



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 No. 21-0136

COMMENT PERIOD BEGINS: February 7, 2022

COMMENT PERIOD ENDS: March 10, 2022

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 (i.e., Tipton kangaroo rat, San Joaquin kit fox, San Joaquin antelope squirrel, and Bakersfield cactus) covered under the Metropolitan Bakersfield Habitat Conservation Plan incidental take permit for urban development and comply with the mitigation measures of the permit. Survey protocol shall be that recommended by CDFW. The 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.

Cultural Resources Impact Mitigation Measures:

4. Prior to construction and as needed throughout the construction period, a cultural awareness/resources training program shall be provided to all new construction workers within one week of employment at the project site. The training shall be prepared and conducted by a qualified cultural resources specialist. Documentation of pre-construction training shall be submitted to the Planning Department within 5 days of training completion.
5. During construction, if buried paleontological or cultural resources are encountered during construction or ground disturbance activities, all work within 50 feet of the find shall immediately cease and the area cordoned off until a qualified cultural and/or paleontological resource specialist that meets the Secretary of the Interior's Professional Qualification Standards can evaluate the find and make recommendations.

If the specialist determines that the discovery represents a potentially significant resource, additional investigations may be required. These additional studies may include avoidance, testing, and excavation. All reports, correspondence, and determinations regarding the discovery shall be submitted to the California Historical Resources Information System's Southern San Joaquin Valley Information Center at California State University Bakersfield.

6. 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:

7. Prior to or concurrently with the issuance of building permits, the project applicant shall provide proof to the Planning Division of the project's participation in the Regional Transportation Impact Fee Program as well as payment of the adopted fees in place for the land use type at the time of development.

INITIAL STUDY ENVIRONMENTAL ANALYSIS

1. **Project** (*Title & No.*): General Plan Amendment/ Zone Change No. 21-0136
2. **Lead Agency** (*name and address*): City of Bakersfield
Development Services Department
1715 Chester Avenue
Bakersfield, California 93301
3. **Contact Person** (*name, title, phone*): Jose Fernandez, Associate Planner I
(661) 326-3778
4. **Project Location:** 612 Fairview Rd, Bakersfield CA 93307 (APN: 412-010-58)
5. **Project Sponsor** (*name and address*): McIntosh & Associates
Attn: Whitney Jackson
2001 Wheelan Court
Bakersfield, CA 93309
6. **General Plan Designation:** LR (Low Density Residential)
7. **Zoning:** R-1 (One Family Dwelling)
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.*):

McIntosh and Associates representing Greg Palla (property owner), is proposing a General Plan Amendment (GPA) and Zone Change (ZC) on approximately 17.32 acres located at 612 Fairview Road, in west Bakersfield [Assessor's Parcel Number (APN) 412-010-58]. The request includes: (1) an amendment of the Land Use Element of the Metropolitan Bakersfield General Plan land use designation from Low Density Residential (LR) to High Medium Density Residential (HMR), or a more restrictive designation, and (2) a change in zone classification from One Family Dwelling (R-1) to Limited Multiple Family Dwelling (R-2), or a more restrictive district.

The proposed GPA/ZC would facilitate the development of a 168-unit multiple-family residential community. Access is proposed from Fairview Road to the south. The development would also require a site plan review per Bakersfield Municipal Code (BMC) 17.08.060. For the purpose of this environmental analysis, the project including the proposed development was analyzed as a whole.

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

The project site consists of one undeveloped parcel of land. There are no existing structures located on the project site. Surrounding properties immediately to the north, and south of the project site are established residential communities. The property immediately to the east an industrial trucking site. The property immediately west is Raffaello Palla Elementary School.

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 – Building permits
- City of Bakersfield – Metropolitan Bakersfield Habitat Conservation Plan compliance
- City of Bakersfield – Mitigation Monitoring and Reporting Program compliance
- City of Bakersfield – Regional Transportation Impact Fee compliance
- San Joaquin Valley Air Pollution Control District – Indirect Source Rule compliance

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

2/4/2022
Date

Jose Fernandez, Associate Planner I
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.
- 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 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 type="checkbox"/> | <input checked="" 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:

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|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 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 type="checkbox"/> | <input checked="" 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 checked="" type="checkbox"/> | <input 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:

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|--|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 checked="" type="checkbox"/> | <input 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 type="checkbox"/> | <input checked="" 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"> 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"/> 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"/> 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"/> iv. Impede or redirect flood flows? <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> | | | | |
| 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 applicable to this project because it proposes a multiple-family residential community. This community would consist of 1–3-bedroom, single story units. Each unit would have a small rear yard and shared amenities such as pool, spa, fitness center and a dog park in a private gated community. The development would also require a site plan review per Bakersfield Municipal Code (BMC) 17.08.060. Also included is a request to change the designated land use on a portion of the project site from OC to HMR along with a request to change the zone district from C-O to R-2.

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 project is located close to an intersection of two major collector streets (Monitor Street and Fairview Road) thus the surrounding area is extensively developed with urban uses in all directions. The viewshed from the project site to the north and south is comprised of residential communities. The viewshed directly to the east on the adjacent property is a trucking yard. The viewshed directly west is of an elementary school.

The project location is considered flat with very subtle slopes at about 370 feet above mean sea level (Pruett 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 Metropolitan Bakersfield General Plan (MBGP) as being visually important or designated "scenic." The construction and development of the project would be consistent with the existing neighborhood commercial development surrounding the site therefore, the project would not have 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).
- 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." 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 extensively developed with many 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 RESOURCES

- a. **No impact.** According to the California Important Farmland Finder from the California Department of Conservation's Farmland Mapping and Monitoring Program, the project site is designated as Urban and Built-Up Land. The project does not convert 100 acres or more of farmlands designated Prime, Unique, or of Statewide Importance to nonagricultural uses and the project site, in addition to the surrounding area, are extensively developed. 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 R-1 (One Family Dwelling), 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 R-1 (One Family Dwelling). Therefore, the project would not conflict with existing zoning for, or cause rezoning of forest land or timberland, or timberland zoned Timberland Production.

- d. **No impact.** As noted above, no lands within or immediately adjacent to the project are zoned forest land or timberland and do not contain any forested areas. Due to a lack of forest land on the site and in surrounding areas, the proposed project does not involve any changes to the existing environment that, due to their location or nature, could result in impacts resulting in the loss of forest land or conversion of forest land to non-forest use thus the project would not result in the loss of forestland or conversion of forest land to non-forest.
- e. **No impact.** This project is in an area designated for urban development by the MBGP. The project itself is typical of the development found in metropolitan Bakersfield. The project site is also completely surrounded by extensively developed uses and 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 (PM₁₀) and particulate matter less than 2.5 microns (PM_{2.5}). The SJVAB is also classified as in extreme nonattainment for the federal 8-hour ozone standard, nonattainment for the federal PM_{2.5} standard, and attainment/maintenance for the federal carbon monoxide (CO) and PM₁₀ standards.

Emission sources due to the project would include ground disturbance and other construction-related work as well as operational emissions typical of a residential development (e.g., predominantly emissions from vehicles traveling to and from the development). 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 are consistent with these listed strategies. Regulation and policy that will result in the compliance with air quality strategies for the new commercial development includes, but is 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 MBGP Air Quality Conservation Element as well as the SJVAPCD air quality guidelines and rules.

As shown in the following table, the SJVAPCD has established specific criteria pollutants thresholds of significance for the operation of specific projects.

SJVAPCD Significance Thresholds for Criteria Pollutants	
Air Pollutant	Tons/Year
CO	100
Reactive Organic Gas (ROG)	10
Nitrogen Oxides (NO _x)	10

Sulfur Oxides (SO _x)	27
PM ₁₀	15
PM _{2.5}	15

Source: SJVAPCD 2015

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, potential grading, and the use of toxic materials (e.g., lubricants). The following table provides estimated construction emissions because of the project.

Construction Emissions						
Construction Year	Pollutant (tons/year)					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
2022 Construction Emissions	0.24	2.13	2.05	0.00	0.27	0.15
2023 Construction Emissions	1.73	1.27	1.53	0.00	0.14	0.08
<i>Max Construction Emissions</i>	<i>1.73</i>	<i>2.13</i>	<i>2.05</i>	<i>0.00</i>	<i>0.27</i>	<i>0.15</i>
SJVAPCD Threshold	10	10	100	27	15	15
Threshold Exceeded?	No	No	No	No	No	No

Source: Trinity Consultants 2021

As shown in the above table, construction emissions are not predicted to exceed SJVAPCD significance thresholds levels.

Project operations would also result in air pollutant emissions. Vehicle trips to and from the development would be the primary source of operational emissions. The following table provides estimated operational emissions because of the project.

Operational Emissions						
Emissions Source	Pollutant (tons/year)					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Unmitigated Operational Emissions	1.15	1.13	4.70	0.01	1.24	0.35
Mitigated Operation Emissions	1.14	1.07	4.38	0.01	1.10	0.31
SJVAPCD Threshold	10	10	100	27	15	15
Threshold Exceeded?	No	No	No	No	No	No

Source: Trinity Consultants 2021

As shown in the above table, unmitigated and mitigated operational emissions are also not predicted to exceed SJVAPCD significance thresholds levels.

With implementation of Mitigation Measure 1, the project would not conflict with, or obstruct implementation of, the applicable air quality plan. Mitigation Measure 2 requires that the project pay necessary fees to the SJVAPCD. With implementation of Mitigation Measures 1 and 2, the project would not conflict with or obstruct implementation of the applicable air quality plan.

- b. **Less than significant with mitigation incorporated.** Under GAMAQI, any project that would have individually significant air quality impacts would also be considered to have significant cumulative air quality impacts. Impacts of local pollutants are cumulatively significant when the combined emissions from the project and other planned projects exceed air quality standards. The following table shows the project's contribution to cumulative emissions calculated for both Kern County and the greater SJVAB.

Cumulative Emissions						
Emissions Inventory	Pollutants (tons/year)					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Kern County – 2020	21,535.0	15,877.5	27,338.5	511.0	13,651.0	3,723.0
SJVAB – 2020	108,113.0	74,204.5	162,425.0	2,847.0	96,652.0	21,535.0
Project	1.14	1.07	4.38	0.01	1.10	0.31
Project's % of Kern	0.001%	0.001%	0.002%	0.000%	0.001%	0.001%
Project's % of SJVAB	0.000%	0.000%	0.000%	0.000%	0.000%	0.000%

Note: Latest inventory available as of March 2021

Source: CARB 2021b

As shown in the above table, the project does not pose a significant increase to estimated cumulative emissions for criteria pollutants in nonattainment within Kern County and the greater SJVAB. The project's regional contribution to cumulative impacts would be less than 1% for all pollutants under consideration and does not pose a substantial increase to basin emissions therefore, the project's contribution is not cumulatively considerable.

Additionally, the GAMAQI, citing California Code of Regulations (CCR) Section 15064(h)(3), states on page 66 that "[a] Lead Agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program, including, but not limited to an air quality attainment or maintenance plan that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located" (SJVAPCD 2015).

Mitigation measures in this MND require compliance with air quality control measures and rules required by the SJVAPCD, which include, but are not 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. For example, compliance with Rule 2201 may include 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_x) and particulate matter smaller than ten microns in aerodynamic diameter (PM₁₀) associated with construction and operational activities of development projects occurring within the San Joaquin Valley. Rule 9510 applies to new development projects that would equal or exceed specific size limits called applicability thresholds (e.g., developing more than 2,000 square feet of commercial space, 25,000 square feet of light industrial space, 10,000 square feet of heavy industrial space, or 50 residential units). The project is subject to SJVAPCD Rule 9510 because it exceeds the applicability threshold for developing more than 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_x and PM₁₀ emissions by 20% and 45%, respectively, as well as to reduce operational NO_x and PM₁₀ emissions by 33.3% and 50%, respectively, when compared to unmitigated projects. The SJVAPCD uses CalEEMod (California Emission Estimator Model) to estimate emissions of NO_x and PM₁₀ for potential land uses. Examples of measures that may be implemented to reduce emissions pursuant to this rule include, but are not limited to, incorporating energy efficiency beyond Title 24 requirements, providing bicycle lanes throughout a project, using cleaner fleet construction vehicles, providing employee incentives for using alternative transportation, and building in proximity to existing or planned bus stops. When a development project cannot reduce its NO_x and PM₁₀ emissions to the level required by Rule 9510, then the difference must be mitigated through the payment of an offsite emissions reduction fee. One hundred percent (100%) of all off-site mitigation fees are used by the SJVAPCD to fund emission reduction projects through its Incentives Programs, achieving emission reductions on behalf of the project.

Due to the fact that 1) the air quality modeling indicates that the project's regional contribution to cumulative impacts would not be cumulatively considerable 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 non-attainment under an applicable federal or state ambient air quality standard.

- c. **Less than significant impact.** Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved that expose sensitive receptors to sustained exposure to any pollutants present. Examples of the types of land use that are sensitive receptors include residences, 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.

The Small Project Analysis Level Assessment (SPAL) identified the nearest sensitive receptor as being Raffaello Palla Elementary School located directly west of the project site. The next closest schools are Greenfield Middle school located 0.45 miles to the northwest, Fairview Elementary School located 0.67 miles to the east and Plantation Elementary School located 0.79 miles to the northwest. As the project is located near existing residences and businesses, an assessment of the potential risk to the population attributable to emissions of Hazardous Air Pollutants (HAPs) from the project was conducted. Health risk was determined using the Hotspots Analysis and Reporting Program (HARP2) distributed by the California Air Resources Board (CARB). The following table identifies the Potential Maximum Impacts Predicted by HARP2:

Potential Maximum Impacts Predicted by HARP2			
	Value	UTM East	UTM North
Excess Cancer Risk (residence)	1.69E-05	317402.8	3908492.3
Chronic Hazard Index (residence)	9.86E-03	317402.8	3908492.3
Excess Cancer Risk (worker)	6.23E-07	317404.4	3908676.8
Chronic Hazard Index (worker)	2.41E-02	317404.4	3908376.8

Source: Trinity Consultants 2021

As shown above, the carcinogenic risk and health hazard index (HI) for chronic non-cancer risk and acute non-cancer risk at the point of maximum impact (PMI) do not exceed the significance levels of twenty in one million (20×10^6), 1.0 and 1.0, respectively for the project. Since the PMI remained below the significance threshold for cancer and chronic risk, the project would not have an adverse effect on the surrounding communities. Based on the following conclusions: 1) Potential carcinogenic risk from the proposed project is below the significance level of twenty in a million at each of the modeled receptors; 2) The hazard index for the potential chronic non-cancer risk from the proposed project is below the significance level of 1.0 at each of the modeled receptors; and 3) the hazard index for the potential acute non-cancer from the proposed project is below the significance level of 1.0 at each of the modeled receptors, it was determined that the potential health risk attributable to the project is less than significant (Trinity Consultants 2021). Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations.

- d. **Less than significant impact.** The project would not exceed any thresholds, based on SJVAPCD's GAMAQI, to be considered a source of objectionable odors or odorous compounds. Furthermore, the project's emissions estimates do not indicate that the project would adversely impact surrounding receptors (Trinity Consultants 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.** A site visit was conducted for the project site by City staff. The project site is located within the Metropolitan Bakersfield boundaries and is undeveloped. No undisturbed, native, or recovering habitat is present on the project site or adjacent parcels (Pruett 2021). Staff did not observe any indicators of occupation or use by wildlife. The likelihood of the project having an 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 Services (USFWS) is minimal. Despite any indication of use during the site visit, there is potential for use by special-status species in the future due to the project's overall location within the Central Valley region. 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 (*Aquila 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, 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.** This project is not located within or adjacent to the Kern River riparian habitat area, nor within the Kern River flood plain (noted as a wildlife corridor in the MBHCP), or along a canal which has been identified by the United States Fish and Wildlife Service as a corridor for native resident wildlife species. Therefore, the project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community.
- c. **No impact.** A site visit was conducted for the project site by City staff and no wetlands appeared to exist on or adjacent to the project. In addition, a review was conducted of the USFWS National Wetlands Inventory, and there are no wetlands, as defined by Section 404 of the federal Clean Water Act (CWA), located within or near the project site. Therefore, the project would not have a substantial adverse effect on federally-protected wetlands.
- d. **No impact.** The project site is not within the Kern River floodplain (noted as a wildlife corridor in the MBHCP) and is not along a canal that has been identified by the USFWS as a corridor or nursery for native resident wildlife species. Therefore, it was concluded that the project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- e. **Less than significant impact.** It was concluded that the project site does not contain any biological resources that are protected by local policies (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.** A site visit for the project site was conducted by City staff. Staff observed that the site is graded and undeveloped and is bordered to the south by asphalt-paved Fairview Road which will also provide primary access to the site. A query search of the National Register of Historic Places and the California Historical Landmarks databases was conducted for the project site which also confirmed that there are no historical resources onsite. Furthermore, the existing property onsite is unlikely to be eligible for listing as a historical resource due the absence of buildings and overall nature of the property, thus it is not likely the project would cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5.
- b. **Less than significant with mitigation incorporated.** The project site is disturbed from prior grading onsite thus it is unlikely that the project would cause a substantial adverse change in the significance of an archaeological resource. However, as the project is proposing new construction and other ground disturbing activities, compliance with Mitigation Measure 5 which stipulates that in the event that previously unknown archaeological resources are unearthed during construction or other ground disturbing activities, onsite work must cease and any discovery must be investigated by a qualified cultural or paleontological resources specialist. With the implementation of mitigation, the project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5.
- 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 6 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 6, the project would not significantly disturb any human remains.

VI. **ENERGY**

- a. **Less than significant impact.** The applicant is proposing a multiple family residential community. Project construction would require temporary energy demands typical of other neighborhood 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 3.5 miles to the north and is known as the Oildale Fault Zone (DOC 2022). Therefore, the project would not expose people or structures to potential substantial adverse effects involving rupture of a known earthquake fault.
 - ii. **Less than significant impact.** The City is within a seismically active area. Future structures proposed on the project site are required by state law and City ordinance to be constructed in accordance with the Uniform Building Code (specifically Seismic Zone 4, which has the most stringent seismic construction requirements in the United States), and to adhere to all modern earthquake construction standards. Therefore, the project would not expose people or structures to potential substantial adverse effects involving strong seismic ground shaking.
 - iii. **Less than significant impact.** The most common seismic-related ground failure is liquefaction and lateral spreading. In both cases, during periods of ground motion caused by an event such as an earthquake, loose materials 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 fine sandy loam and loamy sand which are both well-draining soils with depths to water tables at more than 80 inches. 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 is considered flat with subtle slopes. 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 have extremely low susceptibility to soil erosion from wind and/or rainfall as the site is extensively developed. Construction of the site would temporarily disturb soils, which could loosen soil however during operation, the soils would be paved over with impervious surfaces such that the soils at the site would not be particularly susceptible to soil erosion. In addition, the relatively low precipitation in the project area (on average about 7 to 10 inches/year) results in surface runoff that is intermittent and temporary in nature. The erosion potential at the site, low average rainfall, and the fact that the soils are well drained does not make the project site susceptible to substantial soil erosion or loss of topsoil. 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 California Water Service (Calwater 2021). The project site has been considered by Calwater against its most current Urban Water Management Plan (UWMP) and it was concluded that Calwater has sufficient existing capacity to service the project. Therefore, the project has already been considered in the groundwater analysis in the UWMP and would not exacerbate subsidence in the area beyond the baseline condition.

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

- d. **Less-than-significant impact.** When a soil has 35% or more clay content, it is considered a clayey soil. Sandy loam have approximately 10% clay content and therefore, do not have a high potential to be expansive. Additionally, future structures proposed on the project site are required by state law and City ordinance to be constructed in accordance with the Uniform Building Code, including those relating to soil characteristics. Therefore, the project would not be located on expansive soil creating substantial risks to life or property.
- e. **No impact.** The project would not require the use of septic tanks or alternative wastewater disposal systems because the project would connect to existing City sewer services in the area. Therefore, there would be no impacts related to soils incapable of adequately supporting septic tanks or alternative 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 5, 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 project would generate an incremental contribution and, when combined with the cumulative increase of all other sources of greenhouse gases (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.

On September 27, 2006, Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006 was enacted by the State of California which charges the California Air Resources Board (CARB) with responsibility to monitor, regulate, and reduce GHG emissions. CARB defined the 1990 baseline emissions for California and adopted that baseline as the 2020 statewide emissions cap. In order for projects to conform with the goals of AB 32, at least a 29% reduction of GHG emissions from Business-as-Usual (BAU) must be achieved. Subsequent legislation by the California legislature included Senate Bill (SB) 32, which expanded upon AB 32 to reduce GHG emissions to 40% below the 1990 levels by 2030. The

project's construction and operational GHG emissions were estimated and it was determined that the project would achieve at least a 29% reduction of GHG emissions (Trinity Consultants 2021). The unmitigated and mitigated GHG emissions are summarized in the following table:

Comparison of Unmitigated and Mitigated GHG Emissions (Metric Tons/Year)	
Source	CO₂e¹
2023 Project Operations	1,460.47
2005 BAU	3011.06
BAU less Project Emissions	51.2%

¹CO₂e = carbon dioxide equivalent

Source: Trinity Consultants 2021

According to the SJVAPCD, for a project to conform to the goals of AB 32, at least a 29% reduction from the 2005 business-as-usual (BAU) period by 2020 must be demonstrated. As shown in the above table, the project results in a 51.2% reduction in GHG emissions in comparison to BAU, which satisfies the AB 32-mandated 29% reduction. In addition, the project conforms to the requirements of SB 32 and surpasses the mandated 40% reduction by 2030. Therefore, the project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.

- b. **Less than significant impact.** CARB is responsible for the coordination and administration of both federal and state air pollution control programs within California. According to California's Climate Change Scoping Plan, there must be statewide reduction of 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 32 requirements, GHGs must be reduced by 40% from 1990 levels by 2030. 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 achieves BAU GHG emissions reduction equal to or greater than the 40% targeted reduction goal. 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 a multiple family residential community 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.

Day-to-day residential activities do not involve the routine transport, use, or disposal of hazardous materials as defined by the Hazardous Materials Transportation Uniform Safety Act. Maintenance of residences would require the transport, storage, use, and/or disposal of hazardous materials such as paints, cleaners, oils, batteries, and pesticides. Residential users should follow any instructions for use and storage provided on product labels carefully to prevent any accidents in the workplace. Users should also read product labels for disposal directions to reduce the risk of products exploding, igniting, leaking, mixing with other chemicals, or posing other hazards on the way to a disposal facility. Therefore, the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials

- b. **Less than significant impact.** Please refer to response VIX.a. Therefore, the project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous material into the environment.
- c. **Less than significant impact.** The SPAL concluded that the project would not expose sensitive receptors to substantial pollutant concentrations or result in other emissions that would adversely affect a substantial number of people (Trinity Consultants 2021). 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 2022) and Cortese (CalEPA 2021) lists pursuant to Government Code (GC) Section 65962.5 were reviewed. No portion of the project site is identified on either list, which provides the location of known hazardous waste concerns. Therefore, the project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to GC Section 65962.5 and, as a result, create a significant hazard to the public or the environment.
- e. **No impact.** The project site is not located within the Kern County *Airport Land Use Compatibility Plan* area (Kern County 2012). The closest airport to the project site is the Bakersfield Municipal Airport, which is located approximately 1.5 miles northeast of the site. Therefore, the project would not result in a safety hazard or excessive noise for people residing or working in the project area. The project is not located within a distance an airport land use plan or, where such a plan has not been adopted.
- f. **Less than significant impact.** 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 is surrounded by extensively developed land, and its vicinity is urban and 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. 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 soils have extremely low susceptibility to soil erosion from wind and/or rainfall as the site is extensively developed. Construction of the site would temporarily disturb soils, which could loosen soils however during operation, the soils would be paved over with impervious surfaces such that the soils at the site would not be particularly susceptible to soil erosion.

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 because of operational storm water discharges throughout the City, including the project site. By complying with the MS4 Permit, the project would not violate any water quality standards or waste discharge requirements.

- b. **Less than significant impact.** Potable water from the project would be supplied by Calwater. Calwater receives at least a portion of its supplies from groundwater sources. The project's projected water use has been conditionally approved by Calwater and therefore, the project site has been considered by Calwater against its most current UWMP. By state law, current UWMPs do not need to address the Sustainable Groundwater Management Act (SGMA) or sustainable groundwater management at this time. It was concluded that Calwater had sufficient existing capacity to service the project. As a result, the project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

- c. The following discusses whether the project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces.
- i. **Less than significant impact.** The project site does not contain any blue-line streams or other surface water features and therefore, the project would not alter the course of a river or stream. The project site would be graded and, as a result, the internal drainage pattern at the site would be altered from the baseline condition. Additionally, the project would result in increased impervious surfaces (i.e., building pads, sidewalks, asphalt parking area, etc.) at the site, which would reduce percolation to ground and result in greater amounts of storm water runoff concentrations at the site. If uncontrolled, differences in drainage patterns and increased impervious surfaces could result in substantial erosion or siltation on- or offsite. However, the project would be required to comply with the General Permit during construction and MS4 permit during operation. In order to comply with the MS4 Permit, the City requires compliance with adopted building codes, including complying with an approved drainage plan, which avoids on- and offsite flooding, erosion, and siltation problems. Therefore, the project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner 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 that 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, block wall, etc., that would have the potential to divide a community. The project is the development of a finite 17.32-acre infill site that does not impede existing or future movement or development of the City. Therefore, the project would not physically divide an established community.
- b. **No impact.** The project requires a GPA to be consistent with the MBGP, namely a change from Low Density Residential (LR) to High Medium Density Residential (HMR). The project also requires a ZC to be consistent with the Zoning Ordinance, namely a change from One Family Dwelling (R-1) to Limited Multiple Family Dwelling (R-2), or a more restrictive district. If the GPA/ZC were to be approved by the City, the project would be consistent with both the MBGP and Zoning Ordinance. 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. **No impact.** The project site is not within the administrative boundaries of an oilfield and there are no oil wells found on the site (DOC 2022). 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.** The project site is currently designated Low Density Residential (LR) and, if the GPA is approved, this designation would change to High Medium Density Residential (HMR). 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 total daily vehicle trips resulting from construction worker commutes would be minimal when compared to existing traffic volumes on the affected streets, and the long-term noise level change would not be perceptible.

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 because earthmoving equipment is the noisiest construction equipment. 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.

- 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. Ground-borne noise and vibration from construction activity would be mostly low to moderate. The closest structures to the project site are the existing office uses to the north and west. The operation of typical construction equipment would generate ground-borne vibrations that would not exceed guidelines that are considered unsafe for any type of buildings. Operation of the proposed neighborhood commercial use would not generate ground-borne vibration. Therefore, the project would not expose persons to or generation of 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 Bakersfield Municipal Airport, which is located approximately 1.5 miles northeast of the site. Therefore, the project would not result in a safety hazard or excessive noise for people residing or working in the project area. The project is not located within a distance an airport land use plan or, where such a plan has not been adopted.

XIV. POPULATION AND HOUSING

- a. **Less than significant impact.** The project would accommodate population growth in this area through the development of new multi-family residential. The project is adjacent to existing municipal development and is therefore the logical extension of existing urban development. The project would also require the extension of infrastructure. 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. **Less than significant impact.** The project site consists of vacant land. Therefore, the project would not displace substantial numbers of existing 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. 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 an increase in maintenance responsibility for the City. Though the project may necessitate 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, 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 other public facilities.

XVI. RECREATION

- a. **Less-than-significant impact.** Please refer to response XV.a.iv. 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.** Please refer to response XV.a.iv. Therefore, the project would 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 analysis accounting for LOS, (McIntosh 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 City of Bakersfield has not adopted any policies or thresholds for VMT analysis. Per the 2009 Regional Transportation Impact Fee (RTIF) Nexus Report, multi-family has an average trip length of 6.72 miles. Based on the high number of local retail facilities, and transportation facilities located around and near the project site, there is sufficient justification that the estimated VMT would be significantly less than 6.72 miles, as well as below the Governor's Office of Planning and Research recommended threshold for proposed project exceeding a level of 15 percent below existing VMT per capita which would be approximately 5.72. Additionally, with implementation of Mitigation Measure 7, 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. **No 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 analysis (McIntosh 2021) concluded that the project's traffic impacts would be less than significant as the peak AM and PM hour trips increased by 31 and 42, respectively which does not surpass the 50-trip increase threshold. Therefore, the project would not be in conflict or be inconsistent with CCR Section 15064.3(b).

- c. **Less than significant impact.** The project would have to comply with all conditions placed on it by the City Traffic Engineering Division in order to comply with accepted traffic engineering standards intended to reduce traffic hazards, including designing the 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 incorporated.** 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. During operations, the project would have to comply with all applicable City policies and requirements to ensure adequate emergency access.

Mitigation Measure 8 requires that, if necessary, the applicant/developer obtains a street permit or develop and get approved a Traffic Control Plan, for the construction period.

With implementation of mitigation, the project would not result in inadequate emergency access.

XVIII. TRIBAL CULTURAL RESOURCES

- a. **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.

XIV. UTILITIES AND SERVICE SYSTEMS

- a. **Less than significant impact.** The project would require the construction of some 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 the 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 Calwater service area. Calwater has provided a letter stating that water service can be supplied in compliance with their current UWMP that accounts for normal, dry, and multiple dry years (Calwater 2021). Therefore, the project has 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 168 dwelling units would require a total of about 47,040 GPD [0.047 million gallons per day (MGD)], and the wastewater treatment plant would require available capacity to dispose of a 0.047 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 2020). The project's contribution would account for 0.14% 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 2017a). Using a factor of 4 pounds solid waste/multi-family dwelling unit/day (CalRecycle 2017b), a 168-dwelling-unit residential project would generate about 672 pounds solid waste/day (0.33 tons/day). The 0.33 tons/day of solid waste generated by the project accounts for 0.007% 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.
- e. **Less than significant impact.** By law, the project would be required to comply with federal, state, and local statutes and regulations, including those relating to waste reduction, litter control, and solid waste disposal.

XX. WILDFIRE

- a. **Less than significant impact.** The project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. The project is located in an urbanized area and access to the site would be maintained throughout the construction period. The project would not interfere with any local or regional emergency response or evacuation plans because the project would not result in substantial alteration to the adjacent and area circulation system. The project is typical of urban development in Bakersfield, and is not inconsistent with the adopted City of Bakersfield Hazardous Materials Area Plan (Bakersfield 1997). This plan identifies responsibilities and provides coordination of emergency response at the local level to hazardous materials incidents. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan.
- b. **Less than significant impact.** As mentioned above, the project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. Additionally, the project site is relatively flat, not near wildlands, the site and its surrounding do not possess high fuel loads (i.e., lots of vegetation and other burnable material) to exacerbate wildfire risks and therefore, fire-related pollutant concentrations. Therefore, the project would not exacerbate wildfires and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors.
- c. **Less than significant impact.** The project is located within the Metropolitan Bakersfield city limits and the site, as well as the surrounding area, is extensively developed with existing infrastructure such as roads, power lines, utilities etc to support the development of this project. Therefore, the project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power

lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

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

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

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

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