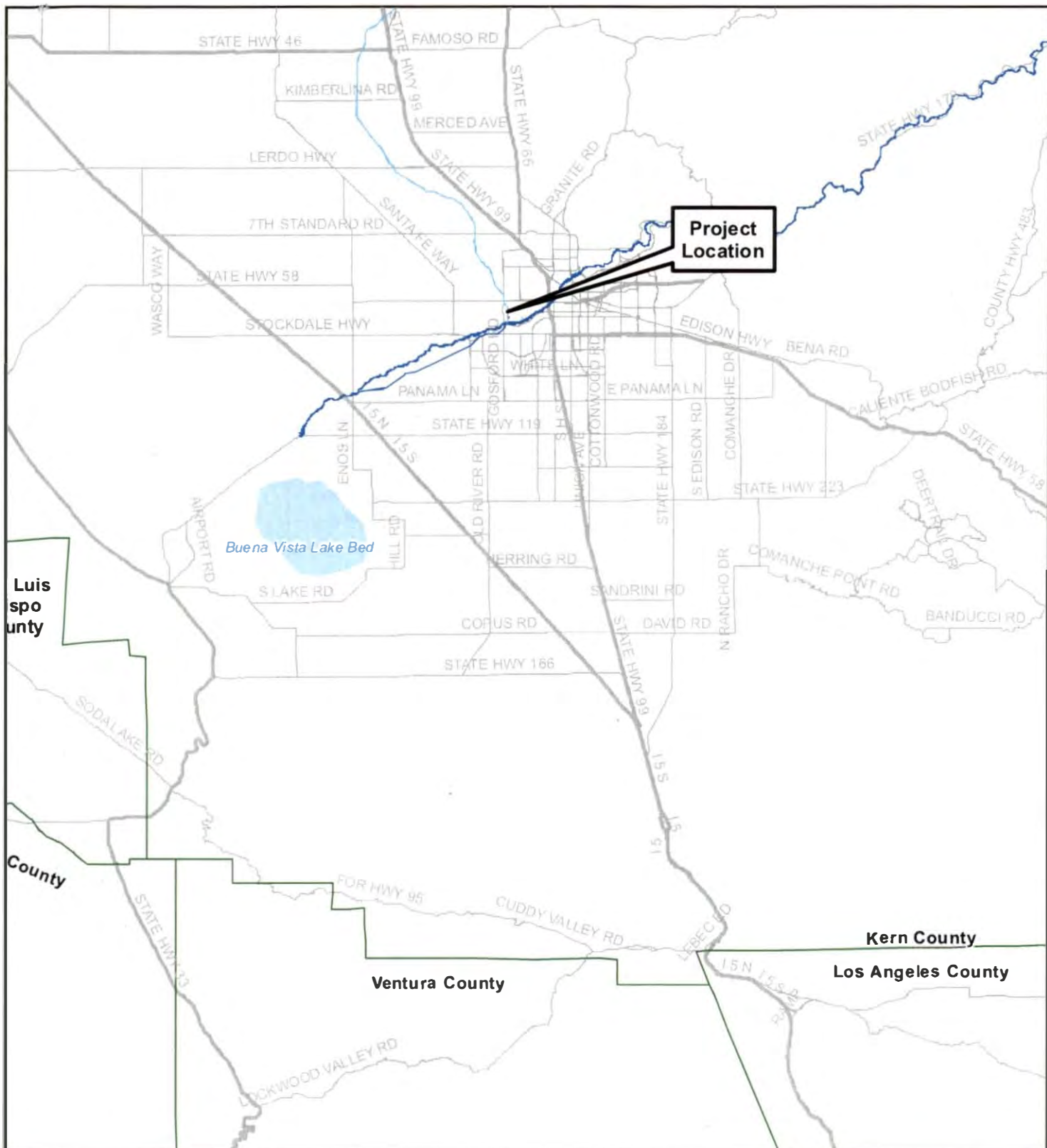
The Westside Parkway would cross the Friant-Kern Canal (FKC) and the U.S. Bureau of Reclamation's (Reclamation) 450-foot wide right-of-way (ROW) associated with the FKC. Because the planned clearance over the FKC would be insufficient to maintain the canal liner, Reclamation requested that the City reconstruct the canal liner beneath the Westside Parkway crossing. Project construction would necessitate relocation of utility lines including sewer, natural gas, and a Shell Oil line. The City requested permits from Reclamation for bridge and off-ramp crossings, canal liner replacement, and utility line relocation within Reclamation's ROW. Shell Oil will also require a permit from Reclamation to relocate their pipeline. Construction disturbances are expected to be about 2.6 acres.

The Project location is shown on Figures 1-1 and 1-2. The Westside Parkway Project site would cover about 4 acres of the FKC ROW as shown in Figure 1-3. The Project site encompasses a 406-foot length of the FKC within Reclamation's ROW and is located about 1,500 feet east of Coffee Road and extends north and south of the east end of Brimhall Avenue. The Project site ends about 200 feet north of the Kern River at the southern end of the FKC.

1.2 PURPOSE AND NEED

To complete the Westside Parkway Project the City must construct bridges and an off-ramp over the FKC and Reclamation's ROW. The purpose and need for the Westside Parkway are primarily to reduce congestion on existing east-west arterials in west Bakersfield and are documented in the Westside Parkway EA/EIR of which the Westside Parkway Bridge Project site was evaluated (City, 2006).

Reclamation's purpose and need for this EA are to document and delineate terms and conditions so no harm occurs to federally owned facilities.



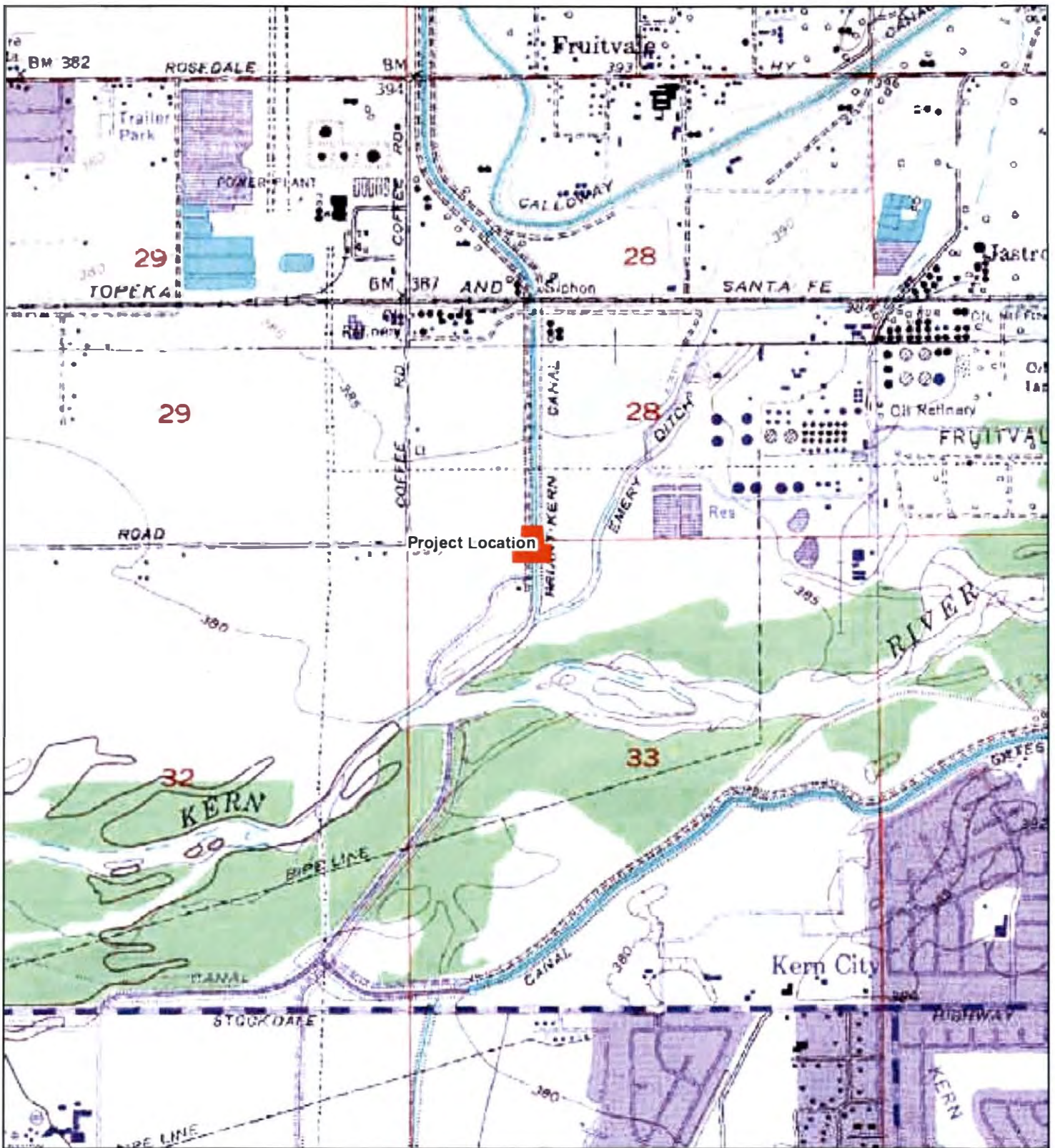


Figure 1-2
Westside Parkway Bridge
Environmental Assessment
Topographic Map

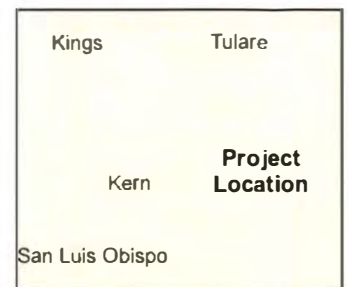
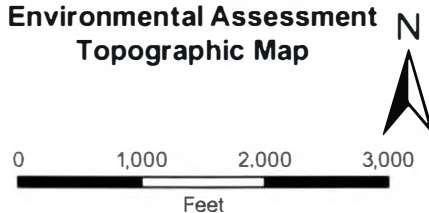
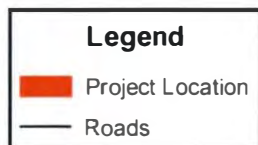
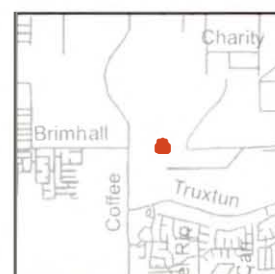
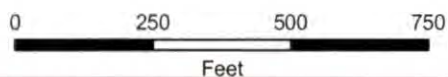
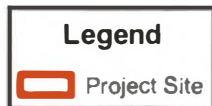




Figure 1-3
Westside Parkway Bridge
Environmental Assessment
Aerial Photograph



1.3 SCOPE AND POTENTIAL ISSUES OF THIS ENVIRONMENTAL ASSESSMENT

1.3.1 Scope

Reclamation's approval is limited to the issuance of permits for the liner replacement, sewer, gas, and Shell Oil line relocation, and bridge and off ramp construction over the FKC and is the focus of this EA.

1.3.2 Potential Issues

The Tier 2 EA/EIR prepared for the Westside Parkway evaluated numerous resource areas including topography, geology and seismicity, mineral resources, agricultural soils and farmlands, water resources, air quality, hazardous waste, terrestrial vegetation types, special-status species, waters of the United States, land use, socioeconomics, environmental justice, visual resources, traffic & transportation, noise, cultural resources, and public services and utilities. The FKC is not considered to be a water of the United States because it is used as an irrigation canal. Noise would not be expected to impact sensitive receptors because the nearest residences are about 0.4 mile away on the other side of the Kern River. Topography, geology, mineral resources, agricultural soils, hazardous waste, visual resources, traffic & transportation, and public services and utilities would, likewise, not be expected to be impacted by this Project.

The potentially affected resources from this Project include:

- Air quality
- Surface water
- Biological resources
- Land Use
- Cultural resources
- Indian Trusts Assets
- Socioeconomic
- Environmental Justice

Air quality could be affected by the Project; however, relevant measures from the Tier 2 EA/EIR would be fully implemented and are included as Environmental Protection Measures (EPM) in this EA.

2.0 ALTERNATIVES INCLUDING THE PROPOSED ACTION

This EA considers two alternatives: the No Action Alternative and the Proposed Action. The No Action Alternative reflects current conditions and projected future conditions without the Project. It serves as a basis of comparison for determining potential effects to the environment that would result from implementation of the Proposed Action.

2.1 NO ACTION – DENY PERMIT

Under the No Action Alternative, Reclamation would not approve permits for the Westside Parkway bridges and off-ramp over the FKC, replacement of the canal liner, or relocation of utility lines. The Westside Parkway Project would not be feasible because the alignment requires crossing the FKC. Congestion on existing east-west arterials would continue in west Bakersfield.

2.2 PROPOSED ACTION

Under the Proposed Action, Reclamation would issue permits to the City to construct the Westside Parkway across its ROW. Construction of the Westside Parkway would result in an overhead crossing of the FKC near its terminus at the Kern River. Reclamation would approve a permit for two bridge crossings and one off-ramp crossing; an MP-620 permit for modification of the FKC; and permits for utility line relocations. Figure 2-1 shows locations where each activity would occur at the Project site. Representative design drawings are included in Appendix A. Westside Parkway bridges would each be constructed with four lanes with a two-lane westbound exit ramp constructed to the north.

Canal Liner: The planned clearance between the access roads along both sides of the canal and the underside of the bridge crossing is 18.5 feet. This clearance would restrict access to the entire prism of the FKC over a length of about 235 feet. Support columns would be installed between the access roads and the prism of the FKC, further restricting the ability to work on the canal. In order to minimize canal maintenance beneath the bridge, the City would incorporate improvements to the canal liner immediately below the 235-foot footprint of the overcrossing. Sewer and gas lines would be relocated farther north of the crossing resulting in a total length of 376 feet of impacted canal liner.

The existing canal concrete liner is approximately three and one half inches thick. The invert (bottom) width is 24 feet and the sides are at a horizontal to vertical slope of 1.25 to 1 with a sloped panel length of about 26 feet on each side. Inside earthen embankments on each side of the canal are approximately 16 feet, measured on a slope, from the top of the existing lining to the access road. The canal lining beneath the bridge structure would be extended up to the elevation of the current access roads and then tied to the bridge piers to prevent future inside embankment work.

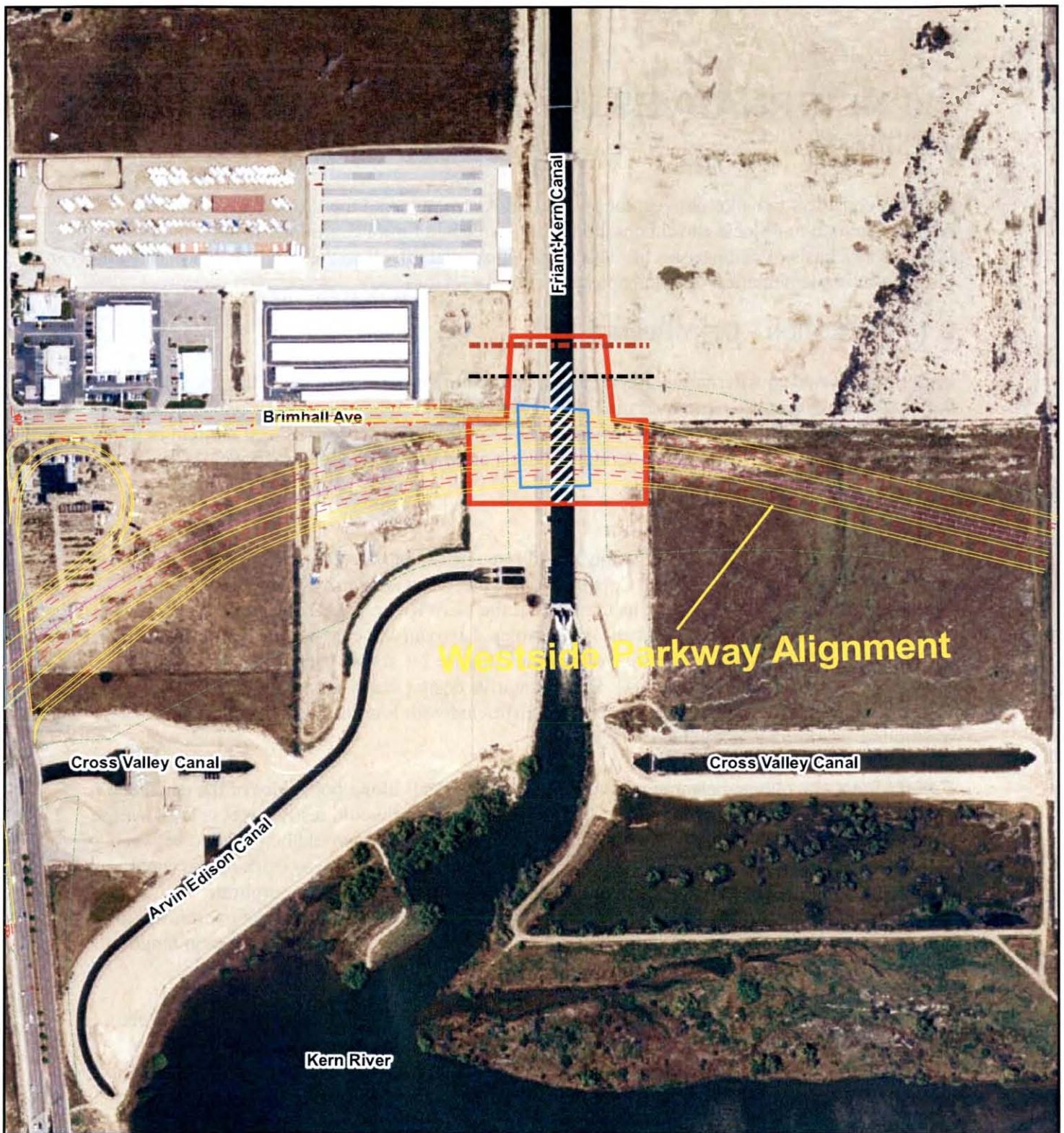
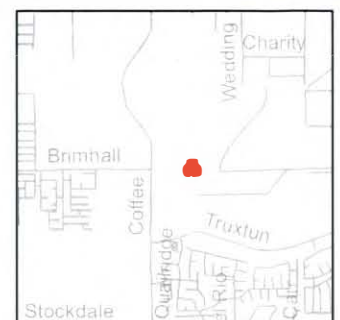
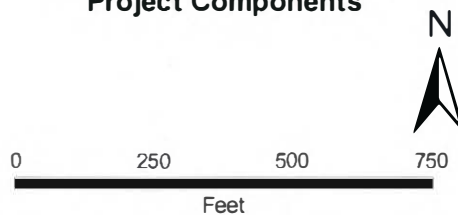


Figure 2-1
Westside Parkway Bridge
Environmental Assessment
Project Components



Improvements to the liner would consist of the following:

- Remove all existing concrete within the 376-foot long impacted canal liner and replace with 6-inch thick steel-reinforced concrete
- Extend concrete side lining from the canal invert to the base of the bridge piers on both sides of the canal to prevent future inside embankment work
- Lower the canal access road and move it away from the canal to allow vehicular clearance beneath the highway

Any spoils created during demolition or construction of the canal liner would be used on other parts of the highway construction project. The volume of concrete debris resulting from the three-inch concrete liner would be crushed off-site and reused as road base and aggregate for the highway construction.

Roadway: About 500 feet of access road (250 feet on each side of the canal) would be removed and reworked. Access roads are currently 15 feet wide and the realigned roads would remain this width. This roadway would be diverted outward from the canal about 20 feet and lowered about three feet in order to maintain a minimum 18 feet of vertical clearance beneath the bridge. Access roads will reconnect with the existing roadway alignment once it has emerged from underneath the bridge.

Construction Equipment and Staging Area: Likely construction equipment needed for the job would be that standard for road construction such as backhoes, excavators, earth moving equipment, cranes, and concrete mixers. The actual size and mix of equipment will be contractor-dependent and is unknown at this time. The concrete work will stay within the prism of the canal liner and the current access road. The staging area for liner construction will be within Reclamation's ROW adjacent to the FKC. The bridge construction staging area will be on a three-acre parcel of land adjacent to the Project site owned by the City. This land is currently used as an equipment parking lot.

Sewer, Gas, and Oil Line Realignment: Once the canal liner has been removed, a 6 ½-foot deep by 4-foot wide by 475-foot long trench would be excavated to cross beneath the canal at the location shown on Figure 2-1. An 18-inch PVC pipeline inside a 30-inch steel casing would be installed in the trench that would ultimately serve as the sewer line. An 8-inch diameter high-pressure gas line would also be installed in the trench to reroute the Southern California Gas line in the future.

Prior to bridge construction, the existing sewer, gas, and Shell Oil lines would be abandoned. The sewer line would be abandoned in place by filling with concrete, in compliance with Kern County requirements. The aboveground gas line would be removed using a crane. The Shell Oil pipeline would be drained, cut, and removed by crane. The Shell Oil pipeline would be relocated/replaced about 150 feet to the north and remain above the canal. Existing fencing and signage would also be removed or relocated, as necessary, due to the construction of the bridge facilities.

Bridges: Both the bridges and the off ramp would have a three span layout. The configuration would be a long main span over the canal, with two short spans over the access roads that have been realigned outside of the piers. The bridge would be constructed with two lanes in each direction but would be built wide enough for four lanes in each direction as the traffic dynamics warrant. There would also be a two-lane westbound off ramp to Coffee Road.

The bridges would be five feet thick. The closed end bridge abutments and the approach embankments would be placed within the 450-foot canal ROW. The embankment slopes would have a grade of 2:1. Erosion control measures would be employed on the embankments.

The bridges will be supported by piers of one of the two materials and construction methods:

- 15 – 20 piers on each side consisting of 12 inch rods of steel driven by piles approximately 50-feet deep
- 5 – 10 two-foot diameter concrete columns formed in 50-foot deep drilled shafts

Construction spoils from bridge construction would be used to build the approach embankments resulting in a nominal volume of net spoils.

Construction: Construction would occur in two phases.

Phase 1 - The liner would be replaced and the sewer and gas line replacement conduits would be installed. This would occur between December 1, 2008 and January 10, 2009 when the FKC is planned to be dewatered. The work would be completed within 30 working days. An additional 15 days is required by the FWA to de-water the canal; therefore, dewatering would begin by November 15, 2008 to allow for construction in December.

Phase 2 – The highway bridge and access roads would be constructed. The Shell Oil line would be relocated and sewer and gas lines would be abandoned to facilitate construction. The potential date for this construction has not been set; however, it is anticipated to begin in July 2009.

2.3 ENVIRONMENTAL PROTECTION MEASURES

The City will implement environmental protection measures (EPM) to reduce environmental consequences associated with the Proposed Action. Environmental consequences for resource areas assume that the EPMs specified in Table 2-1 would be fully implemented.

Table 2-1. Environmental Protection Measures

Resource	Environmental Protection Measure
Air Quality	Comply with San Joaquin Valley Air Pollution Control District Regulation VIII to control fugitive dust.
Air Quality	All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.
Air Quality	All on-site unpaved roads or off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
Air Quality	All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of dust emissions by applying water or presoaking.
Air Quality	When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emission, and at least six inches of freeboard space from the top of the container shall be maintained.
Air Quality	All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each work day. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)
Air Quality	Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.
Air Quality	Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday.
Air Quality	Limit traffic speeds on unpaved roads to 15mph.
Air Quality	Suspend excavation and grading activity when winds exceed 20mph. (Regardless of windspeed, an owner/operator must comply with Regulation VIII's 20 percent opacity limitation).
Air Quality	Use of alternative fueled or catalyst equipped diesel construction equipment.
Air Quality	Minimize idling time (e.g., 10-minute maximum).

Table 2-1. Environmental Protection Measures

Resource	Environmental Protection Measure
Water Resources	Hazardous materials would not be drained onto the ground, the FKC, or into drainage areas. All waste, including trash and litter, garbage, other solid waste, petroleum products, and other potentially hazardous materials, would be removed to a disposal facility permitted to accept such materials.
Water Resources	Construction materials would not be stockpiled or deposited near the FKC where they could be washed away by high water or storm runoff or can encroach, in any way, upon the watercourse.
Water Resources	Fueling, cleaning, and maintenance of equipment would not be allowed except in designated areas located as far from the FKC as possible.
Water Resources	Grading activities near the FKC bank would use erosion and sediment control measures.
Water Resources	A construction SWPPP would be prepared and Best Management Practices would be implemented.
Biological Resources	A worker education program would be developed and given by an approved biologist.
Biological Resources	Preconstruction surveys would be conducted for special status species (San Joaquin kit fox, Tipton kangaroo rat, burrowing owl) between 14 and 30 days of construction.
Biological Resources	Exclusion zones would be established around sensitive habitat features, including San Joaquin kit fox dens.
Biological Resources	Measures would be established related to restrictions on use of pesticides, vehicle speed limits, control of trash and hazardous materials, and placement of culverts specifically for San Joaquin kit fox protection.
Cultural Resources	In the unlikely event that any cultural or human remains are encountered during Project implementation on federal land, all work in the area of the find will halt and Reclamation's Regional Archeologist will be notified immediately. If cultural resources are determined to be historic properties pursuant to 36 CFR Part 60, Reclamation will continue consultation pursuant to 36 CFR Part 800.13(b) in order to avoid, minimize, or mitigate any adverse affects to such properties. If human remains are discovered, or a cultural resource is determined by Reclamation to be a Native American cultural item, those remains and/or items will be treated according to the provisions set forth by the Native American Graves Protection and Repatriation Act. The Project will not resume until Reclamation provides a written notice to proceed.

3.0 AFFECTED ENVIRONMENT & ENVIRONMENTAL CONSEQUENCES

This section discusses the existing environment in the Project area and identifies environmental resources. Each of the environmental resources was analyzed to determine the effects from the alternatives. This section includes a discussion of the potential future environmental consequences on each resource. Air quality was analyzed in the Westside Parkway EA/EIR and relevant EPMs were included in Table 2-1; therefore, air quality is not further addressed in this section. Relevant resource areas discussed in this section include surface water, biological resources, land use, cultural resources, Indian Trusts Assets (ITAs), socioeconomics, and environmental justice.

3.1 SURFACE WATER RESOURCES

This section identifies and evaluates potential effects of the alternatives on water quality for surface water resources for the Project site.

3.1.1 Affected Environment

The FKC carries water over 151.8 miles in a southerly direction from Millerton Lake to the Kern River, four miles west of Bakersfield. The water is used for supplemental and new irrigation supplies in Fresno, Tulare, and Kern Counties. The canal was constructed between 1945 and 1951. The canal has an initial capacity of 5,000 cubic feet per second that gradually decreases to 2,000 cubic feet per second at its terminus in the Kern River. Almost 85 percent of the canal is concrete-lined and it is concrete-lined in the Project area (Reclamation, 2008). The Project site ends about 200 feet north of the terminus of the FKC at the Kern River. The FKC is operated by the Friant Water Users Authority (FWUA). The Arvin-Edison Canal and FKC/Cross Valley Canal Intertie adjoin the FKC to the west between the southern end of the Project area and the outlet to the Kern River; thereby allowing the FWUA to divert water to these canals.

Water quality of the waterways and reservoirs of the United States is protected by the Clean Water Act (CWA) that regulates and establishes pollution standards. The California Clean Water Enforcement and Pollution Prevention Plan Act of 1999 tasked the State Water Resources Control Board (SWRCB), Regional Water Quality Control Boards (RWQCB) with the responsibility of developing and enforcing water quality issues. The RWQCBs prepare Water Quality Control Plans (commonly referred to as Basin Plans), which designate the beneficial uses of regional receiving waters, set water quality objectives, and formulate regional water quality management programs for surface waters and groundwater. The Project site is under jurisdiction of the Central Valley Regional Water Quality Control Board (CVRWQCB), which issued a Water Quality Control Plan for the Tulare Lake Basin (CVRWCB, 2004) that identified beneficial uses for the Kern River.

Under Section 303(d) of the CWA, states, territories, and authorized tribes are required to develop a list of water quality-limited segments. Waters on this list do not meet water quality standards, even after point sources of pollution have installed the minimum required levels of

pollution control technology. Water quality in the FKC and Kern River were not listed as impaired on the 2006 CWA Section 303(d) List (SWRCB, 2006).

The SWRCB elected to adopt one statewide General Permit that applies to storm water discharges associated with construction activity. Statewide General Permit No. 99 08 DWQ requires all dischargers where construction activity disturbs one acre or more to develop and implement a Storm Water Pollution Prevention plan (SWPPP) which specifies Best Management Practices (BMP) to prevent all construction pollutants from contacting storm water and with the intent of keeping all products of erosion from moving off site into receiving waters. The General Permit is enforced by the CVRWQCB in the Project area.

3.1.2 Environmental Consequences

No Action

Under the no action alternative, surface water resources would not be affected.

Proposed Action

The FKC would be dewatered for canal liner replacement during the months of December and January and water quality in the canal would not be impacted. Liner replacement may generate storm water runoff that could affect surface waters in the area. Bridge construction activities are expected to begin in the summer/fall of 2009 following liner replacement. Bridge construction would utilize heavy equipment with the potential to leak oil or diesel fuel into the FKC. Installing bridge support piers and realigning the access roads could cause sediments to enter the FKC. Bridge construction activities also have the potential to contaminate storm water runoff and adversely affect water quality in the FKC.

The City would prepare a SWPPP and submit a Notice of Intent to the CVRWQCB. The City or its contractor would be responsible for protecting the water quality in the FKC during bridge construction activities. The Proposed Action would not impede water conveyance or deliveries. Relocation and removal of the sewer line, natural gas line, and Shell Oil pipeline would be conducted in accordance with standards established by each utility to ensure that discharges would not impact the FKC, surrounding surface water, or drainages.

The Project would implement measures in accordance with the SWPPP and implement EPMs to result in minimum impacts to water quality.

3.1.3 Environmental Protection Measures

EPMs would be implemented that would prevent any temporary, localized erosion or water quality effects and include the following:

- Hazardous materials would not be drained onto the ground, the FKC, or into drainage areas. All waste, including trash and litter, garbage, other solid waste, petroleum products, and other potentially hazardous materials, would be removed to a disposal facility permitted to accept such materials.
- Construction materials would not be stockpiled or deposited near the FKC where they could be washed away by high water or storm runoff or can encroach, in any way, upon the watercourse.

- Fueling, cleaning, and maintenance of equipment would not be allowed except in designated areas located as far from the FKC as possible.
- Grading activities near the FKC bank would use erosion and sediment control measures.
- A construction SWPPP would be prepared and Best Management Practices would be implemented.

3.2 LAND USE

3.2.1 Affected Environment

The Metropolitan Bakersfield General Plan guides development within the Project area. The Westside Parkway was identified as a future freeway corridor within the City's General Plan and the proposed Project is consistent with the City's General Plan Circulation Element (City, 2007).

The Project site encompasses Reclamation's FKC ROW, which contains the FKC, access roads on both sides, and barren land to the edge of the ROW. The ROW has a 450-foot width south of Brimhall Avenue and about a 250-foot width north of Brimhall Avenue.

The General Plan (City, 2008) designates land uses surrounding the Project site as heavy industrial to the east and light industrial to the west (see Figure 3-1); these areas are also zoned industrial (see Figure 3-2). The Project site lies within Reclamation ROW and has no land use designation or zoning from the City. Four parcels adjoin the Project site. The City owns three of these parcels to the northwest, southwest, and southeast. The northeast adjacent parcel is privately owned. The nearest residences are located on the south side of the Kern River about 0.4 mile from the Project site.

The Shell Bakersfield Refinery is located approximately 0.5 mile to the north-northeast of the Project site. The FKC ROW continues to the south where the FKC flows into the Kern River with the zoning of agricultural and floodplain adjacent to the banks of the Kern River.

3.2.2 Environmental Consequences

No Action

Under the No Action Alternative, conditions would remain the same as described above. Reclamation would not approve permits for replacement of the canal liner, utility realignment, and construction of the two bridges and off ramp crossing the FKC. The Westside Parkway Project would not be viable because the road could not cross the FKC. This alternative would not be consistent with, or support achievement of goals and policies contained in the Metropolitan Bakersfield General Plan, Land Use, or Circulation Elements.

Proposed Action

The Proposed Action of issuing permits to reconstruct the canal liner, realign utility crossings, and construct two bridges and an off ramp over the FKC would not result in any impacts to land use. Implementation of the Proposed Action would assist the City in obtaining the objectives of the City's General Plan Circulation Element. The FKC ROW is dedicated for the operation and maintenance of the canal. The Proposed Action would modify portions of the ROW with construction of piers to a depth of 50 feet to support the two bridges and off ramp. The access

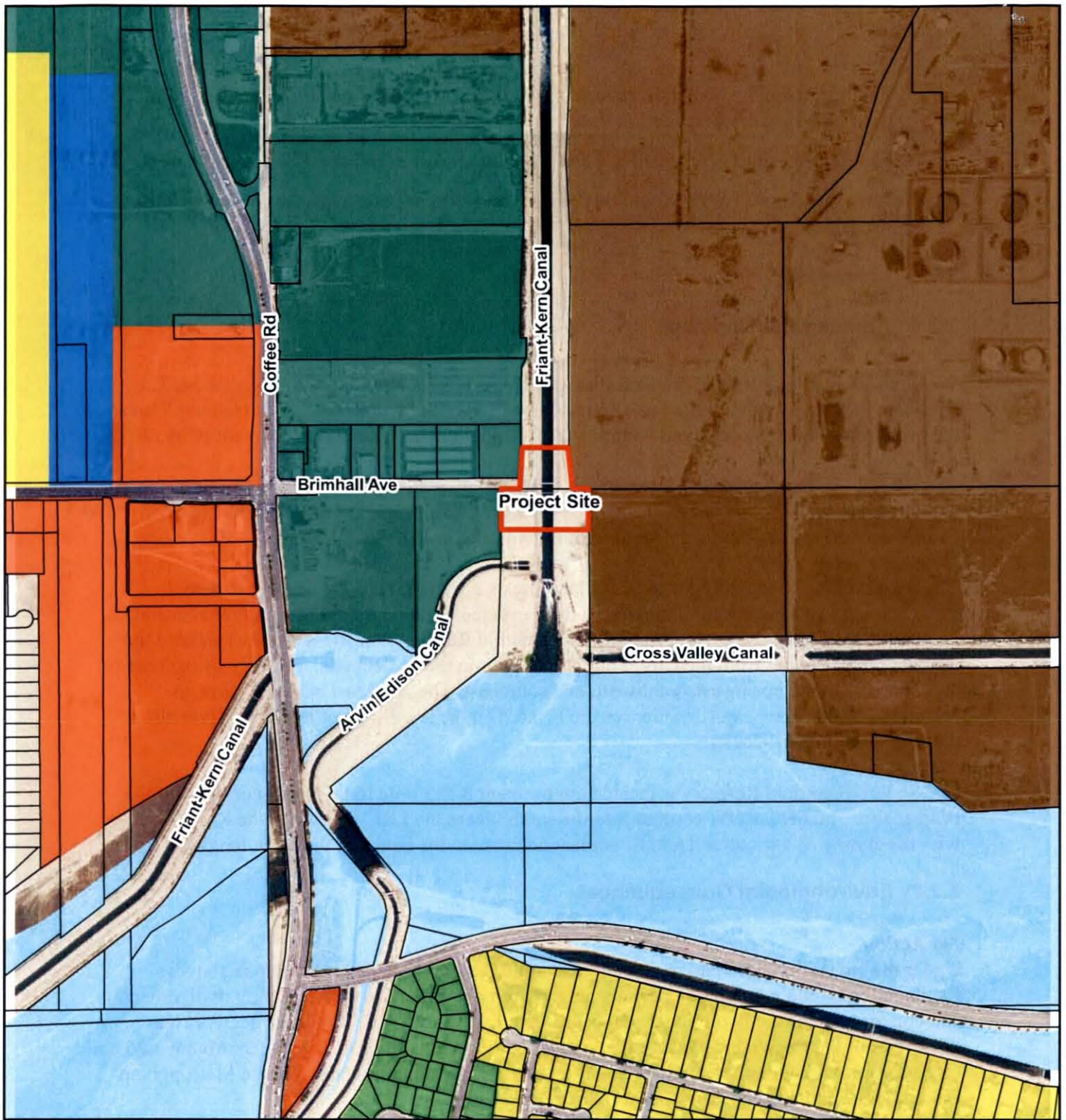


Figure 3-1
Westside Parkway Bridge
Environmental Assessment
Land Use Designations



0 500 1,000 1,500
 Feet

Legend

- | | |
|--------------------|---------------------------------|
| Project Site | Heavy Industrial |
| Parcel Divisions | Low Density Residential |
| LANDUSE | High/Medium Density Residential |
| General Commercial | Open Space |
| Light Industrial | Publicly Owned Facilities |

U.S. Department of the Interior Bureau of Reclamation
 Data Source: City of Bakersfield GIS department July 2008
 Aerial image provided by Digital Globe 5-1-2006

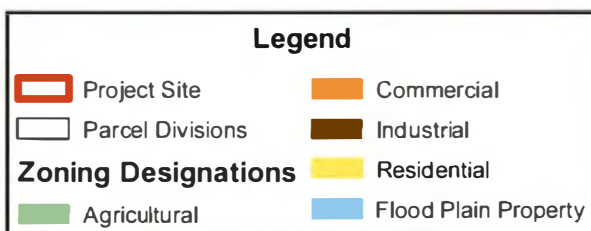
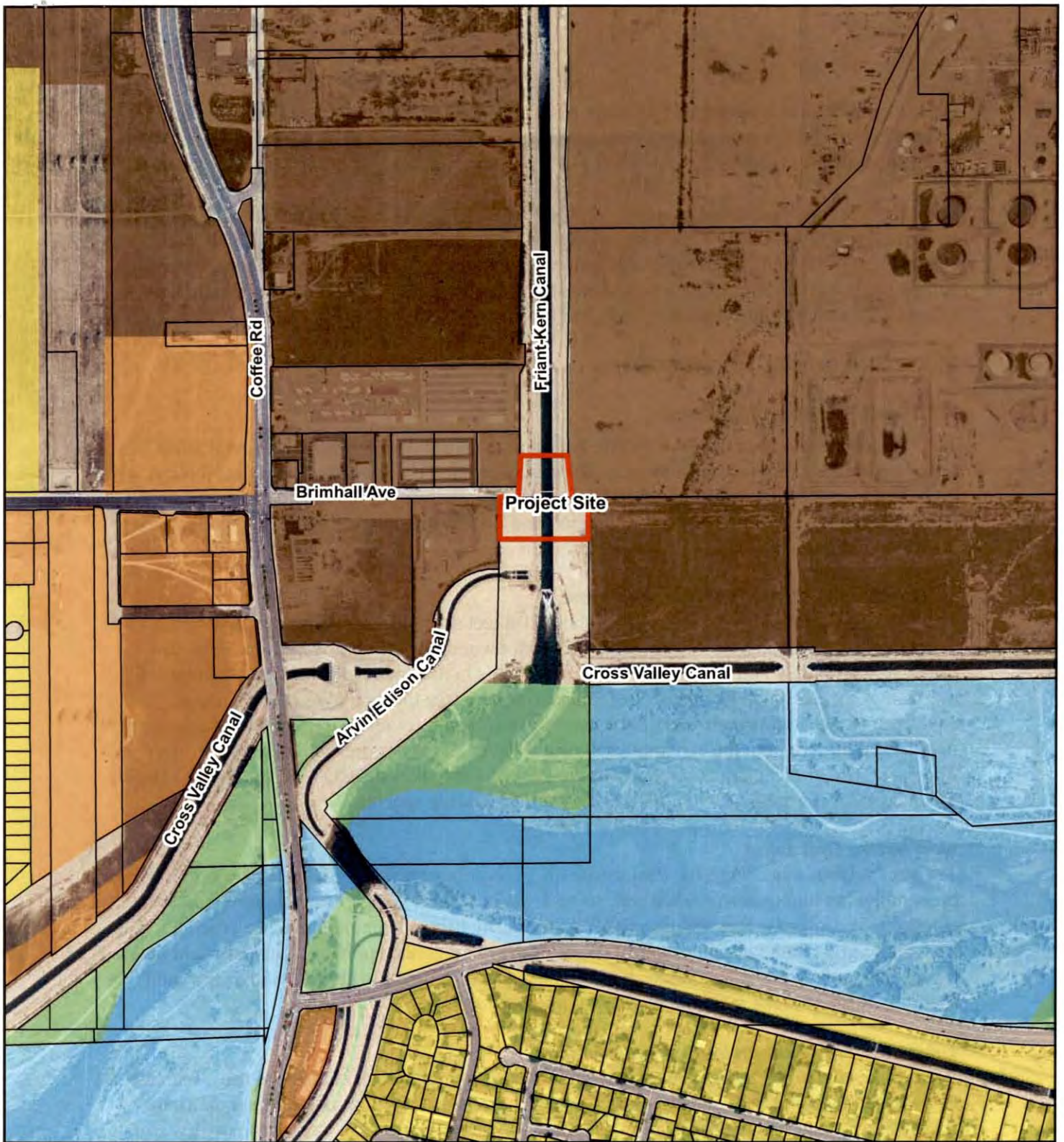
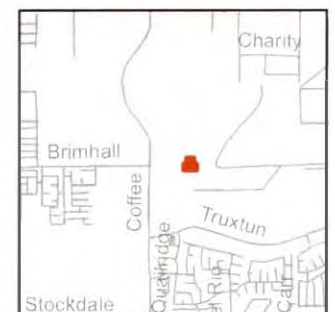
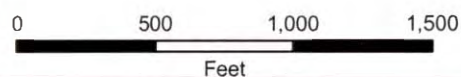


Figure 3-2
Westside Parkway Bridge
Environmental Assessment
Zoning Designations



roads would be moved about 20 feet away from the canal centerline in both directions for construction of bridge piers. Utility lines would be relocated to the north to accommodate the bridge and off-ramp crossing.

Construction activities would occur within the FKC ROW and would not disturb adjoining lands. Reclamation ROW would be used for equipment staging during the liner replacement activity. City-owned land would be used for equipment staging during bridge and off-ramp construction and would not affect surrounding properties. Implementing the Proposed Action would have no effect on current or future land use plans and land use EPMs are not required.

3.3 BIOLOGICAL RESOURCES

3.3.1 Affected Environment

The Project site is within the FKC ROW. Adjacent areas are dominated by industrial lands that have been subject to human disturbance. Several vegetation types occur within the vicinity, including Great Valley cottonwood riparian forest, non-native grassland, and urban developed lands that make up the industrial, commercial, and floodplain land use types. Vegetation types are described below.

Great Valley Cottonwood Riparian Forest

The FKC discharges into the Kern River about 200 feet south of the Project site, where the vegetation is predominantly widely separated cottonwood trees (*Populus fremontii*), willow (*Salix* sp.), and mule fat (*Baccharis salicifolia*). Plants in the understory include a number of non-native species, such as curly dock (*Rumex crispus*), tree tobacco (*Nicotiana glauca*), cocklebur (*Xanthium strumarium*), and castor bean (*Riccinus communis*). This plant community is of poor quality within the confines of the Kern River and is not present within the Project site. The proximity of this plant community to the Project site makes the ROW a potentially valuable travel corridor for the San Joaquin kit fox and other wildlife species.

Non-Native Grassland

The vacant lands adjacent to the Project site are predominantly non-native grasslands that have been subject to human disturbance with some areas of natural vegetation. The aerial photograph (Figure 1-3) shows the Reclamation ROW as primarily barren from maintenance practices. The non-native grassland adjacent to the ROW is of low to moderate habitat value, and could be used by special-status wildlife species such as the blunt-nosed leopard lizard (*Gambelia sila*) and San Joaquin kit fox (*Vulpes macrotis mutica*) as a travel corridor.

Urban Development including Ruderal Lands

Areas adjacent to the Project site include municipal, commercial, and industrial uses, such as City-owned facilities and industrial business parks. Plant species common to these areas are mostly weedy non-native species such as brome grasses (*Bromus* sp.), mustard (*Brassica* sp.), filaree (*Erodium* sp.), and cheeseweed (*Malva parviflora*). The value of this type of vegetation as wildlife habitat is low, although ruderal lands could be used as travel corridors by the San Joaquin kit fox.

Special-Status Species

The Project area lies within the Gosford 7.5 minute quadrangle of Kern County. A species list for this quadrangle, obtained from http://sacramento.fws.gov/es/spp_list.htm on October 3, 2008 (Document Number: 081003035335), contained ten (10) federally listed species under the jurisdiction of the U.S. Fish and Wildlife Service (Service), shown in Table 3-1. No designated critical habitat was reported in the Gosford quadrangle. The California Natural Diversity Database (CNDDB) was also queried for Federal- and state-listed species in the Project area and within 5 miles of the Project area (see Appendix B). Although no special status species are known to occur on the proposed Project site, San Joaquin kit fox has been recorded within 1 mile and the Tipton kangaroo rat within 5 miles of the Project site. The Project area is within Reclamation's ROW that is disturbed from regular maintenance, and has low value habitat for special status species. Biological surveys were completed for this area in 1993 to 1994 and no special status species were observed (City, 2006). Fluctuating water levels and routine siltation and vegetation control activities create unsuitable habitat for many species at the Project site. Special status species and potential for occurrence at the Project site are presented in Table 3-1 and discussed below.

The FKC is concrete lined and the ROW is regularly disturbed from operations and maintenance activities. Therefore, the Project area lacks dense, shrubby or emergent wetland or riparian vegetation and does not provide suitable habitat for the California red-legged frog or the giant garter snake. The Project site is located far outside the Sacramento-San Joaquin Delta and, therefore, the delta smelt does not occur in the area.

There are no vernal pools or elderberry shrubs at the Project site; therefore, vernal pool shrimp species and valley elderberry longhorn beetle are not present.

Chenopod scrub, valley sink scrub, and non-native grassland habitat do not occur at the Project site. The ROW is regularly disturbed and adjacent land uses are a mix of industrial, commercial, and floodplain along the Kern River corridor. Therefore, there is no habitat for the blunt-nosed leopard lizard, Tipton kangaroo rat, giant kangaroo rat, or Buena Vista Lake shrew.

The Project area is within the known range of the San Joaquin kit fox and could be utilized as part of a movement corridor. The nearest CNDDB-reported kit fox occurrence was about 0.7 mile to the north of the Project site and 15 occurrences were reported within 5 miles of the Project site. Signs of San Joaquin kit fox were found along the Westside Parkway alignment.

Although not a federally listed species, the western burrowing owl is protected by the Migratory Bird Treaty Act. Burrowing owls are known to nest along parts of the FKC ROW and a CNDDB occurrence was recorded within one mile. The burrowing owl would, therefore, have the potential to occur at the Project site.

Table 3-1. Federally Listed Species in the Gosford Quadrangle

Common Name	Scientific Name	Status	Primary Habitat and Critical Seasonal Periods	Likelihood for Occurrence in Project Site and Comments
Amphibians and Reptiles				
California red-legged frog	<i>Rana aurora draytonii</i>	T	Largest native frog in the Western United States. Requires dense, shrubby or emergent vegetation associated with deep still or slow-moving water. Breeds from November through March.	Unlikely. No CNDDDB occurrences documented within 5 miles of the Project site. The FKC is not suitable habitat for the frog because of the lack of cover.
Blunt-nosed leopard lizard	<i>Gambelia</i> (= <i>Crotaphytus</i>) <i>sila</i>	E	Relatively large lizard. Suitable habitat includes saltbush scrub and valley sink scrub. Uses small rodent burrows for shelter from predators and temperature extremes.	Unlikely. No CNDDDB occurrences documented within 5 miles of the Project site. Suitable habitat is not present at the Project site.
Giant garter snake	<i>Thamnophis gigas</i>	T	Aquatic snake. Prefers freshwater marsh and low-gradient streams. Has adapted to drainage canals and irrigation ditches. Uses burrows and soil crevices in uplands during winter dormant period. Breeding period March through April.	Unlikely. No CNDDDB occurrences documented within 5 miles of the Project site. The FKC is not suitable habitat for the snake because of the lack of cover.
Mammals				
Giant kangaroo rat	<i>Dipodomys ingens</i>	E	Can grow to 12-13 inches long. Lives on dry, sandy grasslands and digs burrows in loose soil. It lives in colonies, and the individuals communicate with each other by drumming their feet on the ground. Breeding period is typically January through May.	Unlikely. No CNDDDB occurrences documented within 5 miles of the Project site. Suitable habitat is not present at the Project site.
Tipton kangaroo rat	<i>Dipodomys nitratoides nitratoides</i>	E	One of three subspecies of the San Joaquin kangaroo rat. Scattered populations are restricted primarily to valley sink scrub east of the California Aqueduct.	Low. Suitable habitat does not exist at the site; however, one CNDDDB occurrence was reported within 5 miles of the Project site.
Buena Vista Lake Shrew	<i>Sorex ornatus relictus</i>	E	Occurs in areas with a dense mesophytic cover and an abundant layer of litter, often with Fremont cottonwood, willows, alkali heath, wild rye grass, and Baltic rush. Only five locations where the Buena Vista Lake shrew can be found – the Kern Lake Preserve, Coles Levee Ecosystem Preserve, the Kern Fan Recharge Area, the Goose Lake Bottoms Wetland project, and the Kern National Wildlife Refuge.	Unlikely. No occurrences documented within 5 miles of the Project site. Suitable habitat is not present at the Project site.
San Joaquin kit fox	<i>Vulpes macrotis mutica</i>	E	Historic range of this species was the San Joaquin Valley, western Sacramento Valley, and portions of the Inner Coast Range. The abundance of this fox has declined due to loss of habitat and other factors including predator control, pest control programs, and interspecies competition with coyotes. Largest remaining populations occur in western Kern County.	Moderate. Signs of kit fox were found along the Westside Parkway alignment during the 1993, 1994, and 2003 surveys. This species is likely to use the Kern River in the study area as a travel corridor.

Table 3-1. Federally Listed Species in the Gosford Quadrangle

Common Name	Scientific Name	Status	Primary Habitat and Critical Seasonal Periods	Likelihood for Occurrence in Project Site and Comments
Invertebrates				
Vernal pool fairy shrimp	<i>Branchinecta lynchi</i>	T	Associated with ephemeral swales and vernal pools in grassland communities. Cysts hatch and shrimp become active when pools fill during the winter rainy season.	Unlikely. No CNDDDB occurrence documented within 5 miles of the Project site. No suitable habitat (seasonal wetlands or vernal pools) present at the site.
Valley elderberry longhorn beetle	<i>Desmocerus californicus dimorphus</i>	T	Endemic with patchy distribution. Valley elderberry longhorn beetles are completely dependent on their host plant, the elderberry shrub. Adult active period is from March to June.	Unlikely. No CNDDDB occurrence documented within 5 miles of the Project site. No suitable habitat (elderberry shrub) present at the proposed Project site or surrounding area.
Fish				
Delta smelt	<i>Hypomesus transpacificus</i>	T	Salt-tolerant. Endemic to the Sacramento–San Joaquin estuary, where it spends most of its adult life. Spawn in shallow, fresh or slightly brackish water upriver from the mixing zone, including the Sacramento River, Mokelumne River system, Cache Slough region, San Francisco Bay Delta, and Montezuma Slough area. Spawning occurs in fresh water between January and July.	Unlikely. Delta smelt are not known to occur in the FKC and it is not critical habitat for the species.

Sources:

Federal Endangered and Threatened Species 7½ minute quads available (October 2008) at: http://www.fws.gov/sacramento/es/spp_lists/auto_letter.cfm
 California Natural Diversity Database (CNDDDB) search for Gosford Quadrangle, California Department of Fish & Game (CDFG), (October 2008)
 NOAA Fisheries 2008.

Key to Status Codes:

Federal Status:

C: Candidate for listing
 E: Endangered
 T: Threatened

3.3.2 Environmental Consequences

No Action

Under the No Action Alternative, Reclamation would not approve permits for the Westside Parkway bridges, canal liner replacement, or utility line relocation. The Westside Parkway Project would not be viable because the road could not cross the FKC. There would be no impacts to special status species from the Westside Parkway Project.

Proposed Action

The Proposed Action would have no effect on California red-legged frog, blunt-nosed leopard lizard, giant garter snake, giant kangaroo rat, Tipton kangaroo rat, Buena Vista Lake shrew, vernal pool fairy shrimp, valley elderberry longhorn beetle, Delta smelt, or critical habitat for special status species because they do not occur within the Project area.

Based on the height of the bridges over the FKC ROW, and that movement of San Joaquin kit fox along the FKC would, therefore, not be impeded by the Project, there would be no effect to special status species with the required implementation of the standard kit fox avoidance measures.

Caltrans initiated coordination with Federal and State regulatory and resource agencies regarding the effects on biological resources and waters of the United States in February of 1994 for the SR58 Route Adoption Project that eventually became the Westside Parkway. The Service, Sacramento Office, issued a Section 7 Biological Opinion (#1-1-98-F-139), for the SR58 Route Project (Service, 1999). The Service subsequently amended the Biological Opinion to address the proposed Westside Parkway Project on February 18, 2005 (Service, 2005). This amendment only revised the Project description and did not alter species addressed or mitigation measures.

The Services' Biological Opinion addressed the effects of the Westside Parkway Project on five animal species and five plant species (Table 3-2). No special-status plant species were identified in the Westside Parkway ROW during biological surveys completed for the Project.

The Service concurred that the Westside Parkway Project would not likely adversely affect the species specifically covered in the Biological Opinion issued by the Service for the SR58 Route Adoption Project (Service, 1999). The species covered in the Biological Opinion are presented in Table 3-2.

Table 3-2. Federally Listed Species Covered in the Biological Opinion Issued for the State Route 58 between State Route 99 and I-5 in Kern County that Includes the Westside Parkway

Common Name	Scientific Name	Federal Status
Blunt-nosed leopard lizard	<i>Gambelia (=Crotaphytus) sila</i>	(E)
California condor	<i>Gymnogyps californianus</i>	(E)
Least Bell's vireo	<i>Vireo bellii pusillus</i>	(E)
San Joaquin kit fox	<i>Vulpes macrotis mutica</i>	(E)
Tipton kangaroo rat	<i>Dipodomys nitratoides nitratoides</i>	(E)
Bakersfield cactus	<i>Opuntia basilaris treleasei</i>	(E)
California jewelflower	<i>Caulanthus californicus</i>	(E)
Hoover's eriastrum	<i>Eriastrum hooveri</i>	(Delisted)
Kern mallow	<i>Eremalche kernensis</i>	(E)
San Joaquin woollythreads	<i>Monolopia congdonii</i>	(E)

Caltrans proposed to leave existing travel corridors unobstructed along the FKC and Coffee Road (Caltrans, 1998). Unobstructed travel corridors would allow continued use by the San Joaquin kit fox. The Service concurred that implementation of the avoidance and minimization measures would reduce any effects on the species.

The Proposed Action would have no effect on special status species presented in Tables 3-1 and 3-2, critical habitat, or any other biological resources. The Project would implement EPMs specified in the Service's Biological Opinion (and listed below) that would result in no effect to the San Joaquin kit fox.

3.3.3 Environmental Protection Measures

EPMs for the Westside Parkway Bridge Project over the FKC were described in the Terms and Conditions for the SR58 Route Adoption Biological Opinion. The following pertain to protection of special status species:

- A worker education program would be developed and given by an approved biologist.
- Preconstruction surveys would be conducted for special status species (San Joaquin kit fox, Tipton kangaroo rat, burrowing owl) between 14 and 30 days of construction.
- Exclusion zones would be established around sensitive habitat features, including San Joaquin kit fox dens.
- Measures would be established related to restrictions on use of pesticides, vehicle speed limits, control of trash and hazardous materials, and placement of culverts specifically for San Joaquin kit fox protection.

3.4 CULTURAL RESOURCES

3.4.1 Affected Environment

Cultural resources is a term used to describe both 'archaeological sites' depicting evidence of past human use of the landscape and the 'built environment' which is represented in structures such as dams, roadways, and buildings. The National Historic Preservation Act (NHPA) of 1966 is the primary Federal legislation that outlines the Federal Government's responsibility to cultural resources. Section 106 of the NHPA requires the Federal Government to take into consideration the effects of an undertaking on cultural resources listed on or eligible for inclusion in the National Register of Historic Places (National Register). Those resources that are on or eligible for inclusion in the National Register are referred to as historic properties.

The Section 106 process is outlined in the Federal regulations at 36 CFR Part 800. These regulations describe the process that the Federal agency (Reclamation) takes to identify cultural resources and the level of effect that the proposed undertaking will have on historic properties. In summary, Reclamation must first determine if the action is the type of action that has the potential to affect historic properties. If the action is the type of action to affect historic properties, Reclamation must identify the area of potential effects (APE), determine if historic properties are present within that APE, determine the effect that the undertaking will have on historic properties, and consult with the State Historic Preservation Office (SHPO), to seek concurrence on Reclamation's findings. In addition, Reclamation is required through the Section 106 process to consult with Indian Tribes concerning the identification of sites of religious or cultural significance, and consult with individuals or groups who are entitled to be consulting parties or have requested to be consulting parties.

CalTrans conducted a record search, archaeological survey, and SHPO consultation for the Westside Parkway Project, all of which were completed in December 2004 (City, 2006). The records search identified the FKC and a flake scatter (CA-KER-3072) located between the FKC and Emery Ditch about 300 feet north of the planned northeast exit ramp to Coffee Road. Site CA-KER-3072 is outside the northern boundary of the Project site. The FKC, which the new bridges will cross, is a component of Reclamations' Central Valley Project (CVP) Friant Division. Construction of the FKC began in 1945 and was completed in 1951. The FKC conveys water south from Millerton Lake, behind Friant Dam on the San Joaquin River, to the Kern River, four miles west of Bakersfield. The water is used for supplemental and new irrigation supplies in Fresno, Tulare, and Kern Counties. The 127 miles of concrete-lined canal sections have a bottom width of 36 feet and a depth of about 15 feet. Approximately 25 miles of the FKC are unlined, consisting of compacted earth with a bottom width of 64 feet and a depth of about 15 feet. The FKC was determined eligible for listing on the National Register of Historic Places (NRHP) through a consensus determination between CalTrans and SHPO in 2004 (File #FHWA040315A). Additionally, Reclamation is in the process of nominating the CVP to the NRHP. As part of the CVP, the FKC has been determined eligible for inclusion on the NRHP under Criterion A for its association with irrigation and agricultural development of California.

3.4.2 Environmental Consequences

No Action

Under the No Action Alternative, there will be no impacts to cultural resources or historic properties since there would be no action. Under the No Action Alternative, Reclamation would not approve a permit for the Westside Parkway bridges over the ROW. The Westside Parkway Project would not be viable because the road could not cross the FKC. Conditions related to cultural resources or historic properties would remain the same as existing conditions.

Proposed Action

The proposed replacement of FKC liner and construction of two bridges over the FKC will result in no adverse effects to historic properties pursuant to 36 CFR Part 800.5(b). CalTrans submitted a Historic Property Survey Report (HPSR) to the SHPO on April 12, 2004 pursuant to the cultural Programmatic Agreement between FHWA, Caltrans, SHPO, and the Advisory Council on Historic Preservation in support of the Westside Parkway (City, 2006). The HPSR concluded that the FKC was eligible for listing on the NRHP and the Westside Parkway Project would have no adverse effect on the FKC due to proposed design and construction provisions. SHPO concurred with these findings and determinations (File #FHWA040315A). Appendix C contains the SHPO correspondence regarding these findings.

3.4.3 Environmental Protection Measures

The following EPM would protect cultural resources:

- In the unlikely event that any cultural or human remains are encountered during Project implementation on federal land, all work in the area of the find will halt and Reclamation's Regional Archeologist will be notified immediately. If cultural resources are determined to be historic properties pursuant to 36 CFR Part 60, Reclamation will continue consultation pursuant to 36 CFR Part 800.13(b) in order to avoid, minimize, or mitigate any adverse affects to such properties. If human remains are discovered, or a cultural resource is determined by Reclamation to be a Native American cultural item, those remains and/or items will be treated according to the provisions set forth by the Native American Graves Protection and Repatriation Act. The Project will not resume until Reclamation provides a written notice to proceed.

3.5 INDIAN TRUST ASSETS

3.5.1 Affected Environment

An ITA is a legal interest in assets that are held in trust by the U.S. Government for federally recognized Indian tribes or individuals. The trust relationship usually stems from a treaty, executive order, or act of Congress. The Secretary of the Interior is the trustee for the United States on behalf of federally recognized Indian tribes. "Assets" are anything owned that holds monetary value. "Legal interests" means there is a property interest for which there is a legal remedy, such a compensation or injunction, if there is improper interference. Assets can be real property, physical assets, or intangible property rights, such as a lease, or right to use something. ITAs cannot be sold, leased or otherwise alienated without United States' approval. Trust assets may include lands, minerals, and natural resources, as well as hunting, fishing, and water rights.

Indian reservations, rancherias, and public domain allotments are examples of lands that are often considered trust assets. In some cases, ITAs may be located off trust land.

Reclamation shares the Indian trust responsibility with all other agencies of the Executive Branch to protect and maintain ITAs reserved by or granted to Indian tribes, or Indian individuals by treaty, statute, or Executive Order. The nearest ITA is a public domain allotment, which is about 38 miles east-northeast of the Project site.

3.5.2 Environmental Consequences

No Action

No ITAs are in the Project area. The condition of Indian trust resources under the No Action Alternative would be the same as it would be under existing conditions.

Proposed Action

There are no tribes possessing legal property interests held in trust by the United States in the lands and resources near the Project site. The nearest ITA is a public domain allotment, which is about 38 miles east-northeast of the Project site. Therefore, the Proposed Action would not affect ITAs.

3.6 SOCIOECONOMIC RESOURCES

3.6.1 Affected Environment

Bakersfield is the county seat of Kern County, California. As of the 2000 census, the city had a total population of 247,057. The City's economy thrives on agriculture, petroleum extraction, and refining. It is one of the fastest growing of the larger cities of the United States. As of 2006, the population was estimated at 315,837 according to the U.S. Census (2006). It is California's third largest inland city after Fresno and Sacramento. In 2006, the median income for a household in the city was \$51,421 and the median income for a family was \$59,130. Males had a median income of \$44,577 versus \$31,223 for females (U.S. Census, 2006).

3.6.2 Environmental Consequences

No Action

Under the No Action Alternative, socioeconomic resources would be the same as the existing conditions described above.

Proposed Action

Implementation of the Proposed Action would result in construction activities for at least a one-year period. Construction employment would increase temporarily. Completing this Project is an integral component of the Westside Parkway Project, which will alleviate east-west traffic congestion on east-west arterials in west Bakersfield. No EPMs relating to socioeconomic resources would be required.

3.7 ENVIRONMENTAL JUSTICE

3.7.1 Affected Environment

Executive Order 12898 (February 11, 1994) mandates Federal agencies to identify and address disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations.

The racial makeup of the City is 54.7% White, 7.6% Black or African American, 0.1% Native American, 5.8% Asian, 0.1% Pacific Islander, 26.5% from other races, and 4.5% from two or more races. 38.8% of the population is Hispanic or Latino of any race. The per capita income for the city is \$23,413. 16.4% of the population and 13.4% of families are below the poverty line. Out of the total population, 24.3% of those under the age of 18 and 7.5% of those 65 and older are living below the poverty line (U.S. Census, 2006).

3.7.2 Environmental Consequences

No Action

Under the No Action Alternative, Reclamation would not approve a permit to construct the Westside Parkway Bridge Project. No new facilities would be constructed and traffic congestion on east-west arterial streets in west Bakersfield would continue.

Proposed Action

The Proposed Action would not affect residential uses because the nearest residence is about 0.4 mile from the Project site. No minority or low income populations were identified that would be adversely affected. No EPMs relating to environmental justice would be required.

3.8 CUMULATIVE EFFECTS

The Westside Parkway Bridge is part of a larger project to complete the Westside Parkway freeway. The Westside Parkway is needed to reduce congestion on existing east-west arterials in west Bakersfield and is planned for an ultimate 8-lane build out, although fewer lanes would be required initially. Effects associated with the Westside Parkway were analyzed and mitigation and other environmental measures were described in the Tier 2 EA/EIR that evaluated impacts of this Project and issued a FONSI and Final EIR for the Project (City of Bakersfield, 2006).

The Westside Parkway would take a step toward accommodating growth projected in the Metropolitan Bakersfield General Plan. This would contribute to significant, unavoidable cumulative impacts associated with planned growth identified in the Metropolitan Bakersfield General Plan update EIR (City, 2002) and include:

- Based upon the Kern COG horizon year model for 2020, significant and unavoidable level of service impacts would occur to various roadway segments throughout the metropolitan area.
- Development of the Metropolitan Bakersfield General Plan would create unavoidable significant air quality impacts related to construction, mobile and stationary sources, and inconsistency with the Air Quality Attainment Plan.
- Development between the years 2000 and 2020 would exacerbate a current exceedence of Community Noise Equivalent Level noise standards along several roadways.

- Projected growth would result in the conversion of Prime Farmland to non-agricultural use and may conflict with Williamson Act contracts.

This Project could contribute cumulatively to kit fox and burrowing owl impacts. Three habitat conservation plans are active in the Bakersfield region including the Metropolitan Bakersfield Habitat Conservation Plan (MBHCP), Kern Water Bank Authority HCP, and the Kern County Valley Floor HCP. The three HCPs address most habitats utilized by listed and sensitive species of plants and wildlife. Implementation of the three HCPs provides a means by which impacts to sensitive habitats and species can be mitigated. The impacts caused by the Westside Parkway Project would likely be mitigated through the MBHCP. The effects to sensitive habitats and species from the Westside Parkway Project would be an incremental increase in impacts to such habitats and species in a regional setting. Because projects permitted and mitigated through the three HCPs will result in preservation of large amounts of natural lands, including wetlands and waters of the U.S., cumulative impacts would not be substantial.

Development of the Westside Parkway in conjunction with proposed development identified in the General Plan would not result in water quality impacts. Future development within the study area would be required to mitigate specific water quality impacts on a project-by-project basis. Implementation of EPMs would assure that this Project would not add to cumulative impacts.

4.0 CONSULTATION AND COORDINATION

4.1 FISH AND WILDLIFE COORDINATION ACT (16 USC §661 ET SEQ.)

The Fish and Wildlife Coordination Act (FWCA) requires that Reclamation consult with fish and wildlife agencies (federal and state) on all water development projects that could affect biological resources. The Proposed Action does not involve water development projects. Therefore the FWCA does not apply.

4.2 ENDANGERED SPECIES ACT (16 USC §1531 ET SEQ.)

Section 7 of the Endangered Species Act requires Federal agencies, in consultation with the Secretary of the Interior and/or Commerce, to ensure that their actions do not jeopardize the continued existence of endangered or threatened species, or result in the destruction or adverse modification of the critical habitat of these species.

Based on the bridge height over the FKC ROW and the required implementation of the standard kit fox avoidance measures, Reclamation has determined that the Proposed Action would have no effect on the San Joaquin kit fox. Reclamation also determined that the Proposed Action would have no effect to other species listed or proposed for listing or critical habitats designated or proposed for designation under the Federal Endangered Species Act. There will be no effect on species or critical habitat under the jurisdiction of the National Marine Fisheries Service because of their absence from the Project site. No consultation with either agency will occur.

4.3 MIGRATORY BIRD TREATY ACT (16 USC § 703 ET SEQ.)

The Migratory Bird Treaty Act implements various treaties and conventions between the U.S. and Canada, Japan, Mexico and the former Soviet Union for the protection of migratory birds. Unless permitted by regulations, the Act provides that it is unlawful to pursue, hunt, take, capture or kill; attempt to take, capture or kill; possess, offer to or sell, barter, purchase, deliver or cause to be shipped, exported, imported, transported, carried or received any migratory bird, part, nest, egg or product, manufactured or not. Subject to limitations in the Act, the Secretary of the Interior (Secretary) may adopt regulations determining the extent to which, if at all, hunting, taking, capturing, killing, possessing, selling, purchasing, shipping, transporting or exporting of any migratory bird, part, nest or egg will be allowed, having regard for temperature zones, distribution, abundance, economic value, breeding habits and migratory flight patterns. Migratory bird surveys that include burrowing owls will be completed prior to Project construction to allow the Proposed Action to be in compliance with the Migratory Bird Treaty Act.

4.4 NATIONAL HISTORIC PRESERVATION ACT (15 USC 470 ET SEQ.)

The NHPA of 1966, as amended (16 USC 470 *et seq.*), is the primary Federal legislation that outlines the Federal Governments' responsibility consider the affects of their actions on historic properties. Section 106 of the NHPA requires federal agencies to evaluate the effects of federal undertakings on historical, archaeological, and cultural resources. The 36 CFR Part 800 regulations that implement Section 106 of the NHPA describe how Federal agencies address

these effects. Historic properties are defined as those cultural resources listed, or eligible for listing, on the National Register of Historic Places. The term “cultural resources” is used to describe archaeological sites, illustrating evidence of past human use of the landscape; the built environment, represented by structures such as dams, roadways, and buildings; and resources of religious and cultural significance, including, but not limited to, structures, objects, districts, and sites. Historic properties include Traditional Cultural Places, which are resources of religious and cultural significance that are eligible for the NRHP by virtue of their traditional significance.

CalTrans submitted a Historic Property Survey Report (HPSR) to the SHPO on April 12, 2004 pursuant to the cultural Programmatic Agreement between FHWA, Caltrans, SHPO, and the Advisory Council on Historic Preservation in support of the Westside Parkway (City, 2006). The HPSR concluded that the FKC was eligible for listing on the NRHP and the Westside Parkway Project would have no adverse effect on the FKC due to proposed design and construction provisions. SHPO concurred with these findings and determinations (File #FHWA040315A). Appendix C contains the SHPO correspondence regarding these findings.

4.5 EXECUTIVE ORDER 11988 – FLOODPLAIN MANAGEMENT AND EXECUTIVE ORDER 11990-PROTECTION OF WETLANDS

Executive Order 11988 requires Federal agencies to prepare floodplain assessments for actions located within or affecting flood plains, and similarly, Executive Order 11990 places similar requirements for actions in wetlands. The Project would not affect either concern.

5.0 LIST OF PREPARERS AND REVIEWERS

Bureau of Reclamation, Mid Pacific Region,

Judi Tapia, Supervising Natural Resource Specialist, South Central California Area Office (SCCAO), Fresno

Mike Kinsey, Wildlife Biologist, SCCAO, Fresno

Amy Barnes, Archaeologist, Sacramento

Patricia Rivera, Native American Affairs Program Manager, Sacramento

Burleson Consulting Inc.

Nadia Burleson, PE, Project Manager, M.S., Civil Engineering, B.S. Chemical Engineering. 20 years experience.

Robert Morrow, Wildlife Biologist, B.S. Fisheries Biology. 24 years experience.

Ammon Rice, Biologist, B.S. Biology. 5 years experience.

Roberta Tassey, Quality Control, B.S. Biology. 27 years experience.

Matthew Brown, GIS Specialist, B.A. Art. 5 years experience.

Elizabeth Kelly, Land Use, JD, B.A. Chemistry. 24 years experience.

6.0 REFERENCES

California Central Valley Regional Water Quality Control Board. 2004. Water Quality Control Plan for the Tulare Lake Basin. January 2004. Available: http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/tlbp.pdf. Accessed: 2008.

Caltrans. 1998. Biological Assessment. Route 58 Adoption Project, I-5 to SR-99. Prepared by Woodward-Clyde. Technical Report 06-Ker-58-R35.4/R52.3 Ea 315400. July 1998.

California State Water Resources Control Board. 2006. California's 2006 Clean Water Act Section 303(d) List of Water Quality Limited Segments. Available: http://www.swrcb.ca.gov/water_issues/programs/tmdl/303d_lists2006_epa.shtml. Accessed: 2008.

City of Bakersfield (City), 2002. Metropolitan Bakersfield General Plan Update Environmental Impact Report.

City, 2006. *Westside Parkway Tier 2 Environmental Assessment/Final Environmental Impact Report*. September 2006. Prepared by City, Caltrans, and Federal Highway Administration.

City, 2007. Metropolitan Bakersfield General Plan. December 2007. Chapter 3-Circulation Element. Available: <http://www.co.kern.ca.us/planning/pdfs/mbgp/mbgptoc.pdf>. Accessed: 2008.

City, 2008. Metropolitan Bakersfield General Plan. Available: http://www.bakersfieldcity.us/gis/downloads/gis_spatial_data.htm. Accessed: 2008.

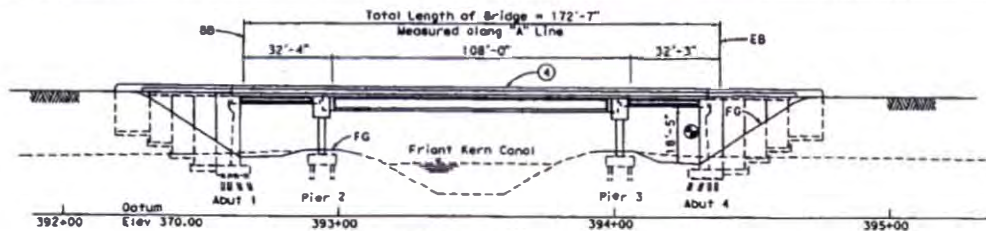
Reclamation, 2008. Bureau of Reclamation CVP Friant Division, CA. Available: <http://www.usbr.gov/dataweb/html/friant.html>. Accessed: 2008.

U.S. Census Bureau. 2006. Available: <http://factfinder.census.gov/servlet>. Accessed 2008.

U.S. Fish and Wildlife Service (Service) 1999. Endangered Species Formal Consultation on the Proposed Corridor for State Route 58 Between State Route 99 and Interstate 5, Kern County, California. Sacramento Field Office.

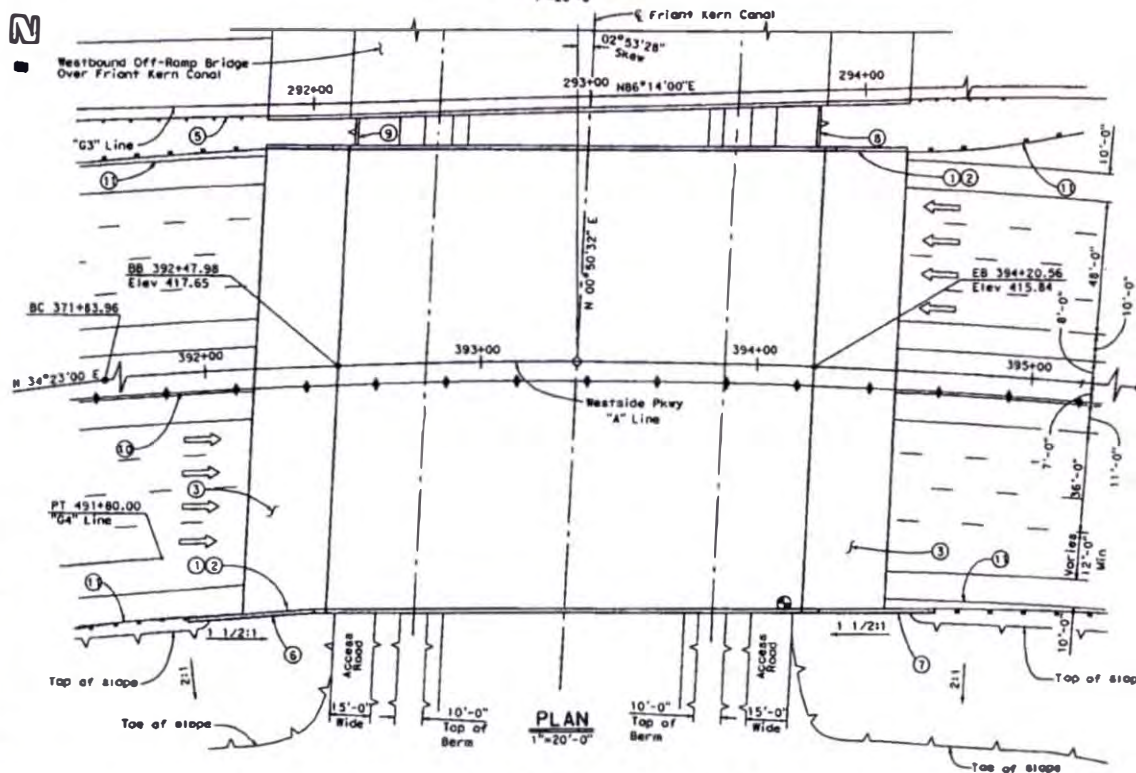
Service, 2005. Amendment to Section 7 Biological Opinion on the Proposed Corridor for State Route 58 Between State Route 99 and Interstate 5, Kern County, California. Sacramento Field Office

APPENDIX A
REPRESENTATIVE DESIGN DRAWINGS



ELEVATION

1"=20'-0"



PLAN

1"=20'-0"

CURVE DATA

Westside Pkwy "A" Line

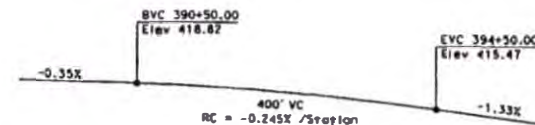
R = 2300'
Δ = 73°47'16"
T = 1726.51'
L = 2962.03'



REGISTERED CIVIL ENGINEER PLANS APPROVAL DATE

Prepared for:
CITY OF BAKERSFIELD
1501 TRUXTON AVENUE
BAKERSFIELD CALIFORNIA 93301

Prepared by:
DAN HARRIS AECOM
300 SOUTH GRAND AVE, 56 BOND FLOOR
LOS ANGELES, CA 90071



PROFILE GRADE

No Scale

LEGEND:

- ⊙ Indicates point of minimum vertical clearance
- Indicates direction of traffic.

NOTES:

- Point "Bridge No. XX-XXX"
- Point "Westside Parkway Bridge Over Friant Kern Canal"
- Structure Approach Slab Type H (305)
- Concrete Barrier Type 732
- Retaining Wall, See "Retaining Wall No. 387" plans
- Retaining Wall, See "Retaining Walls Layout" sheet
- Retaining Wall, See "Retaining Walls Layout" sheet
- Retaining Wall, See Road Plans
- Retaining Wall, See Road Plans
- Concrete Barrier Type 60A
- MBGR, See Road Plans

UNCHECKED DETAILS

WESTSIDE PARKWAY BRIDGE OVER FRIANT KERN CANAL

GENERAL PLAN NO. 1

WESTSIDE PARKWAY - CITY OF BAKERSFIELD, CALIFORNIA

PUBLIC WORKS DEPARTMENT

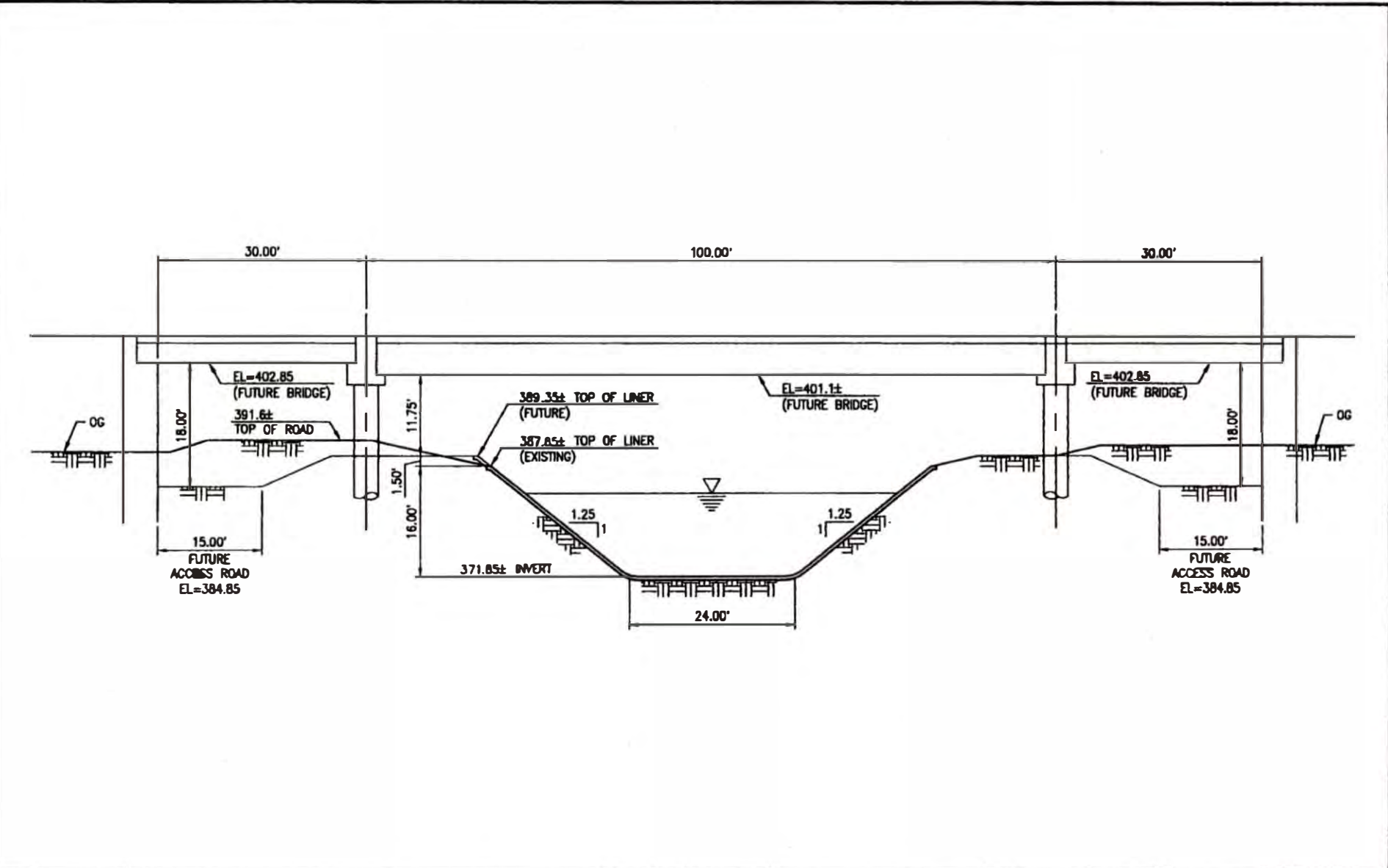
DESIGN	BY W. Chan	CHECKED A. Dardanos	LOAD & RESISTANCE FACTOR DESIGN	LINE LOADINGS: AASHTO "H" AND PERMIT DESIGN VEHICLE	APPROACH DETAILS	APPROVAL
DETAILS	BY L. Bayard	CHECKED W. Chan	LAYOUT	BY L. Bayard	PROJECT ENGINEER	DATE
QUANTITIES	BY	CHECKED	SPECIFICATIONS	BY	PLANS AND SPEC. CHECKED	
			DISTRIBUTION: PRINTS DELIVERED		REVISIONS	
			EACH REVISION ON ONE		DATE	

1 of 21

USER: dghilorducci

XREFS:

IMAGES:



1

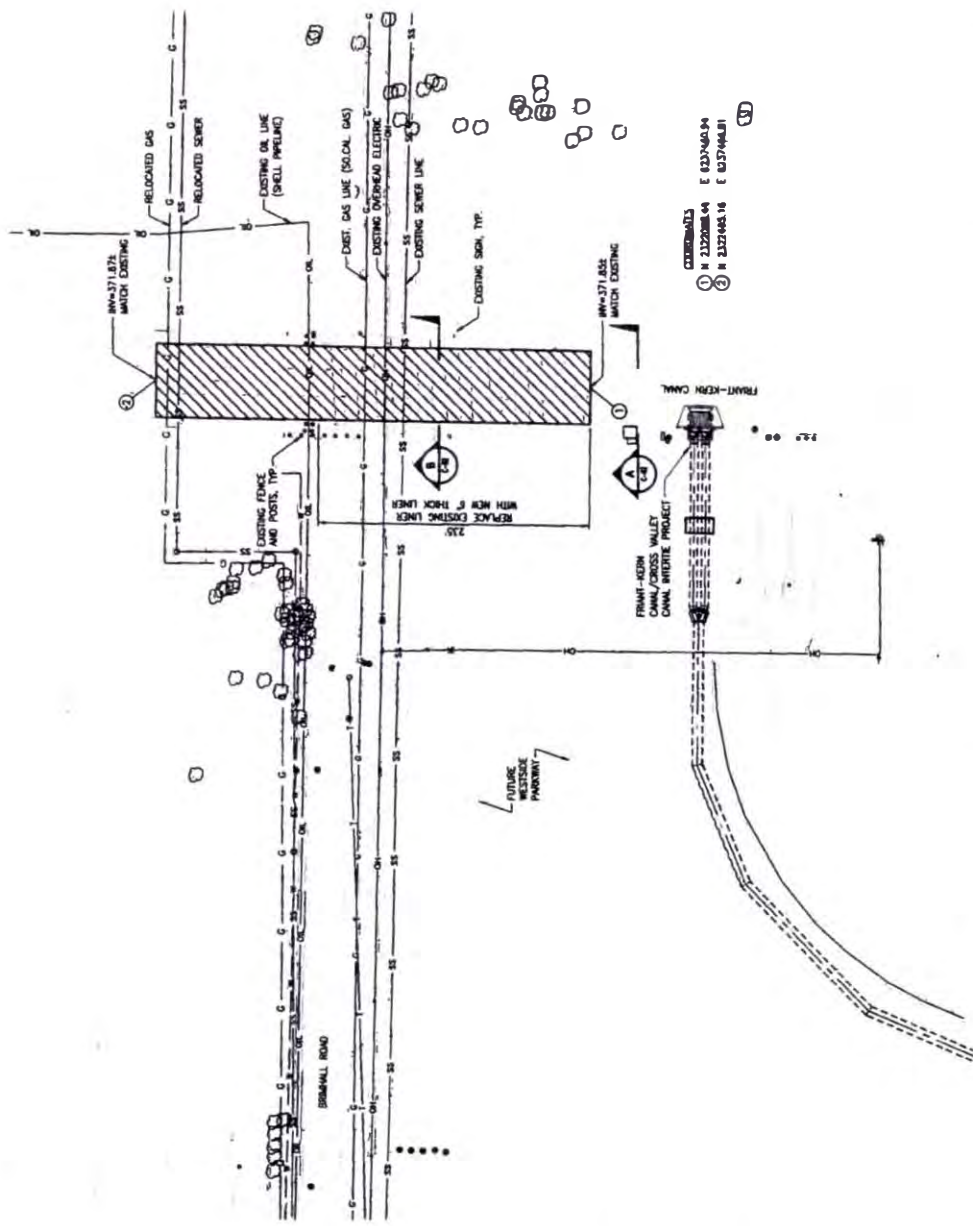
FUTURE BRIDGE AND CANAL ELEVATION

16811.00

5001 E. Commercenter Dr. Suite 100
Richardsfield, Co. 93309 861-325-7253
WWW.BOYLEENGINEERING.COM

CONSTRUCTION NOTES

1. THE CITY SHALL BE NOTIFIED AT LEAST THREE WORKING DAYS PRIOR TO THE START OF CONSTRUCTION.
2. ALL NATURAL AND EXISTING GROUND OR FINISHED ELEVATIONS ARE APPROXIMATE ONLY.
3. LOCATIONS OF EXISTING UTILITIES ARE APPROXIMATE ONLY. TAKE ALL NECESSARY PRECAUTIONS TO PROTECT THESE UTILITIES FROM DAMAGE.
4. COMPLY WITH REQUIREMENTS OF THE PERMITS ISSUED BY KERN COUNTY, THE BUREAU OF RECLAMATION, CALTRANS, AND OTHER DESIGNATED AGENCIES.
5. REPLACE SIGNS AND POSTS DAMAGED DURING CONSTRUCTION TO THEIR ORIGINAL LOCATION.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGE TO EXISTING UTILITIES OR STRUCTURES CAUSED BY THE PROJECT. REPAIRS AND/OR REPLACEMENT SHALL BE AT THE CONTRACTOR'S EXPENSE.
7. FENCING DAMAGED OR DAMAGED DURING CONSTRUCTION SHALL BE REPLACED TO MATCH EXISTING.



PRELIMINARY
NOT FOR CONSTRUCTION

FRIANT-KERN CANAL LINER REPLACEMENT PROJECT		C-01
CANAL LINER REPLACEMENT PLAN		2
CITY OF BAKERSFIELD		5-2408
BOYLE ENGINEERING, INC.		
1811 J ST., SUITE 100, BAKERSFIELD, CA 93301		
TEL: (805) 337-4641 FAX: (805) 337-4642		
WWW.BOYLEENGINEERING.COM		
DESIGNED BY: MONROE V. ROBERTS	DATE: 8/20/09	
CHECKED BY: JTC	DATE: 8/20/09	
PROJECT NO: 15811.00-0002-005	SCALE: AS SHOWN	
DATE: OCT. 2007	BY: BOYLE	



DESIGNED BY: <u>CLAYTON</u>	PLANS APPROVED: <u>DATE</u>
-----------------------------	-----------------------------

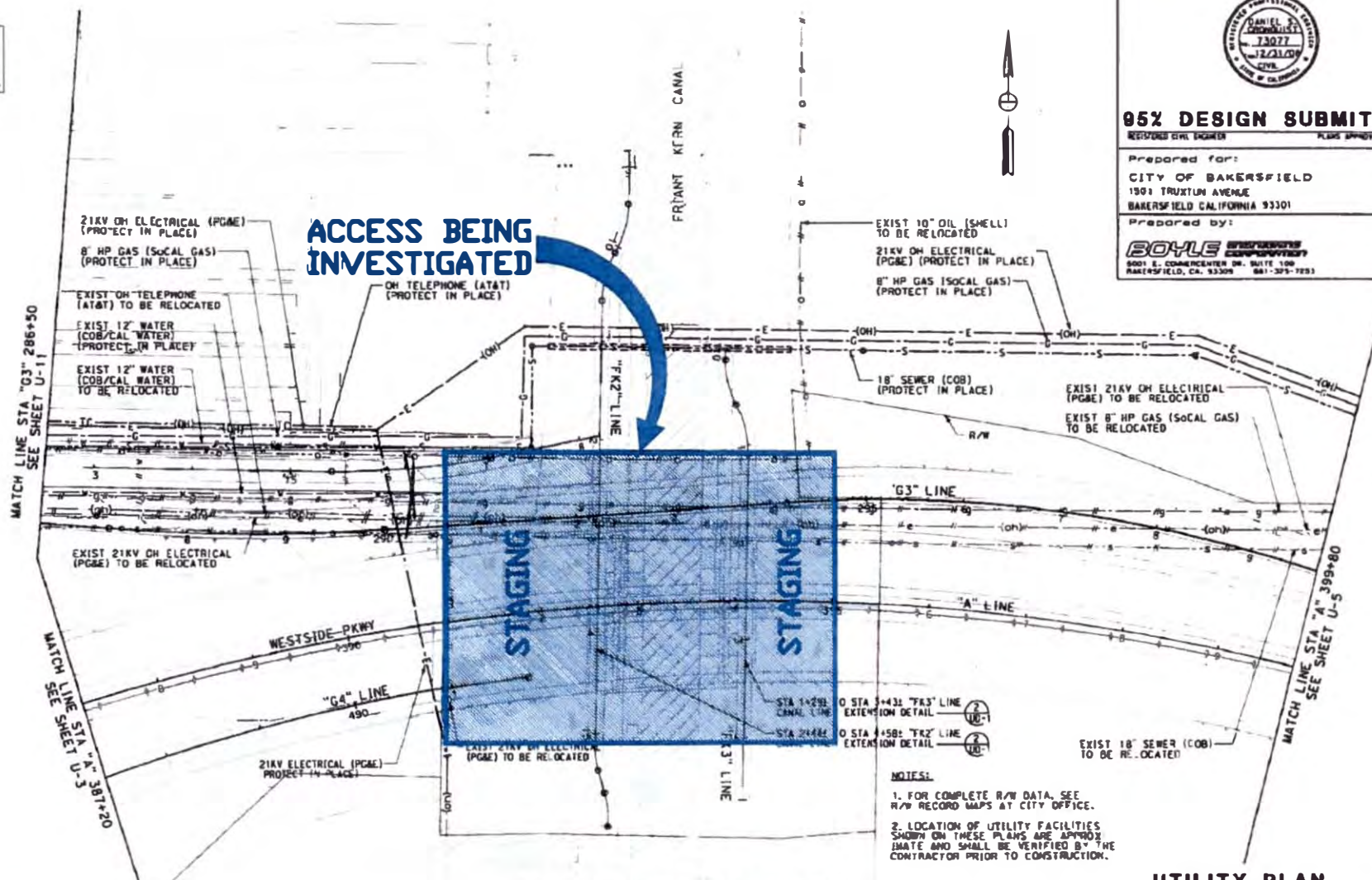
Prepared for:

CITY OF BAKERSFIELD
1501 TRUXTON AVENUE
BAKERSFIELD CALIFORNIA 93301

Prepared by:

BOYLE INTERNATIONAL CORPORATION

6001 E. COMMERCENTEN DR., SUITE 100
RALEIGH, CA. 93309 881-375-7251



NOTES:

1. FOR COMPLETE R/W DATA, SEE
R/W RECORD MAPS AT CITY OFFICE.
2. LOCATION OF UTILITY FACILITIES
SHOWN ON THESE PLANS ARE APPROX-
IMATE AND SHALL BE VERIFIED BY THE
CONTRACTOR PRIOR TO CONSTRUCTION.

UTILITY PLAN

U-4

THIS PLAN ACCURATE FOR UTILITY INFORMATION ONLY.

Revisions	Date	Description
-----------	------	-------------

File Name:	Project
52ka004.pig	D. CHILABOR-CC
Job No.1	Engineer
XXXX	D. CRONQUIST
Date:	Checked by:
9/9/2008	M. ROBERTS

WESTSIDE PARKWAY - PHASE 2

CITY OF BAKERSFIELD, CALIFORNIA

PUBLIC WORKS DEPARTMENT

SHEET NO. _____

APPENDIX B

US FISH AND WILDLIFE SERVICE
SPECIES LIST

CALIFORNIA NATURAL DIVERSITY INFORMATION



United States Department of the Interior
FISH AND WILDLIFE SERVICE

Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825



October 3, 2008

Document Number: 081003035335

Ammon Rice
Burleson Consulting, Inc.
950 Glenn Drive, Suite 135
Folsom, CA 95747

Subject: Species List for Bureau of Reclamation Westside Parkway Bridge

Dear: Mr. Rice

We are sending this official species list in response to your October 3, 2008 request for information about endangered and threatened species. The list covers the California counties and/or U.S. Geological Survey 7½ minute quad or quads you requested.

Our database was developed primarily to assist Federal agencies that are consulting with us. Therefore, our lists include all of the sensitive species that have been found in a certain area *and also ones that may be affected by projects in the area*. For example, a fish may be on the list for a quad if it lives somewhere downstream from that quad. Birds are included even if they only migrate through an area. In other words, we include all of the species we want people to consider when they do something that affects the environment.

Please read Important Information About Your Species List (below). It explains how we made the list and describes your responsibilities under the Endangered Species Act.

Our database is constantly updated as species are proposed, listed and delisted. If you address proposed and candidate species in your planning, this should not be a problem. However, we recommend that you get an updated list every 90 days. That would be January 01, 2009.

Please contact us if your project may affect endangered or threatened species or if you have any questions about the attached list or your responsibilities under the Endangered Species Act. A list of Endangered Species Program contacts can be found at www.fws.gov/sacramento/es/branches.htm.

Endangered Species Division



**Federal Endangered and Threatened Species that Occur in
or may be Affected by Projects in the Counties and/or
U.S.G.S. 7 1/2 Minute Quads you requested**

Document Number: 081003035335

Database Last Updated: January 31, 2008

Quad Lists

Listed Species

Invertebrates

Branchinecta lynchi

vernal pool fairy shrimp (T)

Desmocerus californicus dimorphus

valley elderberry longhorn beetle (T)

Fish

Hypomesus transpacificus

delta smelt (T)

Amphibians

Rana aurora draytonii

California red-legged frog (T)

Reptiles

Gambelia (=Crotaphytus) sila

blunt-nosed leopard lizard (E)

Thamnophis gigas

giant garter snake (T)

Mammals

Dipodomys ingens

giant kangaroo rat (E)

Dipodomys nitratoide nitratoide

Tipton kangaroo rat (E)

Sorex ornatus relictus

Buena Vista Lake shrew (E)

Vulpes macrotis mutica

San Joaquin kit fox (E)

Quads Containing Listed, Proposed or Candidate Species:

GOSFORD (240D)

County Lists

No county species lists requested.

Key:

(E) *Endangered* - Listed as being in danger of extinction.

(T) *Threatened* - Listed as likely to become endangered within the foreseeable future.

(P) *Proposed* - Officially proposed in the Federal Register for listing as endangered or threatened.

(NMFS) Species under the Jurisdiction of the [National Oceanic & Atmospheric Administration Fisheries Service](#). Consult with them directly about these species.

Critical Habitat - Area essential to the conservation of a species.

(PX) *Proposed Critical Habitat* - The species is already listed. Critical habitat is being proposed for it.

(C) *Candidate* - Candidate to become a proposed species.

(V) Vacated by a court order. Not currently in effect. Being reviewed by the Service.

(X) *Critical Habitat* designated for this species

Important Information About Your Species List

How We Make Species Lists

We store information about endangered and threatened species lists by U.S. Geological Survey 7½ minute quads. The United States is divided into these quads, which are about size of San Francisco.

The animals on your species list are ones that occur within, **or may be affected by** projects within, the quads covered by the list.

- Fish and other aquatic species appear on your list if they are in the same watershed as your quad or if water use in your quad might affect them.
- Amphibians will be on the list for a quad or county if pesticides applied in that area may be carried to their habitat by air currents.
- Birds are shown regardless of whether they are resident or migratory. Relevant birds on the county list should be considered regardless of whether they appear on a quad list.

Plants

Any plants on your list are ones that have actually been observed in the area covered by the list. Plants may exist in an area without ever having been detected there. You can find out what's in the surrounding quads through the California Native Plant Society's online [Inventory of Rare and Endangered Plants](#).

Surveying

Some of the species on your list may not be affected by your project. A trained biologist or botanist, familiar with the habitat requirements of the species on your list, should determine whether their habitats suitable for them may be affected by your project. We recommend that your surveys include any proposed and candidate species on your list.

For plant surveys, we recommend using the [Guidelines for Conducting and Reporting Botanical Inventories](#). The results of your surveys should be published in any environmental documents prepared for your project.

Your Responsibilities Under the Endangered Species Act

All animals identified as listed above are fully protected under the Endangered Species Act of 1973, as amended. Section 9 of the Act and its implementing regulations prohibit the take of a federally listed wildlife species. Take is defined by the Act as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect" any such animal.

Take may include significant habitat modification or degradation where it actually kills or

injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or shelter (50 CFR §17.3).

Take incidental to an otherwise lawful activity may be authorized by one of two procedures:

- If a Federal agency is involved with the permitting, funding, or carrying out of a project that n result in take, then that agency must engage in a formal [consultation](#) with the Service.

During formal consultation, the Federal agency, the applicant and the Service work together to avoid or minimize the impact on listed species and their habitat. Such consultation would resu in a biological opinion by the Service addressing the anticipated effect of the project on listed proposed species. The opinion may authorize a limited level of incidental take.

- If no Federal agency is involved with the project, and federally listed species may be taken as part of the project, then you, the applicant, should apply for an incidental take permit. The Service may issue such a permit if you submit a satisfactory conservation plan for the species that would be affected by your project.

Should your survey determine that federally listed or proposed species occur in the area and a likely to be affected by the project, we recommend that you work with this office and the California Department of Fish and Game to develop a plan that minimizes the project's direct i indirect impacts to listed species and compensates for project-related loss of habitat. You shou include the plan in any environmental documents you file.

Critical Habitat

When a species is listed as endangered or threatened, areas of habitat considered essenti to its conservation may be designated as [critical habitat](#). These areas may require special management considerations or protection. They provide needed space for growth and normal behavior; food, water, air, light, other nutritional or physiological requirements; cover or shelter; and sites for breeding, reproduction, rearing of offspring, germination or seed dispersal.

Although critical habitat may be designated on private or State lands, activities on these lands are not restricted unless there is Federal involvement in the activities or direct harm listed wildlife.

If any species has proposed or designated critical habitat within a quad, there will be a separate line for this on the species list. Boundary descriptions of the critical habitat may found in the Federal Register. The information is also reprinted in the Code of Federal Regulations (50 CFR 17.95). See our [critical habitat page](#) for maps.

Candidate Species

We recommend that you address impacts to candidate species. We put plants and animals on our candidate list when we have enough scientific information to eventually propose th for listing as threatened or endangered. By considering these species early in your plannir process you may be able to avoid the problems that could develop if one of these candida was listed before the end of your project.

Species of Concern

The Sacramento Fish & Wildlife Office no longer maintains a list of species of concern. However, various other agencies and organizations maintain lists of at-risk species. These lists provide essential information for land management planning and conservation efforts [More info](#)

Wetlands

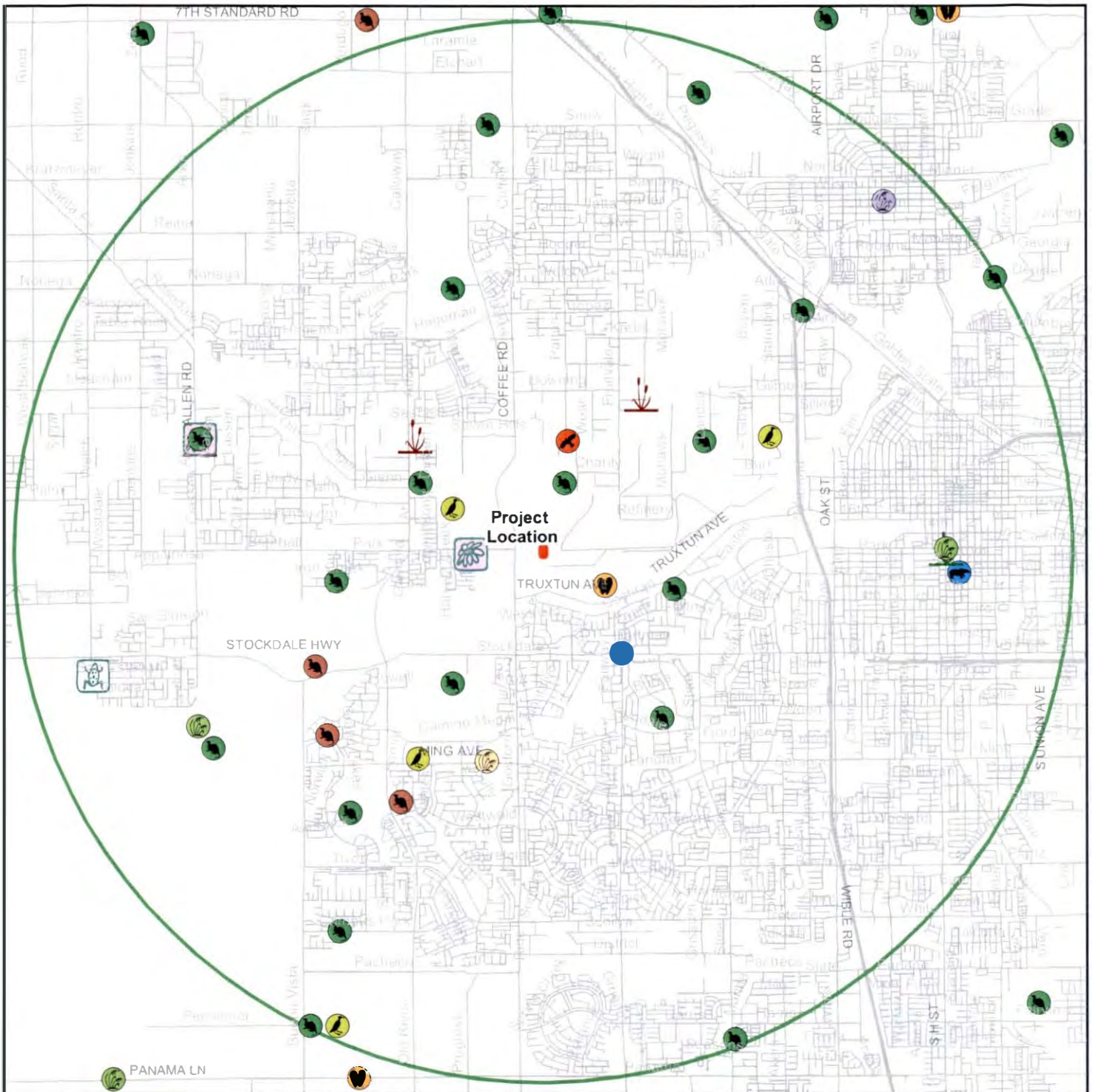
If your project will impact wetlands, riparian habitat, or other jurisdictional waters as defined by section 404 of the Clean Water Act and/or section 10 of the Rivers and Harbors Act, you will need to obtain a permit from the U.S. Army Corps of Engineers. Impacts to wetland habitats require site specific mitigation and monitoring. For questions regarding wetlands, please contact Mark Littlefield of this office at (916) 414-6580.

Updates

Our database is constantly updated as species are proposed, listed and delisted. If you address proposed and candidate species in your planning, this should not be a problem. However, we recommend that you get an updated list every 90 days. That would be January 01, 2009.

California Department of Fish and Game
Natural Diversity Database
CNDDDB Wide Tabular Report
Gosford Quad

Name (Scientific/Common)	CNDDDB Ranks	Other Lists	Listing Status	Total EO's	Element Occ Ranks						Population Status		Presence		
					A	B	C	D	X	U	Historic >20 yr	Recent ≤20 yr	Pres. Extant	Poss. Extirp.	Extirp.
<i>Astragalus hornii</i> var. <i>hornii</i> Horn's milk-vetch	G4G5T2T3 S2S3.1	CNPS: 1B.1	Fed: None Cal: None	14 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Athene cunicularia</i> burrowing owl	G4 S2	CDFG: SC	Fed: None Cal: None	1158 S:4	0	0	1	1	0	2	2	2	4	0	0
<i>Atriplex tularensis</i> Bakersfield smallscale	G1Q S1.1	CNPS: 1B.1	Fed: None Cal: Endangered	3 S:1	0	0	0	0	1	0	1	0	0	0	1
<i>Delphinium recurvatum</i> recurved larkspur	G2 S2.2	CNPS: 1B.2	Fed: None Cal: None	79 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Dipodomys nitratoideus nitratoideus</i> Tipton kangaroo rat	G3T1 S1	CDFG:	Fed: Endangered Cal: Endangered	75 S:3	0	0	1	2	0	0	0	3	3	0	0
<i>Eumops perotis californicus</i> western mastiff bat	G5T4 S3?	CDFG: SC	Fed: None Cal: None	241 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Great Valley Cottonwood Riparian Forest</i>	G2 S2.1		Fed: None Cal: None	56 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Helminthoglypta callistoderma</i> Kern shoulderband	G1 S1	CDFG:	Fed: None Cal: None	2 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Imperata brevifolia</i> California satintail	G2 S2.1	CNPS: 2.1	Fed: None Cal: None	27 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Lasiurus cinereus</i> hoary bat	G5 S4?	CDFG:	Fed: None Cal: None	215 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Monolopia congdonii</i> San Joaquin woollythreads	G3 S3.2	CNPS: 1B.2	Fed: Endangered Cal: None	87 S:1	0	0	0	0	1	0	1	0	0	1	0
<i>Pterygoneurum californicum</i> California chalk moss	GH SH	CNPS: 1B.1	Fed: None Cal: None	1	0	0	0	0	1	0	1	0	0	0	1
<i>Stylocline masonii</i> Mason's neststraw	G1 S1.1	CNPS: 1B.1	Fed: None Cal: None	7 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Taxidea taxus</i> American badger	G5 S4	CDFG: SC	Fed: None Cal: None	412 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Vulpes macrotis mutica</i> San Joaquin kit fox	G4T2T3 S2S3	CDFG:	Fed: Endangered Cal: Threatened	950 S:14	0	0	2	1	0	11	3	11	14	0	0



Legend

- | | | |
|-------------------------|---------------------------|---------------------|
| Project Location | Horn's milk-vetch | burrowing owl |
| 5 Mile Project Buffer | Kern shoulderband | hoary bat |
| Roads | Mason's neststraw | recurved larkspur |
| American badger | San Joaquin kit fox | western mastiff bat |
| California jewel-flower | San Joaquin woollythreads | western spadefoot |
| California satintail | Tipton kangaroo rat | |
| Hoover's eriastrum | | |

Westside Parkway Bridge Environmental Assessment Special Status Species



APPENDIX C

STATE HISTORIC PRESERVATION OFFICE CONCURRENCE LETTERS

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION

P O BOX 942896
SACRAMENTO, CA 94296-0001
(916) 653-6624 Fax: (916) 653-9824
calshpo@ohp.parks.ca.gov
www.ohp.parks.ca.gov



Reply To: FHWA040315A

Mike Donahue, Chief
Caltrans South Sierra Analysis Branch
2015 East Shields Avenue, Suite A-100
Fresno, CA 93726-5428

Re: Determinations of Eligibility and Finding of Effect for the Proposed Westside Parkway Project,
Bakersfield, CA [06-KER-00-BKD, LOCAL ASSISTANCE, WESTSIDE PARKWAY PROJECT, EA 06-487800]

Dear Mr. Donahue:

Thank you for your letter of April 12, 2004, in which you state that Caltrans, and not the City of Bakersfield, is initiating consultation for this undertaking. You are consulting with me about the subject undertaking in accordance with the *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California (PA)*.

The California Department of Transportation (Caltrans) is requesting my concurrence pursuant to Stipulation VIII.C.5 of the PA, that the Friant-Kern Canal was previously determined eligible for the National Register of Historic Places (NRHP) through a consensus determination between the FHWA and SHPO in August of 1997. Caltrans is also requesting concurrence that the following properties are not eligible for the NRHP:

- 2420 Mohawk Street
- 2424 Mohawk Street
- 2430 Mohawk Street
- Coffee Road Pole Barn
- Red Ribbon Ranch #1
- Red Ribbon Ranch #14
- Red Ribbon Ranch #17
- Red Ribbon Ranch Lease 1 #3
- Sweitzer #8
- Sawyer and Reid, Bethlehem #7
- Cross Valley Canal
- Carrier/Gates Canal
- Rio Bravo Canal
- BNSF Railroad Crossing

I concur with the foregoing determinations.

I acknowledge that Caltrans is notifying me, pursuant to stipulation X.B.2.b of the PA, of its finding of "No Adverse Effect with Standard Conditions" for this undertaking.

Thank you for considering historic properties during project planning. If you have any questions, please call Natalie Lindquist at (916) 654-0631 and e-mail at nlind@ohp.parks.ca.gov.

Sincerely,

DEPARTMENT OF TRANSPORTATION

2015 EAST SHIELDS AVENUE, SUITE A-100

FRESNO, CA 93726-5428

PHONE (559) 243-8223

FAX (559) 243-8215

TTY (559) 488-4066

*Flex your power!
Be energy efficient!*

April 12, 2004

Dr. Knox Mellon
State Historic Preservation Officer
Office of Historic Preservation
P.O. Box 942896
Sacramento, California 94296-0001
Dear Dr. Mellon

06-KER-00-BKD
Local Assistance
Westside Parkway Project
EA 06-487800
FHWA040315A

SUBJECT: Historic Property Survey Report for Westside Parkway Project, City of Bakersfield, California

The California Department of Transportation (Caltrans), under the authority of the Federal Highway Administration (FHWA), is initiating consultation with the State Historic Preservation Officer (SHPO) regarding the Westside Parkway Project. This consultation is undertaken in accordance with the *Programmatic Agreement among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation (PA)*.

Enclosed is the Historic Property Survey Report (HPSR) for the Westside Parkway Project. We are seeking your comments regarding the appropriateness of the APE (Stipulation VIII.A of the PA); the adequacy of historic property identification efforts (Stipulation VIII.B of the PA); determinations of eligibility for potential historic properties (Stipulation VIII.C.5 of the PA); and effects to historic properties within the APE (Stipulation X.B.2(i) of the PA).

The City of Bakersfield proposes to construct the Westside Parkway, an eight-mile long facility within a 201-foot wide corridor consisting of a 4-lane conventional highway within a 6-lane right-of-way. A full project description and depiction of the Area of Potential Effects (APE) can be found on pages 1 and 2 and in Figure 3 of the HPSR. The proposed project follows a segment of an alignment delineated in a previous Caltrans Route Adoption Survey to study potential extensions of State Route 58 on a new alignment between Interstate 5 and State Route 99. On May 7, 2001, an HPSR for the Tier I Route Adoption Corridor Survey was appended to the Tier I Environmental Impact Statement/ Impact Report for the Route 58 Route Adoption.

The City of Bakersfield views the current project as a continuing effort relying on completed environmental documents for the current technical studies. While the current project has incorporated the Tier I study and utilizes the preferred alternative of that effort, FHWA considers the current project a new undertaking because it represents only a minor portion of the Tier I project within the City of Bakersfield, Caltrans retains oversight for the project but is no longer the project proponent, and the project has been developed under a new expenditure authorization and federal project numbers.

"Caltrans improves mobility across California"

Dr. Knox Mellon
March 9, 2004

Pursuant to Stipulation VIII.C of the PA, 14 properties located in the project APE were formally evaluated for National Register of Historic Places (NRHP) eligibility, and one property, the Friant-Kern Canal was previously determined eligible for the NRHP through a consensus determination between FHWA and SHPO August 14, 1997. The evaluations are documented in Appendix C of the HPSR. A finding of no adverse effect was proposed for the Friant-Kern Canal, however, consultation was never concluded on this finding, since the previous documentation was largely based upon a corridor study, rather than a specific project. FHWA's involvement in the Tier I Corridor Study and environmental process ended with a Record of Decision for the Final EIR (5/07/01) and the selection of the No Action Alternative.

Because a proposed bridge structure would be built to carry traffic over the Friant-Kern Canal, Caltrans believes the appropriate finding for the undertaking (pursuant to Stipulation X.B.2(i)) is "No Adverse Effect with Standard Conditions." The proposed bridge structure would not adversely affect the characteristics for which the canal is eligible. The project will, however, require relocation of a non-contributing antenna associated with a canal stilling well, and replacement of a minor portion of the concrete canal lining, a contributing feature, that is located under the proposed bridge. This work will adhere to the Secretary of the Interior's Standards for the Treatment of Historic Properties, 1995.

Pursuant to Stipulation VIII.C.5 of the PA, Caltrans is requesting your concurrence that the following resources are ineligible for inclusion in the NRHP:

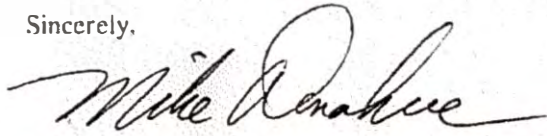
Name/Address/Location	Map Reference #	Figure Page
2420 Mohawk Street	#171	APE Map 4
2424 Mohawk Street	#172	APE Map 4
2430 Mohawk Street	#172	APE Map 4
Coffee Road Pole Barn	#151	APE Map 3
Red Ribbon Ranch #1	#164	APE Map 4
Red Ribbon Ranch #14	#177	APE Map 4
Red Ribbon Ranch #17	#178	APE Map 4
Red Ribbon Ranch Lease 1 #3	#162	APE Map 4
Sweitzer #8	#168	APE Map 4
Sawyer and Reid, Bethlehem #7	#174	APE Map 4
Cross Valley Canal	#150	APE Map 3
Carrier/Gates Canal	#181	APE Map 4
Rio Bravo Canal	#63	APE Map 2
BNSF Railroad Crossing	#163	APE Map 4

This letter and the attached documentation are concurrently being retained in Caltrans files (pursuant to Stipulation XVI) and distributed to FHWA (pursuant to Stipulation VIII.C.5). If you concur with our eligibility determination and Finding of No Adverse Effect with Standard Conditions, these actions satisfy Caltrans responsibilities under Stipulation IX.A.2 of the PA, and no further review will be required. In the event that you do not concur with Caltrans determinations, further consultation will be carried out in accordance with Stipulation VIII.C.5b.

In accordance with Stipulation VIII.C.5a of the PA, we look forward to receiving your response within 30 days of your receipt of this submittal. If you need any additional information, please do not hesitate to contact me (telephone: 559-243-8157; fax: 559-243-8215; e-mail: Michael_Donahue@dot.ca.gov) or Kelly Hobbs, Principal Architectural Historian, (phone: 559-243-8309; e-mail: Kelly_Hobbs@dot.ca.gov). Finally, thank you for your assistance with this undertaking.

Dr. Knox Mellon
March 9, 2004

Sincerely,

A handwritten signature in black ink, reading "Mike Donahue". The signature is fluid and cursive, with the first name "Mike" and last name "Donahue" clearly legible.

Mike Donahue, Chief
Southern Sierra Analysis Branch

Attachment: Westside Parkway HPSR

cc: David Nichol, FHWA Division Administrator
District 6 HRC

From: Michael KINSEY
To: Tapia, Judi
Date: 9/29/2008 4:31:25 PM
Subject: Fwd: Re: Westside Parkway Bridge - 07-SCAO-402 ESA Review

Judi,

Based on the height of the bridge over the canal right of way, and that movement of San Joaquin kit fox along the Friant-Kern Canal would therefore not be impeded by the project, and the required implementation of the standard kit fox avoidance measures, I have concluded that there will be no effect to species listed or proposed for listing, or critical habitats designated or proposed for designation under the federal Endangered Species Act (16 USC 35 §1531 et seq.).

Mike

>>> Judi Tapia 09/24/08 4:13 PM >>>

I have not heard back so I am moving forward with a no effect call.

>>> Judi Tapia 08/11/08 11:53 AM >>>

We are reinvigorating this project and the project proponents would like it done by December 1. You sent me a phone log on 12-20-07 stating that there were no ESA issues. Unless I hear from you I will assume that stands (but it would be more reassuring to get an e-mail stating that with the revised PD you are still of the same determination.)

From various plans, discussions and e-mail I have pieced together the project description in the attached EA (pages 3 - 5). (Please do not look at anything other than the PD. I have inserted it into another EA for a bridge crossing to serve as a template and you probably will find many things that are not related to our project throughout this doc. My goal is to make sure that the project description is correct so please focus there!)

I am putting the PD through internal review for now and trying to get the yellow areas filled in. Let me know if there are other things you will need to know. The FHA did an EA on the parkway and I can provide a disk of that to whomever the lucky person working on this project is if it would be useful!!!

CA# A1R-1752-9652-220-03-1-3

Thanks!

Judi Tapia
Natural Resources Specialist
US Bureau of Reclamation
South-Central California Area Office
1243 "N" Street
Fresno, CA 93721 - 1831

phone (559) 487 - 5138
FAX (559) 487 - 5397
jtapia@mp.usbr.gov

>>> Amy Barnes 11/19/07 9:07 AM >>>

Good morning. Reclamation will need to consult with SHPO on our action to permit the lining and bridge crossing. Since Federal Highways did 106 compliance, I need a copy of their cultural resources report and letters to and from SHPO. We can adopt their determination and findings, but we'll do this in consultation with SHPO. At this point, if I can get a letter out next week, that'll push their schedule into

January rather than lining the FKC in December. I've been having good results when I call to check review status after 30 days has elapsed.

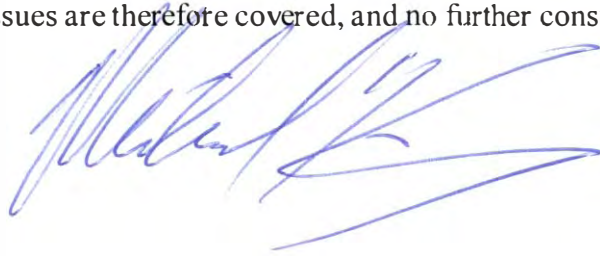
So, there we are. Let me know if you have any questions.

Amy J. Barnes
Archaeologist
U.S. Bureau of Reclamation
Mid-Pacific Region
2800 Cottage Way, MP-153
Sacramento, CA 95825
916-978-5047
abarnes@mp.usbr.gov

Phone Conversation Log

Between: Michael Kinsey (USBR) & Susan Jones (U.S. Fish & Wildlife Service)
Date: 12-20-2007
Time: 14:45
Subject: Westside Parkway Biological Opinion

Sue is familiar with the BO (she wrote it). I explained that we have a request for the crossing of the Friant-Kern Canal that is part of the project the BO covers. Service is considering the BO to be still valid and in force, and the Federal Highway Administration to be in compliance with it. We agreed that all ESA issues are therefore covered, and no further consultation is needed.

A handwritten signature in blue ink, appearing to be "Michael Kinsey", with a long, sweeping horizontal stroke extending to the right.



IN REPLY REFER TO:
1-1-98-F-139

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Sacramento Fish and Wildlife Office
3310 El Camino Avenue, Suite 130
Sacramento, California 95821-6340

March 22, 1999

Mr. Jeffrey A. Lindley
Division Administrator
Federal Highway Administration, California Division
980 Ninth Street, Suite 400
Sacramento, California 95814-2724

Subject: Endangered Species Formal Consultation on the Proposed Corridor for
State Route 58 between State Route 99 and Interstate 5, Kern County,
California

Dear Mr. Lindley:

This is in response to your request for formal consultation with the U.S. Fish and Wildlife Service (Service) on the proposed corridor for State Route 58 between State Route 99 and Interstate 5 in Kern County, California. This document represents the Service's biological opinion (Opinion) on the effects of the proposed action on the following federally-listed animal species:

San Joaquin kit fox, *Vulpes macrotis mutica*, (endangered)
Tipton kangaroo rat, *Dipodomys nitratoide nitratoide*, (endangered)
California condor, *Gymnogyps californianus*, (endangered)
Least Bell's vireo, *Vireo bellii pusillus*, (endangered)
blunt-nosed leopard lizard, *Gambelia silus*, (endangered)

and the following federally-listed plant species:

Hoover's eriastrum (also woolly-star), *Eriastrum hooveri*, (threatened)
California jewelflower, *Caulanthus californicus*, (endangered)
Kern mallow, *Eremalche kernensis*, (endangered)
San Joaquin woolly-threads, *Lembertia congdonii*, (endangered) and
Bakersfield cactus, *Opuntia basilaris treleasei*, (endangered)

in accordance with section 7 of the Endangered Species Act of 1973, as amended (Act).

Per your request, the Service has considered the information you provided about the other endangered, threatened, and proposed species on the lists provided by the Service on September 20, 1996 and March 24, 1998. On the basis of that information, the Service concurs that this project is not likely to adversely affect the following species:

giant kangaroo rat, *Dipodomys ingens*, (endangered)
Aleutian Canada goose, *Branta canadensis leucopareia* (threatened)
American peregrine falcon, *Falco peregrinus anatum* (endangered)
bald eagle, *Haliaeetus leucocephalus* (threatened)
giant garter snake, *Thamnophis gigas* (threatened)
California red-legged frog, *Rana aurora draytonii* (threatened)
Delta smelt, *Hypomesus transpacificus* (threatened)
Sacramento splittail, *Pogonichthys macrolepidotus* (proposed threatened)
valley elderberry longhorn beetle, *Desmocerus californicus dimorphus* (threatened)
vernal pool tadpole shrimp, *Lepidurus packardi*, (threatened)
vernal pool fairy shrimp, *Branchinecta lynchi*, (threatened)
Conservancy fairy shrimp, *Branchinecta conservatio*, (endangered)
longhorn fairy shrimp, *Branchinecta longiantenna*, (endangered)
San Joaquin adobe sunburst, *Pseudobahia peirsonii*, (threatened)
Greenhorn adobe-lily, *Fritillaria striata*, (Species of Concern)

Therefore, for these species, unless new information indicates that the action will affect them in a way not considered, no further consultation under the Act is necessary. If new information comes to light that indicates the action may affect them, please contact us immediately.

This Opinion is based on information provided in the July 1998, *Biological Assessment*, which was received, with your request for consultation, on July 20, 1998; and the *Draft Tier I Environmental Impact Statement/Environmental Impact Report (DEIS/DEIR)* signed November 4, 1997; meetings on March 4 and July 8, 1998; the letter from the California Department of Transportation dated July 6, 1998; various telephone conversations; and other sources of information. A complete administrative record of this consultation is on file in this office.

Consultation History

The State Route 58 Alignment project has been in development since 1991. Resource conservation issues that have been discussed between California Department of Transportation (Caltrans) and the Service include: developing a programmatic section 7 consultation to address multiple Caltrans projects in the San Joaquin Valley, effects on habitat conservation lands (Kern Water Bank), crossing the Kern River, wetlands, growth inducing effects, and San Joaquin kit fox corridors. Resource agencies involved include: the Army Corps of Engineers (Corps), California Department of Fish and Game (CDFG), and the Wetlands Branch and Endangered Species Division of the Service. The Corps File Number is 199400457.

Ten alternative alignments initially were considered for State Route 58 between State Route 99 and Interstate 5. All but one have been rejected because they do not meet the transportation needs of the region, impacts to archaeological sites were too numerous, or impacts to already developed property were unacceptable.

Limited surveys were done to determine potential locations of sensitive resources. This included cultural and biological resources. Plant and animal surveys of the proposed corridor and buffer zone identified locations of potential or known San Joaquin kit fox dens, burrowing owl burrows, and occurrences of Hoover's eriastrium, Kern mallow, San Joaquin bluecurls (*Trichostema ovatum*) (on the California Native Plant Society watch list) and recurved larkspur (*Delphinium recurvatum*), a species of concern.

Caltrans began coordination with regulatory agencies on issues concerning jurisdictional wetlands and water with a meeting in February 1994 with the Corps and the U.S. Environmental Protection Agency (EPA). Caltrans participated in a 404 permit preapplication meeting on May 5, 1994 with the Corps, EPA, Federal Highway Administration (FHWA), CDFG, and the Service. In a letter dated May 23, 1994, the FHWA requested that the Service become a cooperating agency in the development of the DEIS/EIR and participate in the coordination process as outlined in the Memorandum of Understanding (MOU) among the FHWA, Caltrans, and the Service. On June 28, 1997, the Service agreed to participate in preparation of the DEIS/EIR as a cooperating agency and provide comments in accordance with the MOU.

Prior to circulation of the DEIS/EIR the Cross Valley Canal Option (of the Kern River alignment), a route that avoids impacts to all jurisdictional wetlands, was identified. Upon notification of this alternative, the Corps confirmed that a Nationwide Permit #14 would likely be required prior to project construction, and the NEPA/404 coordination process would not be applicable to the Cross Valley Canal Option (Corps 1997). The Department of the Interior provided comments on the DEIS/EIR on February 12, 1998 (Interior 1998).

The Service consulted with Caltrans about other projects in 1996 and suggested that effects on endangered species in the San Joaquin Valley be addressed in a formal programmatic consultation to meet the requirements as described in *Conner v. Burford*, 848 F.2d 1441 (9th Cir. 1988) court ruling. The Service first recommended the formal programmatic consultation in its' biological opinion of September 19, 1996 on a proposed project to repave and widen a portion of State Route 46, between Route 33 and Route 5, in Kern County, California (Service File No. 1-1-96-F-85).

A request for an extension for delivery of the Biological Opinion to December 31, 1998 from November 30, 1998 was made by the Service by letter dated November 30, 1998 to the FHWA. The Kern River alignment, which intersected Interstate 5 north of Stockdale Highway, was removed from consideration by Caltrans on December 7, 1998. The Kern River alignment, with the Cross Valley Canal Option, which intersects Interstate 5 south of Stockdale Highway, is the

only alignment that Caltrans is now considering for the project (York personal communication 1998).

BIOLOGICAL OPINION

Description of the Proposed Action

The project as developed by Caltrans and the FHWA is to adopt an east-west transportation corridor for State Route 58 (Figure 1) that will:

- 1) provide continuity for State Route 58 in Kern County and
- 2) provide an alignment for future multi-modal transportation facilities that reduces congestion on the transportation network in the western Bakersfield metropolitan area (Caltrans 1998).

The Act's implementing regulations require that the Service address the entire scope of the project, to the extent possible, not just acquisition of a right-of-way. Acquisition of a right-of-way is an irretrievable commitment of funds and the construction of the highway is interrelated and interdependent with acquisition of the right-of-way, as explained in our comments on the DEIS/EIR (Service 1998c). This Biological Opinion addresses build out of the road as much as possible at this stage in the design process, as well as the adoption of a highway alignment.

The proposed project addresses a 16.9 mile section of the highway in Kern County, as shown on Figure 2. From west to east, the segment of Route 58 addressed by this project presently consists of a two-lane conventional highway from Interstate 5 to Allen Road, a four-lane conventional highway from Allen Road to Camino Del Rio Court, and a short six-lane segment between Camino Del Rio Court and Route 99. The existing transportation system in the project area is shown on Figure 3.

The Selected Alternative

The Cross Valley Canal Option is the selected route identified through the DEIS/DEIR process (Caltrans 1997; York personal communication 1998). This alignment begins at Interstate 5, north of the Cross Valley Canal, approximately two miles south of the Stockdale Highway interchange. It parallels the canal in a northeasterly direction to Enos Lane. It then shifts to the south, running parallel to the Cross Valley Canal east to Nord Road. At this point, the alignment bends northward through an urban area east of Heath Road and then crosses the Kern River just west of the existing railroad bridge and runs east, terminating at Route 99 near the present Route 99 overcrossing of Truxton Avenue. Six interchanges are envisioned with the following roads: Enos Lane (Route 43), Nord Road, Allen Road, the vicinity of Calloway Drive, Coffee Road, and Mohawk Street.

The proposed freeway will connect on the eastern end of the project directly to the Route 58 East freeway by ramps running parallel to Route 99. Ramps would also be provided for southbound traffic on Route 99 to access the Route 58 freeways to the east and west without interfering with traffic exiting or accessing Route 99 from Rosedale Highway and California Avenue.

For purposes of preserving sufficient right-of-way to meet long-term (i.e., 20-year) transportation needs, the alignment will be 300 feet wide. This width provides flexibility in the design of future transportation facilities because it is wide enough to accommodate an eight-lane freeway and a median that could be used for additional lanes or other transportation facilities such as High Occupancy Vehicle (HOV) lanes, busways, and rail up to Route 99. All construction activities will occur within the 300-foot width. Access for construction vehicles will be from the six proposed interchanges with existing north-south roads.

Schedule

Development of a new transportation facility for Route 58 will be accomplished in phases commencing within a few years and concluding as much as 50 years from now. The time line for each phase depends on traffic demand, transit service strategies, operational management strategies, and funding. Predicted future traffic demand indicates the need for additional transportation facilities over the next 20 years. Following route adoption, the right-of-way can be protected by acquisition of property and implementation of local land use controls.

A schedule for buying land and building the freeway has not been determined because the project will be developed, in part, with state funds as they are appropriated by the legislature. The *Metropolitan Bakersfield 2010 General Plan* (City of Bakersfield 1990) describes the need for a Westside Freeway, and estimates that by 2010 the freeway will be completed between Renfro Road and Route 99, approximately half the project described here. Renfro Road is five miles east of Enos Lane; the western boundary of the Metropolitan Bakersfield planning area is a quarter mile west of Enos Lane. The road will likely be built in segments bounded by the six interchanges proposed in the project, starting in the east and moving to the west as needed.

Consistency with Local Planning Efforts

The *General Plan* is based on the population growing from 286,000 people in 1987 to 567,000 people in 2010 in the Bakersfield metropolitan area. This is the highest population estimate provided by the City and County's consultant. Since the high estimate is used for the basis of land use and transportation planning, and will accommodate all of the growth based on that estimate, it is obvious that City and County policy is to not limit growth at this time.

The *General Plan* delineates roads and intersections that are presently suffering congestion, as shown on Figure 4. Congestion occurs on Rosedale Highway in the vicinity of Route 99, on Gosford Road where it crosses the Kern River, between Rosedale Highway and California Avenue to the east of Route 99 on Oak Street, and on Route 99 between Rosedale Highway and

California Avenue. The easternmost segment of the proposed project would alleviate some or all of the congestion near Route 99 just described. The *General Plan* delineates proposed highways, including an east-west road in the northwest sector that mirrors the proposed project, and a north-south highway to the west of Bakersfield at about Allen Road, as shown on Figure 5.

The *General Plan* proposes to direct and concentrate growth toward higher density mixed use centers in order to reduce vehicle use and encourage pedestrian traffic in Bakersfield, as shown on Figure 6. Three higher density mixed use centers are proposed for the periphery of urban Bakersfield, including one in the northwest, near Allen Road and Rosedale Highway.

Accommodations for Sensitive Species

Direct impacts to habitat are estimated based on the assumption that a future transportation facility will make the entire corridor unavailable to special status plants and animals. The land area directly affected by the project was estimated by habitat type from aerial photographs, engineering alignment maps, and field reconnaissance. Conservation acreage will be set aside incrementally as each segment of the road is built. The amount of conservation acreage has been estimated here, but may change because construction plans are conceptual at this phase in the project. Conservation acreage amounts will be defined in the Tier II environmental documents for a specific future project, following the approach described here. A summary of potential impacts and proposed species conservation concepts is presented in Table 1. Only those measures that apply to the Cross Valley Canal Option are of interest.

Direct impacts to non-riparian habitat will be compensated for by acquiring and enhancing similar habitat prior to construction of any future transportation facilities. Impacts to grasslands will be compensated for by acquiring grassland at a 3:1 ratio (3 acres preserved for every one acre destroyed) or valley saltbush scrub, alkali sink scrub, Great Valley mesquite scrub, and/or Valley sacaton grassland at a 1:1 ratio. Impacts to agricultural land and recharge basins will be compensated for by acquiring retired agricultural land at a 1:1 ratio, or acquiring land vegetated with the higher value habitats just mentioned at a ratio of 0.5 :1.

Lands acquired for species conservation will be enhanced or restored by implementing the following measures adapted from the *Recovery Plan for Upland Species of the San Joaquin Valley, California (Recovery Plan)* (Service 1998d):

- constructing artificial dens for kit foxes
- installing fencing to prevent vehicle encroachment and manage grazing animals
- seeding native barley, and other native plants of the San Joaquin Valley, to minimize establishment of non-native, invasive weeds, reduce soil erosion, and provide food and cover for small animals that are prey for foxes and raptors

A management plan will be developed for all acquired lands that includes goals and objectives, potential for enhancement, monitoring, vegetation management, and fire management. Lands are

proposed to be acquired by Caltrans on or near existing ecological preserves near the project area. Possibilities at this time include the Semitropic Ridge Preserve, the Coles Levee Ecosystem Preserve, and the Lokern Conservation and Management Area. Caltrans and the FHWA have not specifically mentioned protecting this land in perpetuity, or provided a fund for management of the land.

Conservation Measures for Impacts to Riparian Species. Riparian impacts on the east end of the project at the Kern River will be compensated for by enhancement and/or restoration of 0.2 acre of Great Valley cottonwood riparian forest (a 1:1 ratio) adjacent to the proposed alignment. Conservation measures will consist of constructing levee setbacks, 10-foot-wide low terraces adjacent to the channel, and planting riparian trees and shrubs on the terrace and banks. The low terrace would be constructed at an elevation that would be inundated and saturated at a sufficient frequency and duration to support riparian tree species. Banks would also be planted with riparian plant species. Proposed species are presented on Table 2 of the Biological Assessment (Caltrans 1998). All species are native to local riparian plant communities and include understory shrubs and herbaceous species as well as trees to encourage creation of a balanced riparian habitat. Planting would take place in the early spring at the end of the rainy season. Trees and shrubs would be planted from 'deepot' containers (2.5-inch by 9-inch plastic tubes) to promote rapid root growth. Tree shelters and/or shrub shelters will be used to protect plantings from herbivory. All riparian plantings will be irrigated as needed during the first two years or until monitoring shows that it has become established. Monitoring will continue for a minimum of five years. A specific conservation program for riparian vegetation will be developed in consultation with the California Department of Fish and Game. The conservation program will include:

- Preparation of plans and guidelines for site preparation, planting and irrigation specifications, plant species and planting methodologies, performance criteria, and maintenance and monitoring requirements and procedures.
- Seeds, rooted cuttings, and container plants specified in the plan would be obtained from suppliers and contract growers of native plants, with special consideration given to obtaining plants from the local genetic stock. Advance notice of 9 to 12 months will be required for the supplier/grower to ensure that the required species are ready at the time of proposed planting.
- The conservation site will be monitored by a qualified biologist or horticulturist with appropriate credentials and experience in native habitat restoration. Construction impacts will be avoided or minimized by installing protective fencing around preserved riparian vegetation to prevent damage during construction activities.

Conservation Measures for Impacts to Upland Species. The selected alternative (the Cross Valley Canal Option) will impact 544 acres of upland habitat that can support San Joaquin kit fox. This includes 85 acres of grassland and 459 acres of agricultural land. The grassland can

also support other upland species. Approximately 52 acres of the agricultural land at the western terminus of this alignment has recently been developed as recharge basins by the Kern Water Bank Authority but this area is included in the 459 acres of agricultural land potentially affected by this alignment.

The potential for disruption of kit fox corridors depends on the design and location of the proposed project. The proposed alignment will begin at Route 99 and extend west through a fully developed industrial area crossing over Truxton Avenue, Kern River Parkway, Burlington Northern Santa Fe Railroad, and the Cross Valley Canal on the north side of the Kern River. Route 58 will be elevated in this area and will not block kit fox travel corridors along the river and railroads except during construction.

North of the Kern River the proposed Route 58 alignment will be slightly elevated until it reaches the bridges necessary to span the Friant-Kern Canal and Coffee Road. To insure north-south movement of kit foxes to and from undeveloped industrial properties near Mohawk Street, three 2-foot-diameter culverts will be placed underneath the facility at critical locations. These locations are to be determined by a biologist working with local experts and the resource agencies. Brian Cypher, kit fox expert and former head of the Endangered Species and Archeology Program at the Naval Petroleum Reserve, recommended culverts of this size because they are more likely to be used as corridors instead of places to den. Corridors at the Friant-Kern Canal and Coffee Road will not be obstructed (Caltrans 1998).

Between Coffee Road and Calloway Drive, the alignment will be slightly elevated. According to Brian Cypher there are no north-south kit fox corridors in this region, and therefore no culverts or other accommodations for kit fox are planned at this time (Caltrans 1998).

Between Calloway Drive and Route 43 (Enos Lane) no accommodations for kit fox travel corridors are planned.

West of Route 43 (Enos Lane) the proposed freeway parallels the Cross Valley Canal as it turns to the southwest to connect with Interstate 5. The land is owned by the Kern Water Bank Authority and is subject to a Habitat Conservation Plan (HCP) approved by the Service. This area is being used for recharge basins and upland wildlife corridors. The construction design of the proposed facility includes ten 2-foot-diameter culverts evenly distributed along this portion of the facility.

Avoidance of Construction-related Impacts. Impacts to special status species during construction will be avoided by implementing the following general measures as necessary:

- An environmental awareness training program will be required for construction personnel before construction begins. The program will provide workers with information on their responsibilities with regard to sensitive species including locations of environmentally

sensitive areas, exclusion zones, timing constraints, and communication with biological resource monitors.

- Conduct preconstruction surveys to identify active breeding or nesting sites.
- Schedule construction to avoid breeding or nesting periods for special status species to the extent possible.
- Designate and avoid environmentally sensitive areas by fencing and monitoring.
- Modify construction easements, access routes, and staging areas to avoid sensitive areas.
- Monitor during all activities related to construction.

A project-specific conservation plan will be developed to address construction-related special status species impacts. The conservation plan will emphasize avoidance and minimization of impacts to plant populations previously described.

Caltrans plans to implement specific measures to reduce impacts to San Joaquin kit foxes, Tipton kangaroo rats, blunt-nosed leopard lizards, Swainson's hawks, and burrowing owls. Those measures for protection of the federally-protected species - San Joaquin kit fox, Tipton kangaroo rat, and blunt-nosed leopard lizard - are summarized here.

San Joaquin Kit Fox. Surveys will be conducted 2 years prior to construction to identify active dens in the project area. Caltrans will mitigate for kit fox dens that cannot be avoided by following the kit fox provisions and constructing artificial dens in locations that are mutually agreeable to Caltrans and the Service.

No less than 60 days prior to beginning construction, additional preconstruction surveys will be conducted to determine if active dens are present in the project area. If active dens are present, Caltrans will establish exclusion zones around the den site and no work shall be permitted within 150 feet during the pupping period (January 1 to June 14). During the non-pupping period, all potential San Joaquin kit fox dens within a project work area shall be hand-excavated under the direct supervision of a qualified biologist. If at any time during excavations, a San Joaquin kit fox is encountered, excavation shall cease and the animal shall be allowed to escape uninjured.

Tipton Kangaroo Rat and Blunt-nosed Leopard Lizard. Caltrans will implement the following measures to minimize impacts to Tipton kangaroo rats and blunt-nosed leopard lizards:

- A biological monitor shall be present during all ground-disturbing construction activities

**FEDERAL HIGHWAY ADMINISTRATION
FINDING OF NO SIGNIFICANT IMPACT
for
Westside Parkway
between Heath Road and SR 99
in the City of Bakersfield in Kern County, California**

The Federal Highway Administration (FHWA) has determined that this project will not have any significant impact on the human environment. This finding of no significant impact is based on the attached Environmental Assessment, which has been independently evaluated by the FHWA and determined to adequately and accurately discuss the environmental issues and impacts of the proposed project. It provides sufficient evidence and analysis for determining that an environmental impact statement is not required. The FHWA takes full responsibility for the accuracy, scope, and content of the environmental assessment.

January 10, 2007
DATE

/s/ Maiser Khaled
For
Gene K. Fong
Division Administrator
Federal Highway Administration

Rank 2. Parcels with Rank 2, where observations and regulatory records may indicate the potential for contaminated conditions, but where active remediation is not apparently occurring, should be assessed with a defined scope that most likely would include a Phase I Environmental Assessment (as defined by the American Society for Testing and Materials Standard E 1527-00) and appropriate subsurface investigations (Phase II), if conditions warrant. These assessments are typically \$10,000 to \$50,000, with additional costs for site remediation, if impacted conditions are encountered.

Rank 3. Parcels with Rank 3 may or may not have hazardous wastes or, if present, could be relatively easily remediated. Cleanup for these parcels, if “routine and predictable”, may typically be accomplished on the order of \$5,000 per site, with cleanup of more impacted parcels higher than this amount, commensurate with the severity and extent of contamination.

4.3 NATURAL ENVIRONMENT

4.3.1 Terrestrial Vegetation Types and Special-status Plant and Animal Species

Coordination with resource agencies regarding project effects on biological resources and waters of the U.S. was initiated by Caltrans in February 1994 as part of the SR58 Route Adoption project. At that time, Caltrans met with the U.S. Army Corps of Engineers (ACOE) and the U.S. Environmental Protection Agency (EPA) to discuss issues concerning jurisdictional wetlands and waters of the U.S. Caltrans participated in a Section 404 permit pre-application meeting on May 5, 1994 with the ACOE, EPA, U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Game (CDFG), and FHWA. In a letter dated May 23, 1994, FHWA requested that USFWS become a cooperating agency in the development of a Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR) for the SR58 Route Adoption project and participate in the coordination process as outlined in the Memorandum of Understanding (MOU) among FHWA, Caltrans, and USFWS. On June 28, 1997, USFWS agreed to participate in preparation of the DEIS/DEIR as a cooperating agency and provide comments in accordance with the MOU.

Prior to circulation of the DEIS/DEIR, the ACOE was informed that the preferred alternative for SR58, the Kern River alignment, did not cross any jurisdictional wetlands. The ACOE responded that a Nationwide Permit 14 would likely be required prior to project construction, and the NEPA/404 coordination process would not be applicable. The Department of Interior provided comments on the DEIS/DEIR on February 12, 1998.

FHWA consulted with USFWS about other projects in 1996. The Service suggested that effects on endangered species in the San Joaquin Valley be addressed in a formal programmatic consultation to meet the requirements as described in *Conner v. Burford*, 949 F. 2d 1441 (9th Circuit, 1988) court ruling. USFWS first recommended the formal programmatic consultation in its Biological Opinion of September 19, 1996 on a proposed project to repave and widen a portion of SR46 between SR33 and Interstate 5 in Kern County.

Endangered species consultation on the SR58 Route Adoption project was finalized and a Section 7 Biological Opinion (#1-1-98-F-139) was issued by the Sacramento Fish and Wildlife Office of USFWS

Rank 2. Parcels with Rank 2, where observations and regulatory records may indicate the potential for contaminated conditions, but where active remediation is not apparently occurring, should be assessed with a defined scope that most likely would include a Phase I Environmental Assessment (as defined by the American Society for Testing and Materials Standard E 1527-00) and appropriate subsurface investigations (Phase II), if conditions warrant. These assessments are typically \$10,000 to \$50,000, with additional costs for site remediation, if impacted conditions are encountered.

Rank 3. Parcels with Rank 3 may or may not have hazardous wastes or, if present, could be relatively easily remediated. Cleanup for these parcels, if “routine and predictable”, may typically be accomplished on the order of \$5,000 per site, with cleanup of more impacted parcels higher than this amount, commensurate with the severity and extent of contamination.

4.3 NATURAL ENVIRONMENT

4.3.1 Terrestrial Vegetation Types and Special-status Plant and Animal Species

Coordination with resource agencies regarding project effects on biological resources and waters of the U.S. was initiated by Caltrans in February 1994 as part of the SR58 Route Adoption project. At that time, Caltrans met with the U.S. Army Corps of Engineers (ACOE) and the U.S. Environmental Protection Agency (EPA) to discuss issues concerning jurisdictional wetlands and waters of the U.S. Caltrans participated in a Section 404 permit pre-application meeting on May 5, 1994 with the ACOE, EPA, U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Game (CDFG), and FHWA. In a letter dated May 23, 1994, FHWA requested that USFWS become a cooperating agency in the development of a Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR) for the SR58 Route Adoption project and participate in the coordination process as outlined in the Memorandum of Understanding (MOU) among FHWA, Caltrans, and USFWS. On June 28, 1997, USFWS agreed to participate in preparation of the DEIS/DEIR as a cooperating agency and provide comments in accordance with the MOU.

Prior to circulation of the DEIS/DEIR, the ACOE was informed that the preferred alternative for SR58, the Kern River alignment, did not cross any jurisdictional wetlands. The ACOE responded that a Nationwide Permit 14 would likely be required prior to project construction, and the NEPA/404 coordination process would not be applicable. The Department of Interior provided comments on the DEIS/DEIR on February 12, 1998.

FHWA consulted with USFWS about other projects in 1996. The Service suggested that effects on endangered species in the San Joaquin Valley be addressed in a formal programmatic consultation to meet the requirements as described in *Conner v. Burford*, 949 F. 2d 1441 (9th Circuit, 1988) court ruling. USFWS first recommended the formal programmatic consultation in its Biological Opinion of September 19, 1996 on a proposed project to repave and widen a portion of SR46 between SR33 and Interstate 5 in Kern County.

Endangered species consultation on the SR58 Route Adoption project was finalized and a Section 7 Biological Opinion (#1-I-98-F-139) was issued by the Sacramento Fish and Wildlife Office of USFWS

as a condition
of the license or
permit
Reclamation is requiring

- Work in blunt-nosed leopard lizard habitat to be conducted between May 1 and September 30, to the extent possible.
- Minimization of habitat disturbance.
- Measures related to restrictions on use of pesticides, vehicle speed limits, control of trash and hazardous materials, and placement of culverts specifically for kit fox.
- A programmatic consultation with USFWS regarding all highway construction and maintenance projects in the San Joaquin Valley. Caltrans submitted input to USFWS on October 16, 2000; the programmatic Biological Opinion has not yet been issued by USFWS. Included as a subpart of this term and condition was the requirement that a study be conducted on kit fox mortality due to roads and traffic. Caltrans is working on the fourth year of a four-year study. The final report is due in 2005.
- A specific study of the effects of highways on kit fox was a term and condition of the Biological Opinion. A study plan was to be submitted to USFWS for review and approval. The plan was to include: (a) examination of the movement of kit fox throughout the length of the project area; (b) a method for collecting data on kit fox strikes by vehicles, as well as how such data will be used to minimize strikes in the project area; and (c) research techniques for evaluating use of culverts by kit fox. This study has not yet been undertaken.
- Construction and maintenance of appropriate barriers and devices to guide kit fox to culverts, as determined by research.
- Prior to construction of Kern River crossings, completion of a study to determine the status of least Bell's vireo in the Kern River between the outlet at Lake Isabella and I-5. This term and condition was subsequently revised to include a reach of the Kern River between the east end of Hart Memorial Park and I-5 (USFWS, 2000).

Compensatory mitigation would be provided for habitat losses associated with the Westside Parkway project. Compensatory mitigation could be provided in one of two ways. The City of Bakersfield could preserve lands **in perpetuity** near the project at the following replacement ratios: 3:1 for riparian habitat; 3:1 for non-native grassland; and 1:1 for agricultural land. Compensatory mitigation could also be accomplished through the Metropolitan Bakersfield Habitat Conservation Plan (MBHCP).

Mitigation through the MBHCP is on a fee-per-acre basis. The fee covers the cost of offsite acquisition, as well as necessary improvements to, and management of, the acquired land. No additional fees are required. Therefore, the terms and conditions in the Biological Opinion that address acquisition, improvement, enhancement, and management for compensation lands would be satisfied if compensation were completed through the MBHCP. If the MBHCP is not utilized for compensation, then the terms and conditions regarding replacement ratios would apply such that compensation requirements are met preserving lands near the project area as described in the Biological Opinion. Based on the area of disturbance for the Westside Parkway and the replacement ratios defined above, the total compensation amount for the Westside Parkway Truxtun Option would be 163.1 ha (402.9 acres), including 33.5 ha (82.8 acres) of agricultural land, 128.1 ha (316.4 acres) of non-native grassland, and 1.5 ha (3.7 acres) of riparian. The total compensation amount for the Westside Parkway Oak Option would also be 163.1 ha (402.9 acres), including 33.5 ha (82.8 acres) of agricultural land, 128.4 ha (317.1 acres) of non-native grassland, and 1.2 ha (3.0 acres) of riparian.

In addition, projects using the MBHCP, must conduct a field survey for known kit fox dens. The MBHCP program maintains a list and map of all known kit fox dens within the MBHCP boundaries. Each den that could potentially be disturbed by construction activities must be examined to determine occupancy status. If the den is unoccupied, then construction can proceed. If the den is active at the time of construction, take-avoidance measures must be implemented. If it is an active non-natal den, the kit fox must be excluded from it, using agency-approved protocol. If it is an active natal den, construction activities must avoid the den by at least 150 meters (500 feet) until the pups have left the den.

No construction activities that may cause nest abandonment or forced fledging will be initiated within 0.4 kilometer (0.25 mile) of an active Swainson's hawk nest between March 1 and August 15. As indicated above, a pre-construction survey will be conducted for Swainson's hawk. The survey will be conducted in accordance with the methodology developed by the Swainson's Hawk Technical Advisory Committee (SHTAC 2000) within one week from the start of ground-disturbing activities that occur during the nesting season (March 1 – August 15). If an active nest is found prior to construction, the City of Bakersfield will consult with CDFG about appropriate mitigation.

If construction or other project-related activities that may cause nest abandonment or forced fledging of Swainson's hawk were necessary within the buffer zone of 0.4 kilometer (0.25 mile), a qualified wildlife biologist would evaluate existing conditions around the nest site to determine the minimum distance necessary to ensure that "take" of a Swainson's hawk is avoided. The minimum buffer would depend on the level of noise or construction disturbance, line of site between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. These factors would be analyzed in coordination with CDFG to make an appropriate decision on minimum buffer distances. In addition, the biologist would monitor the nest site weekly to ensure that the minimum buffer is maintained until the young are fledged.

As indicated above, pre-construction surveys for burrowing owls will be conducted in suitable habitat within 75 meters (250 feet) of the project footprint. The surveys will be conducted in accordance with the protocol provided in the Staff Report on Burrowing Owl Mitigation (CDFG 1995). Occupied burrows will not be disturbed during the nesting season (February 1 – August 31). When destruction of occupied burrows is unavoidable during the non-nesting season (September 1 – January 31), suitable burrows will be enhanced (enlarged or cleared of debris) or new burrows created (installing artificial burrows) at a ratio of 2:1 on protected lands approved by CDFG. Newly created burrows will follow guidelines established by CDFG. If owls must be moved away from the project area, passive relocation techniques (such as installing one-way doors at burrow entrances) will be used instead of trapping. At least one week will be necessary to accomplish passive relocation and allow owls to acclimate to alternative burrows. If owls must be moved away from the project area, the City of Bakersfield will work with CDFG to find an appropriate permanent relocation site.

be eligible for the National Register and do not meet criteria for inclusion in the California Register of Historic Resources.

Historical Resources

A Historic Property Survey Report (HPSR) was submitted to the State Historic Preservation Office (SHPO) on March 9, 2004, pursuant to the cultural Programmatic Agreement (PA) between FHWA, Caltrans, SHPO, and the Advisory Council on Historic Preservation (ACHP). The Friant-Kern Canal is the only property within the APE that has been determined to be eligible for the NRHP. The other historic canals, railroad properties, and oil wells in the APE were determined not to be eligible for the NRHP. The SHPO concurred with this determination (Appendix E). There has been no correspondence between the SHPO and BNSF.

The HPSR concluded that the Westside Parkway project would have No Adverse Affect on the Friant-Kern Canal due to proposed design and construction provisions included in the project. The present Westside Parkway design concept includes construction of a three-span bridge over the canal, repaving access roads along both sides of the canal, relocating a stilling well antenna (not historic), and relining the segment of the canal under the bridge. Construction elements are discussed below, with recommendations for ensuring that the project would have no effect on the resource:

1. The design plans show no impacts to the canal during bridge construction since the bridge abutments would be placed at the top, and outside of the historic property boundaries. Dirt ramps to elevate the roadway would begin immediately adjacent to, but outside, the proposed boundaries of the historic property, and adjacent to the access roads on either side of the canal.
2. The plans include repaving the maintenance roads within the historic property boundaries; however, avoidance is recommended. If the project cannot proceed without repaving the maintenance roads, then it is recommended that a method be used that would minimize ground disturbance. It is not clear if the roads would be used only as temporary easements during construction, or for more permanent access.
3. The engineering plans include moving the stilling well antennae. The stilling well and antennae are both recent additions to the canal in this location; both were constructed 10 to 12 years ago. Removal and relocation of the antennae would have impacts on the canal. These impacts can be minimized if the antenna is re-anchored in an area where other recent impacts have occurred within the canal.
4. The preferred course of action for the proposed canal relining would be to carefully remove the intact historic concrete-lined panels while the walls of the canal are re-compacted, and then replace them with a concrete lining that matches the original in texture, color, and appearance; it shall retain its as-built contour. The Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings would be used to ensure that the replacement concrete panels conform to the original lining. The new lining would be identical except it would be much stronger, thus preventing the walls from needing to be replaced for an extended period of time.

The segment of the Friant-Kern Canal within the APE has already been affected by a previous project and the proposed project would not diminish effects to the entire historic property any further than activities that have previously taken place. The significance of the canal would not be impaired by spanning it with a transportation facility. Appendix E contains concurrence from the SHPO with this finding.

DEPARTMENT OF TRANSPORTATION

2015 EAST SHIELDS AVENUE, SUITE A-100

FRESNO, CA 93726-5428

PHONE (559) 243-8223

FAX (559) 243-8215

TTY (559) 488-4066

*Flex your power!
Be energy efficient!*

April 12, 2004

Dr. Knox Mellon
State Historic Preservation Officer
Office of Historic Preservation
P.O. Box 942896
Sacramento, California 94296-0001
Dear Dr. Mellon

06-KER-00-BKD
Local Assistance
Westside Parkway Project
EA 06-487800
FHWA040315A

SUBJECT: Historic Property Survey Report for Westside Parkway Project, City of Bakersfield, California

The California Department of Transportation (Caltrans), under the authority of the Federal Highway Administration (FHWA), is initiating consultation with the State Historic Preservation Officer (SHPO) regarding the Westside Parkway Project. This consultation is undertaken in accordance with the *Programmatic Agreement among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation (PA)*.

Enclosed is the Historic Property Survey Report (HPSR) for the Westside Parkway Project. We are seeking your comments regarding the appropriateness of the APE (Stipulation VIII.A of the PA); the adequacy of historic property identification efforts (Stipulation VIII.B of the PA); determinations of eligibility for potential historic properties (Stipulation VIII.C.5 of the PA); and effects to historic properties within the APE (Stipulation X.B.2(i) of the PA).

The City of Bakersfield proposes to construct the Westside Parkway, an eight-mile long facility within a 201-foot wide corridor consisting of a 4-lane conventional highway within a 6-lane right-of-way. A full project description and depiction of the Area of Potential Effects (APE) can be found on pages 1 and 2 and in Figure 3 of the HPSR. The proposed project follows a segment of an alignment delineated in a previous Caltrans Route Adoption Survey to study potential extensions of State Route 58 on a new alignment between Interstate 5 and State Route 99. On May 7, 2001, an HPSR for the Tier I Route Adoption Corridor Survey was appended to the Tier I Environmental Impact Statement/ Impact Report for the Route 58 Route Adoption.

The City of Bakersfield views the current project as a continuing effort relying on completed environmental documents for the current technical studies. While the current project has incorporated the Tier I study and utilizes the preferred alternative of that effort, FHWA considers the current project a new undertaking because it represents only a minor portion of the Tier I project within the City of Bakersfield, Caltrans retains oversight for the project but is no longer the project proponent, and the project has been developed under a new expenditure authorization and federal project numbers.

"Caltrans improves mobility across California"

Dr. Knox Mellon
March 9, 2004

Pursuant to Stipulation VIII.C of the PA, 14 properties located in the project APE were formally evaluated for National Register of Historic Places (NRHP) eligibility, and one property, the Friant-Kern Canal was previously determined eligible for the NRHP through a consensus determination between FHWA and SHPO August 14, 1997. The evaluations are documented in Appendix C of the HPSR. A finding of no adverse effect was proposed for the Friant-Kern Canal, however, consultation was never concluded on this finding, since the previous documentation was largely based upon a corridor study, rather than a specific project. FHWA's involvement in the Tice 1 Corridor Study and environmental process ended with a Record of Decision for the Final EIR (5/07/01) and the selection of the No Action Alternative.

Because a proposed bridge structure would be built to carry traffic over the Friant-Kern Canal, Caltrans believes the appropriate finding for the undertaking (pursuant to Stipulation X.B.2(i)) is "No Adverse Effect with Standard Conditions." The proposed bridge structure would not adversely affect the characteristics for which the canal is eligible. The project will, however, require relocation of a non-contributing antenna associated with a canal stilling well, and replacement of a minor portion of the concrete canal lining, a contributing feature, that is located under the proposed bridge. This work will adhere to the Secretary of the Interior's Standards for the Treatment of Historic Properties, 1995.

Pursuant to Stipulation VIII.C.5 of the PA, Caltrans is requesting your concurrence that the following resources are ineligible for inclusion in the NRHP:

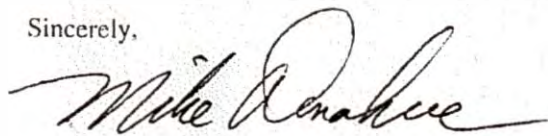
Name/Address/Location	Map Reference #	Figure Page
2420 Mohawk Street	#171	APE Map 4
2424 Mohawk Street	#172	APE Map 4
2430 Mohawk Street	#172	APE Map 4
Coffee Road Pole Barn	#151	APE Map 3
Red Ribbon Ranch #1	#164	APE Map 4
Red Ribbon Ranch #14	#177	APE Map 4
Red Ribbon Ranch #17	#178	APE Map 4
Red Ribbon Ranch Lease 1 #3	#162	APE Map 4
Sweitzer #8	#168	APE Map 4
Sawyer and Reid, Bethlehem #7	#174	APE Map 4
Cross Valley Canal	#150	APE Map 3
Carrier/Gates Canal	#181	APE Map 4
Rio Bravo Canal	#63	APE Map 2
BNSF Railroad Crossing	#163	APE Map 4

This letter and the attached documentation are concurrently being retained in Caltrans files (pursuant Stipulation XVI) and distributed to FHWA (pursuant to Stipulation VIII.C.5). If you concur with our eligibility determination and Finding of No Adverse Effect with Standard Conditions, these actions satisfy Caltrans responsibilities under Stipulation IX.A.2 of the PA, and no further review will be required. In the event that you do not concur with Caltrans determinations, further consultation will be carried out in accordance with Stipulation VIII.C.5b.

In accordance with Stipulation VIII.C.5a of the PA, we look forward to receiving your response within 30 days of your receipt of this submittal. If you need any additional information, please do not hesitate to contact me (telephone: 559-243-8157; fax: 559-243-8215; e-mail: Michael_Donahue@dot.ca.gov) or Kelly Hobbs, Principal Architectural Historian, (phone: 559-243-8309; e-mail: Kelly_Hobbs@dot.ca.gov). Finally, thank you for your assistance with this undertaking.

Dr. Knox Mellon
March 9, 2004

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Donahue". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mike Donahue, Chief
Southern Sierra Analysis Branch

Attachment: Westside Parkway HPSR

cc: David Nichol, FHWA Division Administrator
District 6 HRC

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

P.O. BOX 942896
SACRAMENTO, CA 94296-0001
(916) 653-6624 Fax: (916) 653-9824
caishpo@ohp.parks.ca.gov
www.ohp.parks.ca.gov



Reply To: FHWA040315A

Mike Donahue, Chief
Caltrans South Sierra Analysis Branch
2015 East Shields Avenue, Suite A-100
Fresno, CA 93726-5428

Re: Determinations of Eligibility and Finding of Effect for the Proposed Westside Parkway Project,
Bakersfield, CA [06-KER-00-BKD, LOCAL ASSISTANCE, WESTSIDE PARKWAY PROJECT, EA 06-487800]

Dear Mr. Donahue:

Thank you for your letter of April 12, 2004, in which you state that Caltrans, and not the City of Bakersfield, is initiating consultation for this undertaking. You are consulting with me about the subject undertaking in accordance with the *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California (PA)*.

The California Department of Transportation (Caltrans) is requesting my concurrence pursuant to Stipulation VIII.C.5 of the PA, that the Friant-Kern Canal was previously determined eligible for the National Register of Historic Places (NRHP) through a consensus determination between the FHWA and SHPO in August of 1997. Caltrans is also requesting concurrence that the following properties are not eligible for the NRHP:

- 2420 Mohawk Street
- 2424 Mohawk Street
- 2430 Mohawk Street
- Coffee Road Pole Barn
- Red Ribbon Ranch #1
- Red Ribbon Ranch #14
- Red Ribbon Ranch #17
- Red Ribbon Ranch Lease 1 #3
- Sweitzer #8
- Sawyer and Reid, Bethlehem #7
- Cross Valley Canal
- Carrier/Gates Canal
- Rio Bravo Canal
- BNSF Railroad Crossing

I concur with the foregoing determinations.

I acknowledge that Caltrans is notifying me, pursuant to stipulation X.B.2.b of the PA, of its finding of "No Adverse Effect with Standard Conditions" for this undertaking.

Thank you for considering historic properties during project planning. If you have any questions, please call Natalie Lindquist at (916) 654-0631 and e-mail at nlind@ohp.parks.ca.gov.

Sincerely,

Stephen D. Mikesell
Acting State Historic Preservation Officer

From: Patricia Rivera
To: Tapia, Judi
Date: 8/11/2008 2:57:31 PM
Subject: Re: ITA Review Request EA-07-115

Judi,

I have reviewed the proposed action to approve a permit for two bridge crossings over the FKC and Reclamation's right of way and an MP-620 permit for modification of the FKC. Completion of the Westside Parkway will result in an overhead crossing of the FKC. The main structure is the eight lane Westside Parkway mainline and there would also be a two lane westbound exit ramp constructed adjacent to the mainline to the north. Reclamation would also approve a permit for a currently sewer line and a currently above ground Southern California Gas Company gas line to be relocated underneath the canal in the same conduit.

The planned clearance between the longitudinal access roads flanking the canal and the underside of the crossing is 18 ½ feet. This clearance will provide adequate space for equipment to travel from one side of the crossing to the other, however, the crossing will severely restrict access to the entire prism of the FKC, over a longitudinal width of approximately 250 feet. Support columns are planned to be installed between the aforementioned access roads and the prism of the FKC, further restricting ability to work on the canal.

Bridge: Both the bridge and the off ramp would have a three span layout. The configuration would be a long main span over the canal, with two short spans over the realigned canal maintenance roads, with roads being realigned to the outside behind the columns. The bridge will be constructed with two lanes in each direction but will be built wide enough for four lanes in each direction as the traffic dynamics warrant. There will also be a two lane west bound off ramp on to Coffee Road. The bridge will be supported by piers of one of the two materials and construction methods:

- 15 – 20 piers on each side consisting of 12 inch rods of steel driven by piles approximately 50 feet deep
- 5 – 10 two foot diameter concrete columns formed in 50 foot deep drilled shafts

The bridge over the FKC would be five feet thick.

The closed end bridge abutments and the approach embankments would be placed within the 450 foot canal right of way. The embankment slopes would have a grade of 2:1. Appropriate erosion control measures would be employed on the embankments.

Roadway: 500 feet (250 feet on each side of the canal) of the access road would be removed and reworked. The roadway is currently 15 feet in width and the realigned roads would remain this width. This roadway will be diverted outward from the canal 20 feet and lowered three feet as it goes underneath the bridge to provide a minimum of 18 feet of vertical clearance. It will be constructed to reconnect with the existing road way alignment once it has emerged from underneath the bridge.

Canal Liner: In order to minimize canal maintenance in the FKC prism beneath the bridge, the City of Bakersfield will incorporate improvements to the canal liner immediately below the 250 foot footprint of the overcrossing however with the additional installation of the conduit for the sewer and gas lines the area of the canal liner to be impacted will be 376 feet.

The existing canal concrete liner is approximately three and one half inches thick. The invert (bottom) width is 24 feet and the sides are at a horizontal to vertical slope of 1.25 to 1. With a vertical lining height of 16 feet, the 1.25:1 slope translates into an approximate sloped panel length of 26 feet. Inside earthen embankments on either side of the canal are approximately 16 feet, measured on a slope, from the top of existing lining to the bottom of the road. The canal lining beneath the bridge structure will be extended up to the elevation of the operating roads on both sides of the canal and then tied to the bridge columns to prevent future inside embankment work.

I concur the proposed action does not affect Indian Trust Assets. The nearest ITA is a Public Domain Allotment, which is approximately 38 miles ENE of the project location.

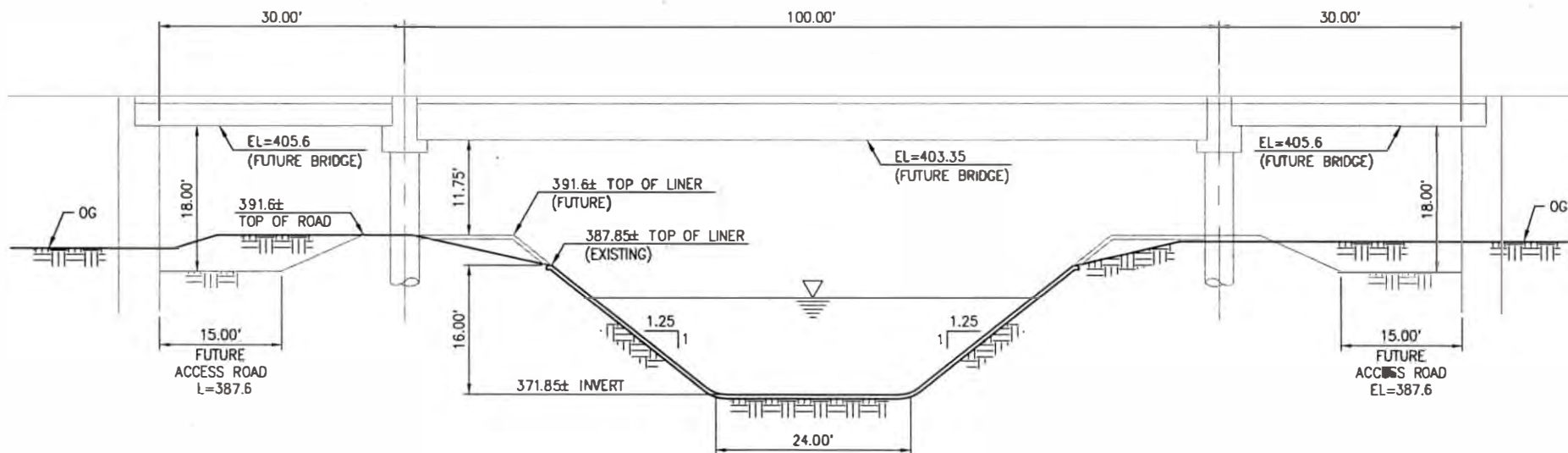
Patricia

>>> Judi Tapia 8/11/2008 11:42 AM >>>

Please review the attached for ITA impacts. Thanks!

Judi Tapia
Natural Resources Specialist
US Bureau of Reclamation
South-Central California Area Office
1243 "N" Street
Fresno, CA 93721 - 1831

phone (559) 487 - 5138
FAX (559) 487 - 5397
jtapia@mp.usbr.gov



FIGURE

1

WESTSIDE PARKWAY PROJECT

FUTURE BRIDGE AND CANAL ELEVATION

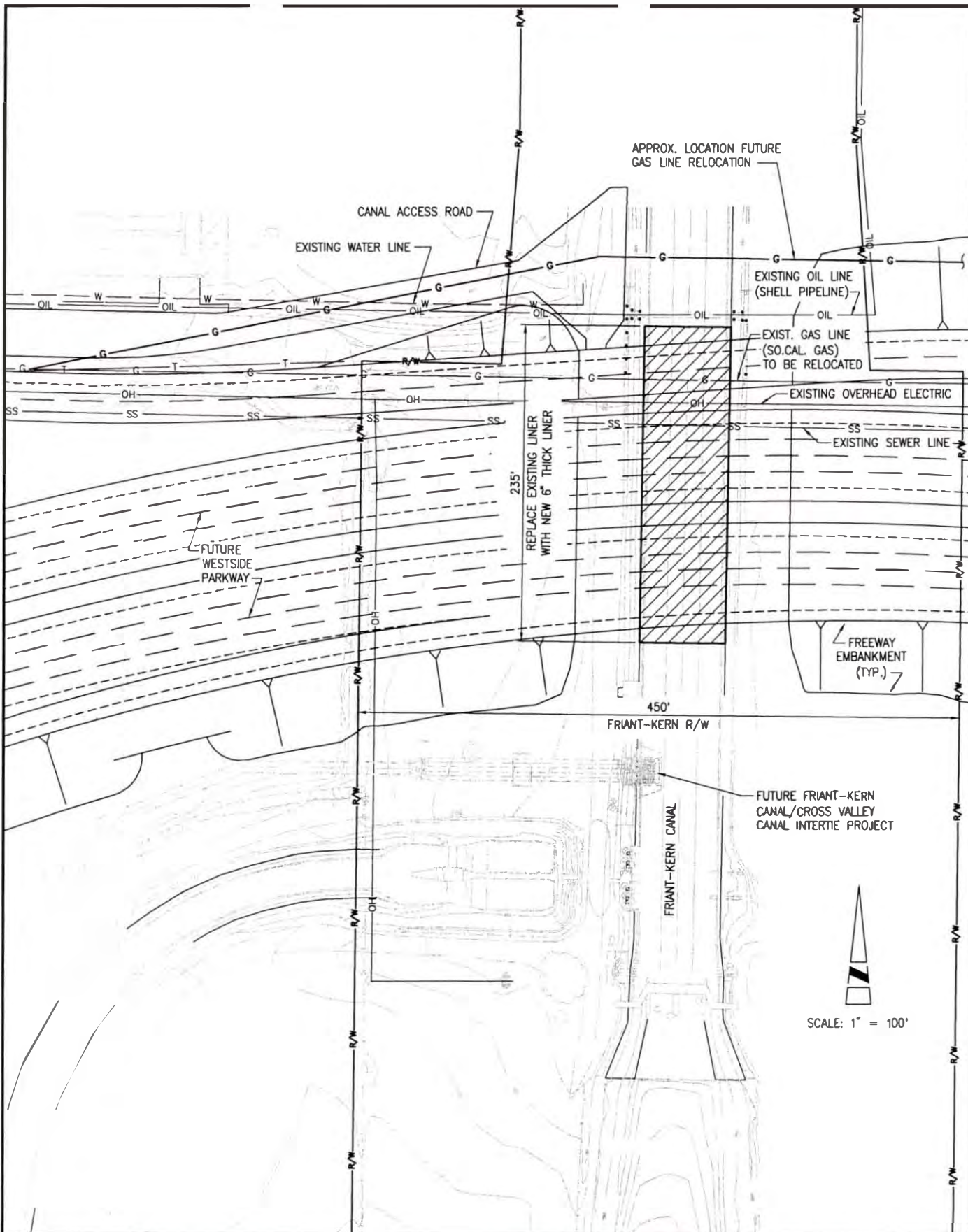
BEC
PROJECT NO.

16811.00

BOYLE
ENGINEERING CORPORATION

5001 E. Commercenter Dr., Suite 100
 Bakersfield, Ca. 93309 661-325-7253
 WWW.BOYLEENGINEERING.COM

DWG: S:\DMJM Harris\16811.0012\Friant-Kern Lining\CAD\Design\Figure-2.dwg
DATE: Nov 02, 2007 3:15pm
XREFS: XMS0001
USER: dghilarducci
X-TOP0-2DMJ0516_coffee-canal
30scale
plan-liner-limits
C-LP-PUMPSTATIONS
Ex-Utilities
IMAGES:



FIGURE

2

WESTSIDE PARKWAY PROJECT

PLAN VIEW OF PROPOSED IMPROVEMENTS

BOYLE
ENGINEERING CORPORATION

5001 E. Commercenter Dr. Suite 100
Bakersfield, Ca. 93309 661-325-7253
WWW.BOYLEENGINEERING.COM

EXHIBIT "A"

CITY OF BAKERSFIELD
WESTSIDE PARKWAY PROJECT
LEGAL DESCRIPTION

An easement for Westside Parkway purposes in those portions of Sections 28 and 33, Township 29 South, Range 27 East, Mount Diablo Base and Meridian, County of Kern, State of California, more particularly described as follows:

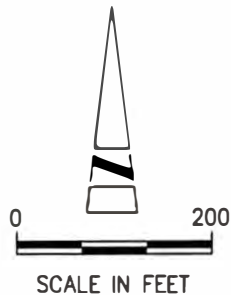
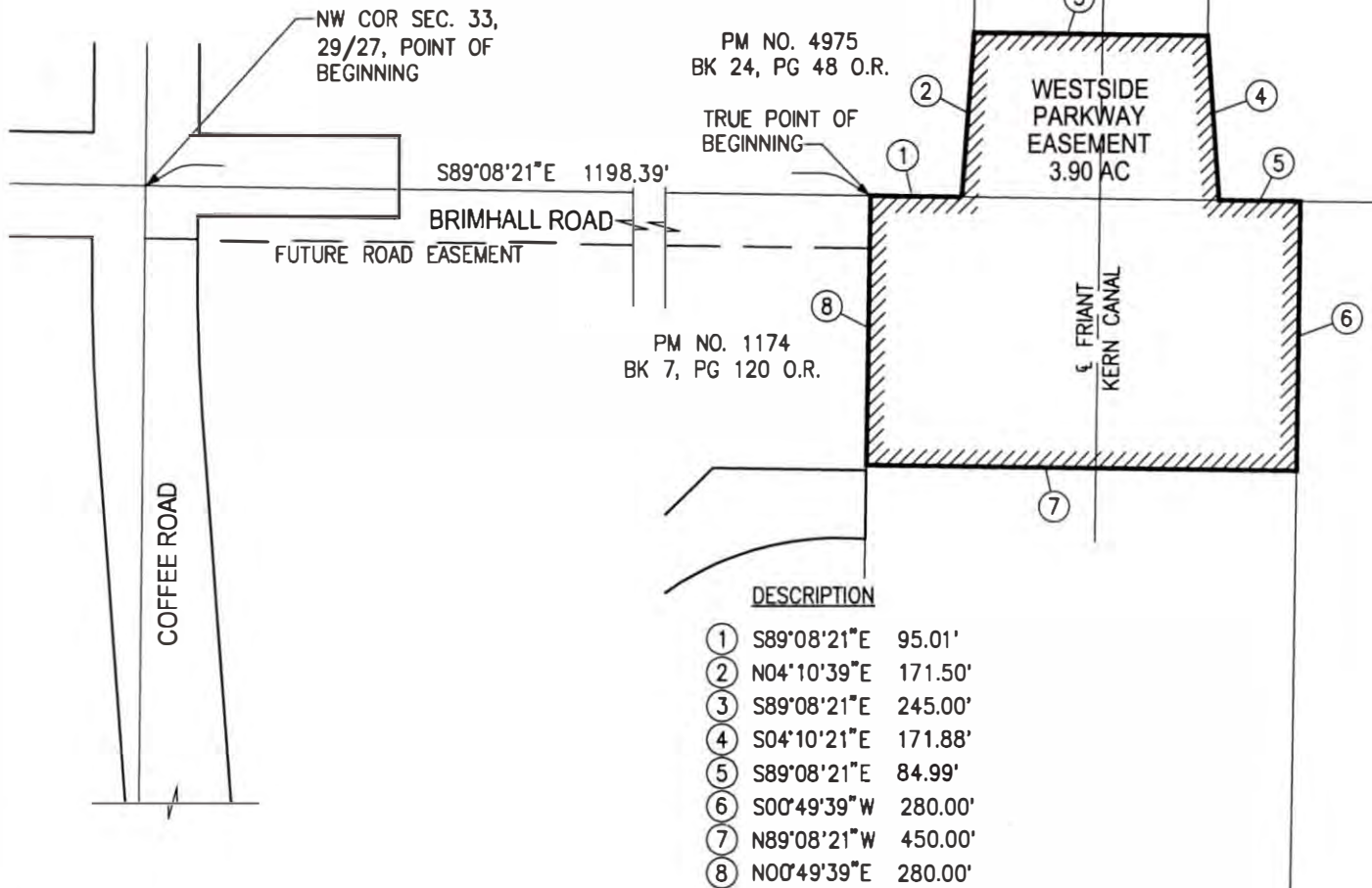
Commencing at the Northwest corner of said Section 33, thence South 89°08'21" East, along the North line of said Section 33, a distance of 1198.39 feet, more or less, to the Northeast corner of Parcel Map No. 1174 as recorded October 25, 1973, in Book 7 of Parcel Maps at Page 120 in the office of the Kern County Recorder, said point also being on the South line of Parcel Map No. 4975 as recorded December 3, 1979, in Book 24 of Parcel Maps at Page 48 in the office of the Kern County Recorder, said point also being the True Point of Beginning;

1. Thence South 89°08'21" East, along the South line of said Parcel Map No. 4975, a distance of 95.01 feet to the Southeast corner thereof;
2. Thence along the East line of said Parcel Map No. 4975, North 04°10'39" East, a distance of 171.50 feet;
3. Thence departing said East line, South 89°08'21" East, a distance of 245.00 feet, more or less, to a point on the East line of that property described as Parcel Twenty-four in the Decree on Declaration of Taking recorded June 14, 1950, in Book 1710, at Page 8 in the office of the Kern County Recorder;
4. Thence South 04°10'21" East, along said East line, a distance of 171.88 feet to a point on the North line of said Section 33;
5. Thence along said North line, South 89°08'21" East, a distance of 84.99 feet, more or less, to a point on the East line of Tract Sixteen of Parcel One from said Decree on Declaration of Taking;
6. Thence South 00°49'39" West, along said East line, a distance of 280.00 feet;
7. Thence departing said East line North 89°08'21" West, a distance of 450.00 feet to a point on the East line of said Parcel Map No. 1174;
8. Thence North 00°49'39" West, along said East line, a distance of 280.00 feet, more or less, to the True Point of Beginning.

Containing 3.90 acres, more or less.

END OF DESCRIPTION

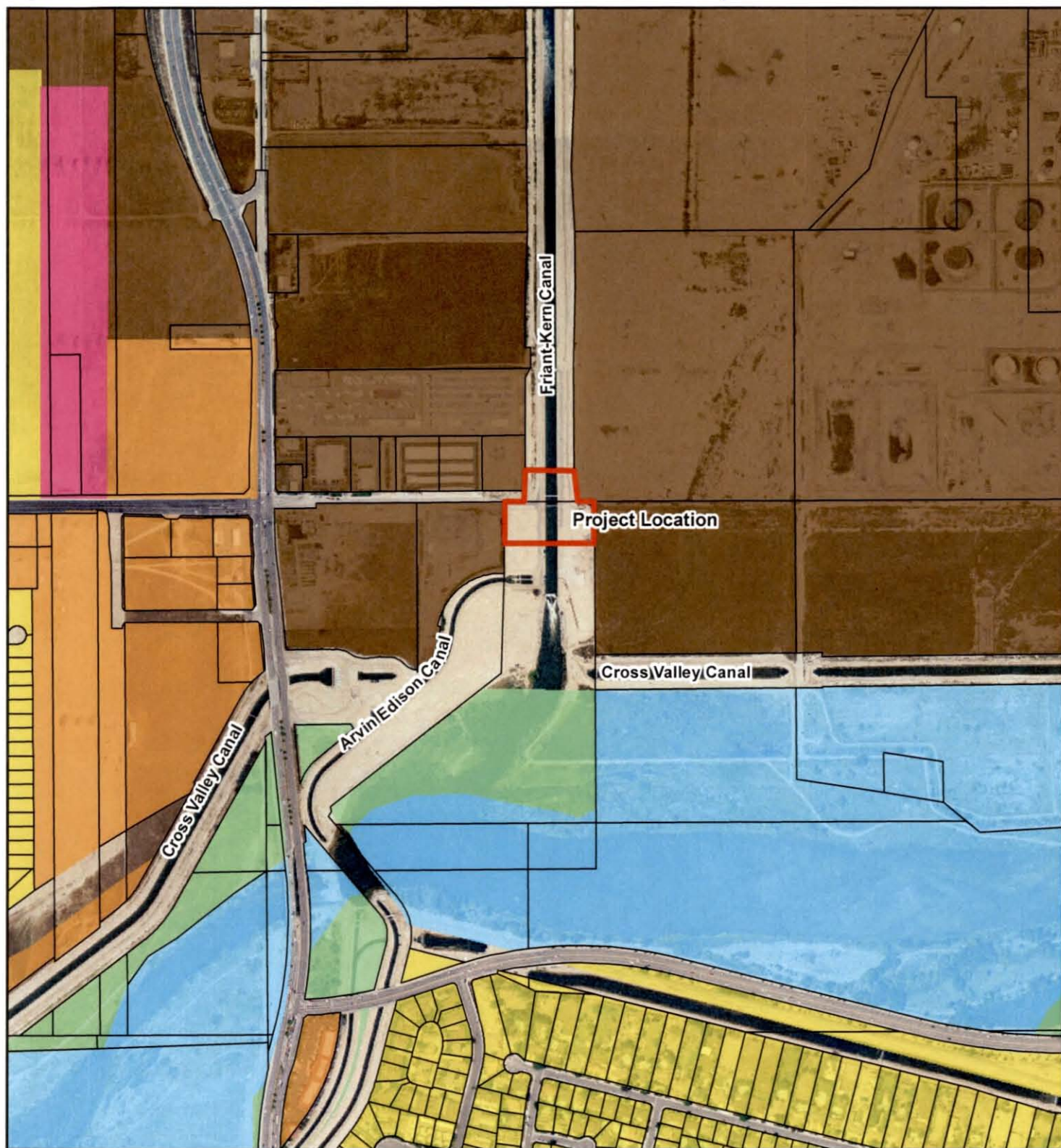




CITY OF BAKERSFIELD	EXHIBIT B
WESTSIDE PARKWAY	
EASEMENT WP-01	SHEET

Where ROW exists

Verify w/ lands



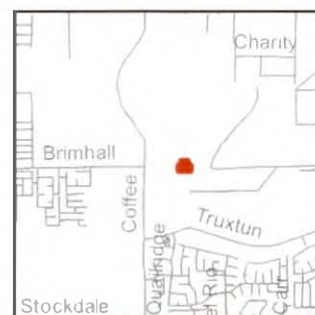
Legend

- | | |
|----------------------------|----------------------|
| Project Location | Industrial |
| Parcel Divisions | Residential |
| Zoning Designations | Flood Plain Property |
| Agricultural | Open Space |
| Commercial | No Designation |

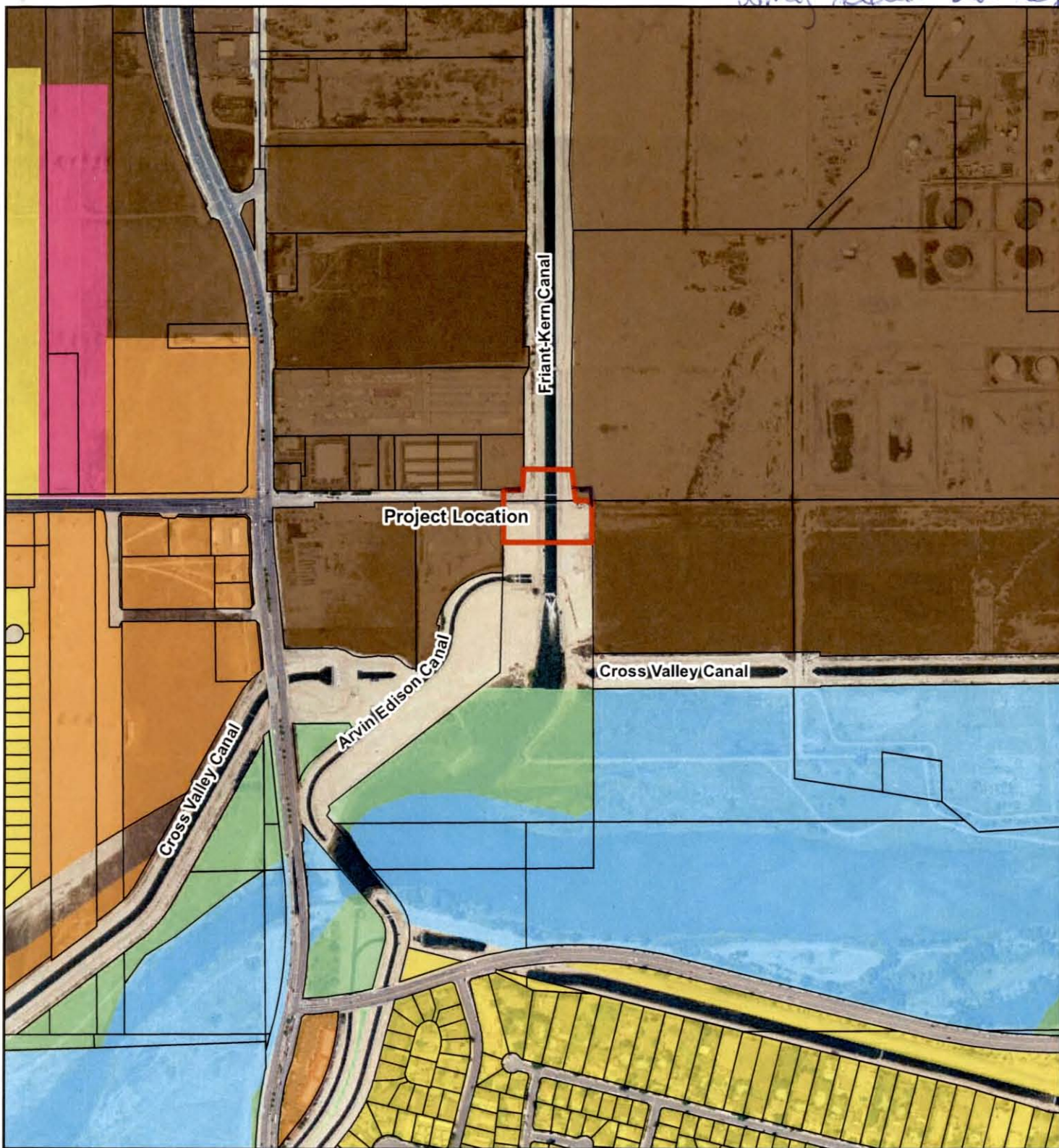
Figure 3-2
Westsire Parkway Bridge
Environmental Assessment
Zoning Designations



0 530 1,060 1,590
Feet



We think this is accurate w/ Right of Way added - see legal description



Legend

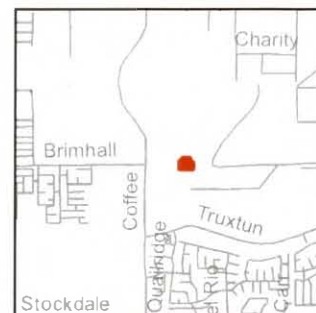
- | | |
|----------------------------|----------------------|
| Project Location | Industrial |
| Parcel Divisions | Residential |
| Zoning Designations | Flood Plain Property |
| Agricultural | Open Space |
| Commercial | No Designation |

U.S. Department of the Interior Bureau of Reclamation
Data Source: Kern County GIS department
Aerial image provided by Digital Globe 5-1-2006

Figure 3-2
Westshire Parkway Bridge
Environmental Assessment
Zoning Designations



0 525 1,050 1,575
Feet



From: Judi Tapia
To: fmmorrissey@friantwater.org; Morrissey, Fergus
Date: 9/11/2007 4:03:11 PM
Subject: Re: Project description for beefing up liner panel beneath the West Side Parkway overpass of the FKC

Fergus, the project description is good but I need to go in a little bit different direction with it than I think you approached it. I need to describe the whole Reclamation related project being the permit to construct the bridge over the FKC with the canal lining replacement and increase in height being mitigation for the overcrossing's impacts to our O&M. That being said I need more details on the bridge. I know it was discussed in the meeting but I did not obtain a map and I do not remember specific details. Please provide that as well as part of the project description. I need to know what road is becoming the Parkway (Brimhall?) I need to know how many lanes the road will be each way. I think I remember that there will be six columns on each side and that holes will be drilled to install them. How many feet on each side of the canal on Reclamation land will be impacted by the overcrossing? Staging on our land? Types of equip on our land? Is the City the project proponent? I need to know who is proposing and constructing the project. Let me know both if they are different entities. Was an EIR done already and if so can you get that for me? I will also check Kern County's website. Any ground disturbance due to constructing the bridge on Reclamation land or right of way. Explain that property may also be obtained as mitigation and approximatley how much.

We cannot separate the permit for the bridge from the canal lining but they will be on the same critical path. By including the bridge things will not take longer (except the time it takes you to provide additional info.) Reclamation will NOT be looking at effects beyond our boundary. This should have been covered in other env docs by the project proponent but I will need to reference it. *is there an EIR?*

Any electronic maps that you can provide? Things don't need to be specific but we need to determine in the area of effect.

Will any material (aside from concrete) be removed from the canal to replace the liner? Where will spoils for the lining be going if any? What equipment will be used to do the construction. What is the construction footprint? Who will be doing the construction? City of Bakersfield right?

We think this is doable by early Dec. We plan on making it a high priority. We think cultural resource consultation will be the critical path and are already involving them.

Please send this additional info as soon as possible!

Judi Tapia
Natural Resources Specialist
US Bureau of Reclamation
South-Central California Area Office
1243 "N" Street
Fresno, CA 93721 - 1831

phone (559) 487 - 5138
FAX (559) 487 - 5397
jtapia@mp.usbr.gov

>>> "Fergus Morrissey" <fmmorrissey@friantwater.org> 09/05/07 9:11 AM >>>
Hi Judi:

Here is a brief project description of the subject work. Let me know if this is adequate.

The West Side Parkway overpass will result in an overhead crossing of the Friant-Kern Canal. The planned clearance between the longitudinal access roads flanking the canal and the underside of the crossing is 18-feet. This clearance will provide adequate space for equipment to travel from one side of the crossing to the other, however, the crossing will severely restrict access to the entire prism of the Friant-Kern Canal, over a longitudinal width of approximately 250 feet. Support columns are planned to be installed between the aforementioned access roads and the prism of the Friant-Kern Canal, further restricting ability to work on the canal.

Discussions with the City of Bakersfield have focused on the need for the project to incorporate improvements to the canal liner immediately below the 250-foot footprint of the overcrossing. These improvements are to be such that the need for the FWA to perform maintenance on the liner is eliminated.

The existing canal concrete liner is approximately three and one half inches thick. The invert (bottom) width is 24-feet and the sides are at a horizontal to vertical slope of 1.25 to 1. With a vertical lining height of 16-feet, the 1.25:1 slope translates into an approximate sloped panel length of 26-feet. Inside earthen embankments on either side of the canal are approximately 16 feet, measured on a slope, from the top of existing lining to the bottom of the road.

Improvements to the liner would consist of the following:

- * Replace all existing concrete with steel reinforced concrete, using concrete strength commensurate with structures (i.e. in the 4,000 psi range),
- * Thickness of the concrete and the area of steel reinforcement used, shall be based on impacts imposed by the functioning overpass onto the canal liner and to effectively make the canal lining a maintenance free structure.
- * Side lining shall extend from the invert to the operating road on both sides of the canal, to prevent future inside embankment work.

The City of Bakersfield shall determine or have determined the structural parameters of the installed reinforced concrete including thickness, compressive strength and area of steel reinforcement.

Fergus Morrissey
Staff Engineer

Friant Water Authority
854 North Harvard Avenue
Lindsay, California 93247

Office: 559.562.6305
FAX: 559.562.3496
Cellular: 559.359.2545
email: fmorrissey@friantwater.org

This email contains information that is confidential and privileged. The information is intended for the use of the individual or entity named above. If you are not the intended recipient, then be aware that any disclosure, copying, distribution or use of the accompanying document (or the information contained in it) is prohibited. If you have received this transmission in error, please notify our offices immediately so that we can arrange for retrieval at no cost to you.