



INITIAL STUDY ENVIRONMENTAL ANALYSIS

1. **Project** *(Title & No.):* Veteran's Affairs Community-Based Outpatient Medical Clinic
Site Plan Review No. 21-0399
2. **Lead Agency** *(name and address):* City of Bakersfield
Development Services Department
1715 Chester Avenue
Bakersfield, California 93301
3. **Contact Person** *(name, title, phone):* Cassandra Gale, Principal Planner
661.326.3411
4. **Project Location:** Southeast corner of Knudsen Drive and Olive Drive; Bakersfield, CA
5. **Applicant** *(name and address):* SASD Development Group, LLC
4895 Pacific Hwy.
San Diego, CA 92110
6. **General Plan Designation:** M2 (General Manufacturing)
7. **Zoning:** SI (Service Industrial)
8. **Description of Project** *(describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation.):*

The Application filed with the City of Bakersfield includes a Site Plan Review for the development of a 39,648 square foot (s.f.) medical outpatient facility to serve as a Department of Veterans Affairs (VA) Community-Based Outpatient Medical Clinic, with associated parking and other site improvements.

The proposed clinic would be a multi-story facility that is currently programmed to provide primary and specialty care clinical services from approximately 7:00 am to 5:00 pm, Monday through Friday, although the operating hours are subject to change. Services currently programmed would include audiology, mental health, telehealth, ambulatory care, an eye clinic, physical and occupational therapy, prosthetics, dental services, a lab and pharmacy, and ancillary and diagnostic services. The proposed gross building floor area is 39,648 s.f. with a net usable area of 30,100 s.f. The building will feature a covered drop-off, bicycle racks, a covered ambulatory pick-up area, an outdoor physical therapy area, an outdoor dining area, and an elevated loading dock. The structure would have a maximum height of 127 feet. The building is designed in a contemporary style and would be painted shades of white, gray and blue. Sloped high roofs and glass curtain walls would be featured at the main entrance.

Landscaping is proposed along the perimeter of the Project site, around the building, and throughout the parking areas. In addition, a healing garden is proposed on the east side of the building, which would include a garden path and benches.

Vehicle access to the Project site would be provided via one main entrance on Knudsen Drive, one entrance on A Street, and two entrances on Landco Drive. The Project would also include street improvements for the street frontages on the east (Landco Drive), south (Street A), and west (Knudsen

Drive). The site design includes 214 parking stalls, including 184 standard stalls, 6 motorcycle stalls, 19 accessible-standard stalls, and 5 accessible-van stalls.

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

The approximately 9.0-acre Project site that is the subject of this Initial Study is vacant, undeveloped land located within the northern portion of the City of Bakersfield. The surrounding area is a mix of vacant land, commercial, and public facility land uses. Commercial development borders the Project site to the north, vacant land and SR-99 are to the east, vacant land and commercial development are to the south, and Knudsen Drive and a public facility are located to the west.

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

- San Joaquin Valley Air Pollution Control District – Indirect Source Rule compliance
- Water Resources Control Board – National Pollutant Discharge Elimination System General Permit

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> Geology / Soils | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards & Hazardous Materials |
| <input checked="" 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 checked="" type="checkbox"/> Transportation / Traffic | <input checked="" type="checkbox"/> Tribal Cultural Resource |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Wildfire | <input checked="" 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
Kassandra Gale, AICP, Principal Planner

Printed name

8/11/2022

Date

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 will 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 on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significant.

Environmental Issue

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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I. AESTHETICS: Except as provided in Public Resources Code Section 21099, would the project:

- | | | | | |
|---|-------------------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcrops, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) In non-urbanized 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"/> |
| a) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 non-agricultural 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)) or 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 forestland or conversion of forest land to non-forest? | <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 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Expose sensitive receptors to substantial pollutant concentrations? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| a) 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"/> |

IV. BIOLOGICAL RESOURCES: Would the project:

- | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | <input checked="" type="checkbox"/> | <input 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 US 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"/> |

Environmental Issue

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 as defined in §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 material 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 Section 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"/>

Environmental Issue

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 groundwater quality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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, in a manner which would:				
i) result in substantial erosion or siltation on- or off-site;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XII. MINERAL RESOURCES: Would the project:				
a) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) 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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Issue

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XV. PUBLIC SERVICES:

a) Would the project 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii. Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii. Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv. Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| v. Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XVI. RECREATION: Would the project:

a) 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?

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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 type="checkbox"/> | <input checked="" 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?

b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

d) Result in inadequate emergency access?

- | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Result in inadequate emergency access? | <input checked="" type="checkbox"/> | <input 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 Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in the 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 of eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5021.1. In applying the criteria set forth in subdivision (c) of Public Resources Code 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

- | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a) Listed of 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 Section 5021.1. In applying the criteria set forth in subdivision (c) of Public Resources Code 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

XIX. UTILITIES AND SERVICE SYSTEMS: Would the project:

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

e) Comply with federal, state, and local management and reductions statutes and regulations related to solid waste?

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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 wastewater 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 reductions statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

XX. WILDFIRE: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Environmental Issue

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

EVALUATION OF ENVIRONMENTAL EFFECTS

I. AESTHETICS

- a. **Less-than-Significant Impact.** The Project site is located in Bakersfield near the southern end of the San Joaquin Valley and is characterized by flat and gently sloping terrain typical of the southern Valley. Existing development patterns in the region are generally characteristic of the suburban Central Valley and include regional shopping centers, SR-99, local roadways, tract home developments, and outlying areas of agricultural and rural residential (Google Earth, 2022). In the far distance on clear days, views are possible to the Tehachapi Mountains ridgelines to the south and the Sierra Nevada Mountains to the east. The Project site is not located in an area designated as scenic in the Metropolitan Bakersfield General Plan, is not within the City's Hillside Development Combining Zone (Bakersfield Municipal Code Chapter 17.66) and is not within a Class I or II Visual Resource Area, Viewshed, or Slope Protection Area. The Project site is relatively flat and does not contain any significant landforms (Google Earth, 2022). For these reasons, development of the Project site as proposed with a medical outpatient clinic would not result in a substantial adverse effect to an existing scenic vista. Therefore, the Project has a less than significant potential to create a substantial adverse effect on a scenic vista, and no further analysis of this topic is required.
- b. **No Impact.** There are no designated or eligible State scenic highways within the Project site's immediate vicinity (Caltrans, 2022). The nearest eligible State scenic highway in Kern County is the SR 14 extension from SR 58 (near Mojave) to SR 395 (near Little Lake), located approximately 50.4 miles southeast of the Project site. The view from the Project site to this eligible State scenic highway is obscured by the Piute Mountains. Additionally, there are no rock outcroppings or known historic buildings on the Project site. Due to the distance of this highway to the Project site and the presence of intervening development and topography, the Project site does not offer views of scenic resources from this road segment. Thus, implementation of the Project has no potential to damage scenic resources within a State scenic highway and no further analysis is required.

- c. **No Impact.** The Project site is located in an urbanized area, and thus consistency with applicable zoning and other regulations governing scenic quality is the evaluation metric. The Project Applicant submitted an application to the City of Bakersfield for a Site Plan Review for the proposed Project. The proposed Project is consistent with the existing Service Industrial (SI) zoning of the Project site and is adjacent to existing public facilities and commercial land uses that are allowed by the City's land use regulations. Both the proposed Project and any future development that occurs within the City would be required to adhere to City zoning regulations, which provide site design criteria to new buildings, tenant improvements and site alterations involving office and medical buildings, require the screening of on-site views into private side and rear yards of residential uses in the vicinity, and require public and private street frontage trees and groundcover plantings. Because the proposed Project would not conflict with applicable zoning and other regulations governing scenic quality, no impact would occur with the implementation of the proposed Project.
- d. **Potentially Significant Impact.** Under existing conditions, the Project site is undeveloped and contains no sources of artificial lighting other than perimeter street lights. Development of the proposed Project would introduce new sources of artificial light to the property, including parking lot lighting and building lighting. All new light sources associated with the Project would be required to comply with the City's Municipal Code standards for exterior lighting, which prevent light spillover, glare, nuisance, inconvenience, or hazardous interference of any kind on adjacent properties and streets. Regardless, the potential lighting and glare impact associated with the Project is regarded as a potentially significant impact which warrants further assessment in the EIR.

II. AGRICULTURE RESOURCES

- a. **No Impact.** According to information available from the Farmland Mapping and Monitoring Program (FMMP), the entire Project site is designated as Vacant or Disturbed Land. Vacant or Disturbed Land consists of open field areas that do not qualify for an agricultural category, mineral and oil extraction areas, and rural freeway interchanges. (CDC, 2018). There is no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) located on the Project site. Therefore, the Project does not have the potential to directly or indirectly convert Farmland to non-agricultural use, and no impact would occur. No further analysis is required on this subject.
- b. **No Impact.** According to the California Department of Conservation, the Project site is not located on land that is subject to a Williamson Act contract (CDC, 2018). Under existing conditions, the Project site is zoned SI (Service Industrial). As such, the proposed Project has no potential to conflict with existing zoning for agricultural use, or a Williamson Act contract. No land zoned for agricultural use or Williamson Act contract lands are located near the Project site (CDC, 2020). Based on the foregoing, the Project has no potential to impact lands zoned for agricultural use or conflict with any Williamson Act contracts. No impact would occur and no further analysis is required on this subject.
- c. **No Impact.** The Project site is not located on lands designated as forest lands, timberlands, or Timber Production by the City's General Plan, and none of the surrounding properties are designated as forest lands or timberlands. Accordingly, the proposed Project would not have the potential to conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g)), timberland (as defined by Public Resources Code §4526), or timberland zoned Timberland Production (as defined by Government Code §51104(g)). As such, no impact would occur and no further analysis of this topic is required.
- d. **No Impact.** As noted in the preceding response, the Project site is not located on or near forest land. Therefore, the proposed Project would not result in the loss of any forest land or convert forest land to non-forest use. No impact would occur and no further analysis is required on this subject.
- e. **No Impact.** As noted in the preceding responses, the Project site is not located on or near lands designated Farmland or forest land. There is no Farmland, forest land, or timberland near the Project site. As such, the proposed Project has no potential to 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. Therefore, no impact would occur and no further analysis is required on this subject.

III. AIR QUALITY

- a. **Potentially Significant Impact.** The Project site is located in the San Joaquin Valley Air Basin (SJVAB) and under the jurisdiction of the Southern San Joaquin Valley Air Pollution Control District (SJVAPCD). The SJVAPCD is principally responsible for air pollution control and has adopted a series of Air Quality Attainment Plans to reduce air emissions in the SJVAB. The San Joaquin Valley (SJV) is a nonattainment area for the State and Federal ozone and Particulate Matter 2.5 (PM_{2.5}) standards and the State Particulate Matter 10 (PM₁₀) standard (CARB, 2021). The proposed Project would emit pollutants into the SJVAB during short-term construction and long-term operational activities. The Project's construction and operational activities will emit pollutants, thereby potentially conflicting with or obstructing implementation of the SJVAPCD's Air Quality Attainment Plans. As such, an air quality technical report will be prepared and the required EIR will evaluate the proposed Project's potential to conflict with the adopted SJVAPCD Air Quality Attainment Plans.
- b. **Potentially Significant Impact.** The proposed Project would result in temporary construction and long-term operational related air pollutant emissions associated with stationary-area sources and energy sources associated with the proposed building, and mobile-source emissions from vehicles coming to and from the Project site. Emissions associated with Project construction equipment exhaust, fugitive dust emissions, emissions from consuming energy such as natural gas, and mobile source emissions could exceed thresholds established by the SJVAPCD. Therefore, impacts are considered potentially significant. A technical report will be prepared for air quality assessment, and potential impacts compared to air quality standards will be further addressed in the EIR.
- c. **Potentially Significant Impact.** The Project has the potential to expose nearby sensitive receptors to air quality pollutants during the Project's construction and operation. Known sensitive receptors located within one mile of the Project site include residential uses to the north, east, and west, recreational uses (Fruitvale Norris Park) located approximately 0.8-mile to the north, and school uses (Beardsley Elementary School and Junior High School, and San Lauren Elementary School) located approximately 0.8-mile to the east and approximately 0.2-mile to the west, respectively (Google Earth, 2022). Construction of the Project would generate short-term air pollutant emissions that could potentially impact these sensitive receptors. The Project's potential for exposing nearby sensitive receptors to substantial air quality pollutants during construction activities shall be evaluated in a Project-specific air quality technical report and discussed in the required EIR.
- d. **Less-than-Significant Impact.** The proposed Project could produce odors during construction activities resulting from construction equipment exhaust, application of asphalt, and/or the application of architectural coatings; however, standard construction practices would minimize the odor emissions and their associated impacts and any odors emitted during construction would be temporary and intermittent in nature. Construction activities would be required to comply with the SJVPCD Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI) (SJVAPCD, 2015). For these reasons, the proposed Project would not create objectionable odors affecting a substantial number of people during construction, and short-term impacts would be less than significant.

During long-term operation, the proposed Project would include one medical outpatient clinic building, the operating characteristics of which are not typically associated with objectionable odors. The temporary storage of refuse associated with the proposed Project's long-term operational use could be a potential source of odor; however, Project-generated refuse is required to be stored in covered containers and removed at regular intervals in compliance with the City of Bakersfield's solid waste regulations, thereby precluding any significant odor impact. Furthermore, the proposed Project would be required to comply with the SJVAQPCD GAMAQI, which has screening odor thresholds based on the distance of the odor source within the facility to nearby sensitive receptors, and recommends a "case-by-case" analysis of odor impacts,

including an evaluation of complaint records for a particular facility as compared to similar facilities. As such, long-term operation of the proposed Project would not create objectionable odors affecting a substantial number of people. Impacts would be less than significant.

IV. **BIOLOGICAL RESOURCES**

- a. **Potentially Significant Impact.** Under existing conditions, the Project site consists of vacant/disturbed land. Notwithstanding, the Project site has the potential to contain species identified as 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. A qualified biologist will evaluate the site's existing biological resources and determine the presence or absence of any sensitive species. The results of the biological resources assessment will be evaluated in the EIR.
- b. **No Impact.** Under existing conditions, the Project site consists of vacant/disturbed land and is not known to contain any riparian habitats or other protected habitat communities. Notwithstanding, a qualified biologist will evaluate the Project site to confirm absence of riparian habitat and sensitive natural communities identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. The results of the biological resources assessment will be disclosed in the EIR.
- c. **No Impact.** The Project site is not known to contain any State or federally-protected wetlands and a search of the USFWS National Wetlands Inventory resulted in no wetlands mapped on the Project site (USFWS, 2021b). Notwithstanding, a qualified biologist will conduct a field survey to confirm absence of State and federally-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.). The results of the biological resources assessment will be disclosed in the required EIR.
- d. **Potentially Significant Impact.** The Project site is disturbed and does not support a diversity of native wildlife. Paved roads and developed land surrounding the Project site block terrestrial wildlife movement from all directions. Accordingly, the site is not expected to serve as a wildlife movement corridor. Notwithstanding, development of the Project site has some potential to impact the San Joaquin Kit Fox because the Project site provides suitable denning habitat for denning. Also, avian species that are protected by the federal Migratory Bird Treaty Act or nesting birds protected by California law could be present. The Project's potential to impact wildlife movement during construction and long-term operation will be evaluated in the required EIR.
- e. **Potentially Significant Impact.** The adopted Metropolitan Bakersfield Habitat Conservation Plan (MBHCP) addresses biological impacts within the Metropolitan Bakersfield General Plan area. The Project site is within the boundaries of the MBHCP and, therefore, development of the proposed Project could conflict with the goals and policies of the MBHCP. Impacts are potentially significant, and further analysis is warranted in the EIR.
- f. **Potentially Significant Impact.** As discussed above, the Project is subject to the goals and policies of the MBHCP, and development of the proposed Project could potentially conflict with those provisions. Impacts are potentially significant, and further analysis is warranted in the EIR.

V. **CULTURAL RESOURCES**

- a. **Potentially Significant Impact.** The Project site is currently vacant and there are no known historical resources present. However, the potential exists for historical resources to be present beneath the surface of the site. Therefore, this potential impact will be further evaluated in the EIR.
- b. **Potentially Significant Impact.** The potential exists for buried archaeological resources to either be disturbed or destroyed during site preparation and grading. A site investigation will be performed in order to assess the actual potential for archaeological resources within future developable areas, and a records search will be conducted at the Archaeological Information Center at California State University, Bakersfield to reveal previously identified archaeological resources. The

California Native American Heritage Commission will be notified to assist in the identification of any ethnohistoric or culturally sensitive resources of interest to the local Native American community. The disturbance of such resources would be considered potentially significant; further evaluation will be provided in the EIR.

- c. **Less-than-Significant Impact.** The Project site does not contain a cemetery. Nevertheless, the remote potential exists that human remains may be unearthed during grading and excavation activities associated with Project construction. If human remains are unearthed during Project construction, the construction contractor would be required by law to comply with California Health and Safety Code, Section 7050.5 "Disturbance of Human Remains." According to Section 7050.5(b) and (c), if human remains are discovered, the County Coroner must be contacted and if the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, the Coroner is required to contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC). Pursuant to California Public Resources Code Section 5097.98, whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner, the NAHC is required to immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants will complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. According to Public Resources Code Section 5097.94(k), the NAHC is authorized to mediate disputes arising between landowners and known descendants relating to the treatment and disposition of Native American human burials, skeletal remains, and items associated with Native American burials. With mandatory compliance to California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98, any potential impacts to human remains, including human remains of Native American ancestry, would be less than significant.

VI. **ENERGY**

- a. **Potentially Significant Impact.** The Project's expected energy consumption will be determined to analyze the consumption of energy related to electricity, fuel, and other related energy sources during construction and operation of the Project. Impacts related to energy use are potentially significant and will be further analyzed and evaluated in the EIR.
- b. **Potentially Significant Impact.** It is not anticipated that implementation of the Project would conflict with or obstruct a state or local plan for energy efficiency. Regardless, the Project's potential to conflict with applicable plans, policies, or regulations related to renewable energy or energy efficiency will be analyzed in a Project-specific energy analysis, the results of which will be disclosed in the EIR.

VII. **GEOLOGY AND SOILS**

- a. The following discusses the potential for the project to expose people or structures to substantial adverse effects as a result of various geologic hazards.
- i) **No Impact.** According to the California Department of Conservation, the Project site is not within a delineated Alquist-Priolo Earthquake fault zone (CDC, 2021). The nearest Fault Zone is approximately 2.9 miles northeast of the Project site and associated with the Kern Front Fault. Since the Project site is not within a delineated Alquist-Priolo Earthquake fault zone, rupture of a known earthquake fault would not occur as a result of implementation of the Project. No impacts would occur and no further analysis is warranted.
- ii) **Less-than-Significant Impact.** Due to the location of active faults in the general region, strong seismic ground shaking could occur at the Project site, resulting in damage to structures that are not properly designed to withstand strong ground shaking. This risk is not

considered substantially different than that of other similar properties in the Southern California area and is considered adequately mitigated to protect public health, safety, and welfare if buildings are designed and constructed in conformance with applicable building codes and sound engineering practices. As a condition of Project approval, the Project would be required to be constructed in accordance with the California Building Standards Code (CBSC, Title 24, Part 11 of the California Code of Regulations) and the Kern County Building Code (Chapter 17.08). The CBSC and Kern County Building Codes have been specifically tailored for California earthquake conditions and provide standards that must be met to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures. In addition, the CBSC (Chapter 18) requires development projects to prepare geologic engineering reports to identify site-specific geologic and seismic conditions and provide site-specific recommendations including, but not limited to, recommendations related to ground stabilization, selection of appropriate foundation type and depths, and selection of appropriate structural systems, to preclude adverse effects resulting from strong seismic ground-shaking. With mandatory compliance with State and local building codes, impacts associated with strong seismic ground shaking would be reduced to less-than-significant levels. Accordingly, no further analysis of this topic is required.

- iii) **Potentially Significant Impact.** According to Metropolitan Bakersfield General Plan Figure VIII-2, Geologic Hazards, the Project site is not located in an area with the potential for liquefaction (City of Bakersfield, 2007). To confirm the lack of liquefaction potential, a geotechnical study will be prepared for the Project, which will evaluate the Project site's potential to be subject to seismic-related ground failure, including liquefaction. The results of the site-specific geotechnical evaluation will be disclosed in the Project's EIR.
- iv) **No Impact.** According to the Metropolitan Bakersfield General Plan, landslides in Kern County triggered by a strong earthquake commonly occur on steeper slopes in the foothills and along the Kern County River Canyon and floodplain. Common types of earthquake-induced landslides are bluff and stream bank failures, rock falls, and soil slips on steep slopes (Bakersfield, 2007). Due to the generally flat-lying nature of the site and surrounding areas, the lack of geologic features, and the site not being located near the Kern River Canyon, landslides are not expected to occur on the Project site. Therefore, because the proposed Project does not have any steep slopes and is not located near the Kern River Canyon, the proposed Project would not expose people or structures to substantial adverse effects involving landslides, and no further analysis of this topic is required. Therefore, the proposed Project would not expose people or structures to substantial adverse effects involving landslides, and no impacts would occur. No further analysis is warranted.

- b. **Less-than-Significant Impact.** The soil type on the Project site is Kimberlina fine sandy loam, 0 to 2 percent slopes, which has a low to medium susceptibility to soil erosion by rainfall and a low susceptibility to wind erosion at the ground surface (NRCS, 2022). The City of Bakersfield has a relatively low precipitation rate, an average of 6.5 inches per year, causing any surface runoff to be intermittent and temporary (US Climate Data, n.d.). With the soil being well-drained and having a low-to-medium erosion potential, and the low precipitation in the Project area, the Project site is not susceptible to substantial soil erosion or loss of top soil and no further analysis of this topic is required.

Project construction activities would temporarily disturb the Project site and have the potential to result in erosion and sedimentation from the Project site. In accordance with the National Pollutant Discharge Elimination System (NPDES), as a condition of Project approval, the Project Applicant would be required obtain a general permit for stormwater discharges, a stormwater pollution prevention (SWPPP) plan would be prepared for the proposed Project which would specify best management practices (BMPs) to prevent construction pollutants, including eroded soils, from moving off-site. Because the Project site has well-drained, low-to-medium soil erosion potential soil, low precipitation rates, would be constructed in compliance with the NPDES, and implement

BMPs, the proposed Project would not result in substantial soil erosion or loss of topsoil and no further analysis of this topic is required.

- c. **Less-than-Significant Impact.** As discussed above, the soils on the Project site would not result in substantial seismic related ground failure, including liquefaction, lateral spreading, or landslides. Additionally, the Project site is not located in or near a subsidence area mapped by the USGS (USGS, n.d.). Any construction on the Project site would be required to comply with the latest CBSC standards including those related to soil characteristics, which are specifically designed to prevent significant damage from unsuitable soils. Because the Project site is not located in a subsidence area and construction would comply with mandatory requirements of the CBSC, the proposed Project would not be located on a geologic unit or soil that is unstable and no further analysis of this topic is required.
- d. **Less-than-Significant Impact.** Expansive soils are fine-grained soils (generally high plasticity clays) that can undergo a significant increase in volume with an increase in water content and a significant decrease in volume with a decrease in water content. Changes in the water content of a highly expansive soil can result in severe distress to structures constructed on or against the soil. When a soil has a clay content of 35 percent or greater, it is considered an expansive soil. Because Kimberlina soils on the Project site generally have a 6 to 25 percent clay content and therefore, would not have high potential to be expansive (NRCS, 2022), and no further analysis of this topic is required.
- e. **No Impact.** The proposed Project would not use septic tanks or other systems to dispose of wastewater generated by the Project. The Project would be served by domestic sewer systems installed as part of the Project, the flows from which would be treated at one of the City's wastewater treatment plants. No impacts would occur, and further analysis is not warranted.
- f. **Potentially Significant Impact.** If paleontologically sensitive formations are located under the Project site, ground disturbance could result in potentially significant impacts to paleontological resources. The Project's EIR will evaluate whether the Project site is located in an area with high potential to contain unique paleontological resources and whether such resources could be impacted by Project construction activities.

VIII. GREENHOUSE GAS EMISSIONS

- a. **Potentially Significant Impact.** Construction and operational activities associated with the Project would emit air pollutants, several of which are regarded as greenhouse gasses (GHGs). GHG emissions associated with the proposed Project would primarily be associated with tailpipe emissions from Project-related traffic. In addition, construction activities, energy consumption, water consumption, and solid waste generation also would contribute to the overall generation of GHGs. Specifically, construction and operational activities would result in the emissions of carbon dioxide (CO₂), nitrogen dioxide (NO₂), and methane (CH₄), which are GHGs. A GHG emissions analysis will be prepared to quantify and evaluate the Project's GHG emissions. Because climate change is a global phenomenon and not limited to a specific locale such as the Project site and its immediate vicinity, emissions have the potential to be significant on a cumulatively considerable basis. The proposed Project's potential to generate GHGs, either directly or indirectly, that could have a significant impact on the environment, will be analyzed in a GHG analysis report which will be discussed in the required EIR.
- b. **Potentially Significant Impact.** The Project's potential impacts due to GHG emissions will be assessed in a GHG emissions report based on consistency with applicable plans, policies, and regulations adopted for the purpose of reducing the emissions of greenhouse gases. The EIR will document the findings of the Project-specific GHG emissions report and will evaluate the Project for consistency with applicable plans, policies, and regulations adopted for the purpose of reducing GHG emissions, including, but not limited to, Assembly Bill 32 and Senate Bill 375.

IX. HAZARDS AND HAZARDOUS MATERIALS

- a. **Potentially Significant Impact.** During Project construction, limited amounts of hazardous materials typical of construction activities would be transported to, stored, and used on the Project site (e.g., fuel, lubricants, architectural coatings). There is potential that hazardous materials may be used and stored on the Project site as part of routine business operations. The required EIR will evaluate the Project's potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials during short-term construction and long-term operation.
- b. **Less-than-Significant Impact.** The operator of the proposed outpatient clinic would be required to comply with all applicable federal, State, and local regulations to ensure proper use, storage, use, emission, and disposal of hazardous substances, including medical waste, if any. Thus, 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 materials into the environment. Impacts would be less than significant, and further analysis of this topic is not required.
- c. **Potentially Significant Impact.** The closest school is San Lauren Elementary School, which is 0.2-mile southwest of the site along Knudsen Drive. Therefore, there is a potential that the Project could emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The required EIR will evaluate the Project's potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- d. **No Impact.** According to preliminary information provided by the California Department of Toxic Substances Control, the Project site is not located on the list of hazardous materials sites pursuant to Government Code Section 65962.5. Notwithstanding, an ESA will be prepared for the Project, which will include the results of governmental hazardous materials database search. The results of the ESA's database search will be disclosed in the Project's EIR.
- e. **Less-than-Significant Impact.** The Project site is located approximately 0.9-mile southwest of the Meadows Field Airport. According to the Kern County Airport Land Use Compatibility Plan (ALUCP) the Project site is within Compatibility Area C, which allows construction of medical clinics and two-story offices with density limitations of 150 persons/acre (Kern County ALUC, 2012). The Project site is not located in an area identified as being affected by airport noise. Because the proposed Project is compatible with the designated land use and allowable density, the proposed Project would not result in a safety hazard or excessive noise for people residing and working in the Project area. Impacts would be less than significant, and further analysis of this topic is not required.
- f. **Less-than-Significant Impact.** Roads to access the Project site would be developed or improved to comply with the City's Fire Code and allow emergency vehicles adequate access to all portions of the site. During construction, access to the site will be maintained and appropriate detours would be provided in the event that temporary road closures would be needed. The proposed Project would be consistent with the Kern County Operational Area Hazardous Materials Area Plan (Kern County, 2014) which provides information for agencies involved in a response to a hazardous materials incident in Kern County. Because the proposed Project would maintain adequate access to emergency vehicles and would be in compliance with the Kern County Operational Area Hazardous Materials Area Plan, the proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan and no further analysis of this topic is required. Therefore, no impacts related to impairment of the implementation of, or physical interference with, an adopted emergency response plan or emergency evacuation plan are anticipated. No further analysis is required; therefore, this issue will not be addressed in detail in the EIR.
- g. **No Impact.** The Project is not adjacent to a wildland area. The Project site consists of vacant, undeveloped land and is surrounded by paved road, existing development, and vacant parcels. Development of the site as proposed would reduce brush on the site and reduce the potential for a wildfire. Therefore, wildland fires do not have the potential to affect the site, and no impacts would occur. No further discussion is warranted in the EIR.

X. HYDROLOGY AND WATER QUALITY

- a. **Potentially Significant Impact.** Implementation of the Project would involve clearing, grading, paving, utility installation, building construction, and landscaping activities, which could result in the generation of water quality pollutants such as silt, debris, chemicals, paints, and other solvents with the potential to adversely affect water quality. As such, short-term water quality impacts have the potential to occur during construction of the Project in the absence of any protective or avoidance measures. Additionally, runoff under post-development conditions could contain pollutants in the absence of protective or avoidance measures. The Project's potential to violate any water quality standards or waste discharge requirements during short-term construction and/or long-term operational activities shall be fully analyzed in the required EIR.
- b. **Potentially Significant Impact.** The groundwater sub-basin underlying Bakersfield is the Kern County sub-basin. The Kern County sub-basin is one of the seven sub-basins within the San Joaquin Valley Basin that transport, filter, and store water. Depth to groundwater beneath the Project site is approximately 43 feet. The proposed Project would entail adding a building with associated parking lots, internal drives, and roadway frontage improvements on approximately 9.0 acres which would considerably decrease the amount of pervious surfaces on the site and thereby potentially affect groundwater recharge. This issue is considered potentially significant, and further analysis is warranted in the EIR.
- c. The following discusses the potential for the Project to substantially alter the existing drainage pattern for the site or area, including through the alteration of the course of a stream or river or through the addition impervious surfaces.
 - i) **Potentially Significant Impact.** The existing drainage pattern on the Project site would be altered by construction of the Project. All development within the City is required by ordinance to comply with an approved drainage plan that avoids on-site and off-site erosion and siltation issues. Although the Project would alter the Project site's internal drainage patterns, such changes are not expected to result in substantial erosion or siltation on- or off-site, either during construction or during long-term operation due to mandatory erosion control requirements. Regardless, this topic will be further analyzed in the EIR.
 - ii) **Less-than-Significant Impact.** The existing drainage pattern on the Project site would be altered by construction of the Project. Stormwater would be managed by the Project's stormwater drainage system, preventing any reasonable possibility of causing flooding on- or off-site. Although the Project would alter the Project site's internal drainage patterns, such changes would not result in substantial flooding on- or off-site, either during construction or during long-term operation. Accordingly, implementation of the Project would result in a less than significant impact associated with flooding, and further analysis of this topic is not required.
 - iii) **Potentially Significant Impact.** The existing drainage pattern on the site would be altered through the construction of the Project. A site-specific preliminary hydrology study will be prepared to evaluate whether the Project would result in a substantial change in the rate or amount of runoff from the site. The results of the site-specific hydrology study shall be documented in the required EIR.
 - iv) **Less-than-Significant Impact.** According to Flood Insurance Rate Maps (FIRM) produced by the Federal Emergency Management Agency (FEMA), the Project site is located within "Flood Zone X (unshaded)," which includes "Areas determined to be outside the 0.2% annual chance floodplain" (FEMA, 2021). As such the Project has no reasonable potential to impede or redirect flood lows and no further analysis of this topic is required.
- d. **No Impact.** The Project site is not located near any significantly-sized enclosed body of water or coastal area and is, therefore, not susceptible to a seiche or tsunami (Google Earth, 2022). The

Beardsley Canal Ditch is an irrigation canal located east of the site that primarily serves farmland south of Bakersfield and has no reasonable potential of flooding the Project site. The Project site is located approximately 36 miles southwest of Lake Isabella and outside of the dam failure inundation zone. Because the Project site is not located near a significantly-sized body of water, the proposed Project would not be at risk from flood hazards, tsunamis or a seiche and no further analysis of this topic is required.

- e. **Less-than-Significant Impact.** The Project site is located in Kern County sub-basin for groundwater and is located in the Bakersfield District North Garden water system, which obtains its water from a combination of local groundwater produced by 12 active wells, surface water from the Kern County River, and treated water purchased from the Kern County Water Agency (WaterZen, 2021). Since the Kern sub-basin is a non-adjudicated basin, there are currently no restrictions on groundwater pumping. The governing Groundwater Sustainability Plan is the “Kern River Groundwater Sustainability Plan” dated January 2020. Because the proposed Project would comply with the Groundwater Sustainability Plan, the proposed Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan and no further analysis of this topic is required.

XI. **LAND USE AND PLANNING**

- a. **No Impact.** There is no reasonable possibility of the Project dividing a community. Commercial development borders the Project site to the north, vacant land and SR 99 border the Project site to the east, commercial development is located to the south of the Project site, and Knudsen Drive and a public facility are located to the west of the Project site (Google Earth, 2022). Therefore, there would be no community division and further discussion is not warranted in the EIR.
- b. **No Impact.** The proposed Project site is within the City of Bakersfield and is subject to the land use designations, goals, and policies contained within the Metropolitan Bakersfield General Plan (MBGP) and the Bakersfield Municipal Code, Title 17: Zoning. The proposed Project is a permitted land use within the General Manufacturing (M-2) General Plan designation and is consistent with the SI (Service Industrial) zoning. Site plans for the proposed Project have been designed in accordance with all applicable development standards. Because the proposed Project is a permitted land use, is consistent with existing zoning, and has been designed in accordance with all applicable regulations, the proposed Project would not cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating environmental effect and no further analysis of this topic is required.

XII. **MINERAL RESOURCES**

- a. **No Impact.** The principal mineral resources extracted within the Metropolitan Bakersfield area are oil, natural gas, sand, and gravel. Areas used for sand and gravel extraction are concentrated primarily along the floodplain and alluvial fan of the Kern River, which is an important resource for construction, development, and other improvements. Because of the Project's location away from any alluvial fans and the Kern River, it is unlikely that the Project site would contain sand and gravel that would be considered a valuable commodity; therefore, there would be no impact to aggregate resources. In addition, the region is a major oil-producing area, with substantial oil and gas fields existing within the Metropolitan Bakersfield area. The Project site is located within the Fruitvale oil/gas field and an oil and gas well that has been plugged is located just south of the proposed Project (CalGEM, 2020). However, according to the California Geologic Energy Management Division (Cal-GEM) there are no known oil, gas, or injection wells located within the boundaries of the Project site (CalGEM, 2020)). Therefore, the proposed 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, and there would be no impact. No further discussion is warranted in the EIR.
- b. **No Impact.** The Project site is not identified as a locally-important mineral resources recovery site by the MBGP or any other land use plan. As such, the Project would not 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. No impact would occur and no further analysis of this topic is required.

XIII. NOISE

- a. **Less-than Significant Impact.** Both short-term construction noise and operational noise would be generated by the proposed Project. Short-term construction noise would be a result of transporting the heavy equipment and materials need for construction onto the Project site, and from construction of the proposed Project. The noise generated from the transport of heavy equipment and materials onto the Project site would be a single-event noise because the equipment would be left on the Project site for the duration of Project construction. Noise generated from the construction of the proposed Project would have the highest noise levels during the site preparation and grading phase, because the earthmoving equipment is the loudest of the heavy equipment. Noise generated from construction activities would be temporary and cease one construction is completed. The proposed Project would be required to comply with the City Noise Ordinance, which limits construction activities to the hours of 6:00 AM and 9:00 PM on weekdays and between the hours of 8:00 AM and 9:00 PM on weekends.

Operation of the proposed Project would generate noise levels typical of a medical outpatient and commercial land use, which is a permitted land use on the Project site, and would be required to operate in compliance with the Bakersfield Municipal Code and the General Plan Noise Element. Because the proposed Project would not exceed hourly noise level standards and would be constructed and operate in compliance with applicable City plans, the proposed Project would not generate 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 and no further analysis of this topic is required.

- b. **Less-than-Significant Impact.** Construction activities on the Project site may produce low to moderate groundborne vibration or groundborne noise. The closest structures to the Project site are the commercial land uses located to the north of the Project site along Olive Drive and the Kern County Fire facility located to the west of the Project site. Groundborne vibrations generated from the operation of typical construction equipment would not be in excess of what is considered safe for any type of building. Operation of the proposed Project would not generate groundborne vibration. Because the proposed Project would not generate groundborne vibration or noise that exceeds current guidelines, the proposed Project would not generate excessive groundborne vibration or groundborne noise levels and no further analysis of this topic is required.
- c. **Less-than-Significant Impact.** The Project site is located approximately 0.9-mile southwest of the Meadows Field Airport. According to the Kern County Airport Land Use Compatibility Plan (ALUCP) the Project site not located in an area identified as being affected by airport noise. Because the proposed Project is not located in an area affected by airport noise, the proposed Project would not expose people residing or working in the Project area to excessive noise levels and no further analysis of this topic is required. As such, no further analysis is warranted in the EIR.

XIV. POPULATION AND HOUSING

- a. **Less-than-Significant Impact.** The proposed Project would have a beneficial effect on the area's employment base by developing a vacant site with a medical outpatient clinic focused on military veterans. The new jobs generated would provide additional employment opportunities for residents in the area and the proposed Project would provide outpatient services for existing and future military veterans who reside in Bakersfield. The Project site is currently designated by the MBGP for M-2 (General Manufacturing), and the Project does not propose any uses that would result in unplanned population growth that is not already allowed by the General Plan. Moreover, it is anticipated that any future employees generated by the Project could be accommodated by existing residential communities and/or by future residential uses to be constructed in accordance with the City's General Plan and/or the general plans of other nearby jurisdictions, and that no additional unplanned housing would be required to accommodate Project-related employees. Additionally, the infrastructure and public services have already extended beyond

the site to the north and south. A less-than-significant impact would occur and no further analysis is required on this subject.

- b. **No Impact.** Under existing conditions, there no homes on the Project site and the Project site does not contain any existing residents. Therefore, there would be no displacement of existing people or housing, and no impact would occur. No further analysis is required on this subject.

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 joint implementation measures between the Metropolitan City of Bakersfield and the County of Kern. The nearest fire station is the Kern County Fire Department, Station 61, at 6400 Fruitvale Avenue, approximately 1.0-mile northwest of the Project site. Although the Project site is currently vacant, the site is zoned for SI (Service Industrial) and is planned to be served by existing fire stations. A new fire station or physical alteration of existing fire stations would not be needed to serve the Project, and thus further analysis is not required in the EIR.
 - ii) **Less-than-Significant Impact.** Police protection services for the Metropolitan Bakersfield area are provided through joint implementation measures between the Metropolitan City of Bakersfield and Kern County. The Project's development would result in an incremental increase in demand for police protection services, but is not anticipated to require or result in the construction of new or physically altered police facilities. The nearest first response police station is located at 1601 Truxton Avenue, which is approximately 3.2 miles southeast of the Project site. Due to the proximity of existing police stations, the Project would not cause the need for the physical construction of a new police station or require physical alteration of an existing station. No further analysis is warranted.
 - iii) **Less-than-Significant Impact.** The proposed Project would not affect schools. The Project is a VA Clinic that would not directly generate any additional school children or the need for additional schools or the physical alteration of schools. The Project would provide employment opportunities in the area; however, the proposed uses would not require a highly specialized labor force and are likely to draw employees from the existing population. Therefore, the Project is unlikely to attract into the area a substantial number of new workers with children that would require school services. Therefore, impacts would be less than significant and further analysis is not warranted in the EIR.
 - iv) **No Impact.** The Project does not propose any type of residential use or other land use that may generate a population that would result in a demand for parkland resources, and no recreational facilities are proposed as part of the Project. Thus, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered recreational facilities, or due to the need for new or physically altered recreational 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 and recreational resources. No impact would occur, and further analysis of this topic is not required.
 - v) **No Impact.** The Project would not directly substantially increase the residential population in the City and therefore is not expected to result in a demand for other public facilities/services, including libraries, community recreation centers, post offices, and animal shelters. As such, implementation of the proposed Project would not adversely affect other public facilities or require the construction of new or modified public facilities and no impact would occur. No further analysis is required on this subject.

XVI. RECREATION

- a. **No Impact.** The Project does not involve any type of residential use or other land use that may generate a population that would increase the use of existing neighborhood and regional parks or other recreational facilities. Accordingly, implementation of the proposed Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park, and no impact would occur. No further analysis of this subject is required.
- b. **No Impact.** The Project does not involve the construction of any new on- or off-site recreation facilities. The Project would not expand any existing off-site recreational facilities. Therefore, no impacts related to the construction or expansion of recreational facilities would occur with implementation of the proposed Project. Additional analysis of this subject is not required.

XVII. TRANSPORTATION

- a. **Potentially Significant Impact.** The proposed Project would generate an increase in daily and peak hour vehicle trips, as compared to existing conditions. A traffic study will be prepared for the Project to identify roadway facility improvements that would be necessary to comply with applicable programs, plans, policies, and ordinances of affected jurisdictions, including but not limited to the City of Bakersfield. The required EIR will disclose the findings of the traffic study and also will evaluate the Project's potential to conflict with applicable plans, ordinances, and policies that establish a minimum level of performance for various modes of travel, including those related to transit, roadway, bicycle, and pedestrian facilities.
- b. **Potentially Significant Impact.** Senate Bill 743 (SB 743), which was codified in Public Resources Code section 21099, required changes to the CEQA Guidelines regarding the analysis of transportation impacts. Pursuant to Section 21099, the criteria for determining the significance of transportation impacts must promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. To that end, in developing the criteria, the Governor's Office of Planning and Research (OPR) proposed, and the California Natural Resources Agency certified and adopted, changes to the CEQA Guidelines that identify vehicle miles traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts. Updates to the State CEQA Guidelines that were approved in December 2018 included the addition of CEQA Guidelines Section 15064.3, of which Subdivision b establishes criteria for evaluating a project's transportation impacts based on project type and using VMTs as the metric. The proposed Project would result in the generation of vehicles, which would lead to a net increase in the amount of VMT within the region. OPR released a Technical Advisory on Evaluating Transportation Impacts in CEQA in December 2018, which provides guidelines and recommendations for VMT evaluation and thresholds. As of October 2021, the City of Bakersfield has not finalized or adopted any policies or methodologies for VMT analysis, therefore the OPR Technical Advisory will be used for evaluation of the Project's VMT impact to determine significance.
- c. **Potentially Significant Impact.** All improvements planned as part of the Project would be in conformance with applicable City of Bakersfield standards and would not result in any hazards due to a design feature. However, additional turning movements associated with site ingress and egress could increase traffic hazards, warranting an analysis of turning movements in the EIR.
- d. **Potentially Significant Impact.** The proposed Project would be required to comply with all City of Bakersfield emergency access requirements. Site access requirements are set forth in General Provisions for Fire Safety within the City of Bakersfield Municipal Code. Specific requirements, such as appropriately designed street widths to provide fire apparatus with an adequate turning radius, appropriately designed cul-de-sacs, and appropriately marked hydrants and signage, must be included in all developments. These requirements and all others to be included in the Project design would be verified by the Fire Marshall prior to Project approval. The adequacy of emergency access will be analyzed in the EIR.

XVIII. TRIBAL CULTURAL RESOURCES

- a. **Potentially Significant Impact.** A study will be conducted to determine whether the Project site contains any resources 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). In accordance with AB 52, the City of Bakersfield is required to send notifications of the proposed Project to Native American tribes with possible traditional or cultural affiliation to the area and will consult with interested tribes regarding the Project's potential to affect a tribal cultural resource. The results of the Native American consultation will be disclosed in the EIR, which will evaluate the Project's potential to cause a substantial adverse change to tribal cultural resources that are listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).
- b. **Potentially Significant Impact.** This topic will be evaluated in the required EIR, as explained above under the discussion of Threshold XVIII(a). Native American consultations will be conducted as required by AB 52.

XIX. UTILITIES AND SERVICE SYSTEMS

- a. **Less-than-Significant Impact.** The Project would construct an on-site network of water and sewer pipes and stormwater facilities that would connect to existing water, sewer and storm water drains. The Project would also install connections to existing electricity, natural gas, and communications infrastructure that already exist in the area. The installation of water and sewer line connections, stormwater drainage facilities, electricity, natural gas, and communications infrastructure as proposed by the Project would result in physical impacts to the environment; however, these impacts are considered to be part of the Project's construction phase and are evaluated under the individual environmental topic areas addressed in this Initial Study. In instances where potential significant environmental impacts have been identified for the Project's construction phase, a detailed analysis will be provided in the EIR. There are no components of the Project's proposed utility connections that would result in significant environmental effects beyond what already will be evaluated in the required EIR for the Project's construction phase under associated environmental topic areas. Therefore, no further analysis of this topic is required.
- b. **Less-than-Significant Impact.** The Project site is located within the Bakersfield District North Garden water system service area. Prior to the issuance of building permits, the Project Applicant must provide evidence to the City that the proposed Project has secured water service and would construct any needed improvements in accordance with the water providers standards. Because the City Water Resources Department has conditioned this facility to submit engineering plans for any required facilities, the proposed Project would have sufficient water supplies available to serve the proposed Project and reasonably foreseeable future development during normal, dry and multiple dry years and no further analysis of this topic is required.
- c. **Less-than-Significant Impact.** The proposed Project site is located in the North of the River Sanitary District. The Project site's contribution to the available capacity of their respective facilities has been included in the agency's Capacity Fee and Municipal Service Review and therefore, there is sufficient capacity to serve the proposed Project. Because the proposed Project has been included in the Capacity Fee and Municipal Service Review, it has been determined that the wastewater treatment provider which serves the proposed Project has adequate capacity to serve the proposed Project's projected demand in addition to the provider's existing commitments. No further analysis of this topic is required.
- d. **Less-than-Significant Impact.** Under existing conditions, the Project site is vacant and no solid waste is being generated. As a result of Project implementation, the proposed development would result in an increase in the waste stream to area landfills. Bakersfield Department of Public Works, Solid Waste Division, would provide solid waste disposal services to the proposed Project. In addition to providing landfill services, BDPW, Solid Waste Division, operates a recycling program. The proposed Project would likely be served by the Bakersfield Metropolitan (Bena) Sanitary Landfill, which is operated by the County Waste Management Department. The landfill is

approximately 17.6 miles southeast of the Project site at 2951 Neumarkel Road in Caliente, California. Because the Solid Waste Division of Public Works has examined the facility and conditioned the proposal to incorporate appropriate on-site trash facilities, subject to city approval, the proposed Project would not 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 and no further analysis of this topic is required.

- e. **Less-than-Significant Impact.** The Project would be required to comply with all local, State, and federal requirements for integrated waste management (e.g., recycling) and solid waste disposal. As such, future building users at the Project site would be required to work with refuse haulers to develop and implement feasible waste reduction programs, including source reduction, recycling, and composting. Additionally, in accordance with the California Solid Waste Reuse and Recycling Act of 1991 (CalPub Res. Code § 42911), the Project would be required to provide adequate areas for collecting and loading recyclable materials where solid waste is collected. The collection areas are required to be shown on construction drawings and be in place before occupancy permits are issued. The implementation of these programs would reduce the amount of solid waste generated and diverted to landfills, which in turn will aid in the extension of the life of affected disposal sites. The Project would be subject to all federal, State, and local statutes and regulations related to solid waste. As such, a less-than-significant impact would occur, and further analysis of this topic is not required.

XX. **WILDFIRE**

- a. **No Impact.** The Project site is not located in or near State responsibility areas or lands classified as very high fire hazard severity zones. Further, the Project is not anticipated to physically impede the existing emergency response plans, emergency vehicle access, or personnel access to the site. Fire protection services to the Project site are and would continue to be provided by the Kern County Fire Department. The Project site is not identified as part of any adopted emergency response plans or emergency evacuation plans, and the Project has no potential to conflict with any such plans. As such, no impacts to adopted emergency response plans or emergency evacuation plans would occur with implementation of the proposed Project, and no further analysis of this topic is required.
- b. **Less-than-Significant Impact.** The Project site is not located in or near State responsibility areas or lands classified as very high fire hazard severity zones. Further, given the flat topography of the site, it is not anticipated the Project would expose Project occupants to pollutant concentrations from a wildfire or uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors. The Project would result in construction and operation of a medical outpatient clinic with exterior impervious surfaces and irrigated landscaping, which would not result in any exacerbation of fire hazards in the local area. Therefore, the Project has no potential to exacerbate wildfire risks, and thereby exposing people to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. A less-than-significant impact would occur, and further analysis of this topic is not required.
- c. **No Impact.** The Project site is not located in or near State responsibility areas or lands classified as very high fire hazard severity zones. Aside from standard building construction requirements, including the installation of fire sprinklers, the provision of fire hydrants, and the use of irrigated landscaping, the Project does not include any fire protection-related infrastructure that could result in temporary or ongoing impacts to the environment. No impact would occur, and further analysis of this topic is not required.
- d. **No Impact.** The Project site is not located in or near State responsibility areas or lands classified as very high fire hazard severity zones. The Project site occurs in a portion of the City of Bakersfield that exhibits generally flat topography, and there are no large slopes in the Project vicinity that could be subject to landslide hazards as a result of post-fire slope instability. Additionally, there are no components of the Project that could result in or exacerbate flooding hazards associated with wildland fire hazards. No impacts would occur, and further analysis of this topic is not required.

XVIV. MANDATORY FINDINGS OF SIGNIFICANCE

- a. **Potentially Significant Impact.** Biology studies for the Project site will be conducted. The EIR's biological resources section will discuss specific project impacts on plants and wildlife, including avian species. The EIR will also discuss impacts to any important examples of the major periods of California history or prehistory, if present.
- b. **Potentially Significant Impact.** The Project site is located within the City of Bakersfield, and other portions of the City of Bakersfield as well as nearby unincorporated Kern County areas and other nearby cities have a number of on-going development projects. The Project, in addition to concurrent construction and operation of other development projects in the area, has the potential to result in cumulatively-considerable impacts. The required EIR will evaluate the Project's potential to result in cumulatively-considerable contributions to cumulatively significant impacts.
- c. **Potentially Significant Impact.** The potential for the proposed Project to directly or indirectly affect human beings, including human health, will be evaluated in the required EIR particularly with respect to air pollutant emissions, greenhouse gas emissions, noise, and transportation safety.

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Source(s): ESRI, NearMap Imagery (2022), Kern County (2022)

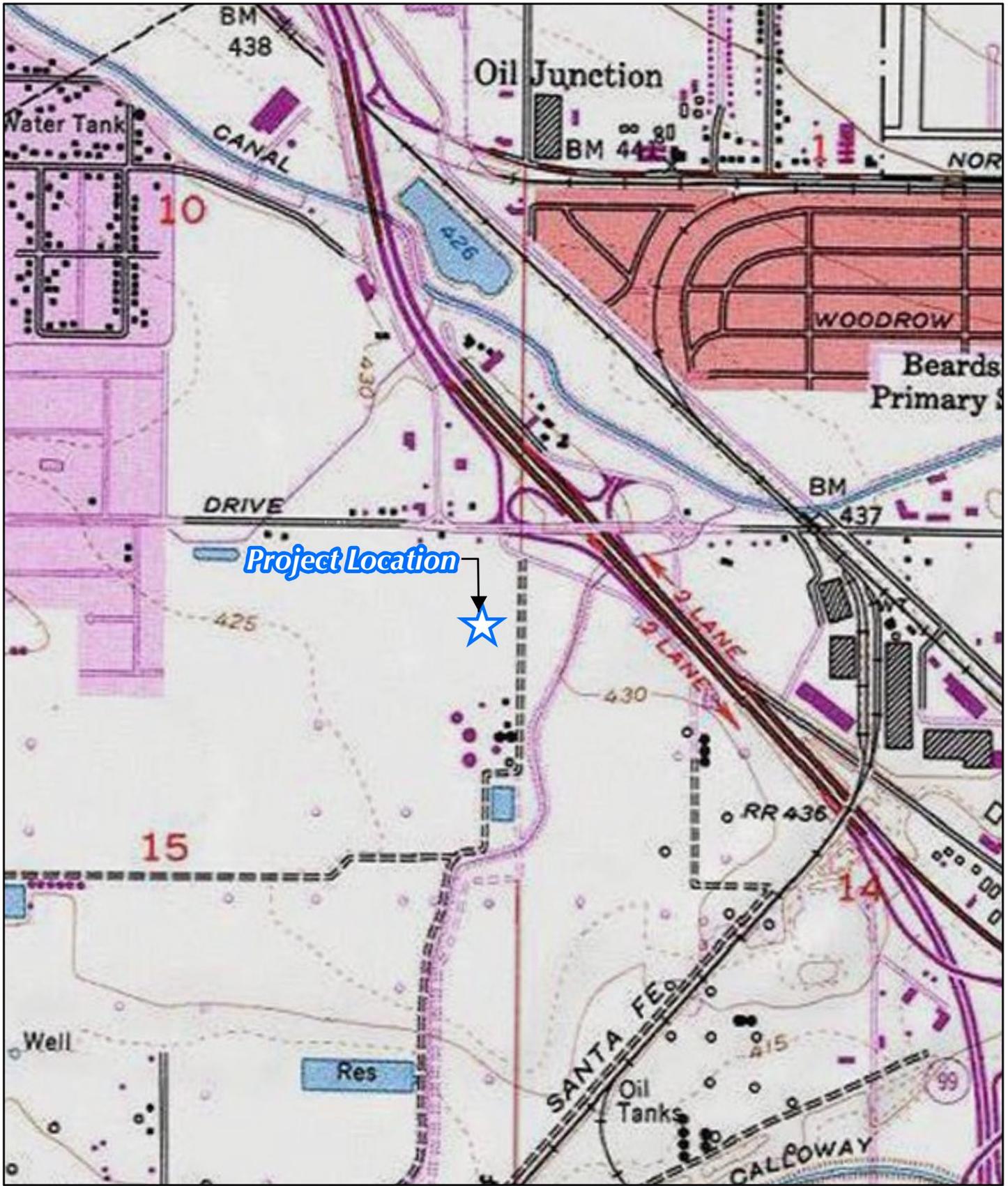
Figure 1

Veteran's Affairs Community-Based Outpatient Medical Clinic

Vicinity Map

Site Plan Review No. 21-0399

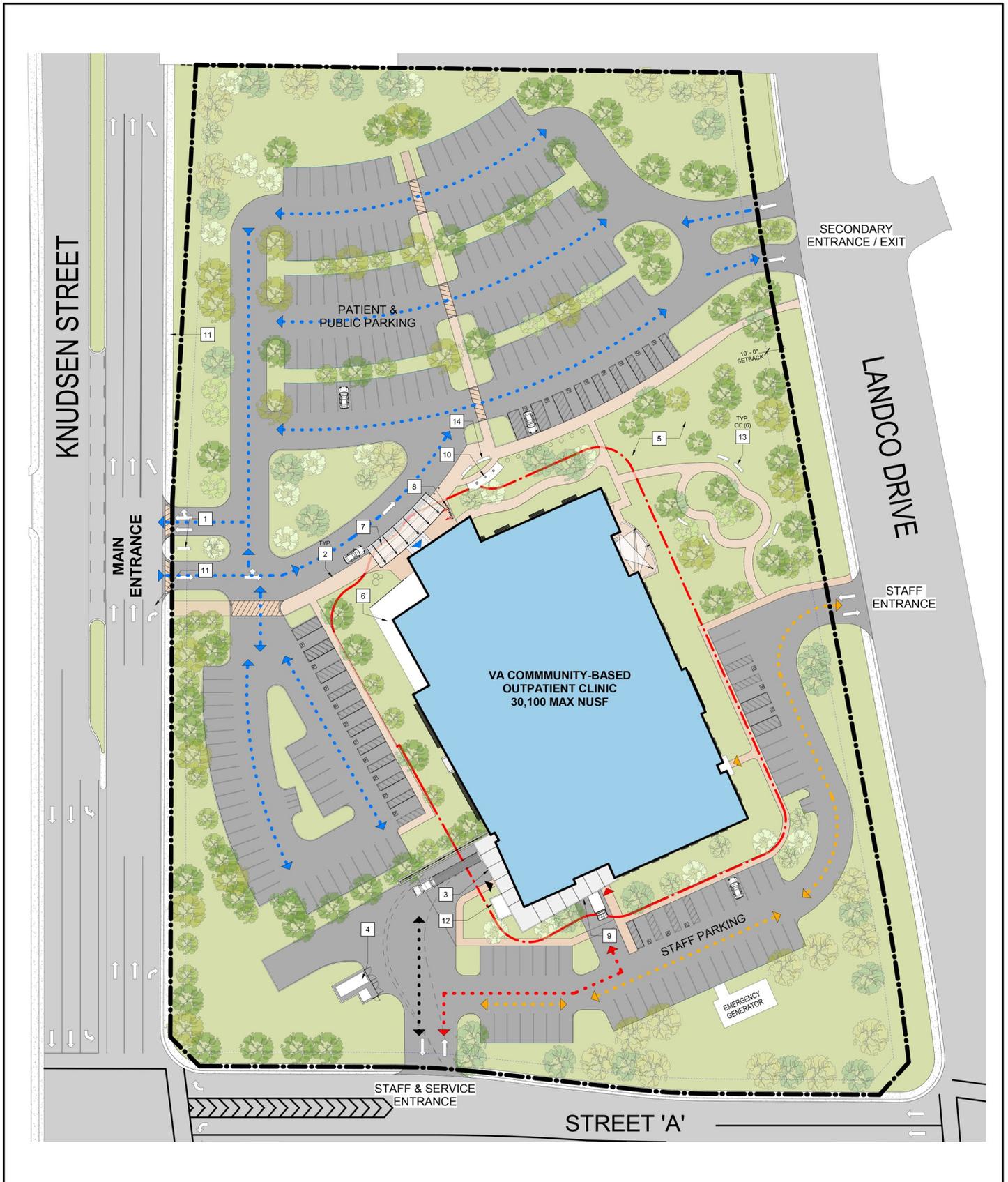




Source(s): ESRI, USGS (2013)

Figure 2





Source(s): Nichols, Melburg, & Rossetto (January 2020)

Figure 3

Veteran's Affairs Community-Based Outpatient Medical Clinic

Proposed Development

Site Plan Review No. 21-0399

Not to Scale





NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT

DATE: August 11, 2022
TO: State Clearinghouse, Agencies, Organizations, and Interested Parties
PROJECT: Veteran's Affairs Community-Based Outpatient Medical Clinic; Site Plan Review No. 21-0399

This Notice of Preparation (NOP) has been prepared to notify agencies, organizations, and interested parties that the City of Bakersfield (City), as Lead Agency, will prepare an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA) for the Veteran's Affairs Community-Based Outpatient Medical Clinic (Project). The City is requesting input from reviewing agencies and the public regarding the scope and content of the EIR.

The Project involves the proposed development of a ±39,648 square foot (s.f.) medical outpatient facility to serve as a Department of Veterans Affairs (VA) Community-Based Outpatient Medical Clinic, with associated parking and other site improvements on ±9.0 gross acres located east of Knudsen Street, west of Landco Drive, north of Hageman Road and south of Olive Drive. APNs: 365-020-30, and -28. The site is presently vacant.

The application filed with the City of Bakersfield includes the following:

- Site Plan Review No. 21-0399 is a proposed site plan for the development of a ±39,648 s.f. medical outpatient facility on ±9.0 gross-acres. Other features include a covered drop-off, bicycle racks, a covered ambulatory pick-up area, an outdoor physical therapy area, an outdoor dining area, and an elevated loading dock. Landscaping is proposed along the perimeter of the Project site, around the building, and throughout the parking areas. In addition, a healing garden is proposed on the east side of the building, which would include a garden path and benches.

Scope of the EIR

In accordance with CEQA, the City requests that agencies review the description of the Project provided in this NOP and provide comments or guidance on the scope of environmental issues related to the statutory responsibilities of the Lead Agency. The EIR will be used by the City when considering the Project for approval and by other Responsible and Trustee Agencies to support their discretionary actions related to the Project, as applicable. The City is also seeking comments from residents, property owners, and other interested parties regarding issues they believe should be addressed in the EIR. A location map and proposed site plan are attached.

Based on the preparation of an environmental Initial Study, the City of Bakersfield in its capacity as Lead Agency for the proposed Project has determined that the Project may result in significant impacts under the topics checked below, requiring further analysis in the EIR:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> Geology / Soils | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards & Hazardous Materials |
| <input checked="" 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 checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Tribal Cultural Resource |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Wildfire | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

The Initial Study is available on the City's website at the following URL:

<https://www.bakersfieldcity.us/279/Environmental-Documents>

The EIR will assess the effects of the Project on the environment, identify potentially significant impacts, identify feasible mitigation measures to reduce or eliminate potentially significant environmental impacts, and discuss potentially feasible alternatives to the Project that may accomplish basic objectives while lessening or eliminating any potentially significant Project-related impacts.

Opportunity for Public Review and Comment

The issuance of this NOP triggers a 30-day public scoping period. The scoping period begins on **August 11, 2022** and ends on **September 12, 2022**. Comments may be sent to the City at any time during the 30-day public scoping period. Please focus your comments on issues related to the scope and content of the environmental analysis that will be included in the EIR. All scoping comments must be received by the City or postmarked by September 12, 2022. Due to the time limits mandated by state law, the City recommends that your feedback is provided at the earliest possible date, but not provided later than 30 days after the date of this notice. Trustee Agencies and Responsible agencies are asked to identify their statutory authorities pertaining to the Project. If applicable, please include the name and contact information of a contact person for your agency. Direct all comments to:

City of Bakersfield – Development Services Department
Attn: Cassandra Gale, Principal Planner
1715 Chester Avenue, 2nd Floor
Bakersfield, CA 93301

Comments may also be emailed to kgale@bakersfieldcity.us

Attachments:

Figure 1 – Vicinity Map

Figure 2 – USGS Topographical Map

Figure 3 – Proposed Development

Environmental Initial Study, available on the City's website at:

<https://www.bakersfieldcity.us/279/Environmental-Documents>



Source(s): ESRI, NearMap Imagery (2022), Kern County (2022)

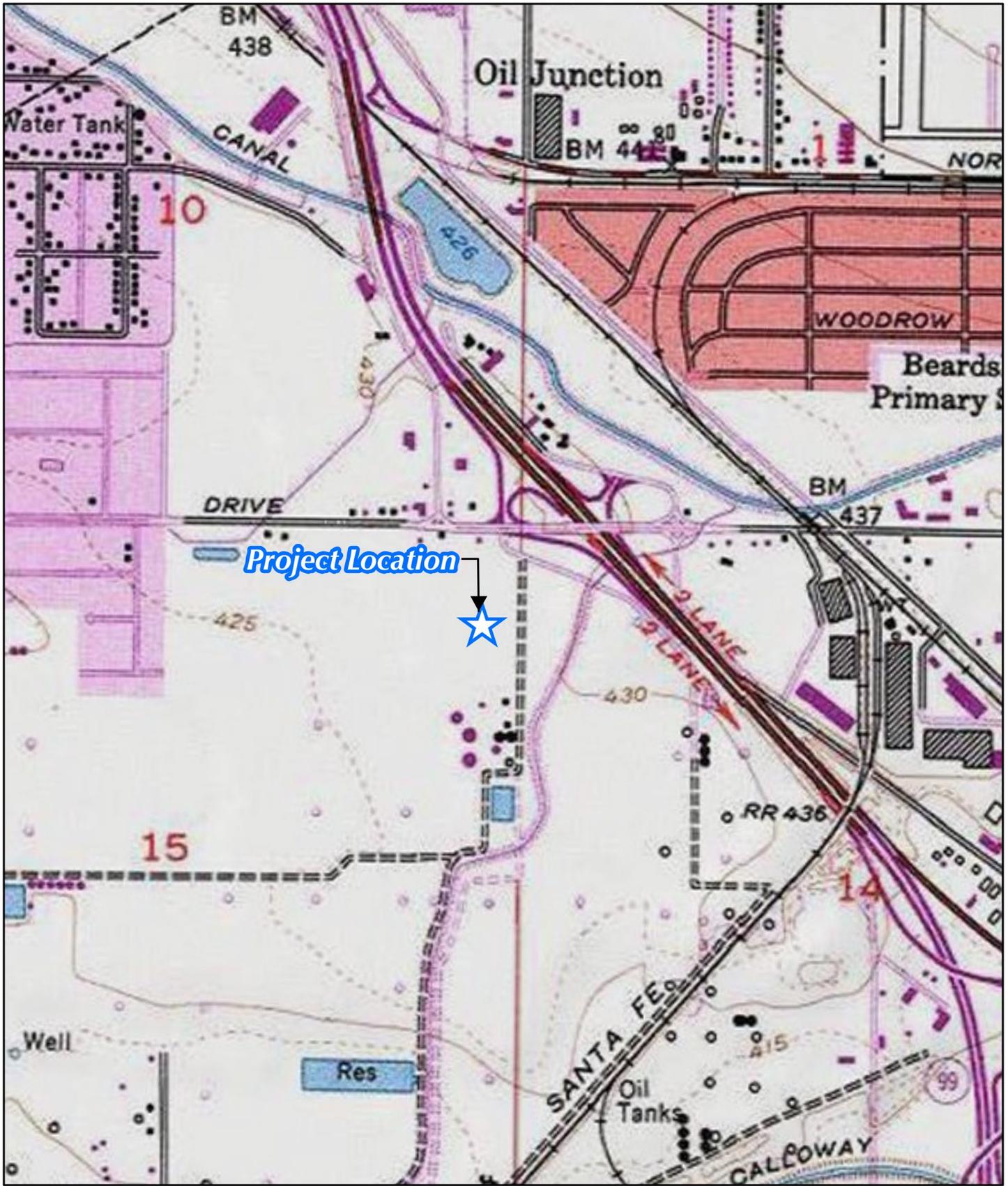
Figure 1

Veteran's Affairs Community-Based Outpatient Medical Clinic

Vicinity Map

Site Plan Review No. 21-0399

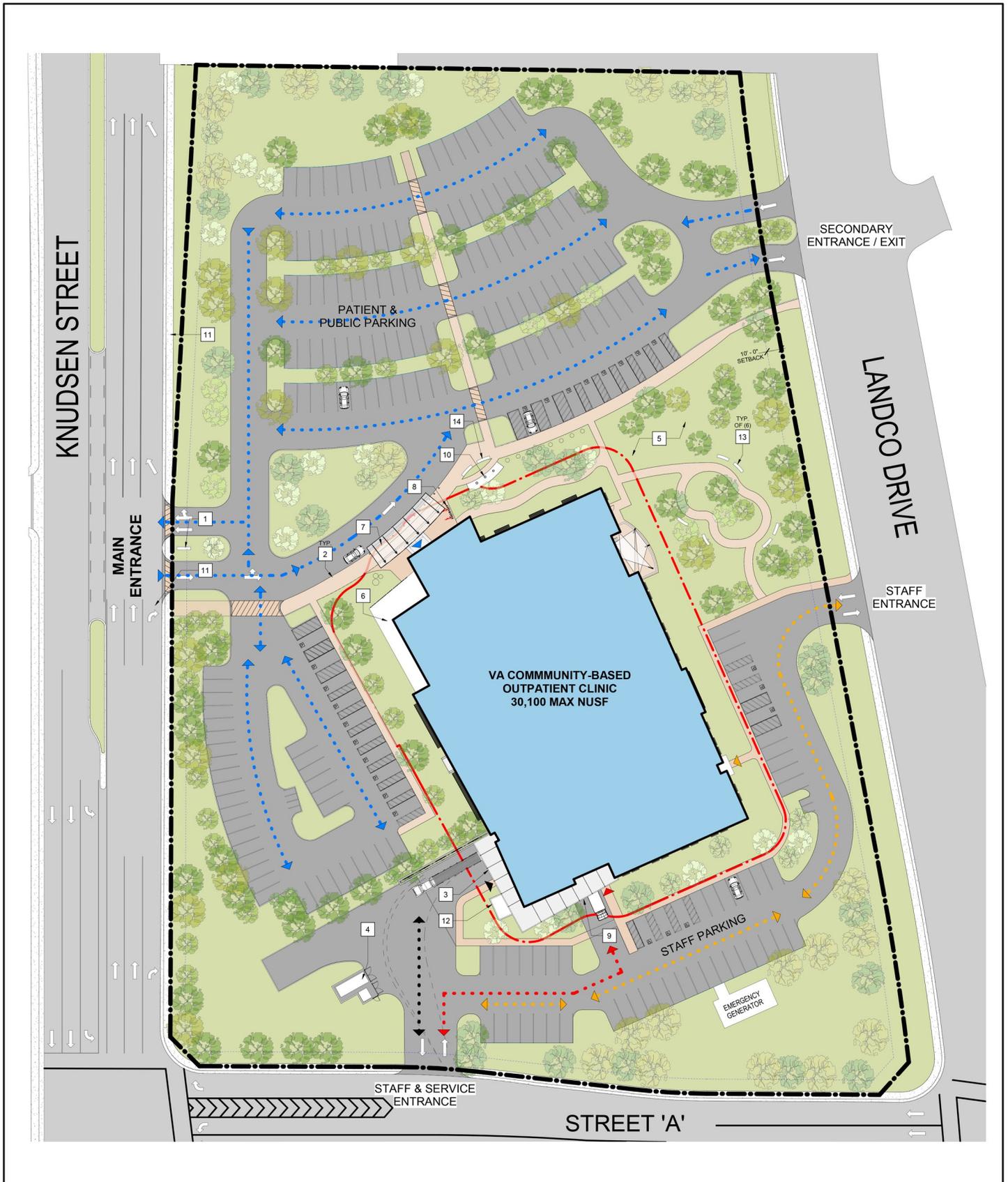




Source(s): ESRI, USGS (2013)

Figure 2





Source(s): Nichols, Melburg, & Rossetto (January 2020)

Figure 3

Veteran's Affairs Community-Based Outpatient Medical Clinic

Proposed Development

Site Plan Review No. 21-0399

Not to Scale





State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



October 18, 2022

Kassandra Gale
City of Bakersfield
1715 Chester Avenue
Bakersfield, California 93311

Subject: Veteran's Affairs Community-Based Outpatient Medical Clinic; Site Plan Review No. 21-0399 Notice of Preparation

Dear Kassandra Gale:

The California Department of Fish and Wildlife (CDFW) received a notice of preparation from the City of Bakersfield, as Lead Agency, for the Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under Fish and Game Code. While the comment period may have ended, CDFW would appreciate if you will still consider our comments.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Kassandra Gale
City of Bakersfield
October 18, 2022
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projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by Fish and Game Code will be required.

PROJECT DESCRIPTION SUMMARY

Proponent: SASD Development Group, LLC

Objective: The Project involves the proposed development of a ±39,648 square foot (s.f.) medical outpatient facility to serve as a Department of Veterans Affairs (VA) Community-Based Outpatient Medical Clinic, with associated parking and other site improvements on ±9.0 gross acres located east of Knudsen Street, west of Landco Drive, north of Hageman Road and south of Olive Drive. APNs: 365-020-30, and -28.

Timeframe: Unspecified

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City of Bakersfield in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the CEQA document.

The Project area is within the geographic range of several special-status animal species including the State threatened and federally endangered San Joaquin kit fox (*Vulpes macrotis mutica*), the State threatened Swainson's hawk (*Buteo swainsoni*), the State candidate endangered Crotch bumblebee (*Bombus crotchii*), and the State species of special concern American badger (*Taxidea taxus*) and burrowing owl (*Athene cunicularia*).

CDFW recommends that if the Project proponent is planning to have the Project covered under the Metropolitan Bakersfield Urban Development Incidental Take Permit (No. 2081-2013-058-04), that the Project proponent takes into consideration that the

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Incidental Take Permit (ITP) component will expire for new projects on December 31, 2022 and that coverage for existing projects will expire in June, 2023. Note that even if construction began prior to the first expiration date, construction would need to be fully completed by June 2023, otherwise take coverage will be lost. For this reason, CDFW recommends that if an ITP is necessary, to pursue one through CDFW independently.

San Joaquin Kit Fox (SJKF)

CNDDDB records show that SJKF have been documented near the project area. Aerial records show that the area is comprised of non-native annual grassland habitat, and patches of ruderal habitat, habitat types suitable to support SJKF. In addition to grasslands, SJKF den in a variety of areas such as rights-of-way, vacant lots, agricultural and fallow or ruderal habitat, dry stream channels, and canal levees, and populations can fluctuate over time. SJKF are also capable of occupying urban environments (Cypher and Frost 1999). SJKF may be attracted to the Project area due to the type and level of ground-disturbing activities and the loose, friable soils resulting from intensive ground disturbance. As a result, there is potential for SJKF to occupy the Project site and surrounding area.

CDFW recommends assessing presence/absence of SJKF by conducting surveys following the USFWS' "Standardized recommendations for protection of the San Joaquin kit fox prior to or during ground disturbance" (2011). Specifically, CDFW advises conducting these surveys in all areas of potentially suitable habitat no less than 14-days and no more than 30-days prior to beginning of ground and/or vegetation disturbing activities.

SJKF detection warrants consultation with CDFW to discuss how to avoid take or, if avoidance is not feasible, to acquire an ITP prior to ground-disturbing activities, pursuant to Fish and Game Code section 2081 subdivision (b).

Swainson's Hawk (SWHA)

CNDDDB records indicate that SWHA have been documented to occur near the project site (CDFW 2022). The habitat types present at and surrounding the Project site all provide suitable foraging habitat for SWHA, increasing the likelihood of SWHA occurrence within the vicinity. In addition, any trees in the Project vicinity have the potential to provide suitable nesting habitat and any power poles may be utilized for perching. SWHA exhibit high nest-site fidelity year after year and lack of suitable nesting habitat limits their local distribution and abundance (CDFW 2016). If potential nest sites occur in the Project vicinity, approval of the Project may lead to subsequent ground-disturbing activities that involve noise, groundwork, construction of structures, and movement of workers that could affect nests and has the potential to result in nest abandonment and/or loss of foraging habitat, significantly impacting local nesting

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SWHA. In addition, conversion of undeveloped land can directly influence distribution and abundance of SWHA, due to the reduction in foraging habitat.

To evaluate potential Project-related impacts, CDFW recommends that a qualified biologist conduct a habitat assessment in advance of Project implementation, to determine if the Project site, or the immediate vicinity, contain suitable habitat for SWHA. If suitable foraging or nesting habitat is present, CDFW recommends that a qualified biologist conduct surveys for nesting SWHA following the entire survey methodology developed by the SWHA Technical Advisory Committee (SWHA TAC 2000) prior to Project implementation (during CEQA analysis). The survey protocol includes early season surveys to assist the project proponent in implementing necessary avoidance and minimization measures, and in identifying active nest sites prior to initiating ground-disturbing activities. If ground-disturbing Project activities are to take place during the normal bird breeding season (March 1 through September 15), CDFW recommends that additional pre-activity surveys for active nests be conducted by a qualified biologist no more than 10 days prior to the start of Project implementation. CDFW recommends a minimum no-disturbance buffer of ½ mile be delineated around active nests until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.

Crotch Bumble Bee (CBB)

CNDDDB records indicate that CBB have been documented to occur within the city of Bakersfield and the proposed Project location is within CBB range (CDFW 2022). Suitable CBB habitat includes areas of grasslands and upland scrub that contain requisite habitat elements, such as small mammal burrows. CBB primarily nest in late February through late October underground in abandoned small mammal burrows but may also nest under perennial bunch grasses or thatched annual grasses, under brush piles, in old bird nests, and in dead trees or hollow logs (Williams et al. 2014; Hatfield et al. 2015). Overwintering sites utilized by CBB mated queens include soft, disturbed soil (Goulson 2010), or under leaf litter or other debris (Williams et al. 2014). Therefore, potential ground disturbance and vegetation removal associated with Project implementation may significantly impact local CBB populations.

CBB was once common throughout most of central and southern California; however, it now appears to be absent from most of it, especially in the central portion of its historic range within California's Central Valley (Hatfield et al. 2014). Analyses by the Xerces Society et al. (2018) suggest there have been sharp declines in relative abundance by 98% and persistence by 80% over the last ten years.

CDFW recommends that a qualified biologist conduct focused surveys for CBB, and their requisite habitat features prior to Project implementation to evaluate impacts

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resulting from potential ground- and vegetation-disturbing activities that may result from the approval of the IS/MND.

If surveys cannot be completed, CDFW recommends that all small mammal burrows and thatched/bunch grasses be avoided by a minimum of 50 feet to avoid take and potentially significant impacts. If ground-disturbing activities will occur during the overwintering period (October through February), consultation with CDFW is warranted to discuss how to implement Project activities and avoid take. Any detection of CBB prior to or during Project implementation warrants consultation with CDFW to discuss how to avoid take.

If CBB is identified during surveys, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, take authorization prior to any ground-disturbing activities may be warranted. Take authorization would occur through issuance of an ITP by CDFW, pursuant to Fish and Game Code section 2081 subdivision (b).

State Species of Special Concern

American badger and Burrowing owl have the potential to occur in the Project area. These species have been documented to occur in the vicinity of the Project site, which supports requisite habitat elements (CDFW 2022).

CDFW recommends that a qualified biologist conduct a habitat assessment as part of the biological surveys and technical studies completed in support of the CEQA document, to determine if project areas or their immediate vicinity contain potential habitat for the species mentioned above. If potential habitat is present, CDFW recommends that a qualified biologist conduct focused surveys for the applicable species and their requisite habitat features to evaluate potential impacts resulting from ground and vegetation disturbance.

Avoidance whenever possible is encouraged via delineation and observance of a 50-foot no-disturbance buffer around dens of mammals like the American badger as well as the entrances of burrows that can provide refuge for special-status small mammals and burrowing owl.

Federally Listed Species: CDFW recommends consulting with USFWS regarding potential impacts to federally listed species including but not limited to the San Joaquin kit fox. Take under the Federal Endangered Species Act (FESA) is more broadly defined than CESA; take under FESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS in order to comply with FESA is advised well in advance of any Project activities.

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CDFW appreciates the opportunity to comment to assist the City of Bakersfield in identifying and mitigating Project impacts on biological resources. If you have any questions, please contact Jaime Marquez, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 580-3200, or by electronic mail at Jaime.Marquez@wildlife.ca.gov.

Sincerely,

DocuSigned by:

FA83F09FE08945A...
Julie A. Vance
Regional Manager

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REFERENCES

California Department of Fish and Wildlife (CDFW). 2016. Five Year Status Review for Swainson's Hawk (*Buteo swainsoni*). California Department of Fish and Wildlife. April 11, 2016.

CDFW. 2022. Biogeographic Information and Observation System (BIOS). <https://www.wildlife.ca.gov/Data/BIOS>. Accessed September 20, 2022.

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Williams, P. H., R. W. Thorp, L. L. Richardson, and S. R. Colla. 2014. *The Bumble Bees of North America: An Identification guide*. Princeton University Press, Princeton, New Jersey, USA. 208 pp.

Xerces Society for Invertebrate Conservation, Defenders of Wildlife, and Center for Food Safety. 2018. A petition to the state of California fish and game commission to list the Crotch bumble bee (*Bombus crotchii*), Franklin's bumble bee (*Bombus franklini*), Suckley cuckoo bumble bee (*Bombus suckleyi*), and

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western bumble bee (*Bombus occidentalis occidentalis*) as Endangered under the California Endangered Species Act. October 2018.



08/22/2022

Kassandra Gale
1715 Chester Ave., Bakersfield, CA 93301, USA
kgale@bakersfield.us

Construction Site Well Review (CSWR) ID: 1012551

Assessor Parcel Number(s): 36502028, 36502030

Property Owner(s): SASD Development Group, LLC

Project Location Address: Southeast corner of Knudsen Drive and Olive Drive; Bakersfield, CA, Bakersfield, California 93308

Project Title: Veteran's Affairs Community-Based Outpatient Medical Clinic; Site Plan Review No. 21-0399

Public Resources Code (PRC) § 3208.1 establishes well reabandonment responsibility when a previously plugged and abandoned well will be impacted by planned property development or construction activities. Local permitting agencies, property owners, and/or developers should be aware of, and fully understand, that significant and potentially dangerous issues may be associated with development near oil, gas, and geothermal wells.

The California Geologic Energy Management Division (CalGEM) has received and reviewed the above referenced project dated 8/17/2022. To assist local permitting agencies, property owners, and developers in making wise land use decisions regarding potential development near oil, gas, or geothermal wells, the Division provides the following well evaluation.

The project is located in Kern County, within the boundaries of the following fields:

Fruitvale

In addition to the plugged & abandoned well, there might be pipelines associated to oil and gas

production.

CalGEM's Well Finder map indicates Borel 1 (0402952455) is located within the project's parcel boundaries. This well is located outside the proposed area of work.

Our records indicate there are 1 known oil or gas wells located within the project boundary as identified in the application.

- Number of wells Not Abandoned to Current Division Requirements as Prescribed by Law and Projected to Be Built Over or Have Future Access Impeded by this project: 0
- Number of wells Not Abandoned to Current Division Requirements as Prescribed by Law and Not Projected to Be Built Over or Have Future Access Impeded by this project: 0
- Number of wells Abandoned to Current Division Requirements as Prescribed by Law and Projected to Be Built Over or Have Future Access Impeded by this project: 0
- Number of wells Abandoned to Current Division Requirements as Prescribed by Law and Not Projected to Be Built Over or Have Future Access Impeded by this project: 1

The Division categorically advises against building over, or in any way impeding access to, oil, gas, or geothermal wells. Impeding access to a well could result in the need to remove any structure or obstacle that prevents or impedes access including, but not limited to, buildings, housing, fencing, landscaping, trees, pools, patios, sidewalks, roadways, and decking. Maintaining sufficient access is considered the ability for a well servicing unit and associated necessary equipment to reach a well from a public street or access way, solely over the parcel on which the well is located. A well servicing unit, and any necessary equipment, should be able to pass unimpeded along and over the route, and should be able to access the well without disturbing the integrity of surrounding infrastructure.

There are no guarantees a well abandoned in compliance with current Division requirements as prescribed by law will not start leaking in the future. It always remains a possibility that any well may start to leak oil, gas, and/or water after abandonment, no matter how thoroughly the well was plugged and abandoned. The Division acknowledges wells plugged and abandoned to the most current Division requirements as prescribed by law have a lower probability of leaking in the future, however there is no guarantees that such abandonments will not leak.

The Division advises that all wells identified on the development parcel prior to, or during, development activities be tested for liquid and gas leakage. Surveyed locations should be provided to the Division in Latitude and Longitude, NAD 83 decimal format. The Division expects any wells found leaking to be reported to it immediately.

Failure to plug and reabandon the well may result in enforcement action, including an order to perform reabandonment well work, pursuant to PRC § 3208.1, and 3224.

PRC § 3208.1 give the Division the authority to order or permit the re-abandonment of any well where it has reason to question the integrity of the previous abandonment, or if the well is not accessible or visible. Responsibility for re-abandonment costs may be affected by the choices made by the local permitting agency, property owner, and/or developer in considering the general advice set forth in this letter. The PRC continues to define the person or entity responsible for reabandonment as:

1. The property owner - If the well was plugged and abandoned in conformance with Division requirements at the time of abandonment, and in its current condition does not pose an immediate danger to life, health, and property, but requires additional work solely because the owner of the property on which the well is located proposes construction on the property that would prevent or impede access to the well for purposes of remedying a currently perceived future problem, then the owner of the property on which the well is located shall obtain all rights necessary to reabandon the well and be responsible for the reabandonment.
2. The person or entity causing construction over or near the well - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and the property owner, developer, or local agency permitting the construction failed either to obtain an opinion from the supervisor or district deputy as to whether the previously abandoned well is required to be reabandoned, or to follow the advice of the supervisor or district deputy not to undertake the construction, then the person or entity causing the construction over or near the well shall obtain all rights necessary to reabandon the well and be responsible for the reabandonment.
3. The party or parties responsible for disturbing the integrity of the abandonment - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and after that time someone other than the operator or an affiliate of the operator disturbed the integrity of the abandonment in the course of developing the property, then the party or parties responsible for disturbing the integrity of the abandonment shall be responsible for the reabandonment.

No well work may be performed on any oil, gas, or geothermal well without written approval from the Division. Well work requiring approval includes, but is not limited to, mitigating leaking gas or other fluids from abandoned wells, modifications to well casings, and/or any other re-abandonment work. The Division also regulates the top of a plugged and abandoned well's minimum and maximum depth below final grade. CCR §1723.5 states well casings shall be cut off at least 5 feet but no more than 10 feet below grade. If any well needs to be lowered or raised (i.e. casing cut down or casing riser added) to meet this regulation, a permit from the Division is required before work can start.

The Division makes the following additional recommendations to the local permitting agency, property owner, and developer:

1. To ensure that present and future property owners are aware of (a) the existence of all wells located on the property, and (b) potentially significant issues associated with any improvements near oil or gas wells, the Division recommends that information regarding the above identified well(s), and any other pertinent information obtained after the issuance of this letter, be communicated to the appropriate county recorder for inclusion in the title information of the subject real property.
2. The Division recommends that any soil containing hydrocarbons be disposed of in accordance with local, state, and federal laws. Please notify the appropriate authorities if soil containing significant amounts of hydrocarbons is discovered during development.

As indicated in PRC § 3106, the Division has statutory authority over the drilling, operation, maintenance, and abandonment of oil, gas, and geothermal wells, and attendant facilities, to prevent, as far as possible, damage to life, health, property, and natural resources; damage to underground oil, gas, and geothermal deposits; and damage to underground and surface waters suitable for irrigation or domestic purposes. In addition to the Division's authority to order work on wells pursuant to PRC §§ 3208.1 and 3224, it has authority to issue civil and criminal penalties under PRC §§ 3236, 3236.5, and 3359 for violations within the Division's jurisdictional authority. The Division does not regulate grading, excavations, or other land use issues.

If during development activities, any wells are encountered that were not part of this review, the property owner is expected to immediately notify the Division's construction site well review engineer in the Inland district office, and file for Division review an amended site plan with well casing diagrams. The District office will send a follow-up well evaluation letter to the property owner and local permitting agency.

Should you have any questions, please contact Victor Medrano at (661) 326-6016 or via email at Victor.Medrano@conservation.ca.gov.

Sincerely,

Jeff Kimber

Jeff Kimber for
William Long
Acting District Deputy

cc: Kassandra Gale - Submitter

Wells Abandoned to Current Division Requirements as Prescribed by Law & Not Projected to be Built Over or Have Future Access Impeded

The wells listed below are abandoned to current Division requirements as prescribed by law, and based upon information provided, are not projected to be built over or have future access impeded.

API	Well Designation	Operator	Well Evaluations
0402952455	Borel 1	Nord-Montara Petroleum Company	The well is plugged and abandoned consistent with current PRC and CCR.



Jared Blumenfeld
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D., Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

September 9, 2022

Ms. Kassandra Gale
Principal Planner
City of Bakersfield
1715 Chester Avenue, 2nd Floor
Bakersfield, CA 93301
KGale@bakersfieldcity.us

NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE VETERAN'S AFFAIRS COMMUNITY-BASED OUTPATIENT MEDICAL CLINIC, DATED AUGUST 8, 2022 (STATE CLEARINGHOUSE NUMBER: 2022080337)

Dear Ms. Gale:

The Department of Toxic Substances Control (DTSC) received a Notice of Preparation of an Environmental Impact Report (EIR) for the Veteran's Affairs Community-Based Outpatient Clinic (Project). The Lead Agency is receiving this notice from DTSC because the Project includes one or more of the following: groundbreaking activities, work in close proximity to a roadway, importation of backfill soil, and/or work on or in close proximity to an agricultural or former agricultural site.

DTSC recommends that the following issues be evaluated in the Hazards and Hazardous Materials section of the EIR:

1. A State of California environmental regulatory agency such as DTSC or Regional Water Quality Control Board (RWQCB), or a qualified local agency that meets the requirements of [Assembly Bill 304 \(AB304\)](#) should provide regulatory concurrence that the site is safe for construction and the proposed use.
2. The EIR should acknowledge the potential for historic or future activities on or near the project site to result in the release of hazardous wastes/substances on the project site. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment

should be evaluated. The EIR should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.

3. Refiners in the United States started adding lead compounds to gasoline in the 1920s in order to boost octane levels and improve engine performance. This practice did not officially end until 1992 when lead was banned as a fuel additive in California. Tailpipe emissions from automobiles using leaded gasoline contained lead and resulted in aerially deposited lead (ADL) being deposited in and along roadways throughout the state. ADL-contaminated soils still exist along roadsides and medians and can also be found underneath some existing road surfaces due to past construction activities. Due to the potential for ADL-contaminated soil DTSC, recommends collecting soil samples for lead analysis prior to performing any intrusive activities for the project described in the EIR.
4. If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to [DTSC's 2001 Information Advisory Clean Imported Fill Material](#).
5. If any sites included as part of the proposed project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the EIR. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 [Interim Guidance for Sampling Agricultural Properties \(Third Revision\)](#).

DTSC appreciates the opportunity to comment on the EIR. Should you choose DTSC to provide oversight for any environmental investigations, please visit DTSC's [Site Mitigation and Restoration Program](#) page to apply for lead agency oversight. Additional information regarding voluntary agreements with DTSC can be found at [DTSC's Brownfield website](#).

Ms. Cassandra Gale
September 9, 2022
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If you have any questions, please contact me at (916) 255-3710 or via email at Gavin.McCreary@dtsc.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Gavin McCreary". The signature is fluid and cursive, with the first name "Gavin" being more prominent than the last name "McCreary".

Gavin McCreary
Project Manager
Site Evaluation and Remediation Unit
Site Mitigation and Restoration Program
Department of Toxic Substances Control

cc: (via email)

Governor's Office of Planning and Research
State Clearinghouse
State.Clearinghouse@opr.ca.gov

Mr. Dave Kereazis
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov



NATIVE AMERICAN HERITAGE COMMISSION

August 24, 2022

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Bakersfield, CA 93301

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NAHC HEADQUARTERS
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West Sacramento,
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(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

Re: 2022080337, Veteran's Affairs Community-Based Outpatient Medical Clinic Project, Kern County

Dear Ms. Gale:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.

- b.** The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
- 3.** Contact the NAHC for:
- a.** A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b.** A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
- 4.** Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
- a.** Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b.** Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c.** Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subs. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Cameron.Vela@nahc.ca.gov.

Sincerely,

Cameron Vela

Cameron Vela
Cultural Resources Analyst

cc: State Clearinghouse



P.O. Box 3357
Bakersfield, CA 93385
September 12, 2022

VIA ELECTRONIC MAIL

City of Bakersfield – Development Services Department
Attn: Cassandra Gale, Principal Planner
1715 Chester Avenue, 2nd Floor
Bakersfield, CA 93301

Re: Notice of Preparation for Veteran’s Affairs Community-Based Outpatient Medical Clinic; Site Plan Review No. 21-0399

Dear Planners:

The proposed Veteran’s Affairs Community-Based Outpatient Medical Clinic Project involves the development of a 39,648 square foot medical outpatient facility to serve as a Department of Veterans Affairs (VA) Community-Based Outpatient Medical Clinic, with associated parking and other site improvements. The project site is in Bakersfield, on ±9.0 gross acres located east of Knudsen Street, west of Landco Drive, north of Hageman Road and south of Olive Drive.

Considering the potential short term and long-term impacts of this development on the environmental health of Kern County and surroundings, the EIR for this project should address numerous issues including:

GREENHOUSE GAS EMISSIONS

Global warming is a serious issue, perhaps the most serious issue that we as a species will ever have to face. Dr. James Hansen, Director of the NASA Goddard Institute for Space Studies writes, “The stakes, for all life on the planet, surpass those of any previous crisis. The greatest danger is continued ignorance and denial, which could make tragic consequences unavoidable.” Many scientists say that the world is reaching tipping points beyond which global temperature increases will be irreversible (see <http://www.reuters.com/article/2012/03/26/climate-thresholds-idUSL6E8EQ4GA20120326?feedType=RSS&feedName=everything&virtualBrandChannel=11563>).

California courts have ruled, “the greater the existing environmental problems are, the lower the threshold should be for treating a project’s contribution to cumulative impacts as significant.”

Given the climate crisis’ seriousness, the City must require a GHG study and should be addressing the issue with specific feasible greenhouse gas (GHG) mitigation measures. We list below a number of potential feasible GHG mitigation measures, many of which address criteria pollutant emissions as well; the City should evaluate these mitigation measures and **require this project to adopt a sufficient number of effective climate change measures to offset cumulative impacts.**

The EIR should examine and consider a number of possible potential feasible mitigation measures, including:

- **A requirement that structures contain enough solar photovoltaics (PV) and solar water heating to significantly offset energy usage**, with a capacity that matches the maximum allowed for distributed solar connections to the grid.
- A condition that parking lots be covered and that parking lot roofs contain solar PV both to protect parked vehicles from heating and to generate clean energy for the project.
- In order to encourage the use of non-polluting electric vehicles, the City should require this project to include fast charge Level 3 **EV charging facilities** open and accessible to the public. This project is close to Highway 99, and such fast charge facilities could reduce pollution by encouraging intercity EV travel. See http://www.wind-works.org/cms/index.php?id=84&tx_ttnews%5Btt_news%5D=3401&cHash=ae60686195244d8cb5d31cad14e4aa92.
- In order to encourage the use of non-polluting electric vehicles, the City should require parking lots for all facets of this project to include dedicated EV parking and charging.
- Green building measures should be used, including passive solar design and a requirement that buildings be at least 25% more energy efficient than Title 24 standards current when permits are pulled.
- Satisfy LEED Silver or higher standards on the commercial buildings.
- Design features to reduce Vehicle Miles Traveled (VMT). Such features might include adjacent bus stops and/or other public transportation and should include bicycle-friendly features.
- A requirement that the buildings meet the State goal of Zero Net Energy.
- A requirement that the buildings be all-electric.

- A requirement for partial funding of an area energy efficiency program (perhaps in a nearby environmental justice community) creating equivalent reductions in carbon emissions.
- A requirement that the project partially subsidize public transportation in nearby communities in order to reduce area VMT.
- A requirement that the developer retrofit solar PV on existing area buildings. Retrofitting existing area buildings with solar PV would effectively offset emissions associated with this project in much the same way as the SJVAPCD uses ISR funds to fund offsite projects to offset criteria pollutants associated with development projects.
- A requirement that the developer contribute funding for area solar PV incentives. Most solar PV incentive programs use funding rebates to encourage PV construction.
- A requirement that the developer contribute a GHG fee to the San Joaquin Valley Air Pollution Control District to be used to fund projects that would reduce GHG emissions elsewhere. This could be built into a criteria pollutant VERA as the Air District has suggested in the past.

For the public and the decision-makers to be able to decide on the efficacy of the measures on climate change and on the energy sector, specific requirements should be presented before the project is approved.

The environmental documents must evaluate these potential mitigation measures in order to require sufficient mitigation to substantially reduce the impact of the project on the climate crisis.

AIR POLLUTION

The southern San Joaquin Valley fights it out every year with Los Angeles for having the worst air pollution in the nation. See the American Lung Association report at <http://www.lung.org/our-initiatives/healthy-air/sota/city-rankings/states/california/>. Since our extreme air pollution affects the health of many residents, the EIR must thoroughly address the issue.

In a region with arguably the dirtiest air in the nation and where 31% of Kern County children have asthma, any air pollution additions must be considered significant. The EIR must require a thorough Air Study and must adopt specific enforceable mitigation measures. **The EIR should examine and consider the following feasible methods to reduce the impact:**

- Operational NOx emissions are primarily related to mobile sources. The project should provide regular bus routes between the project and local low-income and minority communities (for example, Shafter, Wasco, Southeast Bakersfield) to

transport patients and workers. The buses should be electric vehicles charged from the project's photovoltaic panels.

- A requirement that the project partially subsidize public transportation in order to reduce area VMT.
- All service equipment should be zero emission.
- The project should encourage workers to drive low-emission vehicles, perhaps furnishing electric vehicles with no emissions whatsoever with onsite charging stations.
- In order to encourage areawide use of non-polluting electric vehicles (EVs), the project should be required to incorporate Level 3 EV fast-charging stations open to the public and accessible to EV drivers on Highway 99.
- The developer can reduce project emissions to zero by entering into a Developer Mitigation Contract (DMC) with the SJVAPCD. A DMC should include specific enforceable measures and should not allow the developer to defer the development and implementation of these measures to a later date.
- Many of the potential feasible GHG mitigation measures listed in a previous section also reduce criteria pollutants, should be considered as air pollution reduction measures, and addressed as such in the EIR.

The EIR must evaluate these and similar mitigation measures to reduce the impact of this project on air pollution.

An enormous body of evidence documents that low-income and/or minority communities are disproportionately exposed to various sources of air pollution. Assembly Bill 617 (AB 617) was designed to directly address ongoing issues of local air pollution in disadvantaged communities. The Shafter region, just northwest of this proposed project, is one of the 15 communities in the state's AB 617 environmental justice program. The EIR must address this project's air and climate impact to the AB 617-designated Shafter region.

The Beardsley Elementary School and Junior High School and San Lauren Elementary School are each within a mile of this project. The EIR must address the project's air pollution impact on these sensitive receptors and on nearby housing.

Dust mitigation as described in most EIRs is not efficient in reducing the threat of Valley fever. The EIR should require soil testing for Valley fever.

Forest preservation is one of the best ways to naturally sequester atmospheric carbon. Trees and other plants in increasing elevation are negatively impacted by mobile and stationary source pollution from motor vehicles and industry. Sequoia National Forest and Sequoia-Kings Canyon National Parks are the most polluted parks and forests in the federal system. This pollution is directly attributed to San Joaquin Valley activities. See, for example, <http://www.elsevier.com/books/ozone-air-pollution-in-the-sierra-nevada->

[distribution-and-effects-on-forests-2/bytnerowicz/978-0-08-044193-1](http://www.fs.fed.us/psw/southernsierrascience/speakers/pdf/cisneros.pdf) or <http://www.fs.fed.us/psw/southernsierrascience/speakers/pdf/cisneros.pdf>. The EIR must examine and mitigate the cumulative air pollution effects of this project on forest resources.

The EIR must address the project's cumulative impact to air pollution. While this cumulative impact is certainly significant, it is not unavoidable. We offer the above suggestions as some feasible methods to reduce the cumulative impact. Were project emissions reduced to zero via a DMC or other methods, then the project would have no cumulative air pollution impact since zero project-specific impact could not add to the cumulative impact.

ALTERNATIVES

The EIR must thoroughly discuss the feasibility of a range of alternatives to the project, including the “**Existing Veterans Clinic Alternative**”. This proposed project would presumably replace an existing more centrally located Veterans Clinic. The EIR should explore the potential for remodeling and expanding the existing clinic in this alternative. This alternative could reduce VMT, could reduce the exposure of sensitive receptors to substantial pollutant concentrations, and could reduce localized air quality impacts. We note that “[a] potential alternative should not be excluded from consideration merely because it ‘would impede to some degree the attainment of the project objectives or would be more costly’ even when that alternative includes Project development on an alternative site. *Save Round Valley Alliance v. County of Inyo*, 157 Cal. App. 4th 1437, 1456-57 (2007).

CUMULATIVE IMPACTS

We include a cumulative list of several of the additional current new and/or proposed projects within the Highway 99 area:

- Malibu Vineyards Industrial Parkway Project on 739 acres one mile north of Bakersfield adjoining Highway 99.
- 99 Houghton Industrial Park Project on 314.30 acres adjoining Highway 99 (Kern County) (<https://ceqanet.opr.ca.gov/2009051005/3>)
- Ware Malcomb Industrial Project in unincorporated Kern County at the intersection of Houghton Road and Wible Road.
- Majestic Gateway Project on ±90.6 acres located east of SR-99, west of South H Street in Bakersfield.
- CUP 20-0379, a truck stop project on 16 acres on Taft Highway west of Highway 99 (City of Bakersfield)
- GPA ZC 19-0158 at South Union and Berkshire Road (City of Bakersfield)

- GPA ZC 19-0009 at Taft Highway and Ashe Road (City of Bakersfield)
- GPA ZC 19-0035 at Hosking and Wible (City of Bakersfield)
- Mettler Station project located at 1841 Mettler Frontage Road (USDA)
- Numerous such projects in the Tejon Industrial Complex
- The EIR for the 99 Houghton Industrial Park Project lists 14 pages of pending projects with 6 miles of that project.

There are likely other such projects of which we are not aware.

The cumulative impacts of this project, of those listed above, and of other area projects on air pollution, traffic, climate change, biological resources, and other issues must be thoroughly addressed.

BIOLOGICAL RESOURCES

Many sensitive and special status species have occurred historically in the vicinity of the project site.

Special-status species such as San Joaquin kit fox, blunt-nosed leopard lizard, grasshopper sparrow, golden eagle, Tulare grasshopper mouse, burrowing owl, and loggerhead shrike may occur in the proposed project areas. The sharp-shinned hawk, burrowing owl, prairie falcon, and northern harrier were observed during surveys for the proposed 99 Houghton Industrial Park project. Given the special status of these species, the EIR should require pre-construction surveys to observe CDFW protocols and to be extended to a buffer area surrounding the sites.

The EIR should investigate whether the project site contains potential foraging habitat and/or nesting habitat for the Swainson's hawk. Mitigation measures might include requiring the project to plant trees that could serve as Swainson's hawk nesting sites and requiring the project to purchase conservation easements on nearby Swainson's hawk foraging habitat.

Loss of habitat is a major reason for species decline. While many of these species may have been driven out of the project site by mowing and disking operations, the EIR should consider reintroducing some of the native plant species by replanting them in project open space areas. In addition, landscaping should include drought-tolerant and/or native plants.

According to the publication *Conservation Strategies for San Joaquin Kit Foxes in Urban Environments* by Brian Cypher, Christine Van Horn Job, and Scott Phillips at http://esrp.csustan.edu/publications/pdf/cypher_etal_2012_urban_kitfox_conservation_esrp.pdf, "To the extent practical and possible, urban planners could design new developments in a manner that facilitates use by kit foxes." This project should be

designed with urban kit fox conservation measures in mind, perhaps including artificial kit fox dens and movement corridors as suggested in the above document.

It is possible that kit fox dens are located on the site. If a den cannot be avoided, will it be excavated and the kit foxes relocated? The publication *Feasibility and Strategies for Translocating San Joaquin Kit Foxes to Vacant or Restored Habitats* by Samantha Bremner-Harrison and Brian Cypher at http://esrp.csustan.edu/publications/pdf/esrp_2007_kitfoxrelocation_w.pdf gives evidence that kit fox relocation is complex and will likely not be successful. The EIR should address this evidence.

TRAFFIC

The EIR should include a comprehensive traffic study. The traffic study should analyze the project's cumulative traffic impact on Highway 99 and other area roads, including anticipated traffic from other proposed or existing area projects.

In particular, the Governor's Office of Planning and Research states, "Lead agencies should not truncate any VMT analysis because of jurisdictional or other boundaries, for example, by failing to count the portion of a trip that falls outside the jurisdiction or by discounting the VMT from a trip that crosses a jurisdictional boundary." (https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf) In addition, if travel patterns are substantially affected outside of the area of analysis, the area of analysis should be expanded to include the full affected area. **When assessing trip based VMT, include the full trip, even if it goes beyond a jurisdictional boundary.**

Please place the Sierra Club on the distribution list for the Malibu Vineyards Industrial Parkway Project to receive any noticing of meetings, hearings, availability of documents, and to receive the environmental documents. We prefer email communications and electronic formatting of documents. Thank you for your consideration and for the opportunity to comment.

Sincerely,



Gordon L. Nipp, Ph.D.

Vice-Chair

gnipp@bak.rr.com

661-872-2432

August 24, 2022

Kassandra Gale
City of Bakersfield
Development Services Department
1715 Chester Avenue, 2nd Floor
Bakersfield, CA 93301

Project: Veteran's Affairs Community-Based Outpatient Medical Clinic Site Plan Review No. 21-0399. Notice of Preparation for an Environmental Impact Report

District CEQA Reference No: 20221151

Dear Ms. Gale:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Initial Study Environmental Analysis from the City of Bakersfield (City) for the above mentioned project. Per the Initial Study Environmental Analysis, the project consists of the development of a 39,648 square foot medical outpatient facility to serve as a Department of Veterans Affairs Community-Based Outpatient medical Clinic (Project). The Project is located on the southeast corner of Knudsen Drive and Olive Drive in Bakersfield, CA.

The District offers the following comments regarding the Project:

1) Project Related Emissions

Based on information provided to the District, Project specific annual criteria pollutant emissions from construction and operation are not expected to exceed any of the significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI):
<https://www.valleyair.org/transportation/GAMAQI.pdf>.

1a) Construction Emissions

The District recommends, to reduce impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment, including the latest tier equipment.

Samir Sheikh
Executive Director/Air Pollution Control Officer

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Central Region (Main Office)
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Southern Region
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Tel: (661) 392-5500 FAX: (661) 392-5585

2) Health Risk Screening/Assessment

The City should evaluate the risk associated with the Project for sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for the Project. These health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health.

Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

Prioritization (Screening Health Risk Assessment):

A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

To assist land use agencies and project proponents with Prioritization analyses, the District has created a prioritization calculator based on the aforementioned CAPCOA guidelines, which can be found here:

http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION-CALCULATOR.xls

Health Risk Assessment:

Prior to performing an HRA, it is strongly recommended that land use agencies/ project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA. This step will ensure all components are addressed when performing the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the project-related health impacts would exceed the District's significance threshold of 20 in a million for carcinogenic risk, or 1.0 for either the Acute or Chronic Hazard Indices.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: hramodeler@valleyair.org
- Calling (559) 230-5900

Recommended Measure: Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at <https://ww3.arb.ca.gov/ch/handbook.pdf>.

3) Vegetative Barriers and Urban Greening

There are single family residential units located west of the Project and an elementary school located south west of the Project. The District suggests the City consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residential units).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help

improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

4) Clean Lawn and Garden Equipment in the Community

Since the Project consists of commercial development, gas-powered commercial lawn and garden equipment have the potential to result in an increase of NO_x and PM_{2.5} emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: <http://valleyair.org/grants/cgym-commercial.htm>.

5) On-Site Solar Deployment

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for the Project.

6) Electric Vehicle Chargers

To support and accelerate the installation of electric vehicle charging equipment and development of required infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of the District's Charge Up! Incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District recommends that the City and project proponents install electric vehicle chargers at project sites, and at strategic locations.

Please visit www.valleyair.org/grants/chargeup.htm for more information.

7) District Rules and Regulations

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and

Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (661) 392-5665.

7a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

This Project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, the Project proponent should submit to the District an application for an ATC. For further information or assistance, the project proponent may contact the District's SBA Office at (661) 392-5665.

7b) District Rule 9510 - Indirect Source Review (ISR)

The Project is subject to District Rule 9510 because it will receive a project-level discretionary approval from a public agency and will equal or exceed 20,000 square feet of medical office space.

The purpose of District Rule 9510 is to reduce the growth in both NO_x and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NO_x and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

Per Section 5.0 of the ISR Rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency. As of the date of this letter, the District has not received an AIA application for this Project. Please inform the project proponent to immediately submit an AIA application to the District to comply with District Rule 9510. One AIA application should be submitted for the entire Project. It is preferable for the applicant to submit an AIA application as early as possible in the City's approval process so that proper mitigation and clean air design under ISR can be incorporated into the City's analysis.

Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>.

The AIA application form can be found online at: <http://www.valleyair.org/ISR/ISRFormsAndApplications.htm>.

District staff is available to provide assistance and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.

7c) District Rule 4601 (Architectural Coatings)

The Project may be subject to District Rule 4601 since it may utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at: <http://www.valleyair.org/rules/currntrules/r4601.pdf>

7d) District Regulation VIII (Fugitive PM10 Prohibitions)

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the

District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at:

<https://www.valleyair.org/busind/comply/PM10/forms/DCP-Form.docx>

Information about District Regulation VIII can be found online at:

http://www.valleyair.org/busind/comply/pm10/compliance_pm10.htm

7e) Other District Rules and Regulations

The Project may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

8) District Comment Letter

The District recommends that a copy of the District's comments be provided to the Project proponent.

If you have any questions or require further information, please contact Harout Sagherian by e-mail at Harout.Sagherian@valleyair.org or by phone at (559) 230-5860.

Sincerely,

Brian Clements
Director of Permit Services



For: Mark Montelongo
Program Manager



tel: 916.455.7300 · fax: 916.244.7300
510 8th Street · Sacramento, CA 95814

September 12, 2022

SENT VIA EMAIL (kgale@bakersfieldcity.us)

City of Bakersfield – Development Services Department
Attention: Kassandra Gale, Principal Planner
1715 Chester Avenue, 2nd Floor
Bakersfield, CA 93301

RE: Comments on the Notice of Preparation of an Environmental Impact Report for the Veteran’s Affairs Community-Based Outpatient Medical Clinic; Site Plan Review No. 21-0399

Dear Ms. Gale:

On behalf of Progress for Bakersfield Veterans, LLC (“PBV”), this letter provides comments regarding the City of Bakersfield’s (“City”) Notice of Preparation (“NOP”) of an Environmental Impact Report (“EIR”) for the Veteran’s Affairs Community-Based Outpatient Medical Clinic (“Project”).

The overriding and primary goal of the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq. [“CEQA”]) is the protection of the environment (see *id.* at §§ 21000-21002). It is the policy of the state to “[t]ake all action necessary” to provide citizens with “clean air and water,” “freedom from excessive noise,” “[p]revent the elimination of fish or wildlife species due to [anthropogenic] activities,” and “[e]nsure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian, shall be the guiding criterion in public decisions.” (Pub. Resources Code, § 21001, subds. (b)-(d).) The purpose of an EIR is to provide the public with detailed information about the effect that a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project. (Pub. Resources Code, §§ 21061, 21002.1, subd. (a).) The City’s EIR for the project must fully disclose and analyze all of the project’s potentially significant impacts.

City of Bakersfield
Development Services Department
September 12, 2022
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The boxes for several impacted resources have improperly been left blank in the NOP. These resources include Noise, Land Use/Planning, Mineral Resources, and Public Services. Due to the likelihood of these resources being significantly impacted, they should be analyzed in the City's EIR for the Project. The NOP should be revised accordingly, and public notice of such revisions should be given.

Very truly yours,

SOLURI MESERVE
A Law Corporation

By: 
Osha R. Meserve

ORM/mre