



# 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):** General Plan Amendment/Zone Change 21-0280 and Specific Plan Amendment 21-0396

**COMMENT PERIOD BEGINS:** October 27, 2021

**COMMENT PERIOD ENDS:** November 25, 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 applicant/developer shall submit documentation to the Planning Division that they will/have met all air quality control measures and rules required by the San Joaquin Valley Air Pollution Control District.
2. Prior to grading plan approval, the applicant/developer shall submit proof to the Planning Division that they have complied with the San Joaquin Valley Air Pollution Control District's Indirect Source Rule (Rule 9510).

**Biological Resources Impact Mitigation Measures:**

3. Prior to ground disturbance, the applicant/developer shall have a California Department of Fish and Wildlife (CDFW) approved wildlife biologist ("qualified biologist") survey the location for species (e.g., Tipton kangaroo rat, San Joaquin kit fox, San Joaquin antelope squirrel, and Bakersfield cactus). Species to be surveyed shall include ones covered under the Metropolitan Bakersfield Habitat Conservation Plan incidental take permit for urban development as well as for any species covered under other applicable laws (such as the Migratory Bird Treaty Act). The applicant/developer shall comply with the mitigation measures of the permit. Survey protocol shall be those recommended by CDFW. The applicant/developer 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.
4. If ground-disturbing activities are planned during the nesting season for migratory birds that may nest on or near the site (generally February 1 through August 31), nesting bird surveys are recommended prior to the commencement of ground disturbance for project activities. If nesting birds are present, no new construction or ground disturbance should occur within an appropriate avoidance area for that species until young have fledged, unless otherwise approved and monitored by a qualified onsite biologist. Appropriate avoidance should be determined by a qualified biologist. In general, minimum avoidance zones for active nests should be implemented as follows: 1) ground or low-shrub nesting non-raptors - 300 feet (91 meters); 2) burrowing owl – 600 feet (183 meters). 3) Sensitive raptors (e.g., prairie falcon, golden eagle) – 0.5 miles (0.8 kilometers); 4) other raptors – 500 feet (152 meters).

**Cultural Resources Impact Mitigation Measures:**

5. Prior to ground disturbance activities, a qualified, professional consultant shall conduct a new field survey to determine if any cultural resources are present.
6. Prior to construction and as needed throughout the construction period, a construction worker cultural awareness 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.
7. During construction, if buried paleontological, archaeological, 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 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 cultural 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.
8. 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:**

9. Prior to issuance of building permits, the applicant/developer shall provide proof to the Planning Division of the project's participation in the Regional Transportation Impact Fee Program.
10. 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.*): General Plan Amendment/Zone Change 21-0280 and Specific Plan Amendment 21-0396
2. **Lead Agency** (*name and address*): City of Bakersfield  
Development Services Department  
1715 Chester Avenue  
Bakersfield, California 93301
3. **Contact Person** (*name, title, phone*): Erica S. Hong  
661-326-3733
4. **Project Location:** West side of Renfro Road at Brimhall Road
5. **Project Sponsor** (*name and address*): Cornerstone Engineering  
5509 Young Street,  
Bakersfield, CA 93311
6. **General Plan Designation:** SR (Suburban Residential) and GC (General Commercial)
7. **Zoning:** E (Estate) and C-1/P.C.D (Neighborhood Commercial/ Planned Commercial Development)
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.*):

Cornerstone Engineering ("applicant"), representing Lone Palm Farms ("property owner"), is proposing a General Plan Amendment ("GPA") and Zone Change ("ZC") on approximately 40.18 acres located on the west side of Renfro Road at Brimhall Road in western Bakersfield. The GPA/ZC request includes:

- 1) an amendment to the Land Use Element of the Metropolitan Bakersfield General Plan land use designation from Suburban Residential ("SR") to Low Density Residential ("LR") on 14.05 acres, from SR to Low Medium Density Residential ("LMR") on 13.92 acres, and from SR and General Commercial ("GC") to High Medium Density ("HMR") on 12.21 acres; and
- 2) a change in zone classification from Estate ("E") to Small Lot One Family Dwelling/ Planned Unit Development Combining ("R-1 4.5/PUD") on 14.05 acres and from E and Neighborhood Commercial/ Planned Commercial Development Combining ("C-1/PCD") to Limited Multiple Family Dwelling/ Planned Unit Development Combining ("R-2/PUD") on 26.13 acres.

The applicant is also proposing a Specific Plan Amendment ("SPA") to remove a portion of the Western Rosedale Trails Specific Plan (WRTSP) that runs adjacent to the western boundary of the project site north of Brimhall Road.

The proposed GPA/ZC would facilitate the development of a mixed density residential private community consisting of 76 single family residential units, 112 duplex units, 176 low-rise apartment units with community amenities, two parks, and two dog parks on approximately 40.18 acres. The applicant is also proposing to develop an additional 14 single family homes on approximately 11.29 acres located adjacent to the northern boundary of the proposed GPA/ZC area. Due to the nature of the

proposed development, and should the GPA/ZC and SPA be approved by the City, the applicant would also need to receive subsequent approval of a Tentative Tract Map (TTM) and Planned Unit Development (PUD) Plan to implement the proposed development. For purposes of this environmental review, the proposed project as a whole (378 residential units plus associated amenities on approximately 51.47 acres) and all associated entitlements were analyzed.

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

The project site consists of two adjacent and undeveloped parcels of land. Historically, the project site was utilized for agricultural purposes but is no longer being farmed and is currently fallow agricultural land. Adjacent parcels to the north and east of the project site are developed with single family residential units. The Goose Lake Slough stream runs adjacent to the southern boundary of the project site. Adjacent parcels to the west of the project site are currently undeveloped but have been approved for single family residential development. The project site is located within the City of Bakersfield limits but abuts Kern County limits on all four sides.

**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.*):

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                | <input type="checkbox"/> Agriculture/Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources      | <input type="checkbox"/> Cultural Resources             | <input type="checkbox"/> Energy                             |
| <input type="checkbox"/> Geology/Soils             | <input type="checkbox"/> Greenhouse Gas Emissions       | <input type="checkbox"/> Hazards and Hazardous Materials    |
| <input type="checkbox"/> Hydrology/Water Quality   | <input type="checkbox"/> Land Use/Planning              | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Noise                     | <input type="checkbox"/> Population/Housing             | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Recreation                | <input type="checkbox"/> Transportation                 | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire                       | <input type="checkbox"/> 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

10/26/2021  
\_\_\_\_\_  
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
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### I. AESTHETICS: Except as provided in Public Resources Code Section 21099, would the project:

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcrops, and historic buildings within a state scenic highway?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

### 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?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 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))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### 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?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| c) Expose sensitive receptors to substantial pollutant concentrations?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?   | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

## Environmental Issue

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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### 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| 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?   | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?   | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |

### V. CULTURAL RESOURCES: Would the project:

- |   |                          |                                     |                          |                          |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?      | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of dedicated cemeteries?                       | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

### 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### 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. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| ii. Strong seismic ground shaking?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iii. Seismic-related ground failure, including liquefaction?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iv. Landslides?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 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?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

## 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? | <input type="checkbox"/>       | <input type="checkbox"/>                            | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?  | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                 | <input type="checkbox"/>     | <input type="checkbox"/>            |

### **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?      | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### **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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

### **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?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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: <ul style="list-style-type: none"> <li>i. Result in a substantial erosion or siltation on- or off-site? <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/></li> <li>ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/></li> <li>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? <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/></li> <li>iv. Impede or redirect flood flows? <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/></li> </ul> |                          |                          |                                     |                          |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### **XI. LAND USE AND PLANNING:** Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

## Environmental Issue

- 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?

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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### **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?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### **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?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### **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?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### **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?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### **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?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### **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?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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## 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### **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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### **XIV. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### **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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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## 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.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## 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 located within a transit priority area. The project is a mixed density residential development consisting of 378 residential units on approximately 51.47 acres.

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 site is single-family neighborhoods generally to the north, east, and south. The visual environment adjacent to the project site on the western boundary is of fallow agricultural land. 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 2% thus only short to mid-range views are available from the project site (USDA 2021). 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 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, and 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 vacant fallow agricultural land and there are currently 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. **No 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." Surrounding development includes predominantly single-family residential development to the north, south, and east, with a fallow agricultural field to the west of the project site. There are visual impacts with any new development, but this project is consistent with the residential development of the area and no impacts are regarded as potentially significant. Therefore, the project would not conflict with applicable zoning and other regulations governing scenic quality in urbanized areas.
- d. **Less than significant impact.** This project involves incremental urban growth within the City of Bakersfield's jurisdiction. While the project would introduce new sources of light to the area, the area is currently developed with light sources that already affect the day and/or nighttime views. In addition, this project would have to comply with City development standards, including Title 17 (zoning ordinance), Title 15 (buildings and construction), as well as California Code of Regulations Title 24 (building code). Together, these local and state requirements oblige project compliance with current lighting standards that minimize unwanted light or glare to spill over into neighboring properties. 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 AND FORESTRY RESOURCES

- a. **Less than significant impact.** The project site is designated as Prime Farmland by the Farmland Mapping and Monitoring Program (DOC 2021). Historically, the project site was utilized for farming but is currently fallow disced land and has been in this condition for the past few years. Given the adjacent existing and proposed residential and commercial development surrounding the project site, implementation of the proposed mixed density residential development would represent an extension of existing nonagricultural uses. The MBGP encourages the orderly outward expansion of new urban development that maintains continuity of existing development and allows incremental expansion of infrastructure and public services. The project is not regarded to be of statewide, regional, or area wide significance per State CEQA Guidelines, Section 15206 (b) (3) as the proposed development would not result in the cancellation of an open space contract made pursuant to the California Land Conservation Act of 1965 (Williamson Act) for any parcel of 100 acres or more. The project site is not under a Williamson Act Contract and is approximately 51.47 acres. 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 is currently zoned E (Estate) and C-1/P.C.D (Neighborhood Commercial/ Planned Commercial Development 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 is currently zoned E (Estate) and C-1/P.C.D (Neighborhood Commercial/ Planned Commercial Development and no forestlands exist on the project site. 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.
- e. **No impact.** This project is in an area designated for urban development by the MBGP. The project itself is consistent with the type of residential development throughout the City and is surrounded to the north, south, and east by existing residences. The adjacent property to the west of the project site is fallow agricultural land but is currently approved for single family residential development. 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<sub>10</sub>) and particulate matter less than 2.5 microns (PM<sub>2.5</sub>). The SJVAB is also classified as in extreme nonattainment for the federal 8-hour ozone standard, nonattainment for the federal PM<sub>2.5</sub> standard, and attainment/maintenance for the federal carbon monoxide (CO) and PM<sub>10</sub> 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.

Additionally, mitigation measures have been incorporated into the proposed project to further ensure the proposed project would not conflict with, or obstruct implementation of an applicable air quality plan. Mitigation Measure 1 requires that prior to grading plan approval, the applicant/developer shall submit documentation to the Planning Division that they will/have met all air quality control measures and rules required by the San Joaquin Valley Air Pollution Control District. Mitigation Measure 2 requires that prior to grading plan approval, the applicant/developer shall submit proof to the Planning Division that they have complied with the San Joaquin Valley Air Pollution Control District's Indirect Source Rule (Rule 9510). With implementation of Mitigation Measure 1 and 2, the project would not conflict with, or obstruct implementation of, the applicable air quality plan.

- b. **Less than significant impact with mitigation incorporated.** 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 and operations emissions as a result of the project.

Estimated Emissions due to Construction of the Proposed Action							
Source	Pollutant (Tons per Year)						
	CO	VOC	NO <sub>x</sub>	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	CO <sub>2e</sub>
2023 Construction Emissions (after mitigation)	4.19	4.56	1.32	0.01	0.66	0.19	1,066
2023 Operations Emissions	23.03	4.12	4.01	0.07	5.5	2.4	5,836
Total Emissions	27.22	8.68	5.33	0.08	6.16	2.59	6902
Conformity Thresholds (SJVAPCD)	100	10	10	27	15	15	N/A
SO <sub>x</sub> = sulfur oxides. CO = carbon monoxide. NO <sub>x</sub> = nitrogen oxides. PM <sub>10</sub> = particulate matter < 10 microns. PM <sub>2.5</sub> = particulate matter < 2.5 microns. VOC = reactive organic gases.							

Source: EnviroTech Consultants, Inc 2021.

As shown in the above table, construction and long-term emissions as a result of operation are not predicted to 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.

The GAMAQI, under CEQA, defines cumulative impacts as two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The document also states that *“if a project is significant based on the thresholds of significance for criteria pollutants, then it is also cumulatively significant. If the combined impacts of such projects cause or worsen an exceedance of the concentration standards, the project would have a cumulatively significant impact under CEQA.”* Regionally, the SJVAPCD has annual VOC emissions of 302,200 tons and annual NO<sub>x</sub> emissions of 223,800 tons from all sources. The proposed project represents approximately 0.002% of the VOC and 0.003% of the NO<sub>x</sub> emissions in the SJVAPCD. These amounts are not individually considerable because emissions within the SJVAPCD Air Basin will be essentially the same regardless of whether the proposed project is built.

As stated on page 22 of the SJVAPCD CEQA Guidelines, “a project’s potential contribution to cumulative impacts shall be assessed utilizing the same significance criteria as those for project specific impacts.” Since the proposed project would not have a significant long-term air quality impact, the proposed project would not have a significant cumulative impact to regional air quality. Therefore, the cumulative impacts to the regional air quality with implementation of the proposed project would be *less than significant*.

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 (NO<sub>x</sub>) and particulate matter smaller than ten microns in aerodynamic diameter (PM<sub>10</sub>) 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. 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 NO<sub>x</sub> and PM<sub>10</sub> emissions by 20% and 45%, respectively, as well as to reduce operational NO<sub>x</sub> and PM<sub>10</sub> emissions by 33.3% and 50%, respectively, when compared to unmitigated projects. The SJVAPCD uses CalEEMod (California Emission Estimator Model) to estimate emissions of NO<sub>x</sub> and PM<sub>10</sub> 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 NO<sub>x</sub> and PM<sub>10</sub> 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. **Less than significant with mitigation incorporated.** 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. Centennial elementary school is located approximately 0.15 miles from the project site. The proposed project is not expected to result in localized impacts, such as CO "Hot Spots", and therefore, is not expected to impact nearby sensitive receptors (EnviroTech 2021). However, the majority of the potential ambient air quality emissions from this proposed project are related to increases in mobile source emissions. Therefore, the impact to sensitive receptors is considered less than significant with mitigation measures and the project would not expose sensitive receptors to substantial pollutant concentrations (EnviroTech 2021).
- d. **Less than significant impact.** The project type proposed 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. A sewer lift station will be installed to serve the development. The sewer lift station is enclosed and designed to prevent any atmospheric release of odors and thus the proposed project is not a source of odors (EnviroTech 2021). Therefore, the project would not create objectionable odors affecting a substantial number of people.

#### IV. **BIOLOGICAL RESOURCES**

- a. **Less than significant with mitigation incorporated.** Direct and indirect impacts, in the form of "incidental take" of a threatened, endangered, or otherwise protected species, are not expected (Pruett 2021). Due to the project's overall location within the Central Valley region, there is potential for use by special-status species in the future. A database search of the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB) and the California Native Plant Society's (CNPS) Online Inventory of Rare and Endangered Plants revealed several special-status species that occur in the region including burrowing owl (*Athene cunicularia*), the northern harrier (*Circus cyaneus*), the golden eagle (*Aguila chrysaetos*), and several rare plant species including the Bakersfield saltbrush (*Atriplex tularensis*).

However, 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 City of Bakersfield by the United States Fish and Wildlife Service [Incidental Take Permit (ITP) PRT-786634] and California Department of Fish and Wildlife (ITP No. 2081-2031-058-04), respectively, and associated Implementation/Management Agreement by and among the United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), City of Bakersfield and County of Kern (said documents hereby incorporated by reference). This plan, in agreement with the California Department of Fish and Wildlife and the United States Fish and Wildlife Service, includes ordinance requirements for all development projects in the MBHCP area.

The current MBHCP expires on June 1, 2023. Projects may be issued an urban development permit, grading plan approval, or building permit and pay fees prior to the 2023 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 2023 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 2023 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. With implementation of the MBHCP and required mitigation measures (Mitigation Measure 3), impacts are less than significant.

- b. **No impact.** No riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS exists on the project site (Pruett 2021). 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 does not propose any disturbance to wetland vegetation. No features identified in wetland categories appear on the USFWS National Wetlands Inventory mapping (USFWS 2021) within the proposed project area. No substantial adverse effect will occur as a result of the development of the project and no additional measures are recommended (Pruett 2021). Therefore, the project would not have a substantial adverse effect on state or federally protected wetlands.
- d. **Less than significant with mitigation incorporated.** No migratory wildlife corridors or wildlife nursery sites were identified during the literature search or field study. The project will not interfere substantially with the movement of any native fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites (Pruett 2021). The project is within the Kern River floodplain (noted as a wildlife corridor in the MBHCP) and near 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 along these identified corridors.

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 3 and 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 3 and 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. **No impact.** There are no biological resources on the site which are protected by local policies. Impacts from conflicts with local policies will not occur (Pruett 2021). 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. **Less than significant with mitigation incorporated.** A records search of the California Historical Resources Information System (CHRIS) was prepared for the site by the Southern San Joaquin Valley Information Center (SSJVIC) at California State University Bakersfield at the request of the applicant (Record Search 21-137). According to the records search, there are no recorded cultural resources within the project area or radius that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, or the California State Historic Landmarks. A previous cultural resource study was conducted on the project site in 1992. However, a previous cultural resource study is typically only considered valid for up to five years. Therefore, the SSJVIC has recommended that prior to ground disturbance activities, a qualified, professional consultant shall conduct a new field survey to determine if any cultural resources are present (Mitigation Measure 5). With the implementation of mitigation, the project would not cause a substantial adverse change in the significance of a historical resource.
- b. **Less than significant with mitigation incorporated.** The surface of the project site has been extensively disturbed due to the previous agricultural activity onsite, so it is unlikely that there are archaeological resources at surface level. However, there is still the potential to unearth previously unknown archaeological resources at the site, and grading and other ground-disturbing activities associated with development of the project have the potential to damage or destroy such resources. Mitigation Measure 6 requires that construction workers are provided with cultural awareness training. Mitigation Measure 7 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 6 and 7, 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. The project could inadvertently uncover, or damage previously unknown human remains. Mitigation Measure 8 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 8, the project would not significantly disturb any human remains.

## VI. ENERGY

- a. **Less than significant impact.** The applicant is proposing the development of 378 residential units on 51.47 acres. Project construction would require temporary energy demands typical of other residential projects that occur throughout the state and this development's construction would not result in inefficient or unnecessary consumption of energy resources beyond typical residential construction. All new construction within the City of Bakersfield must adhere to modern building standards, including California Code of Regulations Title 24, which outlines energy efficiency standards for new residential and nonresidential buildings to ensure that new buildings do not wastefully, inefficiently, or unnecessarily consume energy. 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. **Less than significant impact.** There is no adopted plan by the City of Bakersfield for renewable energy or energy efficiency. As mentioned above, 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 because of 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. According to the California Department of Conservation's (DOC) Earthquake Zones of Required Investigation map, the project site is not located within an earthquake fault zone. The nearest known earthquake fault zone to the project site is located approximately 2.3 miles to the northeast and is known as the Oildale Fault Zone (DOC 2021). 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.

- i. **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 transform from a solid state to near-liquid state because 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. According to the United States Department of Agriculture's Web Soil Survey, the project site's soils are primarily a combination of Granoso sandy loam which is considered a somewhat excessively drained soil with low run off and depths to water tables at more than 80 inches (Pruett 2021). Public supply wells in Kern County are at depths between 600 and 800 feet below land surface (USGS 2016) 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. The project site has up to a 2% slope which is not considered a steep slope. 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 (Granoso sandy loam) generally have low susceptibility to surface runoff but are susceptible to wind erosion. Construction of the site would temporarily disturb soils, which would loosen soil. 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 the potential temporary 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 above, 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 and the resultant subsidence that occurs with such activities. The project would not substantially contribute to this baseline condition because the projected water use has been conditionally approved by Vaughn Water Company (VWC).

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. The proposed development on the project site is 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, the proposed development on the project site is 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 City sewer services in the area. Therefore, there would be no impacts related to soils incapable of adequately supporting septic tanks or alternative wastewater 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.** The implementation of the proposed project would generate short-term increases in air emissions from construction activities that would occur as a result of the proposed development. The major construction activities that would occur include site preparation, grading, excavation, earthmoving, asphalt paving, foundation laying,

landscaping, and the application of architectural coatings. The construction activities would generate dust emissions primarily from soil disturbance; exhaust emissions from construction equipment and motor vehicle operation; and the release of emissions during the finishing phase including paving and the application of architectural coatings. The construction activities that would occur off-site could include delivery of building materials and supplies to the sites and the transport of construction employees to and from the sites.

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 construction activities for the proposed project would generate a maximum of 1,065 metric tons per year of CO<sub>2</sub>e of GHG emissions. This represents 0.000002 percent of the 2016 GHG emissions in the State of California (which is 429,400,000 metric tons of CO<sub>2</sub>e) (EnviroTech 2021). Therefore, the GHG emissions as a result of the construction of the proposed project will be less than significant.

It is anticipated that the operation of the proposed project would have the potential to result in long-term increases in air emissions that would generate GHGs that could contribute to global climate change. The majority of the long-term GHG emissions would be generated by motor vehicles traveling to and from the project site. Area source emissions would result from fuel combustion, landscape maintenance equipment, and consumer products. The CalEEMod model was used to estimate the GHG emissions due to mobile source emissions and area source emissions as a result of the proposed project with "business as usual" conditions. The operation of the proposed project based on "business as usual" conditions" would result in 5,835 metric tons per year of CO<sub>2</sub>e of GHG emissions. This represents 0.00001 percent of the CO<sub>2</sub>e of 2016 GHG emissions in the State of California (which is 429,400,000 metric tons of CO<sub>2</sub>e) (EnviroTech 2021). Therefore, the GHG emissions as a result of the operation of the proposed project will be less than significant.

- 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 while the project generates emissions, the potential impacts of the proposed project would be less than significant (EnviroTech 2021). 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 proposes to develop 378 residential units and therefore, does not involve the routine transport, use, or disposal of hazardous materials as defined by the Hazardous Materials Transportation Uniform Safety Act. 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 fuel tanks, 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.
- b. **Less than significant impact.** The project proposes to develop 378 residential units and therefore, does not involve the routine transport, use, or disposal of hazardous materials as defined by the Hazardous Materials Transportation Uniform Safety Act. 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 fuel tanks, and there is the potential for upset and accident conditions that could release such material into the environment. However, all transport, storage, use, and disposal of hazardous materials used in the construction/operation of the project would be in strict accordance with federal and state laws and regulations. Additionally, Material Safety Data Sheets (MSDS) for all applicable materials present at the site would be made readily available to onsite personnel and personnel would also be required to read and follow product labels for disposal directions to eliminate the risk of products exploding, igniting, leaking, mixing with other chemicals, or posing other hazards on the way to a disposal facility. 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. **Less than significant impact.** Centennial Elementary School is located 0.15 miles northeast of the proposed development. Due to the location and nature of the project, materials, substances, and waste considered hazardous in nature will be handled during construction activities within one quarter mile of an existing school. As mentioned above, the project would be required to adhere to all applicable federal and state laws and regulations with respect to the handling of hazardous materials thus, impacts are considered less than significant.

- 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 Meadow Fields Airport located approximately 7.5 miles northeast of the project site. 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 consists of vacant land, and its vicinity does not possess high fuel loads that have a high potential to cause a wildland fire. The project site would be developed with hardscapes and irrigated landscaping, 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 susceptibility to surface runoff but are susceptible 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.** Vaughn Water Company (VWC) has conditionally agreed to supply domestic water for the proposed development. VWC receives its supplies from groundwater sources but as the proposed development has been conditionally approved for service, the proposed project has been considered by VWC against its most currently approved Urban Water Management Plan (VWC UWMP 2015). By state law, currently approved UWMPs do not need to address the Sustainable Groundwater Management Act (SGMA) or sustainable groundwater management at this time. As VWC concluded that there is sufficient existing capacity to service the proposed development, 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 therefore, impacts are considered less than significant.
- 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.** According to USFWS National Wetlands Inventory, the project site does not contain any blue-line streams or other surface water features and therefore, the project would not alter the course of a river or stream. However, during construction, ground disturbing activities will occur and small amounts of soils may be displaced from the site. As mentioned in X.a, the City owns and maintains a municipal separate storm sewer system (MS4). 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 that 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.** A review of the Federal Emergency Management Agency (FEMA) National Flood Insurance Maps shows the project site is located in Zone X, which is a minimal risk area outside the 1-percent and 0.2-percent-annual-chance floodplain. Therefore, the project would not impede or redirect flood flows.
- d. **Less than significant impact.** The City of Bakersfield is located within Central California and is not near a coastal environment that risks flood inundation. In addition, the City is not located within a tsunami zone as identified by the California Department of Conservation's Tsunami Map. As mentioned above, the project site is located in Zone X, which is a minimal risk area outside the 1-percent and 0.2-percent-annual-chance floodplain. The project site, like most of the City, is located within the Lake Isabella flood inundation area (Kern County 2017), which is the area that would experience flooding in the event that there was a catastrophic failure of the Lake Isabella Dam. There is an approved Lake Isabella Dam Failure Evacuation Plan (Kern County 2009) that establishes a process and procedures for the mass evacuation and short-term support of populations at risk below the Lake Isabella Dam. The City would utilize the Evacuation Plan to support its Emergency Operations Plans (EOPs). Due to the project's location and implementation of related emergency safety plans, the project would not likely risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones.
- 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 a continuation of the existing urban development pattern of the City. The project does not include a long and linear feature, such as a freeway, railroad track, etc., that would have the potential to divide a community. The proposed project is the development of 378 residential units adjacent to existing residential development. The development of the proposed project will not impede existing or future movement or development of the City. Additionally, as part of the proposed development, existing collectors and arterials will be further developed thereby increasing circulation and access to communities within the City. Therefore, the project would not physically divide an established community.
- b. **No impact.** The project requires a GPA to be consistent with the MBGP, namely a change in land use designation from SR to LR on 14.05 acres, from SR to LMR on 13.92 acres, and from SR and GC to HMR on 12.21 acres. The project also requires a change in zone classification from E to R-1 4.5/PUD on 14.05 acres and from E and C-1/PCD to R-2/PUD on 26.13 acres. A portion of the project site is located within WRSTP and a SPA request has been submitted to remove a portion of the WRTSP that runs adjacent to the western boundary of the proposed development north of Brimhall Road. Due to the nature of the proposed development and should the GPA, ZC, and SPA be approved by the City, a Tentative Tract Map (TTM) and Planned Unit Development (PUD) Plan will also be required for compliance with the Zoning Ordinance. If the applicant were to receive approval for the GPA/ZC, and SPA, then subsequently for the TTM and PUD Plan, then the project would

be consistent with the MBGP, Zoning Ordinance, and WRTSP. Therefore, 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. **Less than significant impact.** The project site is located within the administrative boundaries of the Bellevue oilfield but there are no oil wells (active, plugged, or abandoned) located on the project site (CalGem 2021). Additionally, and prior to recordation of any final map, the developer must comply with Bakersfield Municipal Code § 16.20.060 which pertains to statements of parties having a record title interest. The only other potential mineral resource in the area is aggregate for the making of 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 both short-term construction noise and operational noise. The first type of short-term construction noise would result from transport of construction equipment and materials to the project site, and construction worker commutes. These transportation activities would incrementally raise noise levels on access roads leading to the site. A one-time trip to move pieces of heavy equipment for grading and construction activities would result in single-event noise at a distance of 50 feet from a sensitive noise receptor that would reach a maximum level of 84 A-weighted decibels (dBA). Because the equipment would be left onsite for the duration of project construction, the one-time trip would not add to the daily traffic noise in the project vicinity.

The second type of short-term construction noise is related to noise generated during project construction. The site preparation and grading phase, which includes excavation and grading, tends to generate the highest noise levels. Construction noise levels during grading would be less than 70 dBA, which would not exceed the hourly noise level standard at the nearest sensitive uses. Construction noise would cease to occur once project construction is completed. The project will also be required to comply with the construction hours specified in the City Noise Ordinance, which states that construction activities are limited to the hours of 6:00 a.m. and 9:00 p.m. on weekdays, and between the hours of 8:00 a.m. and 9:00 p.m. on weekends.

Project operations would generate sound levels typical of residential land uses, which would have to comply with Bakersfield Municipal Code regarding noise. Stationary operational noise levels at all points around the project site would experience noise level impacts that would be less than the daytime and nighttime hourly noise level standards of 55 dBA and 50 dBA, respectively. Project-related operational traffic would have very small noise level increases along roadway segments in the project vicinity. Parking lot noise,

including engine sounds, car doors slamming, car alarms, loud music, and people conversing, would also occur at the project site. It was determined that the noise levels at all points around the project site would experience noise level impacts that would be less than the City's daytime and nighttime maximum noise level standards of 75 dBA and 70 dBA.

Therefore, the project would not generate 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. Impacts are less than significant.

- b. **Less than significant impact.** Some ground-borne vibration and noise would originate from earth movement and building activities during the project's construction phase however, the operation of typical construction equipment would not generate ground-borne vibrations that would exceed safety guidelines. Operation of the proposed mixed density residential development would not generate ground-borne vibration. Therefore, the project would not generate excessive ground-borne vibration or ground-borne noise levels.
- c. **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 Meadow Fields Airport located approximately 7.5 miles northeast of the project site. 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 new residential units. The project is adjacent to existing and planned residential development and is therefore the logical extension of existing urban development. Bakersfield has experienced approximately 12% growth in population (347,483 people in 2010 to 389,211 in 2019) since 2010 (DOF 2019a and DOF 2019b). It is predicted that by 2040, 1,103,033 people will live in Kern County (DOF 2019c). Given that 42.5% of the people in Kern County currently live in Bakersfield (DOF 2019b), and if this trend continues, it is estimated that about 468,789 people would live in Bakersfield in 2040. This means that by 2040, 79,578 additional people would need housing in the Bakersfield area. This project accommodates this projected increase in Bakersfield's population by providing residences for existing and future residents in Bakersfield. Therefore, the project would not induce substantial population growth in an area, either directly or indirectly.
- b. **No impact.** The project site consists of vacant land that was previously utilized for agricultural purposes. 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. Potential increase in services can be paid for by property taxes generated by this development. 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 fire protection.
- ii. **Less than significant impact.** Police protection for the project would be provided by the Bakersfield Police Department. Potential increase in services can be paid for by property taxes generated by this development. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or 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. **Less than significant impact.** The project is growth accommodating and therefore, is a driver for population growth, including the need for additional schools. The need for additional schools can be paid for by existing school impact fees and increased property tax revenues. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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. **Less than significant impact.** The project is growth accommodating and therefore, is a driver for population growth, including the need for additional recreational opportunities. The proposed development is located within the North of the River Recreation and Parks District (NOR). However, residential projects are required to follow the parkland requirements that are calculated based on the General Plan and City Ordinance park standards of 2.5 acres for every 1,000 people. Every residential unit must pay a park land development fee at the time of the issuance of building permits. Compliance with the park acreage dedication ordinance and the park development fee ordinance ensures that parks are dedicated and built-in accordance with City standards to accommodate the increased population. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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 a nominal increase in maintenance responsibility for the City as much of the proposed development would be maintained through a Homeowner's Association (HOA). Though the project may necessitate some increased maintenance for other public facilities, this potential increase can be paid for by

property taxes generated by this development. 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 other public facilities.

## **XVI. RECREATION**

- a. **Less than significant impact.** The proposed development is located within the North of the River Recreation and Parks District (NOR). The construction of the 14 single family residential units located outside the boundaries of the proposed private, gated community could increase the use of existing recreational facilities but it is not anticipated that it would result in substantial physical deterioration or acceleration of the facilities as the proposed development will be required to comply with conditions of approval designed to minimize impacts. Additionally, the proposed development includes plans to construct two private parks that would serve the portion of the proposed development that is being proposed as a private, gated community. 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.
- b. **Less than significant impact.** The proposed development is located within the North of the River Recreation and Parks District (NOR). Development of the proposed project will impact park and recreation services provided by NOR, but the proposed development will be required to comply with conditions of approval designed to minimize impacts to services. The construction of the two private parks and two dog parks located within the proposed private, gated community will be required to adhere to all applicable federal, state, and local laws. Therefore, the project does not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

## **XVII. TRANSPORTATION AND TRAFFIC**

- a. **Less than significant with mitigation incorporated.** 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. Once the project is built, it would result in some permanent traffic-related effects.

Policy 36 of the Metropolitan Bakersfield General Plan Circulation Element states:

Prevent streets and intersections from degrading below Level of Service "C" where possible due to physical constraints (as defined in a Level of Service standard) or when the existing Level of Service is below "C" prevent where possible further degradation due to new development or expansion of existing development with a three-part

mitigation program: adjacent right-of-way dedication, access improvements and/or an area-wide impact fee. The area-wide impact fee would be used where the physical changes for mitigation are not possible due to existing development and/or the mitigation measure is part of a larger project, such as freeways, which will be built at a later date.

Pursuant to Senate Bill (SB) 743, there was a shift in the method of assessing transportation impacts under the California Environmental Quality Act (CEQA). This shift took effect on July 1, 2020 in which the method of assessment transitioned from LOS to Vehicle Miles Travelled (VMT). A traffic study accounting for both LOS and VMT, (R&S 2021) was prepared for the project to determine if operations would degrade the performance of the circulation system per the requirements of Policy 36. Policy 36 of the Circulation Element of the MBGP requires the City to prevent streets and intersections from degrading below a level of service C, where possible, through dedication of adjacent right-of-way, access improvements, or an area-wide impact fee. In addition, the Subdivision Ordinance requires all onsite street improvements and a proportional share of boundary street improvements to be built at the time the property is developed.

The traffic study conducted an evaluation of VMT for project traffic based on the applicable CEQA guidelines. It was found that the project average VMT of 6.4 miles is approximately 34% lower than the average regional VMT of 9.76 miles and therefore, the project would not result in a significant transportation impact under CEQA. In addition, the study conducted analysis based on LOS and concluded that in 2021, all intersections and roadway segments affected by the proposed project are anticipated to operate at an acceptable level of service with the addition of project traffic. However, in 2040, it is anticipated that two intersections will fall below an acceptable level of service prior to the addition of project traffic thus Mitigation Measure 9 is being incorporated so the project would be in compliance with the Regional Transportation Impact Fee Program. Therefore, impacts are considered less than significant with mitigation incorporated as the project will not conflict with a program, 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 traffic study (R&S 2021) conducted an evaluation of VMT for project traffic based on the applicable CEQA guidelines. It was found that the project average VMT of 6.4 miles is approximately 34% lower than the average regional VMT of 9.76 miles and therefore, the project would not result in a significant transportation impact under CEQA. Therefore, the project would not be in conflict or be inconsistent with CEQA Guidelines 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 roads so that they do 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 10). During operations, the project would have to comply with all applicable City policies and requirements to ensure adequate emergency access. With implementation of mitigation, the project would not result in inadequate emergency access.

## **XVIII. TRIBAL CULTURAL RESOURCES**

- a. **Less than significant impact.** The project requires a GPA and therefore, request for consultation letters were sent to a list of tribal contacts received from the Native American Heritage Commission in compliance with Senate Bill (SB) 18. In the letters, the City stated that the applicable tribes may request consultation with the City regarding the preservation of, and/or mitigation of impacts to, California Native American cultural places in connection with the project. To date, none of the tribes have responded to the

request. 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. **Less than significant impact.** Based on the results to date of the SB 18 consultation inquiry to applicable tribes, the City has determined that it is unlikely that tribal cultural resources will be found at the site. The site is currently extensively developed with existing buildings including prefabricated metal structures and residential buildings. There are no tribal cultural resources determined by the lead agency to be of significance onsite. 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. **Less than significant impact.** The project would require the construction of new water, storm water drainage, sewer facilities; above and/or belowground electrical facilities, natural gas facilities, and telecommunications (e.g., cable, fiber optics, phone, etc.) typical of commercial development. Water, storm water, and sewer structures would have to be designed to meet the City's *Current Subdivision & Engineering Design Manual* (Bakersfield 1999). Compliance with the Design Manual would ensure that such facilities would not result in significant environmental effects. Electrical, natural gas, and telecommunications facilities would be placed by the individual serving utilities; these entities already have in place safety and siting protocols to ensure that placement of new utilities to serve new construction would not have a significant effect on the environment. Additionally, expansion of sewer facilities would allow for the project to connect to existing infrastructure within the city. Therefore, the project would not cause significant environmental effects due to the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities.
- b. **Less than significant impact.** The project is within the VWC service area. VWC had provided a letter stating that water service can be supplied in compliance with their current 2015 UWMP and factoring in current year hydraulic analysis plus available capacity. Therefore, the project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.
- c. **Less than significant impact.** It is anticipated that a dwelling unit has 2.8 people per household (US Census 2012) and each person's water usage is about 100 gallons of water per day (GPD) (USGS 2016). Therefore, the proposed 378 dwelling units would require a total of about 105,840 GPD [0.106 million gallons per day (MGD)], and the wastewater treatment plant would require available capacity to dispose of a 0.106 MGD of wastewater. Wastewater from the project would be treated at WWTP No. 3, which is owned and operated by the City. WWTP No. 3 has an overall capacity of 32 MGD and a current available capacity of 14.7 MGD (Bakersfield 2021). The project's contribution would account for 0.72% of the available capacity and therefore, WWTP No. 3 has sufficient capacity to serve the project. As a result, 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. **Less than significant 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). Using a factor of 4 pounds solid waste/multi-family dwelling unit/day (CalRecycle 2021b), a 378 dwelling-unit residential project would generate about 1512 pounds solid waste/day (0.76 tons/day). The 0.76 tons/day of solid waste generated by the project accounts for 0.017% of the maximum permitted throughput of the landfill. Therefore, the project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. 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. Therefore, impacts are less than significant.

## **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 developed with existing infrastructure such as roads, power lines, utilities etc to support the development of this project. The proposed project will need to expand on the existing infrastructure to serve the development proposed at the site but the expansion of all such infrastructure is required to comply with all applicable federal, state, and local laws which would minimize fire risk, 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, is not within a floodplain, 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 with mitigation incorporated.** 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. However, mitigation has been incorporated to further mitigate any environmental effects to a level below significance. This mitigation includes mitigation measures as related to air quality, biological resources, cultural resources, and traffic (Mitigation Measures 1-10). 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. There is no substantial evidence that with the implementation of the identified conditions of approval, best management practices, and mitigation measures, there are any cumulative effects associated with this project.

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.

## BIBLIOGRAPHY/REFERENCE LIST

1. Bakersfield (City of Bakersfield). 1997. Hazardous Materials Area Plan. October 2021.
2. Bakersfield. 1999. Proposed Subdivision & Engineering Design Manual. October 2021.
3. Bakersfield. 2001. Metropolitan Bakersfield Habitat Conservation Plan and Final Environmental Impact Report. October 2021.
4. Bakersfield. 2021. Wastewater Treatment Plants. Available:<[http://www.bakersfieldcity.us/gov/depts/public\\_works/sewer/wastewater\\_treatment\\_plants.htm](http://www.bakersfieldcity.us/gov/depts/public_works/sewer/wastewater_treatment_plants.htm)>. Accessed: April 2021.
5. CalEPA (California Environmental Protection Agency). 2021. Cortese List Data Resources. Available:<<https://calepa.ca.gov/sitecleanup/corteselist/>>. Accessed: October 2021.
6. CalFire (Department of Forestry and Fire Protection). 2008. Draft Fire Hazard Severity Zones in LRA, Kern County. Available:<<https://gis.data.ca.gov/datasets/31219c833eb54598ba83d09fa0adb346>>. Accessed: October 2021.
7. CalGEM (California Geologic Energy Management Division). 2021. Geologic Energy Management Division - Well Finder. Available:<<https://www.conservation.ca.gov/calgem/Pages/WellFinder.aspx>>. Accessed: October 2021.
8. CalRecycle (California Department of Resources Recycling and Recovery). 2021a. Facility/Site Summary Details: Bakersfield Metropolitan (Bena) SLF (15-AA-0273). Available:<<https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/3931?siteID=742>>. Accessed: October 2021.
9. CalRecycle. 2021b. Estimated Solid Waste Generation Rates. Available:<<https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates>>. Accessed: October 2021.
10. Caltrans (California Department of Transportation). 2021. California State Scenic Highway Mapping System. Available: <<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>>. Accessed: October 2021.
11. CDFW (California Department of Fish and Wildlife). 2021. California Natural Diversity Database: State and Federally Listed Endangered, Threatened, and Rare Plants of California. Available: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109390&inline>. Accessed: October 2021.
12. CVRWQCB. 2016. Order No. R5-2016-0040, NPDES No. CAS0085324, National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements General Permit for Discharges from Municipal Separate Storm Sewer Systems. Available:<[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2016-0040\\_ms4.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0040_ms4.pdf)>. Accessed: October 2021.

13. DOC (California Department of Conservation). 2021a. CGS Information Warehouse: Regulatory Maps. Available:<<http://maps.conservation.ca.gov/cgs/informationwarehouse/>>. Accessed: October 2021.
14. DOC (California Department of Conservation). 2021b. California Tsunami Maps and Data. Available: <https://www.conservation.ca.gov/cgs/tsunami/maps>. Accessed: October 2021.
15. DOF (Department of Finance). 2019a. Table 2: E-4 Population Estimates for Cities, Counties and State, 2001-2010. Available:<<http://www.dof.ca.gov/Forecasting/Demographics/Estimates/>>. Accessed: October 2021.
16. DOF. 2019b. E-1: City/County Population Estimates with Annual Percent Change, January 1, 2016 and 2017. Available:<<http://www.dof.ca.gov/Forecasting/Demographics/Estimates/>>. Accessed: October 2021.
17. DOF. 2019c. Total Estimated and Projected Population for California and Counties: July 1, 2010 to July 1, 2060 in 5-year Increments. Available:<<http://www.dof.ca.gov/Forecasting/Demographics/Projections/>>. Accessed: October 2021.
18. DTSC (Department of Toxic Substance Control). 2021. EnviroStor. Available:<<https://www.envirostor.dtsc.ca.gov/public/>>. Accessed: October 2021.
19. DWR (Department of Water Resources). 2010. South Central Region Groundwater Level Monitoring, Statewide Groundwater Level Data. Available:<[http://www.water.ca.gov/groundwater/data\\_and\\_monitoring/south\\_central\\_region/GroundwaterLevel/gw\\_level\\_monitoring.cfm](http://www.water.ca.gov/groundwater/data_and_monitoring/south_central_region/GroundwaterLevel/gw_level_monitoring.cfm)>. Accessed: October 2021.
20. EnviroTech. 2021. Air Quality Impacts Analysis. April.
21. FEMA (Federal Emergency Management Agency). 2021. FEMA Flood Map Service Center: Search By Address. Available:<<https://msc.fema.gov/portal/search#searchresultsanchor>>. Accessed: October 2021.
22. Kern County. 2009. Lake Isabella Dam Failure Evacuation Plan. Available:<[http://www.kerncountyfire.org/images/stories/emergency\\_preparedness/Dam\\_Failure\\_Plan\\_Dec\\_2009.pdf](http://www.kerncountyfire.org/images/stories/emergency_preparedness/Dam_Failure_Plan_Dec_2009.pdf)>. Accessed: October 2021.
23. Kern County. 2012. Airport Land Use Compatibility Plan. October 2021.
24. Kern County. 2017. Lake Isabella Flood Area. Available:<<http://esps.kerndsa.com/floodplain-management/lake-isabella-flood-area/>>. Accessed: October 2021.
25. NPS (United States Department of Interior National Park Service). 2021. National Register of Historic Places: California National Historic Landmarks Finding Aid. Available: <https://catalog.archives.gov/id/123857308>. Accessed: October 2021.
26. Pruettt (Pruett Biological Resources Consulting). 2021. Biological Resource Evaluation. October.
27. R&S (Ruetttgers & Schuler). 2021. Traffic Study. April.

28. SJVAPCD (San Joaquin Valley Air Pollution Control District). 2015. Guide for Assessing and Mitigating Air Quality Impacts. October 2021.
29. SSJVIC (Southern San Joaquin Valley Information Center). 2021. California Historical Resources Information System Record Search 21-137. April.
30. USDA (United States Department of Agriculture). 2021. Web Soil Survey. Available:<<https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>>. Accessed: October 2021.
31. USGS (U.S. Geographic Survey). 2016. Groundwater Quality in the Kern County Subbasin, California. Available:<<https://pubs.usgs.gov/fs/2011/3150/>>. Accessed: October 2021.
32. VWC (Vaughn Water Company). 2021. Conditional Will Serve. June.

# GPA/ZC 21-0280

CITY OF BAKERSFIELD

P12389  
T7142

CITY LIMIT

CITY LIMIT

CITY LIMIT

T7369

GPA/ZC  
21-0280

RENFRO RD

CITY LIMIT

AERIAL

STREBOR DR

GOOSE LAKE ST OUGH

SUNNYBANK AVE

ROWLAND AVE

E BOB AVE

RIDER ST

ARABIAN ST

PLANTO ST

RUGGER ST

LEGENDS WEST AVE

JOHNSON RD

AUTUMN BLUSH WAY

JOHNSON RD

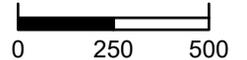
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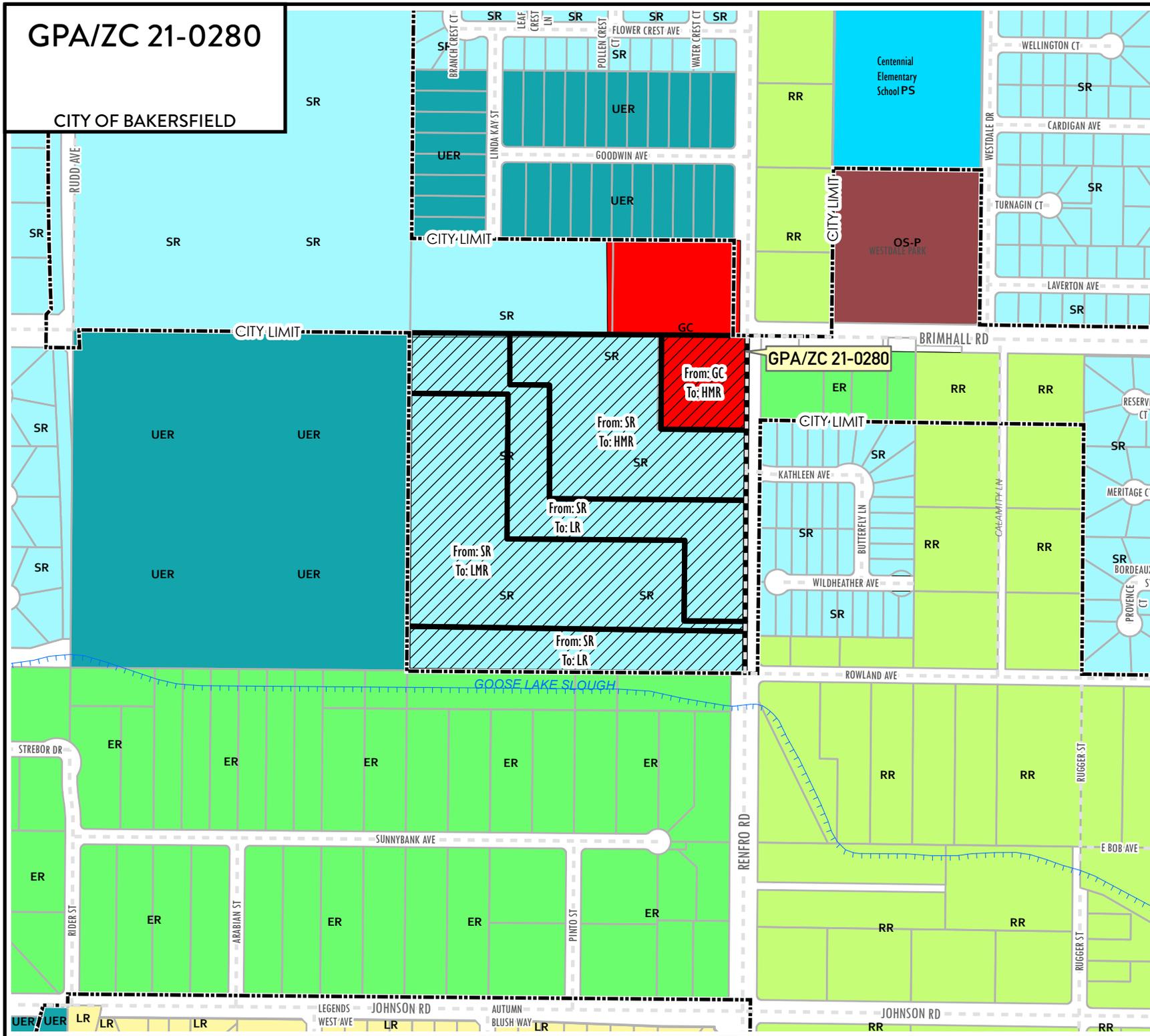
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# GPA/ZC 21-0280

CITY OF BAKERSFIELD



- Land Use**
- RESIDENTIAL**
- SR - Suburban Residential:  $\leq 4$  dwelling units/net acre
  - ER - Estate Residential: 1 dwelling unit/net acre
  - UER - Urban Estate Residential: .5 acres per Dwelling Unit
  - LR - Low Density Residential:  $\leq 7.26$  dwelling units/net acre
  - RR - Rural Residential: 2.5 gross acres/dwelling unit
- COMMERCIAL**
- GC - General Commercial
- PUBLIC FACILITIES**
- PS - Public/Private Schools
- OPEN SPACE**
- OS-P - Parks and Recreation

**BAKERSFIELD**

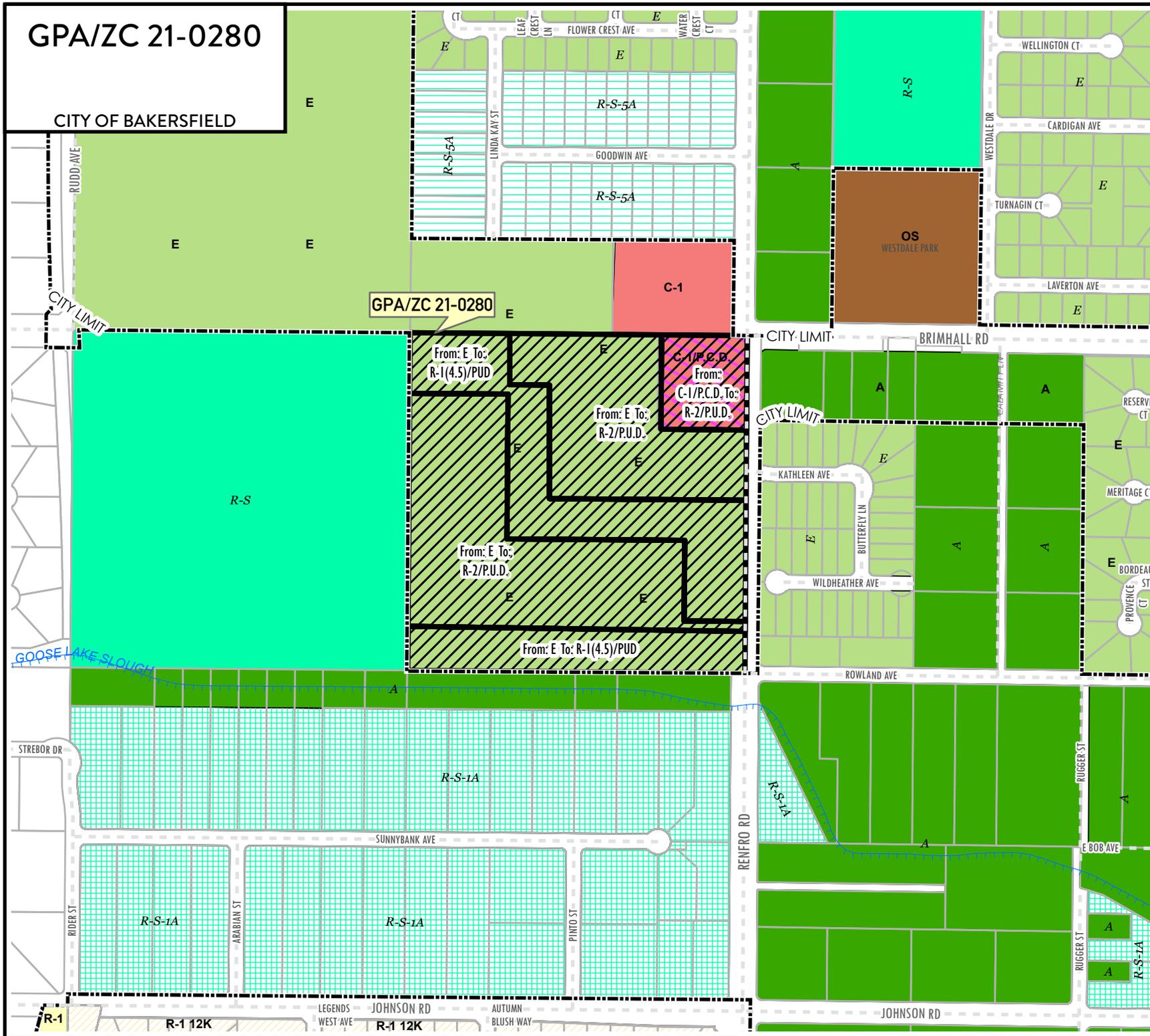
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# GPA/ZC 21-0280

CITY OF BAKERSFIELD



- ### Zoning
- Commercial Zone Designations**
    - C-1 Limited Commercial
    - C-1/P.C.D. Combining
  - Resource Zone Designations**
    - A Agricultural
    - OS Open Space
  - Residential Zone Designations**
    - E Estate One Family Dwelling
    - R-S Residential Suburban
    - R-S-1A Residential Suburban - 1 acre minimum
    - R-S-5A Residential Suburban - 5 acre minimum
    - R-1 One Family Dwelling
    - R-1(12,000) One Family Dwelling - 12,000 sq. ft. minimum

**BAKERSFIELD**

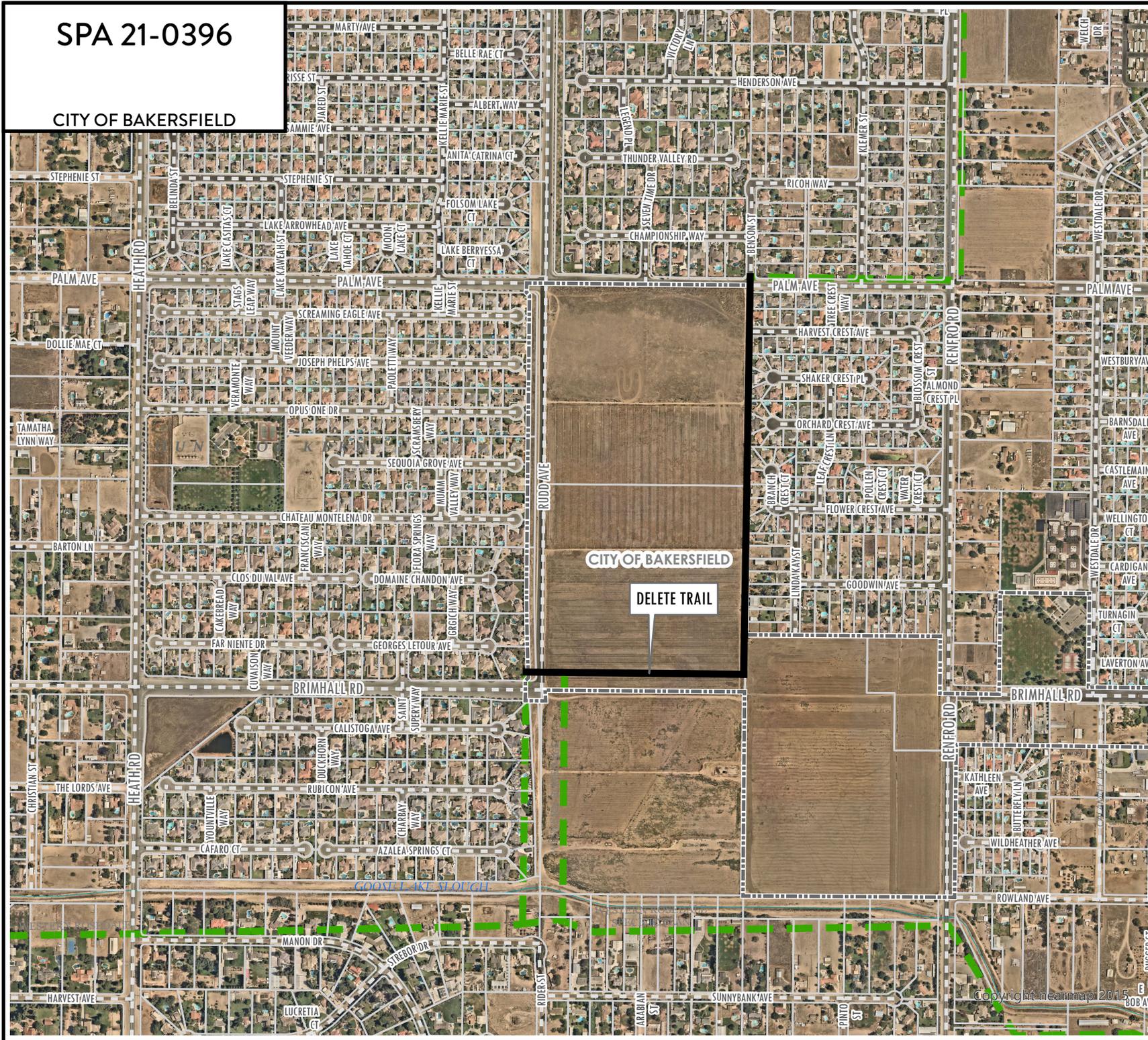
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SPA 21-0396

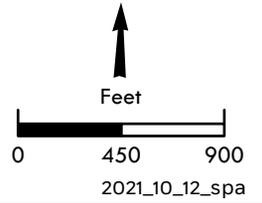
CITY OF BAKERSFIELD



- TRAILS - WESTERN ROSEDALE SPECIFIC PLAN
- SPECIFIC PLAN AMENDMENT
- DELETE
- City Limits

CITY OF BAKERSFIELD

DELETE TRAIL



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**Mitigation Monitoring Program – GPA/ZC 21-0280 and SPA 21-0396**

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#1	Prior to grading plan approval, the applicant/developer shall submit documentation to the Planning Division that they will/have met all air quality control measures and rules required by the San Joaquin Valley Air Pollution Control District.	Prior to grading plan approval	City of Bakersfield Planning Division		
<p><b>Steps to Compliance:</b></p> <ol style="list-style-type: none"> <li>1. This mitigation measure shall be incorporated as a condition of approval for any site plan review.</li> <li>2. The applicant/developer shall provide written evidence of meeting all air quality control measures and rules to City of Bakersfield Planning Division.</li> </ol>					
#2	Prior to grading plan approval, the applicant/developer shall submit proof to the Planning Division that they have complied with the San Joaquin Valley Air Pollution Control District's Indirect Source Rule (Rule 9510).	Prior to grading plan approval	City of Bakersfield Planning Division		
<p><b>Steps to Compliance:</b></p> <ol style="list-style-type: none"> <li>1. This mitigation measure shall be incorporated as a condition of approval for any site plan review.</li> <li>2. The applicant/developer shall provide written evidence of compliance with the Indirect Source Rule (Rule 9510) to the City of Bakersfield Planning Division.</li> </ol>					
#3	Prior to ground disturbance, the applicant/developer shall have a California Department of Fish and Wildlife (CDFW) approved wildlife biologist ("qualified biologist") survey the location for species (e.g., Tipton kangaroo rat, San Joaquin kit fox, San Joaquin antelope squirrel, and Bakersfield cactus). Species to be surveyed shall include ones covered under the Metropolitan Bakersfield Habitat Conservation Plan incidental take permit for urban development as well as for any species covered under other applicable laws (such as the Migratory Bird Treaty Act). The applicant/developer shall comply with the mitigation measures of the permit. Survey protocol shall be those recommended by CDFW. The applicant/developer shall be subject to additional mitigation measures	Prior to ground disturbance	Qualified Biologist; City of Bakersfield Planning Division; California Department of Fish and Wildlife		
<p><b>Steps to Compliance:</b></p> <ol style="list-style-type: none"> <li>1. Contract a qualified biologist to perform a pre-construction survey within 30 days prior to ground disturbance activities.</li> <li>2. The results of the preconstruction survey and any avoidance measures taken shall be submitted to the City of Bakersfield and California Department of Fish and Wildlife within 30 days</li> </ol>					

**Mitigation Monitoring Program – GPA/ZC 21-0280 and SPA 21-0396**

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
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	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.	of completion of the preconstruction survey compliance with applicable federal and state laws.			
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<b>#4</b>	If ground-disturbing activities are planned during the nesting season for migratory birds that may nest on or near the site (generally February 1 through August 31), nesting bird surveys are recommended prior to the commencement of ground disturbance for project activities. If nesting birds are present, no new construction or ground disturbance should occur within an appropriate avoidance area for that species until young have fledged, unless otherwise approved and monitored by a qualified onsite biologist. Appropriate avoidance should be determined by a qualified biologist. In general, minimum avoidance zones for active nests should be implemented as follows: 1) ground or low-shrub nesting non-raptors - 300 feet (91 meters); 2) burrowing owl – 600 feet (183 meters). 3) Sensitive raptors (e.g., prairie falcon, golden eagle) – 0.5 miles (0.8 kilometers); 4) other raptors – 500 feet (152 meters).	Prior to ground disturbance	Qualified Biologist; City of Bakersfield Planning Division; California Department of Fish and Wildlife (if needed)		
<p><b>Steps to Compliance:</b></p> <ol style="list-style-type: none"> <li>1. Contract a qualified biologist to perform a nesting bird survey within 30 days prior to ground disturbance activities.</li> <li>2. The results of the nesting bird survey and any avoidance measures taken shall be submitted to the City of Bakersfield and to California Department of Fish and Wildlife (if needed) within 30 days of completion of the survey compliance with applicable federal and state laws.</li> </ol>					

<b>#5</b>	Prior to ground disturbance activities, a qualified, professional consultant shall conduct a new field survey to determine if any cultural resources are present.	Prior to ground disturbance	Qualified Cultural and/or Paleontological Resource Specialist; City of Bakersfield Planning Division; Native American Monitor (if needed)		
<p><b>Steps to Compliance:</b></p> <ol style="list-style-type: none"> <li>1. This mitigation measure shall be incorporated as a condition of approval for any site plan review.</li> </ol>					

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No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
			2. The applicant/developer shall provide proof to the City of Bakersfield Planning Division, of the provision of cultural awareness/resources training for new construction staff in addition to a copy of the training materials within 5 days of training completion.		
#6	Prior to construction and as needed throughout the construction period, a construction worker cultural awareness 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.	Prior to construction and as needed throughout construction	Qualified Cultural and/or Paleontological Resource Specialist; City of Bakersfield Planning Division; Native American Monitor (if needed)		
		<p><b>Steps to Compliance:</b></p> <ol style="list-style-type: none"> <li>1. This mitigation measure shall be incorporated as a condition of approval for any site plan review.</li> <li>2. The applicant/developer shall provide proof to the City of Bakersfield Planning Division, of the provision of cultural awareness/resources training for new construction staff in addition to a copy of the training materials within 5 days of training completion.</li> </ol>			
#7	During construction, if buried paleontological, archaeological, 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 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 cultural resource, additional investigations may be required. These additional studies may include	During construction	Qualified Cultural and/or Paleontological Resource Specialist; City of Bakersfield Planning Division; Native American Monitor (if needed)		
		<p><b>Steps to Compliance:</b></p> <ol style="list-style-type: none"> <li>1. This mitigation measure shall be incorporated as a condition of approval for any site plan review.</li> </ol>			

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No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
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	<p>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.</p>	<ol style="list-style-type: none"> <li>2. If items of cultural or paleontological significance are discovered, halt all work and contact a qualified archaeologist to assess finds and recommend procedures</li> <li>3. If recommended by the certified archaeologist, a culturally-affiliated Native American shall monitor all ground-disturbance.</li> <li>4. If necessary, implement recommended procedures in consultation with certified archaeologist and Native American monitor.</li> </ol>			
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<p><b>#8</b></p>	<p>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.</p>	<p>During construction</p>	<p>City of Bakersfield Planning Division; Kern County Coroner (if needed); Native American Heritage Commission (if needed)</p>		
		<p><b>Steps to Compliance:</b></p> <ol style="list-style-type: none"> <li>1. This mitigation measure shall be incorporated as a condition of approval for any site plan review.</li> <li>2. If human remains are uncovered, halt all work and contact the Kern County Coroner to evaluate the remains and follow the appropriate procedures and protocols.</li> <li>3. If the County Coroner determines that the remains are Native American, the applicant/developer shall contact the Native American Heritage Commission.</li> <li>4. If Native American human remains are located, the applicant/developer shall implement and comply with the requirements listed in this mitigation measure.</li> </ol>			

<p><b>#9</b></p>	<p>Prior to issuance of building permits, the applicant/developer shall provide proof to the Planning</p>	<p>Prior to issuance of building permits</p>	<p>City of Bakersfield Planning Division</p>		
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No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
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	<p>Division of the project's participation in the Regional Transportation Impact Fee Program.</p>	<p><b>Steps to Compliance:</b></p> <ol style="list-style-type: none"> <li>1. This mitigation measure shall be incorporated as a condition of approval for any site plan review.</li> <li>2. The applicant/developer shall provide proof of participation in the Regional Transportation Impact Fee Program to the City of Bakersfield Planning Division.</li> </ol>			
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<p><b>#10</b></p>	<p>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.</p>	<p>Prior to issuance of building permits</p>	<p>City of Bakersfield Planning Division; City Public Works Department</p>		
		<p><b>Steps to Compliance:</b></p> <ol style="list-style-type: none"> <li>1. This mitigation measure shall be incorporated as a condition of approval for any site plan review.</li> <li>2. The applicant/developer shall provide a copy of the approved Traffic Control Plan to the City of Bakersfield Planning Division (if necessary).</li> </ol>			