



September 3, 2020

Toks Omishakin, Caltrans Director
 California Department of Transportation
 1120 N Street
 Sacramento, CA 95814

John Bulinski, District Director
 Michael Beauchamp, Deputy District Director of Construction
 David Bricker, Deputy District Director of Environmental Planning
 Andrew Walters, Senior Environmental Planner
 California Department of Transportation, District 8
 464 W. 4th Street
 San Bernardino, CA 92401

Re: Proposed XpressWest High-Speed Rail & Desert Bighorn Sheep Migratory Corridors

Director Omishakin, Director Bulinski, Deputy Director Beauchamp, Deputy Director Bricker and Senior Planner Walters:

With the XpressWest High Speed Rail Project (Project) developing quickly we are writing to ask that you make wildlife movement corridors a priority issue to be addressed in the project design. The Mojave Desert across US Interstate 15 (I-15) is habitat for Desert Bighorn Sheep (DBS) whose regular widespread movement is fundamental to their biology. Other wildlife species of special status whose movements will also be inhibited by this Project include the desert tortoise, Mojave ground squirrel, mountain lion, desert kit fox and Merriam bobcat, just to name a few.

We understand that Caltrans this past June entered into a fifty-year contract with XpressWest providing right-of-way access in the median between the north and south bound lanes of I-15 between Victorville, California, and the Nevada state line. This arrangement will limit – and possibly eliminate – the ability of sheep to reach necessary ranges but could be mitigated with modified and new over-crossings and/or under-crossing improvements across the Project and I-15.

The Project's high-speed rail train requires a necessary twenty foot plus safety fence on both side of the tracks. The indispensable safety fencing has been confirmed as part of the Project's plans by the Federal Railroad Administration (FRA). This fence will indefinitely halt any potential for north and south movement of DBS and other wildlife across the Project and I-15 without the addition of wildlife crossings to the Project's plans. At those necessary wildlife corridor locations overcrossings can be incorporated into the Project's plans by having the fence quite simply built into these wildlife crossing structures.

We understand that the FRA is the lead agency for the Project's National Environmental Policy Act (NEPA) review. Caltrans is California's sole agency acting as a cooperating agency. Therefore, we ask that you raise this issue with the FRA among the others important to the state. Further, we urge Caltrans to require the FRA stipulate that XpressWest construct these crossings as part of their plans in order to mitigate the disruption to wildlife connectivity incurred from this Project.

The critical need for wildlife corridors is such that the issue is currently being recognized both federally in Congress and within the California State Legislature. Federally, two bills are currently being considered in Congress, S 2302 – “America's Transportation Infrastructure Act of 2019”, and HR 2 – the “INVEST in America Act”. Both propose funding of approximately \$250M over the next five years for the installation of wildlife crossings by States via grants. In addition, our own California State Legislature recently proposed Senate Bill 1372, the “Wildlife and Biodiversity Protection and Movement Act of 2020” which would have required Caltrans, the California Department of Fish and Wildlife (CDFW) and other state agencies to proactively coordinate on the mitigation of barriers to wildlife movement in existing state infrastructure and in the planning and design of future projects to allow for maximum wildlife passage.

This is a perfect case in point on the importance of habitat connectivity and the effects manmade structures have on wildlife movements. The well-studied and recorded historical approaches and occasional crossing, or attempts to cross, the I-15 corridor by DBS will simply end without mitigation. Specifically, these wildlife crossings across the Project and I-15 will enable for the further recovery and genetic diversity needs of disjointed DBS herds, along with allowing for the continued movement of other wildlife. This includes the potential for herd enhancement or re-establishment for: the now recovering Kelso/Old Dad Mountains herd in the Mojave National Preserve (MNP) that suffered a large die-off in 2013 due to respiratory disease; the small herds in the North Soda Mountains and Avawatz Mountains that would benefit from connectivity to the MNP herds; and, similarly, the Clark/Kingston Mountain herds within the MNP and the currently unoccupied Coso Ranges.

We urge Caltrans, as advised by CDFW's expertise and authority over California's wildlife, to communicate with the FRA the urgency of wildlife crossing mitigation for this project. The mitigation requirement to protect wildlife in California is independent of whether the FRA finds that the changes in the Project plans necessitate a Supplemental Environmental Impact Study under NEPA. Thus we expect that XpressWest will be required as part of their Project plans to fund and construct any new wildlife over-pass and under-pass improvements CDFW and other independent wildlife experts find are necessary to meet DBS and other wildlife connectivity across the Project and I-15.

Sincerely,

Gray N. Thornton, President & CEO
Wild Sheep Foundation

Don Martin, President
California Chapter of the Wild Sheep Foundation

Chris Clarke, Associate Director California Desert Program
National Parks Conservation Association

Gary F. Brennan, President
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Fred Harpster, President
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John D. Wehausen, Ph.D., President
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Rick Travis, Director of Development
California Rifle & Pistol Association

cc: Charlton H. Bonham, Director, CDFW
Stafford Lehr, Deputy Director for Wildlife and Fisheries, CDFW
Wendy Campbell, Senior Environmental Scientist, CDFW
Jeff Villepique, Ph.D., Senior Wildlife Biologist Supervisor, CDFW
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Debra Hughson, Chief, Science and Resource Stewardship Mohave National Preserve