NEGATIVE DECLARATION

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

PROJECT NO. (or Title): General Plan Amendment/Zone Change No. 22-0125
Planned Unit Development No. 22-0403

COMMENT PERIOD BEGINS: March 6, 2023

COMMENT PERIOD ENDS: April 5, 2023

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

Air Quality Impact Mitigation Measures:

1. Prior to grading plan approval, the applicant/developer shall submit documentation to the Planning Division that they are compliant with air quality control measures and rules required by the San Joaquin Valley Air Pollution Control District. The documentation shall specify that the Project has complied with the SJVAPCD' Indirect Source Rule (Rule 9510)

Biological Resources Impact Mitigation Measures:

2. Prior to ground disturbance, the project proponent shall comply with federal and state laws protecting species of plants, fish, and wildlife that are listed or proposed for listing as endangered or threatened, as well as their designated critical habitat. If the presence of an endangered or threatened species on private land that overlaps with development that impose certain duties, such as avoiding unauthorized take and requiring consultation with the United States Fish & Wildlife Service (USFWS) and/or California Department of Fish & Wildlife (CDFW) agency. If unauthorized take occurs, property owners and developers shall take the necessary steps to ensure compliance with federal and state laws.

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

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

   If any ground disturbing activities occur during the burrowing owl nesting season (approximately February 1 through August 31), and potential burrowing owl burrows are present within the Project footprint,

avoidance measures shall be implemented. In the event that burrowing owls are found, the applicant/developer shall follow CDFW protocol for mitigation and comply with the provisions of the Migratory Bird Treaty Act.

Cultural Resources Impact Mitigation Measures:

4. Prior to construction and as needed throughout the construction period, a construction worker cultural awareness training program shall be provided to all new construction workers within one week of employment at the project site. The training shall be prepared and conducted by a qualified cultural resources specialist.

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

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

Paleontological Resources Mitigation Measures:

7. During construction, if paleontological resources are encountered during construction or ground disturbance activities, all work within 50 feet of the find shall immediately cease and the area cordoned off until a qualified paleontological resource specialist can evaluate the find and make recommendations. If the specialist determines that the discovery represents a potentially significant paleontological resource, additional investigations may be required. These additional studies may include fossil salvage. Ground disturbance in the vicinity of the discovery site (within 50 feet) shall not resume until the resource-appropriate measures are implemented or the materials are determined to be less than significant.

Traffic Impact Mitigation Measures:

8. Prior to the issuance of building permits, the project applicant shall participate in the Regional Transportation Impact Fee (RTIF) program by paying the adopted fees in place for the land use type at time of development.

INITIAL STUDY
ENVIRONMENTAL ANALYSIS

1. **Project** *(Title & No.)*: General Plan Amendment/Zone Change No. 22-0125
   Planned Unit Development No. 22-60000403

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

3. **Contact Person** *(name, title, phone)*: Louis Ramirez, Associate Planner
   (661) 326-3023

4. **Project Location:** The project is located within a 19.51-acre parcel (APN: 539-010-08) in southwest, Bakersfield, California. The project site is located on the southwest corner of Berkshire Road and Ashe Road.

5. **Applicant** *(name and address)*: Cornerstone Engineering, Inc.
   Attn: Patricia Newquist
   5509 Young St.
   Bakersfield, CA 93311

6. **General Plan Designation:** HMR (High Medium Density Residential)

7. **Zoning:** R-2 (Limited Multiple Family Dwelling)

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

   Cornerstone Engineering, Inc. (applicant) representing Grupe Properties, Inc. (property owner), is proposing a multiple-family residential development. The Project would consist of apartments with shared amenities including a pool, spa, fitness center and dog park. The request includes three components:

   1. General Plan Amendment (GPA) of the land use element of the *Metropolitan Bakersfield General Plan* (General Plan) from HMR (High Medium Density Residential) to HR (High Density Residential);
   2. Zone Change (ZC) from an R-2 (Limited Multiple Family Dwelling) zone classification to R-3/PUD (Multiple Family Dwelling/Planned Unit Development); and
   3. Site Plan consisting of Multiple Family uses consistent with the R-3/PUD zone classification.

   The Project would be the development of a 336-unit apartment complex totaling 328,890 square feet of residential dwellings. The apartment complex will be gated with trees, sidewalks, and a masonry wall along the project boundary. The main gate to the apartment complex will be on the north side of the Project site off Berkshire Road. A secondary gate will located at the southeast corner of the Project site off Ashe Road. Pedestrian walkways are located though out the Project site. Multiple three-story buildings comprised of 1-bedroom, 2-bedroom and 3-bedroom apartments will be spread around the property. Amenities include a 1,720 square foot fitness building, 4,360 square foot community building and a 1,720 square foot club house. Parking is comprised of 368

uncovered spaces, 180 carport spaces, and 96 single car garages. Included with the uncovered spaces are 28 EV charging stations and every carport includes a solar canopy. Outdoor amenities include a pool, spa, barbeque areas, play area for children ages 2-5 years, play area for children ages 5-12, combined pickle ball/half-court basketball area, a dog run, outdoor picnic areas, multiple yoga areas, fitness weight area, recreation area with cornhole, ping pong, and bocce ball, and a fire pit. Over 360 trees will be planted throughout the property which includes the required 94 trees for street frontage and the 95 trees for parking.

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

The proposed Project site is currently agricultural land and is bounded by residences and Berkshire Road to the north; vacant land and Ashe Road to the east; agricultural land to the south; and agricultural land to the west.

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

Agency	Approvals and Decisions
Subsequent City of Bakersfield Approvals	
Development Services Department and Public Works Department	• Issue grading permits. • Issue building permits. • Accept public right-of-way dedications. • Approve road improvement plans. • Issue encroachment permits. • Approve proposed sewer connections and improvements.
Other Agencies – Subsequent Approvals and Permits	
Regional Water Quality Control Board	• Issue a Construction Activity General Construction Permit. • Confirm Compliance with National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements.
San Joaquin Valley Air Pollution Control District	• Approve Indirect Source Rule compliance
Bakersfield City Water District	• Approve proposed water connections and improvements.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

□ Aesthetics	□ Agricultural Resources	□ Air Quality
□ Biological Resources	□ Cultural Resources	□ Geology / Soils
□ Greenhouse Gas Emissions	□ Hazards & Hazardous Materials	□ Hydrology / Water Quality
□ Land Use / Planning	□ Mineral Resources	□ Noise
□ Population / Housing	□ Public Services	□ Recreation
□ Transportation / Traffic	□ Utilities / Service Systems	
□ 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

3/6/2023

Date

Louis Ramirez

Printed name

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS: Would the project;				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcrops, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c. In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Discussion

a. **Less-than-significant impact.** The Project is located within the City limits on the southwest corner of Berkshire Road and Ashe Road. The existing visual environment in the area adjacent to the Project is agricultural land with nearby residential uses. The Project does not conflict with any applicable vista protection standards, scenic resource protection requirements or design criteria of federal, state, or local agencies. The Project site is located within an area having slopes from 0 to 5 %. The area is not regarded or designated within the Metropolitan Bakersfield General Plan as visually important or "scenic." The construction of multiple apartment buildings at the site would be in character and compatible with existing urban land uses in the vicinity of the site and is a natural extension of the urban growth occurring in the Project area. Therefore, the Project would not have a substantial adverse effect on a scenic vista, and impacts are less than significant.

b. **No impact.** There are no trees, rock outcrops, or historic buildings located at the Project site. Additionally, the Project is not located adjacent to or near any officially designated or potentially eligible scenic highways to be listed on the California Department of Transportation (Caltrans) State Scenic Highway System (Caltrans 2017). The closest section of highway eligible for state scenic highway designation is State Route (SR) 14 (Caltrans 2017) located in Kern County over 60 miles to the east. Therefore, the Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcrops, and historic buildings within a state scenic highway.

c. **Less-than-significant impact.** Please refer to responses I.a, I.b, and I.d. As described, the Project site consists of existing farmland. The Project site is bounded to the north by a newly constructed residential neighborhood; to the east vacant land; and to the south and west farmland. Therefore, the Project would not substantially degrade the existing visual character or quality of the site and its surroundings.

d. **Less-than-significant impact.** This project involves incremental urban growth within the City of Bakersfield's jurisdiction. This project would be required to comply with City development standards, including Bakersfield Municipal Code Title 17 Zoning, Title 15 Buildings and Construction, and the California Code of Regulations Title 24 (Building Standards Code). Together, these local and state requirements oblige project compliance with current lighting standards that minimize unwanted light or glare to spill over into neighboring properties. Therefore, the Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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. 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?	☐	☐	☒	☐
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined by Public Resources Code section 4526) or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d. Result in the loss of forestland or conversion of forest land to non-forest?	☐	☐	☐	☒
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?	☐	☐	☒	☐

Discussion

a. **Less than Significant Impact** The Project site is designated as Farmland of Statewide Importance by the Farmland Mapping and Monitoring Program (DOC 2022a). The Project site was granted a nonagricultural entitlement, GPA/ZC 07-1135 in 2007. A Farmland Conversion Study was prepared that determined the amount of prime irrigated farmland being converted is considered insignificant (WZI, Inc., November 2007). The Project does not convert 100 acres or more of the farmlands designated prime, unique or of statewide significance to nonagricultural uses. State CEQA Guidelines, Section 15206 does not regard the cancellation of less than 100

acres of land from the Williamson Act to be of statewide, regional or areawide significance. The Project site is not under a Williamson Act Contract. Thus, when evaluated independently and cumulatively, this project poses an impact that is less than significant.

b. **No impact.** The Project site is currently zoned R-2 (Limited Multiple Family Dwelling) for residential uses and is not under a Williamson Act contract. Therefore, the Project would not conflict with existing zoning for agricultural use or a Williamson Act contract.

c. **No impact.** As discussed in II.b, the Project site is zoned for residential uses. The proposed zone change would increase the residential density throughout the Project site. There are no forest lands, timberland, or timberland zoned Timberland Production lands on the Project site. Therefore, the Project would not conflict with existing zoning for, or cause rezoning of forest land or timberland, or timberland zoned Timberland Production.

d. **No impact.** There are no forestlands on the Project site. Therefore, the Project would not result in the loss of forestland or conversion of forest land to non-forest.

e. **No impact.** Please refer to responses II.a through II.d. This project proposes to increase the density of an existing residential area designated for urban development by the General Plan. There are no forestlands in proximity to the Project that would experience conflicts in operation due to the proposed development. Therefore, the Project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Discussion

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

As such, air quality impacts from the Project are controlled through policies and provisions of the SJVAPCD and the General Plan. The SJVAPCD has adopted an Air Quality Attainment Plan (AQAP) and is required to submit a "Rate of Progress" document to the California Air Resources Board (CARB) that demonstrates past and planned progress toward reaching attainment for all criteria pollutants.

The SJVAPCD requires local jurisdictions to design all developments in ways that reduce air pollution from vehicles, which is the largest single category of air pollution in the San Joaquin Valley and from other stationary sources. They do so through the permitting authority under the New and Modified Stationary Source Review Rule (Rule 2201) and the Authority to Construct and Permit to Operate (Rule 2010). Other regulations and policy that require compliance with air quality strategies for new commercial developments include, but are not limited to, Title 24 efficiency standards, Title 20 appliance energy efficiency standards, 2005 building energy efficiency standards, Assembly Bill 1493 motor vehicle standards, and compliance with the General Plan Air Quality Conservation Element.

An Air Quality Impact Assessment ("AQIA") (EnviroTech Consultants 2022) was completed for the proposed Project. The AQIA concluded that the proposed emissions from the Project are below the SJVAPCD's established emissions impact thresholds, and that the primary source of emissions from the Project will be motor vehicles that are licensed through the State of California and whose emissions are already incorporated into the CARB San Joaquin Valley Emissions Inventory. Therefore, the Project would not conflict with, or obstruct implementation of, the applicable air quality plan.

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

Pollutant/Precursor	**Construction Emissions** **Emissions (tons/year)**	***Operational Emissions***	
		Permitted Equipment and Activities **Emissions (tons/year)**	**Non-Permitted Equipment and Activities Emissions (tons/year)**
CO	100	100	100
NOx	10	10	10
VOC	10	10	10
SOx	27	27	27
PM_{10}	15	15	15
$PM_{2.5}$	15	15	15

Source: Envirotech Consultants 2022.

Construction of the Project would result in air pollutant emissions. Emissions from construction would result from fuel combustion and exhaust from equipment as well as vehicle traffic, grading, and the use of toxic materials (e.g., lubricants). The following table provides estimated construction emissions from the Project. It was assumed in developing construction emission calculations that: 1) exposed areas would be watered and 2) construction vehicle speeds would be reduced to less than 15 mile per hour.

Construction Emissions (Short-Term)							
Source	**Pollutant (tons/year)**						
	VOC	**NOX**	**CO**	**PM_{10}**	**$PM_{2.5}$**	**SO_x**	**CO_{2e}**
Unmitigated							
2023	0.37	2.63	3.22	0.66	0.30	0.01	718.51
2024	0.77	0.79	1.14	0.17	0.07	0.00	248.60
Maximum Annual Emissions	**0.77**	**2.63**	**3.22**	**0.66**	**0.30**	**0.01**	**718.51**
Mitigated							
2023	0.21	0.74	3.46	0.46	0.15	0.01	718.51
2024	0.73	0.27	1.22	0.14	0.04	0.00	248.60
Maximum Annual Emissions	**0.73**	**0.74**	**3.46**	**0.45**	**0.15**	**0.01**	**718.51**
SJVAPCD Threshold	10	10	100	27	15	15	NA
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**	**NA**

Source: EnviroTech Consultants 2022.

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

Project operations would also result in air pollutant emissions. The main source of emissions would be from vehicular traffic associated with the Project site. The following table provides estimated operational emissions from the Project.

Operational Emissions						
Emissions Source	**Pollutant (tons/year)**					
	ROG	**NOX**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Unmitigated						
Residential	2.13	2.41	10.02	0.03	2.58	.73
Mitigated						
Residential	2.12	2.35	9.71	0.03	2.45	.67
SJVAPCD Threshold	**10**	**10**	**100**	**27**	**15**	**15**
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Source: EnviroTech Consultants 2022.

As shown in the above table, operational emissions are also not predicted to exceed SJVAPCD significance thresholds levels. Because the Project develops more than 50 residential units, it must comply with the SJVAPCD's Indirect Source Rule (ISR) (Rule 9510). Mitigation Measure 1 requires that the Project comply with SJVAPCD air quality control measures and rules, including the ISR. Therefore, the Project would not conflict with or obstruct implementation of the applicable air quality plan, and impacts are less than significant.

b. **Less-than-significant impact with mitigation incorporated.** Under SJVAPCD's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI; SJVAPCD 2015), any project that would have individually significant air quality impacts would also be considered to have significant cumulative air quality impacts. Impacts of local pollutants are cumulatively significant when the combined emissions from the Project and other planned projects exceed air quality standards. The following table shows the Project's contribution to cumulative emissions calculated for both Kern County and the greater San Joaquin Valley Air Basin (SJVAB).

Cumulative Emissions						
Emissions Inventory	**Pollutants (tons/year)**					
	ROG	**NOX**	**CO**	**SO_X**	**PM10**	**PM2.5**
Kern County – 2020[1]	21,535.0	15,877.5	27,338.5	511.0	13,651.0	3,723.0
SJVAPCD	302,200	223,800	162,425.0	2,847.0	96,652.0	21,535.0
Project	2.12	2.35	9.71	.03	2.45	.70
Project % of Kern	0.010%	0.015%	0.036%	0.018%	0.018%	0.018%
Project % of SJVAB	0.001%	0.001%	0.006%	0.001%	0.003%	0.003%
[1]Latest inventory available as of August 2021.						

Source: Insight 2017.

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

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

Mitigation Measure 1 in this MND require compliance with air quality control measures and rules required by the SJVAPCD, which include, but are not necessarily limited to, SJVAPCD Rule 2010 (Permits Required), SJVAPCD Rule 2201 (New and Modified Stationary Source Review Rule), SJVAPCD Rule 4102 (Nuisance), and SJVAPCD Rule 9510 (Indirect Source Rule), each of which is discussed at length in the AQIA prepared for the Project (Envirotech Consultants 2022).

Because the air quality modeling indicates that project's regional contribution to cumulative impacts would be negligible and the Project would comply with the requirements of the SJVAPCD attainment plans and rules, the Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is nonattainment under an applicable federal or state ambient air quality standard. Impacts are less than significant.

c. **Less-than-significant impact.** Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved that expose sensitive receptors to sustained exposure to any pollutants present. Examples of the types of land use that are sensitive receptors include retirement facilities, hospitals, and schools. The most sensitive portions of the population are children, the elderly, the acutely ill, and the chronically ill, especially those with cardiorespiratory diseases. The proposed Project has identified sensitive receptors including residential areas in the development adjacent to the proposed Project and

an elementary school 0.35 miles northeast. (EnviroTech Consultants 2022). However, the majority of the potential ambient air quality emissions from the Project are related to mobile source emissions and are not expected to result in localized impacts such as CO "Hot Spots". Therefore, the Project would not expose sensitive receptors to substantial pollutant concentrations, and impacts are less than significant.

d. **Less-than-significant impact.** Because the Project consists of residential uses that do not include activities listed in Table 4.2 of the GAMAQI as a source that would create objectionable odors, the Project is not expected to be a source of objectionable odors. A sewer lift station will be installed to serve the development. The sewer lift station would be enclosed and designed to prevent any atmospheric release of odors. (EnviroTech Consultants 2022). Therefore, the Project would not create objectionable odors affecting a substantial number of people, and impacts are less than significant.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES: Would the project;				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☐	☐	☒
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☒	☐	☐

Discussion

a. **Less than significant with mitigation incorporated.** The Project site has the potential to result in significant impacts to some special-status wildlife species, but no listed special-status plant species were found on the site during reconnaissance-level surveys for the Project. Direct and indirect impacts, in the form of "incidental take" of a threatened, endangered, or otherwise protected species, are not expected as a result of the development of the proposed project. (Pruett 2023).

   Mitigation Measure 2 requires a survey and compliance with avoidance measures prior to ground disturbance for any special-status wildlife species (aside from Blunt-Nosed Leopard Lizard) that have the potential to occur at the Project site. Measure 3 requires a focused survey for the California Burrowing Owl (BUOW) and measures in coordination with CDFW if BUOW are found onsite. With implementation of Mitigation Measures 2 and 3, the Project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.

b. **No impact.** No 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 United States Fish and Wildlife Service exists on the Project site (Pruett 2023). This project is also not located within, or adjacent to, the Kern River riparian habitat area. Therefore, the Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community.

c. **No impact.** There are no wetlands, as defined by Section 404 of the federal Clean Water Act, located at the Project site, and no features identified as wetlands categories are found in the National Wetlands Inventory within the Project area (Pruett 2023). Therefore, the Project would not have a substantial adverse effect on federally protected wetlands.

d. **Less-than-significant with mitigation incorporated.** No migratory wildlife corridors were identified during the literature search or field study. The Project will not interfere substantially with the movement of any native fish of wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites (Pruett 2023). There is the potential during construction to temporarily affect nursery sites such as dens and burrows. Project construction could cause the direct destruction of a nursery site or cause enough of an indirect disturbance to cause special-status wildlife to abandon a nursery site. However, Mitigation Measures 2 and 3 require preconstruction surveys and, if necessary, additional actions recommended by a qualified biologist and CDFW to reduce potential impacts to nursery sites. With the implementation of Mitigation Measures 2 and 3, the Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

e. **Less-than-significant impact.** It was concluded that the Project site does not contain any biological resources that are protected by local policies (Pruett 2023). Therefore, impacts are less than significant.

f. **Less than significant with mitigation incorporated.** Please refer to responses IV.a, IV.d, and IV.e. With implementation of Mitigation Measures 2 and 3, the Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES: Would the project;				
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Discussion

a. **No Impact.** A Phase I Cultural Resources Survey (Hudlow 2022) was completed for the Project by a qualified cultural resources specialist. It has been concluded that the Project site does not contain historical resources (Hudlow 2022). Therefore, the Project would not cause a substantial adverse change in the significance of a historical resource.

b. **Less than significant with mitigation incorporated.** It has been concluded that the Project site does not contain any known archaeological resources (Hudlow 2022). However, there is still the potential to unearth previously unknown archaeological resources at the site, and grading and other ground-disturbing activities have the potential to damage or destroy such resources. Mitigation Measure 4 requires that construction workers are provided with cultural awareness training. Mitigation Measure 5 requires ceasing work and investigating any discovery in the event that previously unknown archaeological resources are unearthed during construction. With the implementation of Mitigation Measures 4 and 5, the Project would not cause a substantial adverse change in the significance of an archaeological resource.

c. **Less than significant with mitigation incorporated.** There are no known human remains found at the Project site (Hudlow 2022). The Project could inadvertently uncover or damage previously unknown human remains. Mitigation Measure 6 requires that if any human remains are found at the site during construction, work would cease and the remains would be handled pursuant to applicable law. With implementation of Mitigation Measure 6, the Project would not significantly disturb any human remains.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. ENERGY: Would the project;				
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Discussion

a. **Less than significant impact.** The applicant is proposing a multiple family residential apartment complex. Project construction would require temporary energy demands typical of other residential projects that occur throughout the state and this development's construction would not result in inefficient or unnecessary consumption of energy resources beyond typical residential construction. All new construction within the City of Bakersfield must adhere to modern building standards, including California Code of Regulations Title 24, which outlines energy efficiency standards for new residential and nonresidential buildings to ensure that they do not wastefully, inefficiently, or unnecessarily consume energy. Therefore, the Project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS: Would the project;				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒	☐
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Discussion

a. The following discusses the potential for the Project to expose people or structures to substantial adverse effects because of various geologic hazards. The City is within a seismically active area. According to the *Metropolitan Bakersfield General Plan*, major active fault systems border the southern portion of the San Joaquin Valley. Among these major active fault systems include the San Andreas, Breckenridge-Kern County, Garlock, Pond Poso, and White Wolf faults. There are numerous additional smaller faults suspected to occur within the Bakersfield area, which may or may not be active. The active faults have a maximum credible Richter magnitude that ranges from 6.0 (Breckenridge-Kern County) to 8.3 (San Andreas). Potential seismic hazards in the planning area involve strong ground shaking, fault rupture, liquefaction, and landslides.

i. **No Impact.** Ground rupture is ground deformation that occurs along the surface trace of a fault during an earthquake. According to the California Department of Conservation's Earthquake Zones of Required Investigation map, the Project site is not located within an

earthquake fault zone. Therefore, the Project would not expose people or structures to potential substantial adverse effects involving rupture of a known earthquake fault.

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

iii. **Less than significant impact.** The most common seismic-related ground failure is liquefaction and lateral spreading. In both cases, during periods of ground motion caused by an event such as an earthquake, loose materials transform from a solid state to near-liquid state because of increased pore water pressure. Such ground failure generally requires a high water table and poorly draining soils in order for such ground failure to occur. According to the United States Department of Agriculture's Web Soil Survey, the Project site's soil is Kimberlina fine sandy loam, saline-sodic, which is both well-draining soils with depth to water table at more than 80 inches. Public supply wells in Kern County are at depths between 600 and 800 feet below land surface (USGS 2016) and therefore, groundwater levels are not close enough to the ground surface to result in sufficiently saturated soils suitable for liquefaction. As a result, the potential for liquefaction at the Project site is low. In addition, future structures proposed on the Project site are required by state law and City ordinance to be constructed in accordance with the Uniform Building Code, including those relating to soil characteristics. Therefore, the Project would not expose people or structures to potential substantial adverse effects involving seismic-related ground failure, including liquefaction.

iv. **No impact.** In Kern County, the common types of landslides induced by earthquake occur on steeper slopes found in the foothills and along the Kern River Canyon; in these areas, landslides are generally associated with bluff and stream bank failure, rockslide, and slope slip on steep slopes. The Project site is relatively flat and level with no major changes in grade. Therefore, the Project would not expose people or structures to potential substantial adverse effects involving landslides.

b. **Less than significant impact.** Construction of the site would temporarily disturb soils, which could loosen soil; however, during operation, the soils would be paved over with impervious surfaces such that the soils at the site would not be particularly susceptible to soil erosion. In addition, the relatively low precipitation in the Project area (on average about 7 to 10 inches/year) results in surface runoff that is intermittent and temporary in nature. The erosion potential at the site, low average rainfall, and the fact that the soils are well drained does not make the Project site susceptible to substantial soil erosion or loss of topsoil. Therefore, the Project would not result in substantial soil erosion or the loss of topsoil.

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

Collapsible soils consist of loose, dry, low-density materials that collapse and compact under the addition of water or excessive loading. Future structures proposed on the Project site are required by state law and City ordinance to be constructed in accordance with the Uniform

Building Code, including those relating to soil characteristics. Therefore, the Project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.

d. **Less-than-significant impact.** The soils identified on site, primarily fine sandy loams, do not have a high potential to be expansive. Additionally, future structures proposed on the Project site are required by state law and City ordinance to be constructed in accordance with the Uniform Building Code, including those relating to soil characteristics. Therefore, the Project would not be located on expansive soil creating substantial risks to life or property.

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

f. **Less than significant with mitigation incorporated.** Paleontological sensitivity is determined by the potential for a geologic unit to produce scientifically significant fossils. Because paleontological resources typically occur in the substratum soil horizon, surface expressions are often not visible during a pedestrian survey. Paleontological sensitivity is derived from known fossil data collected from the entire geologic unit. The Project site is entirely underlain by alluvial fan deposits of late Holocene age, which presumably transition in the subsurface into older, Pleistocene-age deposits.

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. GREENHOUSE GAS EMISSIONS: Would the project;				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Discussion

a. **Less than significant impact.** The implementation of the Project would generate short-term increases in air emissions from construction activities that would occur as a result of the proposed development. The major construction activities that would occur include site preparation and grading, excavation, earthmoving, and grading for construction of utilities, on-site and off-site roads, parking areas, residence foundations, and landscaping, housing construction, asphalt paving of on-site roadways, and application of architectural coatings. The construction activities would generate dust emissions primarily from soil disturbance; exhaust

emissions from construction equipment and motor vehicle operation; and the release of emissions during the finishing phase including paving and the application of architectural coatings. The construction activities that would occur off-site could include delivery of building materials and supplies to the sites and the transport of construction employees to and from the sites. The construction activities would vary substantially day to day, depending on the level of activity, the specific type of operations, and the climatic conditions.

The CalEEMod model was used to estimate the GHG emissions due to construction activities as a result of the Project with "business as usual" conditions (EnviroTech 2022). The construction activities for the Project would generate a maximum of 1,065 metric tons per year of CO2e of GHG emissions. This represents 0.00017 percent of the 2016 GHG emissions in the State of California (which is 429,400,000 metric tons of CO2e) (EnviroTech 2022). Therefore, the short term GHG emissions as a result of the Project will be less than significant.

It is anticipated that the operation of the Project would have the potential to result in long-term increases in air emissions that would generate GHGs that could contribute to global climate change. The majority of the long-term GHG emissions would be generated by motor vehicles traveling to and from the Project site. Area source emissions would result from fuel combustion, landscape maintenance equipment, and consumer products.

The CalEEMod model was used to estimate the GHG emissions due to mobile source emissions and area source emissions as a result of the Project with "business as usual" conditions (EnviroTech 2022). The operation of the Project based on "business as usual" conditions" would result in 5,835 metric tons per year of CO2e of GHG emissions. This represents 0.00075 percent of the CO2e of 2016 GHG emissions in the State of California (which is 429,400,000 metric tons of CO2e) (EnviroTech 2022). Therefore, the long term GHG emissions as a result of the operation of the proposed project will be less than significant also.

b. **Less than significant impact.** CARB is responsible for the coordination and administration of both federal and state air pollution control programs within California. As proposed, the project would not conflict with any statewide policy, regional plan, or local guidance or policy adopted for the purpose of reducing GHG emissions. The Project would not interfere with the implementation of AB 32 and SB 375 because it would be consistent with the GHG emission reduction targets identified by CARB and the Scoping Plan. The Project achieves BAU GHG emissions reduction equal to or greater than the 40% targeted reduction goal. Therefore, the Project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHG.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS: Would the project;				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

Discussion

a. **Less than significant impact.** The Project proposes to develop 336 residential units and therefore, does not involve the routine transport, use, or disposal of hazardous materials as defined by the hazardous Material Transportation Uniform Safety Act. Construction activities would require the transport, storage, use, and/or disposal of hazardous materials such as fuels and greases for the fueling/servicing of construction equipment and fuel tanks, and there is the potential for upset and accident conditions that could release such material into the environment. Such substances would be stored in temporary storage tanks/sheds that would be located at the site. Although these types of materials are not acutely hazardous, they are classified as hazardous materials and create the potential for accidental spillage, which could expose construction workers. All transport, storage, use, and disposal of hazardous materials used in the construction of the Project would be in strict accordance with federal and state laws and regulations. During construction of the Project, Material Safety Data Sheets (MSDS) for all applicable materials present at the site would be made readily available to onsite personnel. During construction, non-hazardous construction debris would be generated and disposed of at approved facilities

for handling such waste. Also, during construction, waste disposal would be managed using portable toilets located at reasonably accessible onsite locations.

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

c. **Less than significant impact.** Miller Elementary School is located 0.35 miles east of the proposed development. Due to the location and nature of the Project, materials, substances, and waste considered hazardous in nature will be handled accordingly during construction activities. The AQIA concluded that the Project would not expose sensitive receptors to substantial pollutant concentrations or result in other emissions that would adversely affect a substantial number of people (EnviroTech Consultants 2022). As mentioned above, the Project would be required to adhere to all applicable federal and state laws and regulations with respect to the handling of hazardous materials thus, impacts are considered less than significant.

d. **No impact.** The EnviroStor (DTSC 2022) and Cortese (CalEPA 2021) lists pursuant to Government Code (GC) Section 65962.5 were reviewed. No portion of the Project site is identified on either list, which provides the location of known hazardous waste concerns. Therefore, the Project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to GC Section 65962.5 and, as a result, create a significant hazard to the public or the environment.

e. **No impact.** The Project site is not located within the Kern County *Airport Land Use Compatibility Plan* area (Kern County 2012). The closest airport to the Project site is the Bakersfield Municipal Airport, which is located approximately 3 miles northeast of the site. Therefore, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area. The Project is not located within a distance an airport land use plan or, where such a plan has not been adopted.

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

g. **Less than significant impact.** The Project site is not located within a "very high," "high," or "moderate" fire hazard severity zone (CalFire 2022). The site is surrounded by agricultural land, and its vicinity is urban and does not possess high fuel loads that have a high potential to cause a wildland fire. The Project site would be developed with hardscapes and irrigated landscaping, which would further reduce fire potential at the site. Therefore, the Project would not expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY: Would the project;				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
d. Result in a substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
e. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	☐	☐	☒	☐
f. 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?	☐	☐	☒	☐
g. Impede or redirect flood flows?	☐	☐	☒	☐
h. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
i. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Discussion

a. **Less than significant impact.** Construction would include ground-disturbing activities. Construction of the site would temporarily disturb soils, which could loosen soils; however, during operation, the soils would be paved over with impervious surfaces such that the soils at the site would not be particularly susceptible to soil erosion.

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

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

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

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

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

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

   iv. **Less than significant impact.** A review of the Federal Emergency Management Agency (FEMA) National Flood Insurance Maps, shows the Project site is located in Zone X, which is a minimal risk area outside the 1-percent and 0.2-percent-annual-chance floodplain. Therefore, the Project would not impede or redirect flood flows.

d. **Less than significant impact.** The City of Bakersfield is located within Central California and is not near a coastal environment that risks flood inundation. In addition, the City is not located within a tsunami zone as identified by the California Department of Conservation's Tsunami Map. As mentioned above, the Project site is located in Zone X, which is a minimal risk area outside the 1-

percent and 0.2-percent-annual-chance floodplain. The Project site, like most of the City, is located within the Lake Isabella flood inundation area (Kern County 2017), which is the area that would experience flooding in the event that there was a catastrophic failure of the Lake Isabella Dam. There is an approved Lake Isabella Dam Failure Evacuation Plan (Kern County 2009) that establishes a process and procedures for the mass evacuation and short-term support of populations at risk below the Lake Isabella Dam. The City would utilize the Evacuation Plan to support its Emergency Operations Plans. Due to the Project's location and implementation of related emergency safety plans, the Project would not likely risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones.

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. LAND USE AND PLANNING: Would the project;				
a. Physically divide an established community?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Discussion

a. **No impact.** The Project is a continuation of the existing urban development pattern of the City. The Project does not include a long and linear feature, such as a freeway, railroad track, etc., that would have the potential to divide a community. The proposed project is the development of 336 residential units adjacent to existing residential development. The development of the proposed project will not impede existing or future movement or development of the City. Additionally, as part of the proposed development, existing collectors and arterials will be further developed thereby increasing circulation and access to communities within the city. Therefore, the Project would not physically divide an established community.

b. **No impact.** The Project requires a General Plan Amendment (GPA) to be consistent with the Metropolitan Bakersfield General Plan (MBGP), namely a change from HMR (High Medium Density Residential) to HR (High Density Residential). The Project also requires a Zone Change (ZC) to be consistent with the Zoning Ordinance, namely a change from R-2/PUD (Limited Multiple Family Dwelling/Planned Unit Development) to R-3/PUD (Multiple Family Dwelling/Planned Unit Development). If the GPA/ZC were to be approved by the City, the Project would be consistent with both the MBGP and Zoning Ordinance. Therefore, the Project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. MINERAL RESOURCES: Would the project;				
a. Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	☐	☐	☐	☒
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒

Discussion

a. **No impact.** The project site is not within the administrative boundaries of an oilfield and there are no oil wells found on the site (DOC 2022b). Therefore, the project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. NOISE: Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Discussion

a. **Less than significant impact.** The project would generate both short-term construction noise and operational noise. The first type of short-term construction noise would result from transport of construction equipment and materials to the project site, and construction worker commutes.

These transportation activities would incrementally raise noise levels on access roads leading to the site. A one-time trip to move pieces of heavy equipment for grading and construction activities would result in single-event noise at a distance of 50 feet from a sensitive noise receptor that would reach a maximum level of 84 A-weighted decibels (dBA). Because the equipment would be left onsite for the duration of project construction, the one-time trip would not add to the daily traffic noise in the project vicinity. The total daily vehicle trips resulting from construction worker commutes would be minimal when compared to existing traffic volumes on the affected streets, and the long-term noise level change would not be perceptible.

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

Project operations would generate sound levels typical of residential land uses, which would have to comply with Bakersfield Municipal Code regarding noise. Stationary operational noise levels at all points around the project site would experience noise level impacts that would be less than the daytime and nighttime hourly noise level standards of 55 dBA and 50 dBA, respectively. Project-related operational traffic would have very small noise level increases along roadway segments in the project vicinity. Parking lot noise, including engine sounds, car doors slamming, car alarms, loud music, and people conversing, would also occur at the project site would experience noise level impacts that would be less than the city' daytime and nighttime maximum noise level standards of 75dBA and 70 dBA.

Therefore, the project would not generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

b. **Less than significant impact.** Some ground-borne vibration and noise would originate from earth movement and building activities during the project's construction phase. Ground-borne noise and vibration from construction activity would be mostly low to moderate. The operation of typical construction equipment would generate ground-borne vibrations that would not exceed guidelines that are considered unsafe for any type of buildings. Operation of the proposed residential development would not generate ground-borne vibration. Therefore, the project would not expose persons to or generation of excessive ground-borne vibration or ground-borne noise levels.

c. **No impact.** The project site is not located within the Kern County Airport Land Use Compatibility Plan area or within the vicinity of a private airstrip (Kern County 2012). Therefore, the project would not result in a safety hazard or excessive noise for people residing or working in the project area.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. POPULATION AND HOUSING: Would the project result in:				
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion

a. **Less-than-significant impact.** The project would accommodate population growth in this area through the development of new residential units. The project is adjacent to existing and planned residential development and is therefore the logical extension of existing urban development. Bakersfield has experienced approximately 13% growth in population (347,483 people in 2010 to 394,328 in 2019) since 2010 (DOF 2019a and DOF 2019b). It is predicted that by 2040, 1,137,676 people will live in Kern County (DOF 2019c). Given that 42.5% of the people in Kern County currently live in Bakersfield (DOF 2019b), and if this trend continues, it is estimated that about 483,512 people would live in Bakersfield in 2040. This means that by 2040, 81,951 additional people would need housing in the Bakersfield area. This project accommodates this projected increase in Bakersfield's population by providing residences for existing and future residents in Bakersfield. Therefore, the project would not induce substantial population growth in an area, either directly or indirectly.

b. **No impact.** The project site consists of vacant land. Therefore, the project would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. PUBLIC SERVICES: Would the project result in:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
i. Fire protection?	☐	☐	☒	☐
ii. Police protection?	☐	☐	☒	☐
iii. Schools?	☐	☐	☒	☐
iv. Parks?	☐	☐	☒	☐
v. Other public facilities?	☐	☐	☒	☐

Discussion

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

i. **Less than significant impact.** Fire protection services for the Metropolitan Bakersfield area are provided through a joint fire protection agreement between the City and County. Potential increase in services can be paid for by property taxes generated by this development. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection.

ii. **Less than significant impact.** Police protection for the project would be provided by the Bakersfield Police Department. Potential increase in services can be paid for by property taxes generated by this development. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection.

iii. **Less than significant impact.** The Project is growth accommodating and therefore, the need for additional schools can be paid for by existing school impact fees and increased property tax revenues. Therefore, the project would not result in substantial adverse physical impacts associated with the provisions of new or physically altered

governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for schools.

iv. **Less than significant impact.** The project is growth accommodating and therefore, may cause the need for additional recreational opportunities. However, residential projects are required to follow the parkland requirements that are calculated based on the General Plan and City Ordinance park standards of 2.5 acres for every 1,000 people. Every residential unit must pay a park land development fee at the time of issuance of building permits. Compliance with Municipal Code 15.80 park acreage dedication and the park development fee ensures that parks are dedicated and built in accordance with City standards to accommodate the increased population. Therefore, the project would not result in substantial adverse physical impacts associated with the provisions of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks.

v. **Less-than-significant impact.** The project and eventual buildup of this area would result in an increase in maintenance responsibility for the City. Though the project may necessitate increased maintenance for other public facilities, this potential increase can be paid for by property taxes generated by this development. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. RECREATION: Would the project result in:				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Discussion

a. **No impact.** Please refer to response XV.a.iv. Therefore, the project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

b. **No impact.** Please refer to response XV.a.iv. Therefore, the project would not include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION: Would the project result in:				
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 § 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?	☐	☐	☒	☐

Discussion

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

A Trip Generation Analysis was completed and reviewed by the Traffic Engineering Division of the Public Works Department (Ruettgers & Schuler 2022), along with the proposed site plans. It was determined that the project has been designed in accordance with City development standards, and appropriate standard conditions of approval have been assigned to the project. The conditions include the dedication and improvement of streets, traffic control measures during construction, pedestrian access, and the payment of impact fees. Therefore, the project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system.

b. **Less-than-significant impact.** Section 15064.3 of the updated California Code of Regulations (CCR or CEQA Guidelines), statewide application came into effect July 1, 2020. This CCR Section 15064.3(b) states:

> Criteria for Analyzing Transportation Impacts.

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

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

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

(4) Methodology. A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled, and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.

The traffic analysis concluded that the project average VMT per trip of 6.4 miles is approximately 34% lower than the average regional VMT of 9.76 miles. Therefore, the project would not be in conflict or be inconsistent with CCR section 15064.3(b), and impacts are less than significant.

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

d. **Less-than-significant impact**. There is the potential that, during the construction phase, the project would impede emergency access. For projects that require minor impediments of a short duration (e.g., pouring a new driveway entrance), the project would be required to obtain a street permit from City Public Works. If a project requires lane closures and/or the diversion of traffic, then a Traffic Control Plan, subject to Public Works approval, would be required. During operations, the project would have to comply with all applicable City policies and requirements to ensure adequate emergency access. The need for such permits is determined by the Public

Works Department during the permitting and construction phases of their permitting process. In addition, the site plans have been designed in accordance with all City development standards. Therefore, impacts are less than significant.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. TRIBAL CULTURAL RESOURCES: Would the project result in:				
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	☐	☐	☒	☐
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	☐	☐	☒	☐

Discussion

a. **Less than significant impact.** The project requires a GPA and therefore, request for consultation letters were sent to a list of tribal contacts received from the Native American Heritage Commission in compliance with Senate Bill 18 (SB 18). In the letters, the City stated that the applicable tribes may request consultation with the City regarding the preservation of, and/or mitigation of impacts to, California Native American cultural places in connection with the project. To date, none of the tribes have responded to the request. Therefore, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed in the California Register of Historical Resources or in a local register of historical resources.

b. **Less than significant impact.** Based on the results to date of the SB 18 consultation inquiry to applicable tribes, the City has determined that it is unlikely that tribal cultural resources will be found at the site. The site is currently exclusively agricultural land that is tilled and harvested on a seasonal basis. There are no tribal cultural resources determined by the lead agency to be of significance onsite. Therefore, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency to be significant.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIV. UTILITIES AND SERVICE SYSTEMS: Would the project result in:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c. Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Discussion

a. **Less-than-significant impact**. The project would require the construction of new water, storm water drainage, sewer facilities; above and/or belowground electrical facilities, natural gas facilities, and telecommunications (e.g., cable, fiber optics, phone, etc.) typical of residential development. Water, storm water, and sewer structures would have to be designed to meet the City's *Current Subdivision & Engineering Design Manual* (Bakersfield 1999). Compliance with the Design Manual would ensure that such facilities would not result in significant environmental effects. Electrical, natural gas, and telecommunications facilities would be placed by the individual serving utilities; these entities already have in place safety and siting protocols to ensure that placement of new utilities to serve new construction would not have a significant effect on the environment. Therefore, the project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

b. **Less-than-significant impact.** The project is within the City of Bakersfield Water Resources service area. The City has provided a letter stating that water service can be supplied in compliance with their current UWMP that accounts for normal, dray, and multiple dry years (City of Bakersfield 2022). Therefore, the project has sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.

c. **Less-than-significant impact**. Wastewater as a result of the project would be treated at Waste Water Treatment Plant (WWTP) No. 3, which is owned and operated by the City. WWTP No. 3 has an overall capacity of 32 MGD and a current available capacity of 14.7 MGD (Bakersfield 2019). WWTP No. 3 has sufficient capacity to serve the project. As a result, it has been determined that the wastewater treatment provider which serves or may serve the project has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

d. **Less-than-significant impact.** It is assumed that solid waste generated as a result of the project would be disposed at the Bena Landfill located at 2951 Neumarkel Road, Bakersfield, CA 93307. In accordance with city standards which are designed to achieve State waste stream reduction and recycling goals, the Solid Waste Division of Public Works will conduct a detailed review of the facility at the time of development to incorporate appropriate on-site trash facilities, subject to city approval. Therefore, the project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.

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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. WILDFIRES: Would the project result in:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

Discussion

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

1997). This plan identifies responsibilities and provides coordination of emergency response at the local level to hazardous materials incidents. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan.

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

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

d. **Less than significant impact.** The project site is relatively flat, is not within a floodplain, and is not in a moderate- to high-risk area for wildfires. Therefore, the project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XXI. MANDATORY FINDINGS OF SIGNIFICANCE: Would the project result in:				
a. Does the project have the potential to substantially degrade the quality of life 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?	☐	☒	☐	☐
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☒	☐
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Discussion

a. **Less than significant with mitigation incorporated.** Mitigation Measures 2 and 3 mitigate potential impacts to biological resources to less than significant. there are no important examples of the major periods of California history or prehistory found at the site. Therefore, the Project, with the implementation of the identified conditions of approval, best management practices, and mitigation measures, would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species , cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community , reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

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

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

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

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