NEGATIVE DECLARATION

The City of Bakersfield Development Services Department has completed an Initial Study (attached) of the possible environmental effects of the following-described project and has determined that a Negative Declaration is appropriate. It has been found that the proposed project, as described and proposed to be mitigated (if required), will not have a significant effect on the environment. This determination has been made according to the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Bakersfield's CEQA Implementation Procedures.

PROJECT NO. (or Title): License for Bakersfield Multi-Use Trail along the Friant-Kern Canal

COMMENT PERIOD BEGINS: October 8, 2021

COMMENT PERIOD ENDS: November 8, 2021

MITIGATION MEASURES (*included in the proposed project to avoid potentially significant effects, if required)*:

Air Quality Impact Mitigation Measures:

1. Prior to grading plan approval, the City of Bakersfield shall submit documentation to its Planning Division that they will/have met all air quality control measures and rules required by the San Joaquin Valley Air Pollution Control District.

Biological Resources Impact Mitigation Measures:

2. Prior to ground disturbance, the City of Bakersfield shall have a California Department of Fish and Wildlife (CDFW) approved wildlife biologist ("qualified biologist") survey the location for species (i.e., San Joaquin kit fox and Tipton kangaroo rat) covered under the Metropolitan Bakersfield Habitat Conservation Plan incidental take permit for urban development and comply with the mitigation measures of the permit. Survey protocol shall be that recommended by CDFW. The City of Bakersfield shall be subject to additional mitigation measures recommended by the qualified biologist. A copy of the survey shall be provided to the Planning Division and wildlife agencies no more than 30 days prior to ground disturbance.

3. Prior to ground disturbance, a focused survey for burrowing owl shall be submitted to California Department of Fish and Wildlife (CDFW). The survey shall follow the methodology developed by the California Burrowing Owl Consortium (CBOC 1993).

   Prior to grading (including staging, clearing, and grubbing), surveys for active nests shall be conducted by a qualified wildlife biologist no more than 30 days prior to the start of any ground disturbance and in a sufficient area around the work site to identify any nests that are present within suitable burrows and to determine their status. A sufficient area means any nest within an area that could potentially be affected directly and/or indirectly by the project. In addition to direct impacts, such as nest destruction, nests might be affected by noise, vibration, odors, and movement of workers or equipment. If the City of Bakersfield identifies active nests, CDFW shall be notified and recommended protocols for mitigation shall be followed, and a copy of the mitigation protocols shall be submitted to Planning Division.

   If any ground disturbing activities occur during the burrowing owl nesting season (approximately February 1 through August 31), and potential burrowing owl burrows are present within the project footprint, avoidance measures shall be implemented. In the event that burrowing owls are found, the City shall follow CDFW protocol for mitigation and comply with the provisions of the Migratory Bird Treaty Act.

4. Prior to ground disturbance, a focused survey for Swainson's hawk shall be submitted to California Department of Fish and Wildlife (CDFW). The survey shall follow the methodology developed in the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California Central Valley* (SHTAC 2000).

   Prior to grading (including staging, clearing, and grubbing), surveys for active nests shall be conducted by a qualified wildlife biologist no more than 30 days prior to the start of any ground disturbance and in a sufficient area around the work site to identify any nests that are present within suitable trees and to determine their status. In addition to direct impacts, such as nest destruction, nests might be affected by noise, vibration, odors, and movement of workers or equipment. If the City of Bakersfield identifies active nests, CDFW shall be notified and recommended protocols for mitigation shall be followed, and a copy of the mitigation protocols shall be submitted to Planning Division.

   If any ground disturbing activities occur during the Swainson's hawk nesting season (approximately March 1 through September 15), and potential Swainson's hawk nests are present within the project footprint, avoidance measures shall be implemented. In the event that hawks are found, the City shall follow CDFW protocol for mitigation and comply with the provisions of the Migratory Bird Treaty Act.

Cultural Resources Impact Mitigation Measures:

5. Prior to construction and as needed throughout the construction period, a cultural awareness/resources training program shall be provided to all new construction workers within one week of employment at the project site. The training shall be prepared and conducted by a qualified cultural resources specialist. Documentation of pre-construction training shall be submitted to the Planning Department within 5 days of training completion.

6. During construction, if buried paleontological or cultural resources are encountered during construction or ground disturbance activities, all work within 50 feet of the find shall immediately cease and the area cordoned off until a qualified cultural and/or paleontological resource specialist that meets the Secretary of the Interior's Professional Qualification Standards can evaluate the find and make recommendations. If the specialist determines that the discovery represents a potentially significant resource, additional investigations may be required. These additional studies may include avoidance, testing, and excavation. All reports, correspondence, and determinations regarding the discovery shall be submitted to the California Historical Resources Information System's Southern San Joaquin Valley Information Center at California State University Bakersfield.

7. During construction, if human remains are discovered, further ground disturbance shall be prohibited pursuant to California Health and Safety Code Section 7050.5. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Health and Safety Code Section 7050.5, Public Resources Code 5097.97, and Senate Bill 447 shall be followed. In the event of the discovery of human remains, at the direction of the county coroner, Health and Safety Code Section 7050.5(c) shall guide Native American consultation.

Traffic Impact Mitigation Measures:

8. Prior to issuance of building permits and if necessary, the applicant/developer shall obtain a street permit or get approved a Traffic Control Plan from the City Public Works Department.

INITIAL STUDY
ENVIRONMENTAL ANALYSIS

1. **Project** *(Title & No.)*: License for Bakersfield Multi-Use Trail along the Friant-Kern Canal

2. **Lead Agency** *(name and address)*: City of Bakersfield
Development Services Department
1715 Chester Avenue
Bakersfield, California 93301

3. **Contact Person** *(name, title, phone)*: Ravi Pudipeddi
661-326-3483

4. **Project Location:** Kern River Channel to 7th Standard Road adjacent to, but upland of, the Friant-Kern Canal for an approximately 6-mile length

5. **Project Sponsor** *(name and address)*: Not applicable

6. **General Plan Designation:** Not applicable

7. **Zoning:** Not applicable

8. **Description of Project** *(describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation.)*:

The City of Bakersfield is proposing to construct and maintain a 6-mile-long multi-use trail along the Friant-Kern Canal, from the Kern River Channel to 7th Standard Road. The trail would generally run in a north-south orientation. The trail would be used for alternative transportation and recreation as well as serve as interconnection to community parks, schools, centers, retail, and the Kern River Parkway. The trail would increase pedestrian and bicyclist safety, promote active modes of transportation, and reduce traffic congestion.

The trail would be 12-feet-wide and constructed of asphalt with 4-foot-wide dirt shoulders. A chain-linked fence would be installed on both sides of the trail where existing fencing does not exist. Concrete bridges would be constructed over Friant-Kern Canal outlet structures. Underpass and pedestrian bridges would be constructed, and no portion of these structures would be located within the bed or bank of a water of the U.S. or State. Appropriate striping, pavement markings, and associated signage would be installed along the trail; existing poles would be utilized to the greatest extent practical.

9. **Environmental Setting** *(briefly describe the existing onsite conditions and surrounding land uses)*:

The project site is a potential linear trail that runs through 6 miles of the City. The site runs through existing and planned single-family neighborhoods generally to the north, the Riverlakes Golf Course, industrial areas generally to the south near the Kern River Channel, and patches of open space throughout.

10. **Other public agencies whose approval is anticipated to be required** *(e.g., permits, financing approval or participation agreement)*:

- City of Bakersfield – Mitigated Negative Declaration consideration and adoption
- City of Bakersfield – Metropolitan Bakersfield Habitat Conservation Plan compliance
- San Joaquin Valley Air Pollution Control District – Rule compliance
- State Water Resources Control Board – National Pollutant Discharge Elimination System General Permit

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

As indicated by the checklist on the following pages, the project would result in potentially significant impacts with respect to the environmental factors checked below (*Impacts reduced to a less than significant level through the incorporation of mitigation are not considered potentially significant.*):

☐ Aesthetics	☐ Agriculture/Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards and Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☐ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities/Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

ENVIRONMENTAL DETERMINATION:

On the basis of this initial evaluation:

☐ I find that the proposed project **could** not have a significant effect on the environment, and a **negative declaration** will be prepared.

■ I find that although the proposed project **could** have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **mitigated negative declaration** will be prepared.

☐ I find that the proposed project **may** have a significant effect on the environment, and an **environmental impact report** is required.

☐ I find that the proposed project **may** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect has been (1) adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) addressed by mitigation measures based on the earlier analysis as described on the attached sheets. An **environmental impact report** is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project **could** have a significant effect on the environment, because all potentially significant effects have been (1) analyzed adequately in an earlier **environmental impact report or negative declaration** pursuant to applicable legal standards, and (2) avoided or mitigated pursuant to that earlier **environmental impact report or negative declaration**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

10/8/2021
Date

Erica S. Hong, Associate Planner
Printed name

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors, as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:
   a) The significance criteria or threshold, if any, used to evaluate each question; and
   b) The mitigation measure identified, if any, to reduce the impact to less than significant.

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS: Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	■	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcrops, and historic buildings within a state scenic highway?	☐	☐	☐	■
c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	■	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	■
II. AGRICULTURE AND FORESTRY RESOURCES:				
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	☐	☐	☐	■
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	■
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	■
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	■
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	■
III. AIR QUALITY:				
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	■	☐	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	■	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	■
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	■

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES: Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	■	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	■
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	■
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	■	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	■	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	■	☐	☐
V. CULTURAL RESOURCES: Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	■
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	■	☐	☐
c) Disturb any human remains, including those interred outsides of dedicated cemeteries?	☐	■	☐	☐
VI. ENERGY: Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	■	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	■
VII. GEOLOGY AND SOILS: Would the project;				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	■
ii. Strong seismic ground shaking?	☐	☐	■	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	■	☐
iv. Landslides?	☐	☐	☐	■
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	■	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	■	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	■	☐

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	■
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	■	☐	☐
VIII. GREENHOUSE GAS EMISSIONS: Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	■	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	■	☐
IX. HAZARDS AND HAZARDOUS MATERIALS: Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	■	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	■	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	■
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	■
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	■
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	■	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	■	☐
X. HYDROLOGY AND WATER QUALITY: Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	■	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	■	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. Result in a substantial erosion or siltation on- or off-site?	☐	☐	■	☐
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	☐	☐	■	☐
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	■	☐
iv. Impede or redirect flood flows?	☐	☐	■	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	■	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	■	☐
XI. LAND USE AND PLANNING: Would the project:				
a) Physically divide an established community?	☐	☐	☐	■

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	■
XII. MINERAL RESOURCES: Would the project:				
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	☐	☐	☐	■
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	■
XIII. NOISE: Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	■	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	■	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	■
XIV. POPULATION AND HOUSING: Would the project;				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	■	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	■	☐
XV. PUBLIC SERVICES:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
i. Fire protection?	☐	☐	■	☐
ii. Police protection?	☐	☐	■	☐
iii. Schools?	☐	☐	☐	■
iv. Parks?	☐	☐	☐	■
v. Other public facilities?	☐	☐	■	☐
XVI. RECREATION:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	■
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	■
XVII. TRANSPORTATION: Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	■	☐

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	☐	☐	■	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	■	☐
d) Result in inadequate emergency access?	☐	■	☐	☐
XVIII. TRIBAL CULTURAL RESOURCES:				
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	☐	☐	☐	■
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	☐	☐	☐	■
XVIV. UTILITIES AND SERVICE SYSTEMS: Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	■
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	■
c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	■
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	■
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	■	☐
XX. WILDFIRES: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	■	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	■	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	■	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	■	☐
XXI. MANDATORY FINDINGS OF SIGNIFICANCE:				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of	☐	■	☐	☐

Environmental Issue	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	■	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	■	☐	☐

EVALUATION OF ENVIRONMENTAL EFFECTS

I. AESTHETICS

a. **Less than significant impact.** Public Resources Code (PRC) Section 21099 applicable to aesthetic effects states:

> (d)(1) Aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.
>
> (2)(A) This subdivision does not affect, change, or modify the authority of a lead agency to consider aesthetic impacts pursuant to local design review ordinances or other discretionary powers provided by other laws or policies.
>
> (B) For the purposes of this subdivision, aesthetic impacts do not include impacts on historical or cultural resources.

PRC 21099 is not applicable to this project because the project is not a residential, mixed use residential, or an employment center project. The project is a multi-use trail located from the Kern River Channel to 7th Standard Road adjacent to, but upland of, the Friant-Kern Canal for an approximately 6-mile length.

A viewshed is the geographical area that is visible from a location. Scenic vistas often refer to views of natural lands within a viewshed, but may also be compositions of natural and developed areas, or even entirely of developed and unnatural areas, such as a scenic vista of a rural town and surrounding agricultural lands. The existing visual environment in the area adjacent to the project is single-family neighborhoods generally to the north, the Riverlakes Golf Course, industrial areas generally to the south near the Kern River Channel, and patches of open space throughout. The project does not conflict with any applicable vista protection standards, scenic resource protection requirements or design criteria of federal, state, or local agencies, and is consistent with the City of Bakersfield Zoning and, the *Metropolitan Bakersfield General Plan* (MBGP).

The project site is located within an area having slopes from 0 to 5 %. There are no local vista protection standards, scenic resource protection requirements, or design criteria that are applicable to the project. Additionally, the area is not regarded or designated within the Metropolitan Bakersfield General Plan (MBGP) as being visually important or designated "scenic." The construction and development of the project would be

consistent with the existing development surrounding the site therefore, the project would not have a substantial adverse effect on a scenic vista.

b. **No impact.** The project is not located adjacent to or near any officially designated or potentially eligible scenic highways that are listed on the California Department of Transportation's (Caltrans) State Scenic Highway System. The closest section of highway eligible for state scenic highway designation is State Route (SR) 14 located in Kern County over 50 miles to the east (Caltrans 2021). Additionally, the project is located on a previously developed site and there are no trees, rock outcrops, and historic buildings located onsite, therefore, the project would not substantially damage scenic resources, including, but not limited to, trees, rock outcrops, and historic buildings within a state scenic highway.

c. **Less than significant impact.** The project is located within the City of Bakersfield limits, is contiguous with existing and developed land uses, and is located within an urban environment. There are no local vista protection standards, scenic resource protection requirements, or design criteria that is applicable to the project. Additionally, the area is not regarded or designated within the MBGP as being visually important or designated "scenic." Therefore, the project would not conflict with applicable zoning and other regulations governing scenic quality in urbanized areas.

d. **No impact.** The project does not include the construction of new lighting or structures that would emit excessive glare beyond the baseline condition. Therefore, the project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

II. AGRICULTURE RESOURCES

a. **No impact.** The project site is not designated as Prime Farmland by the Farmland Mapping and Monitoring Program (DOC 2017a). Therefore, the project would not significantly convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use.

b. **No impact.** The project site has no zoning as it is found within the Friant-Kern Canal's right-of-way and is not under a Williamson Act contract. Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract.

c. **No impact.** No lands within or immediately adjacent to the project are zoned forest land, timberland, or timberland zoned Timberland Production. The project site has no zoning as it is found within the Friant-Kern Canal's right-of-way. Therefore, the project would not conflict with existing zoning for, or cause rezoning of forest land or timberland, or timberland zoned Timberland Production.

d. **No impact.** As noted above, no lands within or immediately adjacent to the project are zoned forest land or timberland and do not contain any forested areas. Due to a lack of forest land on the site and in surrounding areas, the proposed project does not involve any changes to the existing environment that, due to their location or nature, could result in impacts resulting in the loss of forest land or conversion of forest land to non-forest use thus the project would not result in the loss of forestland or conversion of forest land to non-forest.

e. **No impact.** This project is in an area designated for urban development by the MBGP. The project itself is typical of the multi-use trail path development found in metropolitan

Bakersfield. Therefore, the project would not involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use.

III. AIR QUALITY

a. **Less than significant with mitigation incorporated.** The project is located within the San Joaquin Valley Air Pollution Control District (SJVAPCD) jurisdiction, in the San Joaquin Valley Air Basin (SJVAB). The SJVAB is classified by the state as being in severe nonattainment for the state 1-hour ozone standard as well as in nonattainment for the state particulate matter less than 10 microns (PM_{10}) and particulate matter less than 2.5 microns ($PM_{2.5}$). The SJVAB is also classified as in extreme nonattainment for the federal 8-hour ozone standard, nonattainment for the federal $PM_{2.5}$ standard, and attainment/maintenance for the federal carbon monoxide (CO) and PM_{10} standards.

Emission sources as a result of the project would include ground disturbance and other construction-related work. The SJVAPCD encourages local jurisdictions to design all developments in ways that reduce air pollution from vehicles, which is the largest single category of air pollution in the San Joaquin Valley. The *Guide for Assessing and Mitigating Air Quality Impacts* (GAMAQI) (SJVAPCD 2015) lists various land uses and design strategies that reduce air quality impacts of new development. Local ordinance and general plan requirements related to landscaping, sidewalks, street improvements, level of traffic service, energy efficient heating and cooling building code requirements, and location of commercial development in proximity to residential development is consistent with these listed strategies. Regulation and policy that will result in the compliance with air quality strategies for new residential and commercial developments include, but are not limited to, Title 24 efficiency standards, Title 20 appliance energy efficiency standards, 2005 building energy efficiency standards, Assembly Bill (AB) 1493 motor vehicle standards, and compliance with the Metropolitan Bakersfield General Plan Air Quality Conservation Element as well as the SJVAPCD air quality guidelines and rules.

With implementation of Mitigation Measure 1, the project would not conflict with, or obstruct implementation of, the applicable air quality plan.

b. **Less than significant impact.** Construction of the project would result in air pollutant emissions. Emissions from construction would result from fuel combustion and exhaust from equipment as well as vehicle traffic, grading, and the use of toxic materials (e.g., lubricants). The following table provides estimated construction emissions as a result of the project.

Estimated Emissions due to Construction of the Proposed Action

Source	Total Emission (Metric Tons per Year)					
	CO	ROG	NO_X	SO_X	PM	CO_2
Construction Emissions	0.21	0.03	0.28	0	0.01	50.70
Operations Emissions	0	0	0	0	0	0
Total Emissions	.21	.03	.28	0	.01	50.70
Conformity Thresholds (SJVAPCD)	100	50	50	0	100	2,500A

SO_X = sulfur oxides. CO_2 = carbon dioxide. CH_4 = methane. -= not calculated. *As ozone precursors. Sourced: Rimpo & Associates, Inc. 2011; CARB 2011; SJVAPCD 2011; 40 CFR 93.153

Source: BOR 2018.

As shown in the above table, construction emissions are not predicted to exceed SJVAPCD significance thresholds levels. There would be no operational emissions as a result of the project and therefore, project operations would not exceed SJVAPCD significance thresholds levels. Therefore, the project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation.

Under GAMAQI, any project that would have individually significant air quality impacts would also be considered to have significant cumulative air quality impacts. Impacts of local pollutants are cumulatively significant when the combined emissions from the project and other planned projects exceed air quality standards. As shown in the above table, the project does not pose a significant increase to estimated cumulative emissions for criteria pollutants in nonattainment within Kern County and the greater SJVAB. The project's regional contribution to cumulative impacts would be negligible (well less than 1% for all pollutants under consideration) and therefore, the project's contribution is not cumulatively considerable. Construction emissions for the Proposed Action are well below the *de minimis* thresholds established by the SJVAPCD and are expected to be temporary in duration thus as a result, the proposed project is not expected to contribute to cumulative adverse impacts to air quality (BOR 2018).

Additionally, the GAMAQI, citing CEQA Guidelines Section15064(h)(3), states on page 66 that "[a] Lead Agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program, including, but not limited to an air quality attainment or maintenance plan that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located" (SJVAPCD 2015).

Mitigation measures in this MND require compliance with air quality control measures and rules required by the SJVAPCD, which include, but are not necessarily limited to, SJVAPCD Rule 2010 (Permits Required), SJVAPCD Rule 2201 (New and Modified Stationary Source Review Rule), SJVAPCD Rule 4102 (Nuisance), and SJVAPCD Rule 9510 (Indirect Source Rule), each of which is discussed below.

SJVAPCD Rule 2010 requires any person constructing, altering, replacing or operating any source operation which emits, may emit, or may reduce emissions to obtain an Authority to Construct or a Permit to Operate from the SJVAPCD Air Pollution Control Officer (APCO). The project will comply with this rule by obtaining authorization from APCO prior to commencing construction on the project.

SJVAPCD Rule 2201 requires review and offset of stationary sources of air pollution and no net increase in emissions above specified thresholds from new and modified stationary sources of all nonattainment pollutants and their precursors. This is achieved through the use of mechanisms as approved by the SJVAPCD, such as emission trade-offs by which a permit to construct or operate any source pollution is granted. The project will comply with this rule by demonstrating compliance when obtaining authorization from APCO under Rule 2010. Compliance with Rule 2201 may include for example, using Best Available Control Technology and providing emission offsets.

SJVAPCD Rule 4102 protects the health and safety of the public by prohibiting discharge from any source whatsoever of air contaminants that cause injury, detriment, nuisance, or other annoyance to any considerable number of people. The project will comply with this

rule by not discharging air contaminants or other materials, which cause injury, detriment, nuisance, or other annoyance to any considerable number of people.

SJVAPCD Rule 9510 requires the reduction of emissions of nitrogen oxides (NOX) and particulate matter smaller than ten microns in aerodynamic diameter (PM10) associated with construction and operational activities of development projects occurring within the San Joaquin Valley. Rule 9510 applies to new development projects that would equal or exceed specific size limits called applicability thresholds (e.g., developing more than 2,000 square feet of commercial space, 25,000 square feet of light industrial space, 10,000 square feet of heavy industrial space, or 50 residential units). The project is subject to SJVAPCD Rule 9510 because it exceeds the applicability threshold of [50 residential units – modify as necessary]. Accordingly, the project must reduce a portion of the emissions occurring during construction and operational phases through on-site measures or pay off-site mitigation fees. The objective of this rule is to reduce construction NOx and PM10 emissions by 20% and 45%, respectively, as well as to reduce operational NOx and PM10 emissions by 33.3% and 50%, respectively, when compared to unmitigated projects. The SJVAPCD uses CalEEMod (California Emission Estimator Model) to estimate emissions of NOx and PM10 for potential land uses. Examples of measures that may be implemented to reduce emissions pursuant to this rule include, but are not limited to, incorporating energy efficiency beyond Title 24 requirements, providing bicycle lanes throughout a project, using cleaner fleet construction vehicles, eliminating woodstoves and fireplaces, and building in proximity to existing or planned bus stops and/or planned retail. When a development project cannot reduce its NOx and PM10 emissions to the level required by Rule 9510, then the difference must be mitigated through the payment of an offsite emissions reduction fee. One hundred percent (100%) of all off-site mitigation fees are used by the SJVAPCD to fund emission reduction projects through its Incentives Programs, achieving emission reductions on behalf of the project.

Due to the fact that 1) the air quality modeling indicates that project's regional contribution to cumulative impacts would be negligible and 2) the project would comply with the requirements of the SJVAPCD attainment plans and rules, and mitigation measures require the applicant to provide proof of such compliance, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard.

c. **No Impact.** Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved that expose sensitive receptors to sustained exposure to any pollutants present. Examples of the types of land use that are sensitive receptors include retirement facilities, hospitals, and schools. The most sensitive portions of the population are children, the elderly, the acutely ill, and the chronically ill, especially those with cardiorespiratory diseases. There are no sensitive receptors within 0.25 miles of the project site. Due to the distance from sensitive receptors, the project would not significantly affect such receptors. Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations.

d. **No impact.** The project type proposed (i.e., multi-use trail) is not on the GAMAQI list (page 27, table 4-2) of those land uses generally regarded as the type to have site odor problems. Therefore, the project would not create objectionable odors affecting a substantial number of people.

IV. BIOLOGICAL RESOURCES

a. **Less than significant with mitigation incorporated.** The project site has the potential to result in significant impacts to some special-status wildlife species, but no listed special-status plant species were found on the site during reconnaissance-level surveys for the project (BOR 2018).

The project is subject to the terms of the Metropolitan Bakersfield Habitat Conservation Plan (MBHCP) and associated Section 10(a)(1)(b) and Section 2081 permits issued to the by USFWS and CDFW, respectively. The project is also subject to ITP No. 2081-2013-058-04 (ITP) and associated Mitigation Monitoring and Reporting Program (MMRP). These documents are hereby incorporated by reference. Terms of these permits require applicants for all development projects within the plan area to pay habitat mitigation fees and notify agencies prior to grading in areas covered under the permit.

The current MBHCP expires on February 28, 2022. Projects may be issued an urban development permit, grading plan approval, or building permit and pay fees prior to the 2022 expiration date under the current MBHCP. As determined by the City, only projects ready to be issued an urban development permit, grading plan approval, or building permit before the 2022 expiration date will be eligible to pay fees under the current MBHCP. Early payment or pre-payment of MBHCP fees shall not be allowed. The ability of the City to issue urban development permits is governed by the terms of the MBHCP. Urban development permits issued after the 2022 expiration date may be subject to a new or revised Habitat Conservation Plan, if approved, or be required to comply directly with requests of the USFWS and the CDFW.

The project site has the potential for the presence of San Joaquin kit fox, Tipton kangaroo rat, burrowing owl, and Swainson's hawk. The kit fox and kangaroo rat are species covered under the MBHCP and compliance with the MBHCP. Implementation of Mitigation Measure 2 would reduce impacts to kit fox and kangaroo rat to a level of less than significant.

The MBHCP does not cover the protection of burrowing owls and Swainson's hawk. However, these are migratory bird species protected by international treaty under the Migratory Bird Treaty Act (MBTA) of 1918 (16 United State Code 703-711). The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed in 50 Code of Federal Regulations (CFR) Part 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR Part 21). Sections 3503, 3503.5, and 3800 of the California Department of Fish and Game Code prohibit the take, possession, or destruction of birds, their nests, or eggs.

Mitigation Measure 3 requires a focused survey for burrowing owl and measures in coordination with CDFW in the event that BUOW are found onsite. Mitigation Measure 4 requires a focused survey for Swainson's hawk and measures in coordination with CDFW in the event that BUOW are found onsite. With implementation of Mitigation Measures 3 and 4, the project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.

b. **No impact.** The project site is upland of the Friant-Kern Canal and no portion of the overpasses and pedestrian bridges would be constructed within the bed or bank of a water of the U.S. or State. There is no riparian habitat or other sensitive natural communities

located at the site (BOR 2018). This project is also not located within, or adjacent to, the Kern River riparian habitat area. Therefore, the project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community.

c. **No impact.** The project site is upland of the Friant-Kern Canal and no portion of the overpasses and pedestrian bridges would be constructed within the bed or bank of a water of the U.S. or State. There are no wetlands, as defined by Section 404 of the federal Clean Water Act (CWA), located at the project site, and no features identified as wetlands categories are found in the National Wetlands Inventory within the project area (BOR 2018). Therefore, the project would not have a substantial adverse effect on state or federally protected wetlands.

d. **Less than significant with mitigation incorporated.** The project is the construction of a multi-use trail adjacent to the Friant-Kern Canal. The project would not create any linear features such as walls or roads that could permanently interfere with wildlife movement. The project is within the Kern River floodplain (noted as a wildlife corridor in the MBHCP) and along a canal which has been identified by the USFWS as a corridor for native resident wildlife species. However, with implementation of mitigation, the project would not permanently affect wildlife movement during the construction period along these identified corridors. Operations would not affect wildlife movement as the project's elements are incapable of severing such movement.

   There is the potential during construction to temporarily affect nursery sites such as dens and burrows. Project construction could cause the direct destruction of a nursery site or cause enough of an indirect disturbance to cause special-status wildlife to abandon a nursery site. However, Mitigation Measures 2 through 4 require preconstruction surveys and, if necessary, additional mitigation recommended by a qualified biologist and CDFW to reduce potential impacts to nursery sites. With the implementation of Mitigation Measures 2 through 4, the project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

e. **Less than significant impact.** It was concluded that the project site does not contain any biological resources that are protected by local policies. The project is located within the boundary of the MBHCP, which addresses biological impacts within the *Metropolitan Bakersfield General Plan* area. The MBHCP has been adopted as policy and is implemented by ordinance. The development entitled by this proposal would be required to comply with the MBHCP. Therefore, the project would not conflict with any local policies or ordinances protecting biological resources.

f. **Less than significant with mitigation incorporated.** The project is located within the boundary of the MBHCP, which has been adopted as policy and is implemented by ordinance. The project would be required to comply with the MBHCP and the required mitigation measures thus impacts would be less than significant.

V. CULTURAL RESOURCES

a. **No Impact.** A records search of the California Historical Resources Information System (CHRIS) was prepared for the site by the Southern San Joaquin Valley Information Center at California State University Bakersfield (BOR 2018). The Bureau of Reclamation (BOR) initiated consultation with the State Historic Preservation Officer (SHPO) regarding this project, and the SHPO concurred with BOR's finding of no adverse effect to historic

properties would occur as a result of implementation of the project (BOR 2018). Therefore, the project would not cause a substantial adverse change in the significance of a historical resource.

b. **Less than significant with mitigation incorporated.** It has been concluded that the project site does not contain any known archaeological resources (BOR 2018). However, there is still the potential to unearth previously unknown archaeological resources at the site, and grading and other ground-disturbing activities have the potential to damage or destroy such resources. Mitigation Measure 5 requires that construction workers are provided with cultural awareness training. Mitigation Measure 6 requires ceasing work and investigating any discovery in the event that previously unknown archaeological resources are unearthed during construction. With the implementation of Mitigation Measures 5 and 6, the project would not cause a substantial adverse change in the significance of an archaeological resource.

c. **Less than significant with mitigation incorporated.** There are no known human remains found at the project site (BOR 2018). The project could inadvertently uncover, or damage previously unknown human remains. Mitigation Measure 7 requires that if any human remains are found at the site during construction, work would cease, and the remains would be handled pursuant to applicable law. With implementation of Mitigation Measure 7, the project would not significantly disturb any human remains.

VI. ENERGY

a. **Less than significant impact.** Project construction would require temporary energy demands typical of the development of a multi-use trail. It is predicted that energy consumption for project operations will be minimal in nature and would occur typically during the repair or maintenance of the multi-use trail. Therefore, the project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

b. **No impact.** There is no adopted plan by the City of Bakersfield for renewable energy or energy efficiency. While the project is for a multi-use trail and does not involve the construction of any new buildings, all new development projects within the City are required to adhere to modern building standards related to energy efficiency. Additionally, the City encourages applicants and developers to go beyond the required standards and make their developments even more efficient through programs such as LEED, or Leadership in Energy and Environmental Design, which is a green building rating system that provides a framework to create healthy, highly efficient, and cost-saving green buildings. Other encouraged programs available to applicants and developers are Title 20 appliance energy efficiency standards and 2005 building energy efficiency standards. Therefore, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

VII. GEOLOGY AND SOILS

a. The following discusses the potential for the project to expose people or structures to substantial adverse effects as a result a various geologic hazards. The City is within a seismically active area. According to the *Metropolitan Bakersfield General Plan*, major active fault systems border the southern portion of the San Joaquin Valley. Among these major active fault systems include the San Andreas, Breckenridge-Kern County, Garlock, Pond Poso, and White Wolf faults. There are numerous additional smaller faults suspected

to occur within the Bakersfield area which may or may not be active. The active faults have a maximum credible Richter magnitude that ranges from 6.0 (Breckenridge-Kern County) to 8.3 (San Andreas). Potential seismic hazards in the planning area involve strong ground shaking, fault rupture, liquefaction, and landslides.

i. **No Impact.** Ground rupture is ground deformation that occurs along the surface trace of a fault during an earthquake. The project site is not included within the boundaries of an "Earthquake Fault Zone" as defined in the Alquist-Priolo Earthquake Fault Zoning Act (DOC 2017b). Therefore, the project would not expose people or structures to potential substantial adverse effects involving rupture of a known earthquake fault.

ii. **Less than significant impact.** The City is within a seismically active area. Future structures proposed on the project site are required by state law and City ordinance to be constructed in accordance with the Uniform Building Code (specifically Seismic Zone 4, which has the most stringent seismic construction requirements in the United States), and to adhere to all modern earthquake construction standards. Therefore, the project would not expose people or structures to potential substantial adverse effects involving strong seismic ground shaking.

iii. **Less than significant impact.** The most common seismic-related ground failure is liquefaction and lateral spreading. In both cases, during periods of ground motion caused by an event such as an earthquake, loose materials are transformed from a solid state to near-liquid state as a result of increased pore water pressure. Such ground failure generally requires a high-water table and poorly draining soils in order for such ground failure to occur. The project site's soils are generally riverine (i.e., river) or loam soils that are generally well draining. The water table underlying the project site is about 150 feet below ground surface (bgs) (DWR 2010) and therefore, groundwater levels are not close enough to the ground surface to result in sufficiently saturated soils suitable for liquefaction. As a result, the potential for liquefaction at the project site is low. In addition, future structures proposed on the project site are required by state law and City ordinance to be constructed in accordance with the Uniform Building Code, including those relating to soil characteristics. Therefore, the project would not expose people or structures to potential substantial adverse effects involving seismic-related ground failure, including liquefaction.

iv. **No Impact.** In Kern County, the common types of landslides induced by earthquake occur on steeper slopes found in the foothills and along the Kern River Canyon; in these areas, landslides are generally associated with bluff and stream bank failure, rockslide, and slope slip on steep slopes (Bakersfield 2001). The project site is generally flat, there are no such geologic features located at the project site, and the site is not located near the Kern River Canyon. Therefore, the project would not expose people or structures to potential substantial adverse effects involving landslides.

b. **Less than significant impact.** The project site's soils (i.e., riverine and loam soils) generally have low-to-medium susceptibility to sheet and rill erosion by rainfall and low susceptibility to wind erosion at the ground surface (USDA 2009). The relatively low precipitation in the project area [on average about 6 inches/year (Insight 2017)] results in surface runoff that is intermittent and temporary in nature. The erosion potential at the site and the fact that

the soils are well drained coupled with low average rainfall in the area does not make the project site susceptible to substantial soil erosion or loss of topsoil.

Construction of the site would temporarily disturb soils, which could loosen soil, and the removal of vegetation could contribute to future soil loss and erosion by wind and storm water runoff. The project would have to request coverage under the National Pollutant Discharge Elimination System (NPDES) *General Permit for Storm Water Discharges Associated with Construction Activities* (No. 2012-0006-DWQ) (General Permit) because the project would result in 1 or more acres of ground disturbance. To conform to the requirements of the General Permit, a Storm Water Pollution Prevention Plan (SWPPP) would need to be prepared that specifies best management (BMPs) to prevent construction pollutants, including eroded soils (such as topsoil), from moving offsite. Implementation of the General Permit and BMPs requirements would mitigate erosion of soil during construction activities.

During operation, the soils would be sufficiently compacted to required engineered specifications, revegetated in compliance with City requirements, or paved over with impervious surfaces such that the soils at the site would not be particularly susceptible to soil erosion. Therefore, the project would not result in substantial soil erosion or the loss of topsoil.

c. **Less than significant impact.** As discussed in VII.a.iii and VII.a.iv, the project site's soils would not expose people or structures to potential substantial adverse effects involving seismic-related ground failure, including liquefaction, lateral spreading, or landslides.

   Subsidence is part of the baseline condition in the project area due to historic groundwater pumping the resultant subsidence that occurs with such activities. The project would not contribute to this baseline condition because the project would not utilize water, including groundwater.

   Collapsible soils consist of loose, dry, low-density materials that collapse and compact under the addition of water or excessive loading. Because the project site is derived from alluvium, which is generally loose material, there is the potential for collapsible soils. Future structures proposed on the project site are required by state law and City ordinance to be constructed in accordance with the Uniform Building Code, including those relating to soil characteristics. Therefore, the project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.

d. **Less than significant impact.** When a soil has 35% or more clay content, it is considered a clayey soil. Sandy loam have approximately 10% clay content and therefore, do not have a high potential to be expansive. Additionally, future structures proposed on the project site are required by state law and City ordinance to be constructed in accordance with the Uniform Building Code, including those relating to soil characteristics. Therefore, the project would not be located on expansive soil creating substantial risks to life or property.

e. **No impact.** The project would not require the use of septic tanks or alternative wastewater disposal systems because the project would connect to existing City sewer services in the area. Therefore, there would be no impacts related to soils incapable of adequately supporting septic tanks or alternative waste water disposal systems.

f. **Less than significant with mitigation incorporated.** Paleontological sensitivity is determined by the potential for a geologic unit to produce scientifically significant fossils. Because paleontological resources typically occur in the substratum soil horizon, surface expressions are often not visible during a pedestrian survey. Paleontological sensitivity is derived from known fossil data collected from the entire geologic unit. According to the California Department of Conservation's Geologic Map of California, the project site consists of Quaternary marine and nonmarine sedimentary geologic formations. This geological formation consists of older alluvium deposits that have the potential to contain unknown paleontological resources or unique geologic features.

Similar to archaeological resources, there is the potential to unearth previously unknown paleontological resources at the site, and grading and other ground-disturbing activities have the potential to damage or destroy such resources. With the implementation of Mitigation Measure 7, the project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

VIII. GREENHOUSE GAS EMISSIONS

a. **Less than significant impact.** Project operations would not generate greenhouse gases (GHG) because the project is a multi-use trail where pedestrians and bicyclists would go to recreate. If this recreational opportunity were not available, users would utilize another recreational opportunity and the associated GHG emissions to reach that other destination would occur rather than GHG emissions to reach the project's recreational opportunity. Therefore, operational GHG emissions to get to the project site would be offset by the GHG emissions to get to a different existing recreational opportunity if the project's opportunity was not available.

Project construction would generate an incremental contribution and, when combined with the cumulative increase of all other sources of GHG, could contribute to global climate change impacts. Although the project is expected to emit GHG, the emission of GHG by a single project into the atmosphere is not itself necessarily an adverse environmental effect. Rather, it is the increased accumulation of GHG from more than one project and many sources in the atmosphere that may result in global climate change. The resultant consequences of that climate change can cause adverse environmental effects. A project's GHG emissions typically would be relatively very small in comparison to state or global GHG emissions and, consequently, they would, in isolation, have no significant direct impact on climate change. Therefore, a project's GHG emissions and the resulting significance of potential impacts are more properly assessed on a cumulative basis. The project's annual construction GHG emissions of carbon dioxide equivalent (CO2E) are estimated at 50.70 metric tons, which is well below the 25,000 metric tons or more per year threshold used by BOR to determine effect significance (BOR 2018). Therefore, the project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.

b. **Less than significant impact.** CARB is responsible for the coordination and administration of both federal and state air pollution control programs within California. According to California's Climate Change Scoping Plan, there must be statewide reduction GHG emissions to 1990 levels by 2020. Reducing greenhouse gas emissions to 1990 levels means cutting approximately 29% from BAU emission levels projected for 2020. In addition, per SB 375 requirements, CARB has adopted regional reduction targets, which call for a 5% reduction in per-capita emissions by 2020 and 10% reduction in 2035 within the San Joaquin Valley using 2005 as the baseline. These regional reduction targets will be a part of the Kern

COG Sustainable Communities Strategy. The SJVAPCD has adopted guidance (*Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*) and a policy (District Policy – Addressing GHG Emission Impacts for Stationary Source Projects under CEQA When Serving as the Lead Agency).

As proposed, the project would not conflict with any statewide policy, regional plan, or local guidance or policy adopted for the purpose of reducing GHG emissions. The project would not interfere with the implementation of AB 32 and SB 375 because it would be consistent with the GHG emission reduction targets identified by CARB and the Scoping Plan. The project is consistent with these statewide measures and considered not significant or cumulatively considerable under CEQA. Therefore, the project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHG.

IX. HAZARDS AND HAZARDOUS MATERIALS

a. **Less than significant impact.** The project would not involve the routine transport, use, or disposal of hazardous materials as defined by the Hazardous Materials Transportation Uniform Safety Act. However, construction activities would require the transport, storage, use, and/or disposal of hazardous materials such as fuels and greases for the fueling/servicing of construction equipment, and there is the potential for upset and accident conditions that could release such material into the environment. Such substances would be stored in temporary storage tanks/sheds that would be located at the site. Although these types of materials are not acutely hazardous, they are classified as hazardous materials and create the potential for accidental spillage, which could expose construction workers. All transport, storage, use, and disposal of hazardous materials used in the construction of the project would be in strict accordance with federal and state laws and regulations. During construction of the project, Material Safety Data Sheets (MSDS) for all applicable materials present at the site would be made readily available to onsite personnel. During construction, non-hazardous construction debris would be generated and disposed of at approved facilities for handling such waste. Also, during construction, waste disposal would be managed using portable toilets located at reasonably accessible onsite locations.

   Day-to-day activities on multi-use trails do not involve the routine transport, use, or disposal of hazardous materials as defined by the Hazardous Materials Transportation Uniform Safety Act. Maintenance would require the transport, storage, use, and/or disposal of hazardous materials such as paints, cleaners, oils, batteries, and pesticides. City maintenance staff would follow any instructions for use and storage provided on product labels carefully to prevent any accidents. Users should also read product labels for disposal directions to reduce the risk of products exploding, igniting, leaking, mixing with other chemicals, or posing other hazards on the way to a disposal facility. Additionally, residential hazardous waste can be dropped off at Metro Kern County Special Waste Facility located at 4951 Standard Street or at one-day hazardous waste collection events that take place throughout the year. Therefore, the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

b. **Less than significant impact.** Please refer to response IX.a. Therefore, the project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous material into the environment.

c. **No impact.** The closest school is Centennial High School located about 0.20 miles from the site. However, as discussed in IX.a and IX.b, the project would not involve the routine transport, use, or disposal of hazardous materials as defined by the Hazardous Materials Transportation Uniform Safety Act during the construction and operational period. Therefore, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 miles of an existing or proposed school.

d. **No impact.** The EnviroStor (DTSC 2021) and Cortese (CalEPA 2021) lists pursuant to Government Code (GC) Section 65962.5 were reviewed. No portion of the project site is identified on either list, which provides the location of known hazardous waste concerns. Therefore, the project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to GC Section 65962.5 and, as a result, create a significant hazard to the public or the environment.

e. **No impact.** The project site is not located within the Kern County *Airport Land Use Compatibility Plan* area (Kern County 2012). The closest airport to the project site is the Bakersfield Municipal Airport located about 3 miles to the east of the northernmost portion of the trail alignment near Seventh Standard Road. Therefore, the project would not result in a safety hazard for people residing or working in the project area for a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport.

f. **Less than significant impact.** The project will have to comply with the City's Fire Code to allow emergency vehicles adequate access to the site and all portions of the site. Access to the site would be maintained throughout the construction period, and appropriate detours would be provided in the event of potential temporary road closures. The project would not interfere with any local or regional emergency response or evacuation plans because the project would not result in a substantial alteration to the adjacent and area circulation system. The project is typical of urban development in Bakersfield and is not inconsistent with the adopted City of Bakersfield Hazardous Materials Area Plan (Bakersfield 1997). This plan identifies responsibilities and provides coordination of emergency response at the local level to hazardous materials incidents. Therefore, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

g. **Less than significant impact.** The project site is not located within a "very high," "high," or "moderate" fire hazard severity zone (CalFire 2008). The site and its vicinity consist of vacant land that does not possess high fuel loads that have a high potential to cause a wildland fire. With the project, the site would be developed with hardscapes, which would further reduce fire potential at the site. Additionally, the City and County require "defensible space" within areas of the County susceptible to wildland fires as shown on CalFire maps through the Fire Hazard Reduction Program. Defensible space is the buffer created between a building and the grass, trees, shrubs, or any wildland area that surrounds it. Therefore, the project would not expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands.

X. HYDROLOGY AND WATER QUALITY

a. **Less than significant impact.** Construction would include ground disturbing activities. As discussed in VII.b, the project site's soil types have a low-to-medium susceptibility to sheet and rill erosion by rainfall and a low susceptibility to wind erosion at the ground surface. Disturbance of onsite soils during construction could result in soil erosion and siltation, and subsequent water quality degradation through increased turbidity and sediment deposition during storm events to offsite locations. Additionally, disturbed soils have an increased potential for fugitive dust to be released into the air and carried offsite. As described in VII.b, the project would be required to comply with the General Permit. To conform to the requirements of the General Permit, a SWPPP would need to be prepared that specifies BMPs to prevent construction pollutants from moving offsite. The project is required to comply with the General Permit because project-related construction activities would disturb at least 1 acre of soil.

   The City owns and maintains a municipal separate storm sewer system (MS4). The project's operational urban storm water discharges are covered under the Central Valley Water Quality Control Board (CVRWQCB) *National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements General Permit for Discharges from Municipal Separate Storm Sewer Systems* (Order No. R5-2016-0040; NPDES No. CAS0085324) (MS4 Permit) (CVRWQCB 2016). The MS4 Permit mandates the implementation of a storm water management framework to ensure that water quality is maintained within the City as a result of operational storm water discharges throughout the City, including the project site. By complying with the General Permit and MS4 Permit, the project would not violate any water quality standards or waste discharge requirements.

b. **Less than significant impact.** Construction water would be supplied by the City. According to the City's UWMP (Bakersfield 2017a), the City receives a significant amount of its supplies from groundwater sources. The UWMP concludes that the City has sufficient supplies for current and future entitlements through 2040 for normal, single-day, and multiple-dry year scenarios (Bakersfield 2017a). Therefore, the project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

c. The following discusses whether the project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces.

   i. **Less than significant impact.** The project site does not contain any blue-line streams or other surface water features (BOR 2018) and therefore, the project would not alter the course of a river or stream. The project site would be graded and, as a result, the internal drainage pattern at the site would be altered from the baseline condition. Additionally, the project would result in increased impervious surfaces (i.e., building pads, sidewalks, asphalt parking area, etc.) at the site, which would reduce percolation to ground and result in greater amounts of storm water runoff concentrations at the site. If uncontrolled, differences in drainage patterns and increased impervious surfaces could result in substantial erosion or siltation on- or offsite. However, the project would be required to comply with the General Permit during construction and MS4 permit during operation. In order to comply with the MS4 Permit, the City requires compliance with adopted building codes, including complying with an approved drainage plan, which avoids on- and offsite flooding, erosion, and siltation problems. Therefore, the project would not substantially alter

the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or offsite.

ii. **Less than significant impact.** Please refer to response X.c.i. Therefore, the project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite.

iii. **Less than significant impact.** In order to comply with the City's MS4 Permit, the City requires compliance with an approved drainage plan that would avoid on- and offsite flooding thus, the project would not create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.

iv. **Less than significant impact.** Portions of the project site are located within 100-year flood hazard areas. However, the project is the development of a multi-use trail. However, the trail, overpasses, bridges, etc. to be developed because of the project would not impede or redirect flood flows and are designed to be able to be inundated by flood flows. Therefore, the project would not impede or redirect flood flows.

d. **Less than significant impact.** The project is not located near any ocean or an enclosed body of water and therefore, would not be subject to inundation by tsunami or seiche. A mudflow is a type of landslide where earth and surface materials are rapidly transported downhill under the force of gravity. As discussed in VII.a.iv, landslides, including mudflow, occur on steeper slopes in the foothills and along the Kern River Canyon. The project site is generally flat, there are no such geologic features located at the project site, and the site is not located near the Kern River Canyon. Therefore, the project site would not be inundated by seiche, tsunami, or mud flow.

e. **Less than significant impact.** Please refer to response X.c.i. There is currently no adopted groundwater management plan for the project site or its vicinity. Therefore, the project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

XI. LAND USE AND PLANNING

a. **No impact.** The project is not a long and linear feature, such as a freeway, railroad track, block wall, etc., that would have the potential to divide a community. The project is the development of a multi-use trail that does not impede existing or future movement or development of the City. Therefore, the project would not physically divide an established community.

b. **No impact.** The project site consists of right-of-way for a canal (the Friant-Kern Canal) and therefore, there are no municipal land use designations or zoning in place to allow urban development other than a canal. As noted by Section 17.06.030.B.5 of the Bakersfield Municipal Code, any future vacation or abandonment of the canal would result in the application of the adjacent existing land use designations on either side of the canal, with the boundaries to apply equally to the centerline of the former canal. Therefore, in this unique case, the MBGP and Zoning Ordinance do not apply to the project site. As a result,

the project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

XII. MINERAL RESOURCES

a. **No impact.** The project site is not within the administrative boundaries of an oilfield and there are no oil wells found on the site (DOGGR 2017). The only other potential mineral resource in the area is aggregate for the making on concrete. Aggregate is mined in alluvial fans and along existing and historical waterways. There are no blue-line water features or existing or planned aggregate mining operations at the site. Therefore, the project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

b. **No impact.** No portion of the site is designated for a potential mineral resource extraction use such as R-MP (Mineral and Petroleum). Therefore, the project would not result in the loss of availability of a locally important mineral resource recovery site that is delineated in a local general plan, specific plan, or other land use plan.

XIII. NOISE

a. **Less than significant impact.** The project would generate noise during construction by the use of construction equipment. Typical construction equipment generates sound levels between 80 and 85 A-weighted decibels (dBA), which is a decibel system reflective of human hearing characteristics. At 80 to 85 dBA, the human response to such a sound level is annoyance and difficulty hearing conversation. Using the rule of thumb that noise attenuates 7.5 dBA per a doubling of distance away from the sound-emitting source, it would require 800 feet away from an 85-dBA sound-emitting source to obtain a 55 dBA sound level, which is considered "quiet" to the human ear. There are currently no sensitive receptors within 800 feet of the project site. Additionally, project construction would be limited to 6 a.m. and 9 p.m. on weekdays and 8 a.m. and 9 p.m. on weekends per Bakersfield Municipal Code Chapter 9.22 (Noise).

   Project operations would generate sound levels typical of multi-family residential land uses and residents would have to comply with Bakersfield Municipal Code regarding noise. Therefore, the project would not expose persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

b. **Less than significant impact.** Some groundborne vibration and noise would originate from earth movement and building activities during the project's construction phase. However, blasting, pile-driving, break-ramming, jack-hammering, chipping, and other high impact-related construction activities that result in the creation of the greatest groundborne vibrations and noise levels would not occur as a consequence of the project. Additionally, groundborne vibration and noise attenuates at a shorter distance than airborne noise. Since airborne noise from construction would be sufficiently attenuated to "quiet" (please see response XIII.a) before it reaches any potential sensitive receptors, it can be assumed that groundborne vibration and noise would also sufficiently attenuate. Operation of multi-family residential would not result in appreciable groundborne vibration or noise. Therefore, the project would not expose persons to or generation of excessive ground-borne vibration or ground-borne noise levels.

c. **No impact.** Please refer to response IX.e. Therefore, the project would not expose people residing or working in the project area to excessive noise levels for a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport.

XIV. POPULATION AND HOUSING

a. **Less than significant impact.** The project would accommodate population growth in this area through the development of a new recreational opportunity. Bakersfield has experienced 55% growth in population (246,899 people in 2000 to 383,512 in 2017) since 2000 (DOF 2017a and DOF 2017b). It is predicted that by 2040, 1,213,588 people will live in Kern County (DOF 2017c). Given that 42.8% of the people in Kern County currently live in Bakersfield (DOF 2017b), and if this trend continues, it is estimated that about 519,416 people would live in Bakersfield in 2040. This means that by 2040, 135,904 additional people would need housing in the Bakersfield area. This project accommodates this projected increase in Bakersfield's population by providing a new recreational opportunity. Therefore, the project would not induce substantial population growth in an area, either directly or indirectly.

b. **Less than significant impact.** The project site consists of developed land. The mutli-use trail would run adjacent but upland of and within the Friant Kern Canal right of way. Therefore, the project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

XV. PUBLIC SERVICES

a. The following discusses whether the project would result in substantial adverse physical impacts to public services. The need for additional public service is generally directly correlated to population growth and the resultant additional population's need for services beyond what is currently available.

    i. **Less than significant impact.** Fire protection services for the Metropolitan Bakersfield area are provided through a joint fire protection agreement between the City and County. The multi-use trail may require additional fire protection services, but existing fire protection can accommodate this nominal additional need. As a result, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection.

    ii. **Less than significant impact.** Police protection for the project would be provided by the Bakersfield Police Department. Current City Police services standards require 1.09 officers for every 1,000 people in the City. The multi-use trail may require additional police protection services, but existing police protection can accommodate this nominal additional need. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant

environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection.

iii. **No impact.** The project is growth accommodating and therefore, does not increase population growth and resultant need for additional schools. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for schools.

iv. **No impact.** The project develops an additional recreational opportunity for the citizens of Bakersfield. Therefore, this project has a beneficial impact to parks. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks.

v. **Less than significant impact.** The project and eventual buildup of this area would result in an increase in maintenance responsibility for the City. The multi-use trail may require additional maintenance services, but existing City maintenance staff can accommodate this nominal additional need. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for other public facilities.

XVI. RECREATION

a. **No impact.** The project is not growth inducing and is not a driver for population growth therefore, the project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. The project develops an additional recreational opportunity for the citizens of Bakersfield thus having a beneficial impact on parks.

b. **No impact.** The project does not include development of any recreational facilities or require the construction or expansion of recreational facilities as the project is not growth inducing therefore, the project would not have an adverse physical effect on the environment due to recreational facilities.

XVII. TRANSPORTATION AND TRAFFIC

a. **Less than significant impact.** Project operation would not result in traffic impacts because it is assumed that additional traffic generated by the multi-use trail would have been generated anyway, and the individual would have driven to another nearby recreational opportunity.

The project would result in temporary construction-related traffic impacts. Construction workers traveling to and from the project site as well as construction material delivery

would result in additional vehicle trips to the area's roadway system. Construction material delivery may require a number of trips for oversized vehicles that may travel at slower speeds than existing traffic and, due to their size, may intrude into adjacent travel lanes. These trips may temporarily degrade level of service (LOS) on area roadways and at intersections. Additionally, the total number of vehicle trips associated with all construction-related traffic (including construction worker trips) could temporarily increase daily traffic volumes on local roadways and intersections. The project may require temporary lane closures or the need for flagmen to safely direct traffic on roadways near the project site. However, once the project is built, it would not result in any permanent traffic-related effects.

Therefore, the project would not conflict with an applicable plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

b. **Less than significant impact.** CEQA Guidelines § 15064.3, subdivision (b) states:

Criteria for Analyzing Transportation Impacts.

(1) Land Use Projects. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.

(2) Transportation Projects. Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, such as in a regional transportation plan EIR, a lead agency may tier from that analysis as provided in Section 15152.

(3) Qualitative Analysis. If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.

(4) Methodology. A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled, and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project. The

standard of adequacy in Section 15151 shall apply to the analysis described in this section.

The project is a multi-use trail that provides an additional recreational opportunity for the citizens of Bakersfield and would contribute to a reduction of vehicle miles traveled by providing an alternative transportation route that must utilize non-vehicular modes of transportation. Therefore, the project would not be in conflict or be inconsistent with CCR Section 15064.3(b).

c. **Less than significant impact.** The project would have to comply with all conditions placed on it by the City Traffic Engineering Division in order to comply with accepted traffic engineering standards intended to reduce traffic hazards, including designing the trail so that it does not result in design feature hazards. The project is within the city limits and surrounded by compatible existing uses, planned land uses, and land use designations. Therefore, the project would not substantially increase hazards due to a design feature or incompatible uses.

d. **Less than significant with mitigation.** There is the potential that, during the construction phase, the project would impede emergency access. For projects that require minor impediments of a short duration (e.g., pouring a new driveway entrance), the project would be required to obtain a street permit from City Public Works. If a project requires lane closures and/or the diversion of traffic, then a Traffic Control Plan would be required. Mitigation Measure 8 requires that, if necessary, the City of Bakersfield obtains a street permit or develop and get approved a Traffic Control Plan, for the construction period. With implementation of mitigation, the project would not result in inadequate emergency access.

XVIII. TRIBAL CULTURAL RESOURCES

a. **No impact.** BOR concluded that the project would not "limit access to ceremonial use of Indian Sacred Sites…or significantly adversely affect the physical integrity of such sacred site" or "impact Indian Trust Assets" (BOR 2018). Additionally, no portion of the site is eligible for listing in the California Register of Historical Resources or in a local register of historical resources (BOR 2018). Therefore, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed in the California Register of Historical Resources or in a local register of historical resources.

b. **No impact.** BOR has determined that there are no tribal cultural resources found at the site (BOR 2018). Therefore, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency to be significant.

XVIV. UTILITIES AND SERVICE SYSTEMS

a. **No impact**. Project operations would not require potable water and would not generate wastewater. Therefore, the project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities.

b. **No impact.** Project operations would not require potable water. Therefore, the project would have sufficient water supplies available from existing entitlements and resources, and new or expanded entitlements would not be needed.

c. **No impact.** Project operations would not generate wastewater. Therefore, it has been determined that the wastewater treatment provider which serves or may serve the project has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

d. **No impact.** It is assumed that solid waste generated as a result of the project would be disposed at the Bena Landfill located at 2951 Neumarkel Road, Bakersfield, CA 93307. As of July 2013, the landfill had a remaining permitted capacity of 32,808,260 cubic yards and a maximum permitted throughput of 4,500 tons/day (CalRecycle 2021a). The remaining permitted capacity and maximum permitted throughput is sufficient to accommodate the project. Therefore, the project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.

e. **Less than significant impact.** By law, the project would be required to comply with federal, state, and local statutes and regulations, including those relating to waste reduction, litter control, and solid waste disposal.

XX. WILDFIRE

a. **Less than significant impact.** The project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. The project is located in an urbanized area and access to the site would be maintained throughout the construction period. The project would not interfere with any local or regional emergency response or evacuation plans because the project would not result in substantial alteration to the adjacent and area circulation system. The project is typical of urban development in Bakersfield, and is not inconsistent with the adopted City of Bakersfield Hazardous Materials Area Plan (Bakersfield 1997). This plan identifies responsibilities and provides coordination of emergency response at the local level to hazardous materials incidents. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan.

b. **Less than significant impact.** As mentioned above, the project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. Additionally, the project site is relatively flat, not near wildlands, and the site does not possess high fuel loads (i.e., lots of vegetation and other burnable material) to exacerbate wildfire risks and therefore, fire-related pollutant concentrations. Therefore, the project would not exacerbate wildfires and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors.

c. **Less than significant impact.** The project is located within the Metropolitan Bakersfield city limits and the site, as well as the surrounding area, is extensively developed with existing infrastructure such as roads, power lines, utilities etc to support the development of this project. Therefore, the project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

d. **Less than significant impact.** The project site is relatively flat and is not in a moderate- to high-risk area for wildfires. Therefore, the project would not expose people or structures to

significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

a. **Less than significant with mitigation incorporated.** The project is subject to the terms of the MBHCP and associated Section 10(a)(1)(b) and Section 2801 permits issued to the City of Bakersfield by the U.S. Fish and Wildlife Service and the California State Department of Fish and Wildlife, respectively. Terms of the permit require applicants for all development projects within the plan area to pay habitat mitigation fees, excavate known kit fox dens, and notify agencies prior to grading. There are no important examples of the major periods of California history or prehistory found at the site. Therefore, the project, with the implementation of the identified conditions of approval, best management practices, and mitigation measures, would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

b. **Less than significant impact.** Under Section 15065(a)(3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects "that are individually limited, but cumulatively considerable." This section further states that cumulatively considerable means "that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."

   Past, present, and future projects in proximity to the project were considered and evaluated as part of this Initial Study. Also, in addition to project specific impacts, this Initial Study considered the projects potential for incremental effects that are cumulatively considerable. As described in the responses above, there is no substantial evidence that there are cumulative effects associated with this project. In addition, any future development projects not identified above would be required to undergo a separate environmental analysis and mitigate any project- or site-specific potential impacts, as necessary. Therefore, impacts are less than significant.

c. **Less than significant with mitigation incorporated.** As described in the responses above, the project, with mitigation, would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

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