



U.S. Department of Housing and Urban  
Development

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## **Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58**

### **Project Information**

**Project Name:** Benton Park Cottages

**Responsible Entity:** County of Kern

**Grant Recipient (if different than Responsible Entity):** Housing Authority of the County of Kern

**State/Local Identifier:** California

**Preparer:** Eric Moland, Planner

**Certifying Officer Name and Title:** Lorelei H. Ovatt, AICP, Director of Planning and Natural Resources Department

**Grant Recipient (if different than Responsible Entity):** Housing Authority of the County of Kern

**Consultant (if applicable):** N/A

**Direct Comments to:** Eric Moland, Planner

**Project Location:** Scattered site project: 2341 Terrace Way, Bakersfield, CA 93304 (SITE 1); 308 Stephens Dr., Bakersfield, CA 93304 (SITE 2)

**Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:** This Environmental Assessment will aggregate the two developments per CFR 58.32(a)(1) in order to "address adequately and analyze, in a single environmental review, the separate and combined impacts of activities that are similar, connected and closely related, or that are dependent upon other activities and actions." The Project consists of the design, engineering and construction of a new 37-unit affordable housing development located on two (2) sites. The units are divided between the two (2) parcels as such: twenty-nine (29) units at 2431 Terrace Way (zoned R3-PD, Parcel Number: 147-170-03) and eight (8) units at 308 Stephens Drive (zoned R3, Parcel Number: 147-031-27). Both parcels are County islands in the greater Bakersfield area. The parcels are approximately 1,600 feet away from each other. All of the units will be one-bedroom and restricted

to households less than 60% of AMI, including a combined 18 units of permanent supportive housing for households eligible under the “No Place Like Home” program. The sites are also close to amenities, including public transit, grocery stores, a pharmacy, and parks. The units will be zero net energy.

**Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:** The Kern County Homeless Collaborative reports 1,330 unduplicated homeless people were counted countywide in both shelters and streets on the night of January 30, 2019. As a part of the Cost Benefit Analysis of the Housing First Approach, 31 homeless people were interviewed to determine if their use of emergency medical services, hospitalization and criminal justice system involvement had changed since they were homeless and first assessed for housing placement. These interviews show that utilization and costs of most services declined dramatically during the first six months that people resided in permanent housing. Combined decreases in the areas surveyed at five different locations in Kern County amounted to a total of \$731,534 for 31 households (containing 37 adults and four children) in a six-month period. Interactions with police also decreased dramatically by 91%, from 260 interactions down to 24 interactions and arrests also dropped by 50%, although cost savings could not be calculated in either case. As can be seen by the information provided above, it is more cost effective to house homeless people than to leave them on the streets or in shelters (Cost Benefit Analysis of the Housing First Approach, 2018).

**Existing Conditions and Trends [24 CFR 58.40(a)]:** There has been a 50% increase over the 885 homeless people counted in January 2018, a 118% increase in the number of homeless people—typically single adults—who were unsheltered on the night in question. By comparison, there was 2% increase in the number of people sleeping in emergency shelters and transitional housing programs over the same time period. A lack of available housing has been identified as a major barrier to the local homeless population, limiting opportunities within the community, including education and employment. In 2018, Proposition 2 was approved, which authorized the provision of additional funding for the construction of housing for the homeless. Wherever possible, the developments will utilize sources of funding currently made available for additional homeless housing through local, State and federal resources.

**Funding Information**

<b>Grant Number</b>	<b>HUD Program</b>	<b>Funding Amount</b>
<b>M-17-UC-06-0517</b>	<b>HOME</b>	<b>\$2,500,000</b>

**Estimated Total HUD Funded Amount: \$2,500,000**

**Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$8,696,717**

**Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities**

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of

approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	There are no military airports within 15,000 feet of the Project parcels and no civilian airports within 2,500 feet of the Project. The closest airport is the Bakersfield Municipal Airport, a civilian airport more than two miles away from SITE 1 and SITE 2. Thus, the Project complies with this statute.
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The County of Kern is located in HUD Region IX. No coastal barrier resources are located in the Region. Neither site is located within identified CBRS zones (see attached map). Therefore, no further evaluation for compliance with this factor required.
<b>Flood Insurance</b>  Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	According to NEPAssist and FEMA's Flood Rate Insurance Map (FIRM) Map No. 06029C2281E, dated effective September 26, 2008, no portion of the Project is located within a Special Flood Hazard Area (SFHA). The site is within an area designated as Zone X, having a less than 2% annual chance of flooding. Consequently, no flood insurance is required to be obtained or maintained for implementation of the project.
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 &amp; 58.5</b>		
<b>Clean Air</b>  Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	The Project is located within the jurisdiction of the San Joaquin Valley Air Pollution Control District (District). The District is in non-compliance for certain regulated criteria pollutants under the following federal air quality standards: District is in non-attainment status for Particulate Matter (PM)

2.5 and classified as non-attainment/extreme for the federal Ozone – Eight Hour standard. Under State of California air quality standards for criteria pollutants, the District has been designated as nonattainment/severe for the Ozone – one hour standard and nonattainment for the Ozone – Eight Hour standard, PM 10 and PM 2.5.

The District was consulted in regards to the project proposal and the area of effect. As to the project's related emissions of criteria air pollutants, the District noted the following:

Based on the proposed scope of activities to be undertaken, project specific annual emissions of criteria pollutants are *not expected* to exceed District significance thresholds. Therefore, the District concludes that the Project would have *a less than significant impact on air quality* when compared to the above-listed annual criteria pollutant emissions significance thresholds. Therefore, the project impacts on air quality are considered "*de minimis*" since the project will not significantly contribute to a decline in air quality. Nevertheless, the development has the potential to be a source of dust and related air contaminants within and in the vicinity of the project.

Furthermore, the District has noted that the Project *conforms to the EPA approved State Implementation Plan* and the proposed Project would not be subject to District Rule 9510 (Indirect Source Review).

The project includes new construction, and the scope of actions anticipated will not require demolition; nevertheless, the District noted: *In the event that any portion of an existing building will be renovated, partially demolished or removed, the Project will be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).*

*Prior to any demolition activity, an asbestos survey of existing structures on the Project*

		<p><i>site may be required to identify the presence of any asbestos containing building material (ACBM).</i></p> <p>In addition to the above requirements, the District also noted the proposed Project may be subject to the following District rules: <i>Regulation VIII (Fugitive PM 10 Prohibitions), Rule 4002, Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).</i></p> <p>The District also noted that it recommended the applicant is provided a copy of the following comments:</p> <p><i>Where it is determined that any air related permits are needed to proceed with the project, the contractor shall ensure that any required air related permits are obtained from the District prior to implementation of the project and that the conditions and/or requirements of which the permits are issued are adhered to during the implementation of the project.</i></p> <p>With adherence to the above conditions, compliance with this factor will be achieved.</p>
<p><b>Coastal Zone Management</b></p> <p>Coastal Zone Management Act, sections 307(c) &amp; (d)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>There are no coastal zones located within HUD Region IX, where Kern County is located. The entire County is landlocked and shares no geographic boundaries with any coastal zone (see attached map). Thus, no further analysis for compliance with this required.</p>
<p><b>Contamination and Toxic Substances</b></p> <p>24 CFR Part 50.3(i) &amp; 58.5(i)(2)</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>Krazan &amp; Associates, Inc. (Krazan) conducted a Phase I Environmental Site Assessment (ESA) of SITE 1 and SITE 2. No evidence of recognized environmental conditions (RECs), controlled RECs (CRECs), and historical RECs (HRECs) in conjunction with the subject site as defined by E-1527-13 was found</p> <p>In addition to Krazan's ESA, three other databases were searched to identify potential</p>

		<p>hazardous waste generators within 1,000 feet of SITE 1 and SITE 2: NEPAassist – federal database that draws data from EPA GIS, EnviroStor Map – State’s Department of Toxic Substances Control’s data management system, GeoTracker - State Water Boards’ data management system for sites that impact, or have the potential to impact, water quality in California.</p> <p>SITE 1: None of the three databases identified hazardous waste sites within 1,000 feet of the parcel.</p> <p>SITE 2: There are three RCRA sites (Advanced European Automotive Service, Kern Transmission, Econo Lube N Tune) identified within 1,000 feet but no violations have been reported at any of the aforementioned sites within the last 36 months. One CWA site is also within the vicinity, 58 Beltway Operational Improvements Batch Plant, but no violations have been reported within the last 36 months. GeoTracker identified one former LUST cleanup site, UNL Associates, but cleanup was complete and the case closed as of 4/1987. No other potential toxic hazards were identified.</p> <p>Each site also proposes the use of septic systems as a means of sewage disposal. The County’s Environmental Health Division has reviewed the groundwater and nitrate mounding study submitted by Ken Schmidt and Associates for the project. The Division reviewed the study and found that groundwater mounding and nitrate loading that will result from the project conform to the Local Area Management Program (LAMP). Therefore, the site is suitable for the use of septic systems as a means of sewage disposal. Prior to construction, the applicant shall submit a set of fully engineered plans for review and approval to the Environmental Health Division.</p>
<b>Endangered Species</b>	Yes    No <input checked="" type="checkbox"/> <input type="checkbox"/>	In accordance with Section 7 of the Endangered Species Act, the United States

Endangered Species Act of 1973,  
particularly section 7; 50 CFR  
Part 402

Fish and Wildlife Service (FWS) Environmental Conservation Online System (ECOS) generated a species list for each parcel included within the Project, on June 19, 2019 (Stephens Dr. Consultation Code: 08ESMF00-2019-SLI-0923, event code: 08ESMF00-2019-E-07162; Terrace Way Consultation Code 08ESMF00-2019-SLI-1702, Event Code: 08ESMF00-2019-E-07148). As stated above separate lists were generated for SITE 1 and SITE 2, but due to the geographic proximity of each parcel, the ECOS generated lists were identical. According to the species lists, there are a total of eleven threatened, endangered, or candidate species in the geographic vicinity of the project area: Buena Vista Lake Ornate Shrew, Giant Kangaroo Rat, San Joaquin Kit Fox, Tipton Kangaroo Rat, Southwestern Willow Flycatcher, Yellow-billed Cuckoo, Blunt-nosed Leopard Lizard, Giant Garter Snake, California Red-legged Frog, Delta Smelt, Vernal Pool Fairy Shrimp. Each list noted there are no endangered habitats in the Project area. To analyze potential effects of the project on the aforementioned species, a Biological Assessment (BA) was performed at each site in June 2019. The purpose of the BA is to document biological resources identified during a field survey of the Area of Potential Effects (APE), and evaluate potential for special-status biological resources not observed during the survey to occur on the property based on the habitat conditions observed. In addition, avoidance and minimization measures are recommended for implementation prior to and during project activities to reduce potential impacts to special-status species that may be encountered. Results and recommendations from the BA are below:

The project is located within the Metropolitan Bakersfield Habitat Conservation Plan (MBHCP) California Department of Fish and Wildlife, Incidental

Take Permit No. 2081-2013-058-04 (ITP) boundaries. Any impacts to plant and animal species, other than blunt-nosed leopard lizard (BNLL), would likely be mitigated by participation in the MBHCP for covered species. Based on the small footprint of the project in an urbanized area, it has been determined that the planned activities may affect, but not adversely effect, identified species listed above. No BNLL have been recorded or observed APE, however they have been documented in the vicinity. The closest occurrence of BNLL recorded in the CNDDDB is approximately 7.6 miles from the proposed Project. Small mammal burrows suitable for occupation by BNLL were observed within the APE; however, the disturbance to the site and lack of habitat connectivity to known populations preclude BNLL use of the site. BNLL are not expected to occupy the site as the parcels are isolated from habitat, and are surrounded by development. No effects to BNLL are anticipated.

Based upon field survey results, the Project will not result in impacts to wetlands, riparian habitat or other special-status habitats, or wildlife corridors. The Project will not conflict with existing or adopted Habitat Conservation Plans, Natural Community Conservation Plans, local or regional conservation plans, or local ordinances protecting biological resources. The Project does have the potential to result in impacts to one special-status species. Species-specific recommendations and a series of general recommendations are included that, when implemented, should fully mitigate any Project impacts to biological resources. For further discussion on BNLL, see Protected Species Level Review below. Any impacts to plant and animal species, other than blunt-nosed leopard lizard, would be fully-mitigated by participation in the MBHCP for covered species.

*Protected Species Level Review*



As to a level of effect determined for each individual listed species, the following determinations shall apply: No Effect (NE), May Affect but Not Likely to Adversely Effect (LNAE), and May Adversely Effect (MAE) shall apply.

Blunt nosed leopard lizard (BNLL) (NE), No BNLL were recorded or observed on the project site or APE (Area of Project Effect); however, the species has been documented in vicinity. The BA performed noted the closest occurrence of BNLL recorded is slightly more than two and half miles from the project site. While small mammal burrows suitable for occupation were observed within the APE, the disturbance of the site and lack of habitat connectivity to known populations preclude BNLL use of the site. While protocol surveys were not conducted, BNLL is not expected to occupy the site since the site is isolated from habitat, and is surrounded by development. The BA noted that for the reasons noted above no effect to BNLL is anticipated;

Tipton Kangaroo Rat (TKR) (NE), although there is suitable habitat in the area of the project, no TKR characteristic burrows were observed within APE. Based on the lack of characteristic burrows and signs during surveys, recorded CNDDDB observations within 5.1 miles of the APE and lack of habitat connectivity to known populations, no effects to TKR are anticipated;

San Joaquin Kit Fox (SJKF) (LNAE), no Kit Fox were observed during the Biologic Assessment. The Biologist noted that SJKF is known to occur in the area. The closest recorded CNDDDB observation for SJKF is 1.0 mile. No dens were observed during the survey and no other evidence of Kit Fox use. The report noted the conditions of the site are suitable for dens and foraging and SJKF may be present during project construction. Based on the scope of the development and footprint

and isolation of the site from habitat project effects are considered negligible.

The project is located within the Metropolitan Bakersfield Habitat Conservation Plan (MBHCP) California Department of Fish and Wildlife, Incidental Take Permit No. 2081-2013-058-04 (ITP) boundaries. Any impacts to plant and animal species, other than blunt-nosed leopard lizard, would likely be mitigated by participation in the MBHCP for covered species. Based on the small footprint of the project in an urbanized area, it has been determined that the planned activities may affect, but not adversely effect, identified species listed above. No BNLL have been recorded or observed APE, they have been documented in the vicinity. The closest occurrence of BNLL recorded in the CNDDDB is approximately 7.6 miles from the proposed Project. Small mammal burrows suitable for occupation by BNLL were observed within the APE; however, the disturbance to the site and lack of habitat connectivity to known populations preclude BNLL use of the site. BNLL are not expected to occupy the site as the parcels are isolated from habitat, and are surrounded by development. No effects to BNLL are anticipated. The project is located in an area requiring participation in the Metropolitan Bakersfield Habitat Conservation Plan (MBHCP). Participation in the MBHCP requires *specific avoidance and minimization techniques that mitigate potential impacts to SJKF*. Those measures will be included in mitigation for project implementation.

Furthermore, preconstruction surveys will be required no more than 30 days prior to initiation of construction activities within both the expansion area and a suitable buffer zone around the perimeter. Therefore, in consideration of the findings and determinations of the BA, the Responsible Entity has determined that the project may affect- but not adversely affect SJKF.

		<p>Participation in the MBHCP, mitigates covered plant and animal species, with the exception of BNLL, which as previously stated is fully protected under State law. The following is a list of other federally protected species, which may be present in the APE of the project but for reasons noted here and in project specific BA, will have no impact on the species:</p> <p>California Red-legged Frog (NE), based on lack of suitable habitat in the area of the project;</p> <p>Giant garter snake (NE), based on lack of suitable habitat in the area of the project;</p> <p>Vernal Pool Fairy Shrimp (NE), based on lack of suitable aquatic habitat in the area of the project;</p> <p>Delta smelt (NE), based on lack of suitable aquatic habitat in the area of the project;</p> <p>Southwestern Willow Flycatcher (NE), based on lack of suitable habitat in the area of the project;</p> <p>Bakersfield Cactus (NE), based on lack of undisturbed soils in the area of the project.</p> <p>In conclusion, the BA and FWS Species List indicate there are no critical habitats for the aforementioned species within the APE. The BA also notes are no wetlands mapped in other APE and consistent with conditions observed at the site.</p>
<p><b>Explosive and Flammable Hazards</b></p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>According to field observation and a review of aerial photos of the area of the project, there are no aboveground storage tanks located within one mile of the project sites.</p>
<p><b>Farmlands Protection</b></p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The sites are located in a developed and urbanized residential area. The proposed project site is contained entirely within an existing residential neighborhood. No farmlands will be affected by the proposal and no further review for compliance with this factor is needed.</p>
<p><b>Floodplain Management</b></p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>According to NEPAassist and FEMA's Flood Rate Insurance Map (FIRM) Map No. 06029C1275E, dated effective September 26,</p>

<p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>		<p>2008, the site is designated Zone X, having no portion of the project area located within a Special Flood Hazard Area (SFHA) or a 100-year flood zone. Consequently, new construction within a 100-year floodplain is not within the scope of proposed project activities.</p>
<p><b>Historic Preservation</b></p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No  <input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>According to the Southern San Joaquin Valley Information Center (SSJVC), there are no recorded cultural resources within SITE 1 or SITE 2. There are 15 known resources within a one-half mile radius of SITE 1: P-15-007997, 007998, 008031, 008032, 008033, 008034, 008035, 008036, 008116, 008117, 008215, 008216, 008217, 008242, and one unrecorded Chinese burial site. These resources consist primarily of historic era single-family residences and 1-3 story commercial buildings. There are 19 cultural resources recorded within a one-half mile radius of SITE 2: P-15-007986, 007997, 007998, 008031, 008032, 008033, 008034, 008035, 008036, 008062, 008116, 008117, 008215, 008216, 008217, 008223, 008242, 008618, and one unrecorded Chinese burial site.</p>
		<p>A Phase I Cultural Study was done for SITE 1 and SITE 2. No cultural resources were identified at either site. However, both studies stated the following: No additional cultural resources were identified. No further work is required. If archaeological resources are encountered during the course of construction, a qualified archaeologist should be consulted for further evaluation. If human remains or potential human remains are observed during construction, work in the vicinity of the remains will cease, and they will be treated in accordance with the provisions of State Health and Safety Code Section 7050.5. The protection of human remains follows California Public Resources Codes, Sections 5097.94, 5097.98, and 5097.99.</p>

		<p>Furthermore, an NAHC consultation was completed and a Sacred Land Files was provided. All tribal contacts included on the list were notified of the project; no comments were received.</p> <p>The State Historical Preservation Office (SHPO) was also consulted but no response was received. However, SHPO comments include a standard condition applied to projects that include ground-disturbing activities within their scope of work. The comments help ensure the protection of unknown cultural and/or historic resources that may be encountered, in the event that that cultural and historical resources are discovered during implementation of the undertaking, further consultation with SHPO would be required pursuant to 36 CFR Part 800.13(b). With the inclusion of the statement as a condition of the project, no further evaluation for compliance is required at this time.</p>
<p><b>Noise Abatement and Control</b></p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>SITE 1 and SITE 2 are located within one half mile of Highway 58. Highway 58 is part of The Centennial Corridor Project, a new alignment and provide route continuity and from Cottonwood Road on existing State Route 58 (East) to Interstate 5.</p> <p>A noise study done in January 2013 and adopted by Caltrans, determined the potential impact of future traffic noise at frequent human use areas. Level of service and 2038 forecasted traffic information were used to predict traffic noise levels and analyze noise impacts at receivers on both sides of the freeways. Multiple outdoor noise measurements were taken throughout the project study corridor to evaluate existing noise levels and to calibrate the FHWA Traffic Noise Model (TNM) 2.5 computer noise model. Where applicable, specific measurement sites were chosen to be representative of receiver sites with similar topography, proximity to the highway, orientation to the highway, and exposure</p>

		<p>angles with respect to frequent outdoor use areas adjacent to SR 58 and SR 99. Locations that are expected to receive the greatest traffic noise impacts were chosen for noise measurement locations. The Noise Reduction Design Goal, which is one measure in determining whether a sound wall is reasonable, is achieved when a barrier is predicted to provide a noise reduction of at least 7 db.</p> <p>According to HUD regulations, the noise environment at a site is "normally unacceptable" when it falls between 65 and 75 DNL. The area where the project is located, sound measurements were taken and encompass approximately .06 square miles (before the wall was constructed). The sound study indicated a peak dBA of 69 at SITE 1 and SITE 2. Noise abatement within the subject area is achieved by a 1,982-foot-long sound wall located along the state right-of-way line on the westbound SR 58 mainline between SR 99 and Hughes Lane. The sound wall constructed by Caltrans varies, depending on the terrain, from 12 to 14-foot minimum wall heights. The presence of the sound wall at SITE 1, between the principle noise source and residential building, should render additional sound mitigation unnecessary. SITE 2 shares the aforementioned benefits provided by the sound wall, and is two city blocks away from SR 58. Therefore, it is likely the DNL at SITE 1 and SITE 2 are "Acceptable" according to HUD regulations. No further evaluation is required.</p>
<p><b>Sole Source Aquifers</b> Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No  <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The EPA has not identified any sole source aquifers within Kern County. Therefore, no further evaluation is needed.</p>
<p><b>Wetlands Protection</b>  Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes No  <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>A search of the NWI wetlands database for the radius surrounding the Project area indicated no NWI wetlands. Furthermore, the scope of planned Project activities will not impact any NWI designated areas.</p>

<b>Wild and Scenic Rivers</b>  Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	No existing or to-be-added national wild or scenic river are located in the vicinity of the project site. The project is not located near any proposed or designated wild or scenic river. No further evaluation is needed.
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b>  Executive Order 12898	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is being undertaken as part of the effort to address the ongoing need to increase the supply of affordable housing in response to the issue of homelessness and "housing instability." SITE 1 and SITE 2 are located within an existing residential neighborhood and each site provides on-site counseling services to tenants. There are numerous bus stops within one-half mile of the project site that connect residents with access to medical services and commercial centers. The site has minor constraints as to noise and vibration; however, given the limited availability of undeveloped land in close proximity to existing services, the project will provide more access to amenities and opportunities for residents (employment, healthcare services) that may not be currently available to them in traditional housing.

**Environmental Assessment Factors** [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

**Impact Codes:** Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>LAND DEVELOPMENT</b>		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	<p>SITE 1: The Housing Authority received a zoning and land use approval letter dated 8/8/19. It states the following:</p> <ol style="list-style-type: none"> <li>1. The proposed project is located on Assessor's Parcel 14 7-170-03;</li> <li>2. The project site is designated High Density Residential by the Metropolitan Bakersfield General Plan which allows up to 29 dwelling units per acre;</li> <li>3. The project site is zoned R-3 PD High Density Residential - Precise Development Combining District which allows up to 29 dwelling units per net acre;</li> <li>4. The proposed project site is a total of 2.84 acres in size, which based on the 29 dwelling unit per acre requirement allows for 82 units.</li> <li>5. The proposed multifamily project is an allowed use in the R-3 PD zone subject to approval of a Precise Development.</li> </ol>
		<p>The purpose of the High-Density Residential (R-3) District is to designate areas appropriate for a variety of medium-density to high-density residential living environments, including apartments, townhouses, and condominiums. The maximum allowable density is 29 dwelling units per net acres. The PD (Precise Development Combining) District is intended to classify areas with unique site characteristics or environmental conditions or areas surrounded by sensitive land uses to ensure that development in such areas is compatible with such constraints. The project, as proposed, is zoned for the intended use, complies with the general plan, and is subject to local land use approval of a precise development plan, which is in process. A Precise Development Plan review will be considered at a regular scheduled Director's Hearing. Approval of the PD Plan will be subject to a 14-day appeal period.</p> <p>Based on the comments provided above, Staff has determined that the proposed Benton Park Cottages - Terrace Way project is consistent with the Metropolitan Bakersfield General Plan and the Kern County Zoning Ordinance requiring a discretionary approval of a Precise Development Plan.</p>



		<p>In addition to the comments above, the County of Kern Public Works Department provided the comments below regarding SITE 1:</p> <ol style="list-style-type: none"> <li>1. The eastern boundary of this project runs within the alignment for the future Hughes Lane. Hughes Lane at this location shall be constructed as a local road.</li> <li>2. Per the Kern County Development Standards, a local half-width road requires a 40-foot dedication to the County for public access.</li> <li>3. Record an irrevocable off of dedication to the County of Kern of all subject property for Hughes Lane 40 feet in width per the Kern County Land Division Ordinance and Development Standards.</li> <li>4. Provide a 20-foot by 20-foot right of way corner cutoff at the intersection of Terrace Way and Hughes Lane.</li> <li>5. Under street improvement, plans, approved by the Kern County Public Works Department/Development Review, construct Hughes Lane to Type A Subdivision Standards, half width collector road (Plate R-11) in accordance with the Kern County Development Standards and Land Division Ordinance. These improvements will be curb, gutter, sidewalk, asphalt concrete and the necessary tie-ins.</li> <li>6. Under street improvement plans approved by the Kern County Public Works Department/Development Review, submit a signing and striping plan for review and approval.</li> <li>7. All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.</li> </ol> <p>SITE 2: The County of Kern Planning and Natural Resources Department provided the following comments dated 8/8/19 that stated the following:</p> <ol style="list-style-type: none"> <li>1. The proposed project is located on Assessor's Parcel 147-031-27;</li> </ol>
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		<ol style="list-style-type: none"> <li>2. The project site is designated High Density Residential by the Metropolitan Bakersfield General Plan which allows up to 29 dwelling units per acre;</li> <li>3. The project site is zoned R-3 High Density Residential which allows up to 29 dwelling units per net acre;</li> <li>4. The proposed project site is a total of .51 acres in size, which based on the 29 dwelling unit per acre requirement allows for 14 units. The proposed project is an allowed use in the R-3 zone subject to approval of a ministerial.</li> </ol> <p>Based on the comments provided above, Staff has determined that the proposed Benton Park Cottages - Stephens Drive project is consistent with the Metropolitan Bakersfield General Plan and the Kern County Zoning Ordinance and only requires ministerial approval of a site plan. If any land use approval is subject to public appeal, within no less than 5 calendar days prior to the first public posting of the Committee, the applicant must provide proof that either no appeals were received, or that any appeals received during that time period were resolved and the project is ready to proceed.</p>
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	<p>SITE 1: According to a Soils Report prepared by Krazan and Associates Inc. (Krazan), the subject site and soil conditions (with the exception of the very loose surface soils, fill material, moderately compressible upper native soils, and previous development) appear to be conducive to the development of the project. The surface soils have a very loose consistency. These soils are disturbed, have low strength characteristics, and are highly compressible when saturated. Accordingly, it is recommended that the surface soils be re-compacted. This compaction effort should stabilize the surface soils and locate any unsuitable or pliant areas not found during our field investigation.</p> <p>Verification of the extent of fill should be determined during site grading. Limited testing was performed on the fill soils during the time of our field and laboratory investigations. The limited testing indicates the fill soils had varying strength characteristics ranging from loosely placed to compacted. Therefore, it is recommended that the fill soils be excavated and stockpiled so that the native soils can be prepared properly. These soils will be suitable for reuse as Engineered Fill, provided they are cleansed of excessive organics and debris. Prior to backfilling, Krazan should</p>

	<p>inspect the bottom of the excavation to verify no additional excavation will be required.</p> <p>Relatively clean sands were encountered at various locations throughout the site. The possibility exists that site grading operations could expose these soils in areas of proposed buildings, pavements, trenches and/or retaining walls. The Contractor should note that these soils lack the cohesion necessary to stand vertically, even in shallow excavations such as footing trenches. If these conditions are encountered, it will be necessary to over-excavate the affected area(s) to a minimum of 2 feet below the proposed bearing surface. These areas may be backfilled using a mix of the silty sand and sand soils that contains at least 20 percent fines and meeting the requirements for Engineered Fill. This material may be obtained from elsewhere on the site, imported to the site from an approved off-site source, or manufactured through blending of the excavated clean sand with other suitable material containing a higher percentage of fines to result in material meeting the requirements for Engineered Fill. After completion of the recommended site preparation, the site should be suitable for shallow footing support. The proposed structure footings may be designed utilizing an allowable bearing pressure of 2,500 psf for dead-plus-live loads. Footings should have a minimum embedment of 18 inches.</p> <p>The ground surface should slope away from building pad and pavement areas toward appropriate drop inlets or other surface drainage devices. In accordance with Section 1804 of the 2016 California Building Code, it is recommended that the ground surface adjacent to foundations be sloped a minimum of 5 percent for a minimum distance of 10 feet away from structures, or to an approved alternative means of drainage conveyance. Swales used for conveyance of drainage and located within 10 feet of foundations should be sloped a minimum of 2 percent. Impervious surfaces, such as pavement and exterior concrete flatwork, within 10 feet of building foundations should be sloped a minimum of 1 percent away from the structure. Drainage gradients should be maintained to carry all surface water to collection facilities and off-site. These grades should be maintained for the life of the project. The Contractor is responsible for removing all water-sensitive soils from the trench regardless of the backfill location and compaction requirements. The Contractor should use appropriate equipment and methods to avoid drainage to the utilities and/or structures during fill</p>
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		<p>placement and compaction. Moisture within the structure may be derived from water vapors, which were transformed from the moisture within the soils. This moisture vapor can travel through the vapor membrane and penetrate the slab-on-grade. This moisture vapor penetration can affect floor coverings and produce mold and mildew in the structure. To reduce moisture vapor intrusion, it is recommended that a vapor retarder be installed. It is recommended that the utility trenches within the structure be compacted, as specified in our report, to reduce the transmission of moisture through the utility trench backfill. Special attention to the immediate drainage and irrigation around the building is recommended.</p>
		<p>SITE 2: The subject site and soil conditions (with the exception of the very loose surface soils, fill material, and previous development) appear to be conducive to the development of the project. The surface soils have a very loose consistency. These soils are disturbed, have low strength characteristics, and are highly compressible when saturated. Accordingly, it is recommended that the surface soils be re-compacted. This compaction effort should stabilize the surface soils and locate any unsuitable or pliant areas not found during our field investigation. In order to provide uniform foundation support, it is recommended that following stripping, fill removal operations, and demolition activities, the upper 18 inches of underlying native soils within the proposed building areas be excavated, worked until uniform and free from large clods, moisture-conditioned to near optimum moisture content, and re-compacted to a minimum of 90 percent of maximum density based on ASTM Test Method D1557. In addition, it is recommended that the proposed structure foundations be supported by a minimum of 12 inches of Engineered Fill. Over-excavation should extend to a minimum of 5 feet beyond structural elements. The on-site, native soils and fill material will be suitable for reuse as Engineered Fill, provided they are cleansed of excessive organics, debris, and fragments greater than 4 inches in maximum dimension. Prior to backfilling, the bottom of the excavation should be proof-rolled and observed by Krazan to verify stability. This compaction effort should stabilize the surface soils and locate any unsuitable or pliant areas not found during our field investigation. Fill material should be compacted to a minimum of 90 percent of maximum density based on ASTM Test Method D1557.</p>

		<p>Existing structures are located within the project site vicinity. Associated with these developments are buried structures, such as utility lines that may extend into the project site. Any buried structures or loosely backfilled excavations encountered should be properly removed and the resulting excavations encountered during construction should be properly removed and the resulting excavations backfilled. Disturbed areas caused by demolition activities should be removed and/or re-compacted. Excavations, depressions, or soft and pliant areas extending below planned finished subgrade levels should be cleaned to firm, undisturbed soil and backfilled with Engineered Fill. In general, any septic tanks, debris pits, cesspools, or similar structures should be entirely removed. Existing concrete footings should be removed to an equivalent depth of at least 3 feet below proposed footing elevations or as recommended by the Soils Engineer.</p> <p>The ground surface should slope away from building pad and pavement areas toward appropriate drop inlets or other surface drainage devices. In accordance with Section 1804 of the 2016 California Building Code, it is recommended that the ground surface adjacent to foundations be sloped a minimum of 5 percent for a minimum distance of 10 feet away from structures, or to an approved alternative means of drainage conveyance. Swales used for conveyance of drainage and located within 10 feet of foundations should be sloped a minimum of 2 percent. Impervious surfaces, such as pavement and exterior concrete flatwork, within 10 feet of building foundations should be sloped a minimum of 1 percent away from the structure. Drainage gradients should be maintained to carry all surface water to collection facilities and off-site.</p>
<p>Hazards and Nuisances including Site Safety and Noise</p>	<p>2</p>	<p>With the exception of noise, no other hazards or nuisances have been identified within the APE. SITE 1 and SITE 2 are located within one half mile of Highway 58. Highway 58 is part of The Centennial Corridor Project, a new alignment and provide route continuity and from Cottonwood Road on existing State Route 58 (East) to Interstate 5.</p> <p>A noise study adopted by Caltrans, done in January 2013, determined the potential impact of future traffic noise at frequent human use areas. Level of service and 2038 forecasted traffic information were used to predict traffic noise levels and analyze noise impacts at receivers on both sides of the freeways. The Noise Reduction Design Goal,</p>

		<p>which is one measure in determining whether a sound wall is reasonable, is achieved when a barrier is predicted to provide a noise reduction of at least 7 db.</p> <p>The presence of the sound wall at SITE 1, between the principle noise source and residential building should additional sound mitigation unnecessary. SITE 2 shares the aforementioned benefits, and is two city blocks away from SR 58, thus the residences provide additional noise abatement. Therefore, it is likely the DNL at SITE 1 and SITE 2 are "Acceptable" according to HUD regulations.</p>
Energy Consumption	1	<p>The developments will be designed to maximize energy efficiency. These design features include construction materials, appliances, and the utilization of solar energy. Due to the combination of these factors and the energy-efficient design, the project should produce enough energy to offset resident and reduce energy usage, resulting in a "net-zero" energy project. Each unit will incorporate energy efficient appliances wherever possible. Based on the identification of energy related reduction equipment above, as well as solar improvements, no further review for this factor is needed.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>SOCIOECONOMIC</b>		
Employment and Income Patterns	1	The project will likely have a beneficial impact on employment and income patterns. Counseling services provided at both sites should improve employment opportunities through increased access to services, education and additional job opportunities.
Demographic Character Changes, Displacement	2	The area of the project is generally multi-ethnic and diverse. Although 2010 Census data indicates the area is predominately Hispanic, there is no evidence to suggest that overall demographics of the area would change as a result of implementation. As the project is for construction of new housing, the development will not result in the displacement of persons or populations.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>COMMUNITY FACILITIES AND SERVICES</b>		
Educational and Cultural Facilities	2	The construction of additional homeless housing will provide greater opportunity to access the benefits of educational and cultural facilities for the target population.

		<p>There are also several elementary schools within two miles of the project.</p> <p>In response to the general consultation, the County of Kern Superintendent of Schools provided comment noting the project is subject to payment of a developer fee for impacts to education facilities and related services. It has been determined by the Superintendent of Schools that the collection of the developer fee is adequate mitigation for the impact provided by construction of new housing. Furthermore, the fee is required under Education Code Section 17620 and Government Code Section 65995 et seq. (all as amended with operative date of November 4, 1998). The developer fee shall be collected at the time building permits are issued.</p>
Commercial Facilities	1	There are grocery stores, a pharmacy, restaurants, a community park and other amenities located within one-third mile of the project site. The project will provide an expanded customer base which supports growth of businesses.
Health Care and Social Services	1	SITE 1 and SITE 2 are connected by bus line with low cost/assisted health care services. Furthermore, according to the 2017 "Kern County Point in Time Count", ambulance transport for Homeless patients transport costs over \$100,000 per/year. One chronic homeless individual alone led to \$171,000 in costs. Since most costs are not reimbursable, this debt has to be written-off by the service provider. Furthermore, the reduction of homeless individuals and the provision of medical services should reduce costs for the County itself. Furthermore, each site is located approximately 2 miles from the County Human Services building. These resources are all accessible by foot, bicycle, and wheelchair.
Solid Waste Disposal / Recycling	2	The development plan for the project site includes disposal/recycling several provisions to address solid waste disposal needs. The precise development plan shall address the need for adequate trash bins and recycle bins for residents of the development.
Waste Water / Sanitary Sewers	3	The Environmental Health Division has reviewed the groundwater and nitrate mounding study submitted by Ken Schmidt and Associates for the Kern County Housing Authority's Benton Park Cottages project. The Division has reviewed the aforementioned study and finds that groundwater mounding and nitrate loading due to the project conforms to the LAMP. Therefore, the site is suitable for the use of septic systems as a means of sewage

		disposal. Prior to construction, the applicant shall submit a set of fully engineered plans for review and approval to the Environmental Health Division.
Water Supply	2	SITE 1 and SITE 2 are both within an area served by the California Water Service (Cal Water). Cal Water provided "will serve" letters for SITE 1 and SITE 2, valid for two years to serve each development. However, Cal Water noted in each letter that to provide adequate water for domestic use as well as fire service protection, it may be necessary for the developer to fund the cost of special facilities, such as, but not limited to, booster pumps, storage tanks and/or water wells, in addition to the cost of mains and services. Cal Water noted more specific information regarding special facilities and fees will be provided after receiving improvement plans, fire department requirements, and engineering fees for this project for SITE 1 and SITE 2.
Public Safety - Police, Fire and Emergency Medical	1	<p>Extremely impoverished "at-risk" individuals/families often need a greater level of support from police, fire and emergency medical services. Crime, drug use, addiction, and mental illness are often associated with persons who become homeless, and often considered contributing factors to homelessness in general. However, in a study published by the US National Library of Medicine and National Institutes of Health, "well-managed and governed recovery homes pose minimal risks to neighbors in terms of criminal behavior" (The Relationship Between Neighborhood Criminal and Behavior and Oxford Houses, 2009).</p> <p>The project offers the opportunity for increased access to counseling services for the inhabitants of this property. Several studies have shown that properly managed properties for residents recovering from mental illness or substance abuse do not "significantly" increase the risk of crime rates in the neighborhood in the property's immediate vicinity. However, even though counseling services may decrease the level of the support needed by "at-risk" individuals over time, in the short term, public safety related resources will be needed to serve residents and ensure public safety continues to be prioritized. Thus, assuming service providers are effective in treating the underlying issues of these "at-risk" individuals, it is likely the project will not cause a significant increase in crime. Also, it is important to note that even though 37 units are on the property, only 18 are reserved for at-risk individuals.</p>



		<p>The conclusion is based on property crime and violent crime; prostitution, DUIs, substance-related crimes were not accounted for in the aforementioned study.</p>
Parks, Open Space and Recreation	2	<p>SITE 1: Wayside Park and Beale Park are both less than a mile from the development. Lowell Park is approximately 1.4 away also.</p> <p>SITE 2: Saunders Park, Centennial Park, and Beale Park are within one mile of the development.</p> <p>Each site is within reasonable walking distance from multiple parks. Residents of SITE 1 and SITE 2 will have easy access to the open space and recreation each park offers.</p>
Transportation and Accessibility	2	<p>For residents with access to a private vehicle, there will be a minor increase in the number of vehicle trips per day in the immediate vicinity of the site. Based on the limited number of new trips, no decline in the current level of services is anticipated as a result of implementation. However, due to income limits required for program eligibility, the majority of residents are likely to be dependent on available public transportation options established in the area of the project. The project area is served by Golden Empire Transit (GET). There are twelve located within one mile of the each site. According to GET, SITE 1 and SITE 2 are served seven days a week at 30-minute intervals.</p> <p>Furthermore, Kern Behavioral Health and Recovery Services may provide tenants with Monthly Bus Passes that allow unlimited travel throughout Bakersfield. Tenants with disabilities that limit or prevent the use of regular, fixed route buses will be linked to paratransit resources that provide more personalized services, such as GET-A-LIFT (GAL) and Kern Transit Medical Dial-A-Ride. If necessary, staff on site will use a County vehicle to transport and accompany tenants to critical appointments (such as medical care and other public services) as needed.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources	2	The area surrounding the site is a developed residential neighborhood. A Phase I report was completed for the property and, aside from an abandoned water well, the parcel(s) was completely vacant. The area surrounding the project site is residential to the north, east, and west. There are mostly industrial businesses to the south. Therefore, no impact from development on unique natural features or water resources is anticipated.
Vegetation, Wildlife	2	The project is located within the Metropolitan Bakersfield Habitat Conservation Plan (MBHCP) California Department of Fish and Wildlife, Incidental Take Permit No. 2013-058-04 (ITP) boundaries. Any impacts to plant species would likely be mitigated by participation in the MBHCP for the covered species.

**Additional Studies Performed (both sites):**

Biological Assessment  
 Cultural Resources Assessment  
 Cal-Trans Noise Study  
 Phase I ESA Report  
 Phase II ESA Report  
 Soils Report  
 Groundwater and Nitrate Mounding Study

**Field Inspection (Date and completed by):**

12/18/18 by Eric Moland, Planner

**List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:**

Please see attached list

**List of Permits Obtained:** None at this point

**Public Outreach [24 CFR 50.23 & 58.43]:**

Subsequent to this Environmental Assessment, the public will be notified of the determination of the RROF and RROF notification and, as applicable, any substantial changes to the Project description or anticipated activities.

**Cumulative Impact Analysis [24 CFR 58.32]:**

Minor cumulative impacts include slight increase in traffic, noise and vibration, in the APE of the project. The site may require minor adjustments to staffing and other resources required to address the demand for Public Safety services and ensure that residents and their belongings are adequately protected from crime and fire.

If implemented, the project will alleviate cumulative conditions as it relates to housing, which is currently over capacity. Furthermore, the project will increase accessibility to services in the larger metropolitan area. Transit related development will reduce the impacts in traffic typically associated with any residential development. Smart energy, appliances and technologies will ensure that the project has little to no impact on the existing power grid and reduce average energy consumption in the area per unit, translating to potential savings for property owners and project residents.

**Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]:**

The Housing Authority of the County of Kern (HA) was provided with a list of parcels that are pre-zoned and designated for multi-family residential use under the County of Kern Metro Bakersfield General Plan. The parcel list was used by HA to determine the location of available sites that would meet its program objectives and general housing guidelines for low-income residents. Individual sites were evaluated based on criteria for selection under the "No Place Like Home" program.

In reviewing the sites available, the site in question presented desirable advantages over other available sites because of its proximity to services and community amenities. Before making a conditional purchase offer for this site, the developer unsuccessfully contacted dozens of property owners in an attempt to identify suitable sites in NSP target areas. No other suitable alternative sites were identified that can fully replicate the potential benefits of this project.

**No Action Alternative [24 CFR 58.40(e)]:**

Under the no action alternative, no additional modification or changes to the project would be authorized and the project site would remain vacant and undeveloped. The County would not realize the potential positive impact(s) provided by this project; the level of service for current programs would be unchanged and insufficient availability of housing issues would persist and/or be addressed by other means.

**Summary of Findings and Conclusions:**

With the inclusion of the mitigations below, the Responsible Entity has determined that a Finding of No Significant Impact is appropriate as the project will not result in a significant impact on the quality of the human environment. The project may therefore proceed to development phase under the EA Level of Review evaluation and determination of a FONSI. Staff will proceed with a Request for Release of Funds from the Department of Housing and Urban Development (HUD).

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
<p>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>	<p>SITE 1 and SITE 2: The San Joaquin Air Pollution Control District (District) has noted the following requirements may apply to the project:</p> <ol style="list-style-type: none"> <li>1. <u>Prior to issuance of any grading and/or building permits</u>, any permits required for implementation shall be obtained from the District. The District has noted that the project may be subject to Regulation VIII (Fugitive PM 10 Prohibitions), Rule 4002, Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). Where district permitting is required, all permits shall be obtained prior to implementation of the related project activities and complied with during the implementation of activities.</li> <li>2. <u>During project implementation</u>, any conditions of requirements of permits issued by the district shall be continuously complied with.</li> <li>3. <u>During all on-site grading and construction activities</u>, adequate measures shall be implemented to control fugitive dust.</li> </ol>
	<ol style="list-style-type: none"> <li>4. In the event that any portion of an existing building will be renovated, partially demolished or removed, the Project will be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). Where applicable, <u>prior to any demolition activity</u>, an asbestos survey of existing structures on the project site may be required to identify the presence of any asbestos containing building material (ACBM).</li> </ol>
<p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>SITE 1 and SITE 2: The project is located within the administrative boundaries of the Metro Bakersfield Habitat Conservation Plan, and as such, would be subject to both project modifications and/or required mitigation, as applicable. A development fee is collected for participation in the coverage provided by the adopted HCP plan.</p> <ol style="list-style-type: none"> <li>1. <u>Prior to the issuance of any grading and/or building permits</u>, a development fee shall be collected under the requirements of the Metro</li> </ol>

	<p>Bakersfield Habitat Conservation Plan. The funds collected are utilized for the acquisition of habitat required for species protection and habitat conservation.</p> <ol style="list-style-type: none"> <li>2. <u>No more than 30 days prior to initiation of construction activities</u>, preconstruction surveys (or Clearance Survey per MBHCP requirements) shall be conducted within the expansion area and a suitable buffer zone around the perimeter.</li> <li>3. <u>At all times during the implementation of this permit</u>, SJKF avoidance and minimization techniques identified in the MBHCP must be employed and strictly adhered to.</li> <li>4. <u>During initial ground disturbing activities</u>, a biological monitor who is knowledgeable regarding the potentially occurring special status species (e.g., SJKF) should be on-call, if needed. If at any time listed species are present within, or immediately adjacent to, the construction area limits or immediately adjacent to the site, the CDFW and the USFWS should be consulted regarding the need to obtain take authorization for take of federal- and/or state-listed species. Once initial disturbance has been completed and site vegetation removed, the biological monitor would not be required to monitor grading activities or further construction activities.</li> </ol>
<p>Conformance with Plans / Compatible Land Use and Zoning</p>	<p><u>SITE 1: Prior to issuance of any grading and/or building permits:</u></p> <ol style="list-style-type: none"> <li>1. The project site is zoned R-3 PD High Density Residential - Precise Development Combining District; a Precise Development Plan review will be considered at a regular scheduled Director's Hearing. Approval of the PD Plan will be subject to a 14-day appeal period, requiring a discretionary approval of a Precise Development Plan.</li> </ol>
<p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>SITE 1 and SITE 2 - Comments were not received in response to the early consultation, thus standard SHPO conditions apply regarding the need to address the potential to encounter unknown historic or cultural resources as a result of project implementation:</p> <ol style="list-style-type: none"> <li>1. <u>During implementation of the undertaking</u>, in the event that cultural and historical resources are discovered, further consultation with SHPO</li> </ol>

	<p>would be required pursuant to 36 CFR Part 800.13(b).</p> <ol style="list-style-type: none"> <li>2. <u>During implementation of the undertaking</u>, if any archaeological resources are encountered during the course of construction, a qualified archaeologist shall be consulted for further evaluation.</li> <li>3. <u>If human remains or potential human remains are observed during construction</u>, work in the vicinity of the remains will cease, and the find be treated in accordance with the provisions of State Health and Safety Code Section 7050.5. The protection of human remains follows California Public Resources Codes, Sections 5097.94, 5097.98 and 5097.99.</li> </ol>
<p>Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff</p>	<p>SITE 1: <u>During implementation of the undertaking</u>:</p> <ol style="list-style-type: none"> <li>1. Verification of the extent of fill should be determined during site grading. Therefore, it is recommended that the fill soils be excavated and stockpiled so that the native soils can be prepared properly. Prior to backfilling, Krazan &amp; Associates, Inc. should inspect the bottom of the excavation to verify no additional excavation will be required.</li> <li>2. The Contractor should note that these soils lack the cohesion necessary to stand vertically, even in shallow excavations such as footing trenches. If these conditions are encountered, it will be necessary to over-excavate the affected area(s) to a minimum of 2 feet below the proposed bearing surface. The proposed structure footings may be designed utilizing an allowable bearing pressure of 2,500 psf for dead-plus-live loads. Footings should have a minimum embedment of 18 inches.</li> <li>3. The ground surface should slope away from building pad and pavement areas toward appropriate drop inlets or other surface drainage devices. In accordance with Section 1804 of the 2016 California Building Code, it is recommended that the ground surface adjacent to foundations be sloped a minimum of 5 percent for a minimum distance of 10 feet away from structures, or to an approved alternative means of drainage conveyance. Swales used for conveyance of drainage and located within 10 feet of foundations should be sloped a minimum of 2</li> </ol>

percent. Impervious surfaces, such as pavement and exterior concrete flatwork, within 10 feet of building foundations should be sloped a minimum of 1 percent away from the structure. Drainage gradients should be maintained to carry all surface water to collection facilities and off-site. These grades should be maintained for the life of the project. The Contractor is responsible for removing all water-sensitive soils from the trench regardless of the backfill location and compaction requirements. The Contractor should use appropriate equipment and methods to avoid damage to the utilities and/or structures during fill placement and compaction.

SITE 2: During implementation of the undertaking

1. In order to provide uniform foundation support, it is recommended that following stripping, fill removal operations, and demolition activities, the upper 18 inches of underlying native soils within the proposed building areas be excavated, worked until uniform and free from large clods, moisture-conditioned to near optimum moisture content, and re-compacted to a minimum of 90 percent of maximum density based on ASTM Test Method D1557. In addition, it is recommended that the proposed structure foundations be supported by a minimum of 12 inches of Engineered Fill. Over-excavation should extend to a minimum of 5 feet beyond structural elements.
2. Prior to backfilling, the bottom of the excavation should be proof-rolled and observed by Krazan to verify stability. This compaction effort should stabilize the surface soils and locate any unsuitable or pliant areas not found during our field investigation. Fill material should be compacted to a minimum of 90 percent of maximum density based on ASTM Test Method D1557.
3. Existing structures are located within the project site vicinity. Associated with these developments are buried structures, such as utility lines that may extend into the project site. Any buried structures or loosely backfilled excavations encountered should be properly removed and the resulting excavations encountered during construction should be properly removed and the resulting

	<p>excavations backfilled. Disturbed areas caused by demolition activities should be removed and/or re-compacted. Excavations, depressions, or soft and pliant areas extending below planned finished subgrade levels should be cleaned to firm, undisturbed soil and backfilled with Engineered Fill. In general, any septic tanks, debris pits, cesspools, or similar structures should be entirely removed. Existing concrete footings should be removed to an equivalent depth of at least 3 feet below proposed footing elevations or as recommended by the Soils Engineer.</p> <p>4. The ground surface should slope away from building pad and pavement areas toward appropriate drop inlets or other surface drainage devices. In accordance with Section 1804 of the 2016 California Building Code, it is recommended that the ground surface adjacent to foundations be sloped a minimum of 5 percent for a minimum distance of 10 feet away from structures, or to an approved alternative means of drainage conveyance. Swales used for conveyance of drainage and located within 10 feet of foundations should be sloped a minimum of 2 percent. Impervious surfaces, such as pavement and exterior concrete flatwork, within 10 feet of building foundations should be sloped a minimum of 1 percent away from the structure. Drainage gradients should be maintained to carry all surface water to collection facilities and off-site.</p>
Waste Water / Sanitary Sewers	<p>SITE 1 and SITE 2:</p> <ol style="list-style-type: none"> <li>1. <u>Prior to the issuance of any grading or building permits:</u> the applicant shall submit a set of fully engineered plans for the septic tanks at SITE 1 and SITE 2 for review and approval to the Environmental Health Division.</li> </ol>
Water Supply	<p>SITE 1 and SITE 2:</p> <ol style="list-style-type: none"> <li>1. <u>Prior to the issuance of any grading or building permits:</u> Installation of facilities through developer funding shall be made in accordance with the current rules and regulations of the CPUC including, among others, Tariff Rules 15 and 16 and General Order 03-A. To provide adequate water for domestic use as well as fire service protection, it may be necessary for the</li> </ol>



	<p>developer to fund the cost of special facilities, such as, but not limited to, booster pumps, storage tanks and/or water wells, in addition to the cost of mains and services. Cal Water will provide more specific information regarding special facilities and fees after you provide us with your improvement plans, fire department requirements, and engineering fees.</p>
<p>Transportation and Accessibility</p>	<p>SITE 1:</p> <ol style="list-style-type: none"> <li>1. <u>Prior to the issuance of any grading or building permits:</u> Record an irrevocable off of dedication to the County of Kern of all subject property for Hughes Lane 40 feet in width per the Kern County Land Division Ordinance and Development Standards.</li> <li>2. <u>During implementation of the undertaking:</u> Provide a 20-foot by 20-foot right of way corner cutoff at the intersection of Terrace Way and Hughes Lane.</li> <li>3. <u>During implementation of the undertaking:</u> Under street improvement, plans, approved by the Kern County Public Works Department and Development Review, construct Hughes Lane to Type A Subdivision Standards, half width collector road (Plate R-11) in accordance with the Kern County Development Standards and Land Division Ordinance. These improvements will be curb, gutter, sidewalk, asphalt concrete and the necessary tie-ins.</li> <li>4. <u>Prior to the issuance of any grading or building permits:</u> Under street improvement plans approved by the Kern County Public Works Department and Development Review, submit a signing and striping plan for review and approval.</li> <li>5. <u>During implementation of the undertaking:</u> All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.</li> </ol>

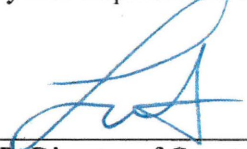
Education	<p>SITE 1 and SITE 2:</p> <p>1. <u>Prior to the issuance of any grading or building permits</u>: A development fee shall be collected as mitigation for construction of new housing, multi-family affordable housing units, as required under Education Code Section 17620 and Government Code Section 65995 et seq. (all as amended with operative date of November 4, 1998). The fees are presently set at \$3.79 per square foot, and are subject to Cost of Living Adjustment (COLA) adjustment every two years.</p>
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**Determination:**

**Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]  
 The project will not result in a significant impact on the quality of the human environment.

**Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]  
 The project may significantly affect the quality of the human environment.

Preparer Signature:  Date: 9/17/19  
 Name/Title/Organization: Eric L. Moland, Planner, Kern County Planning and Natural Resources Department – Community Development Division

Certifying Officer Signature:  Date: 9/17/19  
 Name/Title: Lorelei H. Oviatt, AICP, Director of County of Kern Planning and Natural Resources Department

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).