INITIAL STUDY AND
MITIGATED NEGATIVE DECLARATION

FAIRFAX SCHOOL DISTRICT

SITE #5 ELEMENTARY SCHOOL PROJECT

Fairfax School District
Empowering Students to Succeed

FEBRUARY 2023

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

SITE #5 ELEMENTARY SCHOOL PROJECT

Prepared for:

Fairfax School District
1500 S Fairfax Road
Bakersfield, CA 93307
Contact Person: David Mack, Chief Administrator of Business Services
Phone: (661) 366-7221

Consultant:

5080 California Avenue, Suite 220
Bakersfield, CA 93309
Contact: Jaymie Brauer, Principal Planner
Phone: (661) 616-2600

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Project #220281

NOTICE OF PUBLIC HEARING AND INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

This is to advise that the Fairfax School District (District) has prepared a Mitigated Negative Declaration for the Project identified below that is scheduled to be held at the Fairfax School District – Board of Trustees meeting on Thursday, **April 13, 2023**.

PLEASE BE ADVISED that the Fairfax School District – Board of Trustees will consider adopting the Mitigated Negative Declaration at the Board's meeting to be held on Thursday, April 13, 2023. Presentations will be made at approximately 6:00 p.m. Action on items on the Board agenda will occur after the presentations. The meeting will be held at the Fairfax School District, 1500 South Fairfax Road, Bakersfield, CA 93307.

Project Name

Site #5 Elementary School Project

Project Location

The site is an undeveloped approximately 40-acre parcel (APN 173-191-01) located southwest of the intersection of South Oswell Street and Zephyr Lane, Bakersfield, California. The site is within Section 3, Township 30 S Range 28 East, Mount Diablo Base and Meridian. Access to the site will be from Oswell Street.

Project Description

The Fairfax School District, as Lead Agency, is proposing a new elementary school on a 20-acre portion of the site (Project). Due to overcrowding at the existing elementary school to the east, the new school campus will serve the surrounding community and existing District student population with hours between 7:30 a.m. and 5:30 p.m., Monday through Friday, and will serve 700 students and 70 teachers at full build-out.

The site will include classrooms, administration offices, parking, and play areas, with an approximate area totaling 150,000 square feet (sq. ft.). Solar panels will be installed on building rooftops and/or used to create covered parking for staff and visitors. The school will connect to the California Water Service water system and to the Kern Sanitation Authority sanitation district sewer system. Construction of the Project is anticipated to take approximately 9-12 months.

The document and documents referenced in the Initial Study/Mitigated Negative Declaration are available for review at Fairfax School District, 1500 South Fairfax Road, Bakersfield, CA 93307, and Fairfax School District website: https://www.fairfax.k12.ca.us/.

As mandated by the California Environmental Quality Act (CEQA), the public review period for this document was 30 days (CEQA Section 15073[b]). The public review period begins

on February 27, 2023, and ends on March 28, 2023. For further information, please contact Jaymie Brauer at (661) 616-2600 or jaymie.brauer@qkinc.com.

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Site #5 Elementary School Project

Lead Agency: Fairfax School District | Contact Person: David Mack

Mailing Address: 1500 S Fairfax Road | Phone: (661) 366-7221

City: Bakersfield | Zip: 93307 | County: Kern

Project Location: County: Kern | City/Nearest Community: Bakersfield

Cross Streets: S. Oswell Street and Zephyr Lane | Zip Code: 93307

Longitude/Latitude (degrees, minutes and seconds): 35 ° 20 ′ 34.39 ″ N / 118 ° 57 ′ 1.16 ″ W Total Acres: 20

Assessor's Parcel No.: 173-191-01 | Section: 3 | Twp.: 30S | Range: 28E | Base: MDBM

Within 2 Miles: State Hwy #: 58 | Waterways: None

Airports: None | Railways: None | Schools: Zephyr Elem, Mira Monte HS, Virginia Ave Elem. Fairfax

Document Type:

CEQA: ☐ NOP ☐ Early Cons ☐ Neg Dec ☒ Mit Neg Dec ☐ Draft EIR ☐ Supplement/Subsequent EIR (Prior SCH No.) ☐ Other:

NEPA: ☐ NOI ☐ EA ☐ Draft EIS ☐ FONSI

Other: ☐ Joint Document ☐ Final Document ☐ Other:

Local Action Type:

☐ General Plan Update ☐ General Plan Amendment ☐ General Plan Element ☐ Community Plan
☐ Specific Plan ☐ Master Plan ☐ Planned Unit Development ☐ Site Plan
☐ Rezone ☐ Prezone ☐ Use Permit ☐ Land Division (Subdivision, etc.)
☐ Annexation ☐ Redevelopment ☐ Coastal Permit ☒ Other: Board Approval

Development Type:

☐ Residential: Units ____ Acres ____
☐ Office: Sq.ft. ____ Acres ____ Employees ____
☐ Commercial: Sq.ft. ____ Acres ____ Employees ____
☐ Industrial: Sq.ft. ____ Acres ____ Employees ____
☒ Educational: New Elementary School
☐ Recreational:
☐ Water Facilities: Type ____ MGD ____
☐ Transportation: Type ____
☐ Mining: Mineral ____
☐ Power: Type ____ MW ____
☐ Waste Treatment: Type ____ MGD ____
☐ Hazardous Waste: Type ____
☐ Other: ____

Project Issues Discussed in Document:

☒ Aesthetic/Visual ☒ Agricultural Land ☒ Air Quality ☒ Archeological/Historical ☒ Biological Resources ☐ Coastal Zone ☒ Drainage/Absorption ☐ Economic/Jobs
☐ Fiscal ☒ Flood Plain/Flooding ☒ Forest Land/Fire Hazard ☒ Geologic/Seismic ☒ Minerals ☒ Noise ☒ Population/Housing Balance ☒ Public Services/Facilities
☒ Recreation/Parks ☒ Schools/Universities ☒ Septic Systems ☒ Sewer Capacity ☒ Soil Erosion/Compaction/Grading ☒ Solid Waste ☒ Toxic/Hazardous ☒ Traffic/Circulation
☒ Vegetation ☒ Water Quality ☒ Water Supply/Groundwater ☒ Wetland/Riparian ☐ Growth Inducement ☒ Land Use ☐ Cumulative Effects ☒ Other: Tribal Resources, Wildfires

Present Land Use/Zoning/General Plan Designation:

City of Bakersfield Zoning District: A (Agricultural) Metropolitan Bakersfield General Plan: R-IA (Resource – Intensive Agriculture – 20 Acre Minimum)

Project Description: *(please use a separate page if necessary)*

The Fairfax School District (FSD or District, as Lead Agency) is proposing a new elementary school on a portion of a 20-acre undeveloped site (APN 173-191-01) located southwest of the intersection of S. Oswell Street and Zephyr Lane in the City of Bakersfield, California (Project). The site is within Section 3, Township 30 S Range 28 East, Mount Diablo Base and Meridian.

The new elementary school campus will serve the surrounding student population with hours between 7:30 a.m. and 5:30 p.m., Monday through Friday, and will serve 700 students and 70 teachers at full build-out.

The site will include classrooms, administration offices, parking, and play areas, with an approximate area totaling 150,000 square feet (sq. ft.). Solar panels will be installed on building rooftops and/or used to create covered parking for staff and visitors. Access to the site will be from Oswell Street.

The school will connect to the California Water Service water system and to the Kern Sanitation Authority sanitation district sewer system. Construction of the Project is anticipated to take approximately 9-12 months. The school will connect to the California Water Service water system and to the Kern Sanitation Authority sanitation district sewer system. Construction of the Project is anticipated to take approximately 9-12 months.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "**X**".
If you have already sent your document to the agency please denote that with an "**S**".

X	Air Resources Board		Office of Historic Preservation
	Boating & Waterways, Department of	X	Office of Public School Construction
	California Emergency Management Agency		Parks & Recreation, Department of
	California Highway Patrol		Pesticide Regulation, Department of
	Caltrans District #		Public Utilities Commission
	Caltrans Division of Aeronautics	X	Regional WQCB # Central Valley
	Caltrans Planning		Resources Agency
	Central Valley Flood Protection Board		Resources Recycling and Recovery, Department of
	Coachella Valley Mtns. Conservancy		S.F. Bay Conservation & Development Comm.
	Coastal Commission		San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
	Colorado River Board		San Joaquin River Conservancy
	Conservation, Department of		Santa Monica Mtns. Conservancy
	Corrections, Department of		State Lands Commission
	Delta Protection Commission		SWRCB: Clean Water Grants
X	Education, Department of	X	SWRCB: Water Quality
	Energy Commission		SWRCB: Water Rights
X	Fish & Game Region # 4		Tahoe Regional Planning Agency
	Food & Agriculture, Department of	X	Toxic Substances Control, Department of
	Forestry and Fire Protection, Department of		Water Resources, Department of
	General Services, Department of		
	Health Services, Department of	X	Other: California Division of the State Architect
	Housing & Community Development	x	Other: Office of Public School Construction
X	Native American Heritage Commission		

Local Public Review Period (to be filled in by lead agency)

Starting Date February 27, 2023 Ending Date March 28, 2023

Lead Agency (Complete if applicable):

Consulting Firm: _____ Applicant: _____
Address: _____ Address: _____
City/State/Zip: _____ City/State/Zip: _____
Contact: _____ Phone: _____
Phone: _____

Signature of Lead Agency Representative: David Mack **Date:** 2/27/2023

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

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ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
ac	Acre
ADWF	Average Daily Wastewater Flow
afy	Acre-Foot per
APN	Assessor's Parcel Number
AQAP	Air Quality Attainment Plan
ATCM	Airborne Toxic Control Measure
BAU	Business-As-Usual
BMPs	Best Management Practices
CAA	Clean Air Act
CARB	California Air Resources Board
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CH4	Methane
CNDDB	California Natural Diversity Database
CO2	Carbon dioxide
CRECs	Controlled Recognized Environmental Concerns
CWA	Clean Water Act
dB	Decibels
District	Kern High School District
DNL	Day-Night Average Level
DOC	Department of Conservation
DOGGR	Department of Oil, Gas, and Geothermal Resources
DTSC	Department of Toxic Substance Control
EIR	Environmental Impact Report
EOADP	Extreme Ozone Attainment Demonstration Plan
EPA	U.S. Environmental Protection Agency
ESA	Environmental Site Assessment
ESAs	Environmentally Sensitive Areas
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FMMP	Farmland Mapping and Monitoring Program
g	Acceleration of Gravity
GAMAQI	Guide to Assessing and Mitigating Air Quality Impacts
GHGs	Greenhouse Gases
HAPs	Hazardous Air Pollutants
HCFCs	Halogenated Fluorocarbons
HCP	Habitat Conservation Plan
HFCs	Hydrofluorocarbons
HREC	Historical Recognized Environmental Concerns
HVAC	Heating, Ventilation, and Air Conditioning
IS	Initial Study
IS/MND	Initial Study/Mitigated Negative Declaration

ITE	Institute of Transportation Engineers
KCEHSD	Kern County Environmental Health Services Department
KCRTP	Kern County Regional Transportation Plan
Kern COG	Kern Council of Governments
KHSD	Kern High School District
LOS	Level of Service
MBGP	Metropolitan Bakersfield General Plan
MBHCP	Metropolitan Bakersfield Habitat Conservation Plan
MBTA	Migratory Bird Treaty Act
MDB&M	Mount Diablo Base and Meridian
MGD	Million Gallons per Day
MM	Mitigation Measure
MND	Mitigated Negative Declaration
MTCO2e	Metric Tons Carbon Dioxide Equivalent
N2O	Nitrous Oxide
NAHC	Native American Heritage Commission
NOx	Oxide of Nitrogen
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NSR	New Source Review
O3	Ozone
OCPs	Organochlorine Pesticides
PEA	Preliminary Environmental Assessment
PFCs	Perfluorinated Carbons
PM2.5	Particulate Matter Less than 2.5 Microns
PM10	Particulate Matter Less than 10 Microns
PRC	Public Resources Code
ROG	Reactive Organic Gases
RSLs	Residential Screening Levels
RTIF	Regional Traffic Impact Fee
RWQCB	Regional Water Quality Control Board
SEI	Soils Engineering, Inc.
SF6	Sulfur Hexafluoride
SJVAB	San Joaquin Valley Air Basin
SJVAPCD	San Joaquin Valley Air Pollution Control District
SPAL	Small Project Analysis Level
SWP	State Water Project
SWPPP	Stormwater Pollution Prevention Plan
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UWMP	Urban Water Management Plan
VMT	Vehicle Miles Traveled
WSA	Water Supply Assessment
OCPs	Organochlorine Pesticides

MITIGATED NEGATIVE DECLARATION

As Lead Agency under the California Environmental Quality Act (CEQA), the Fairfax School District (District) reviewed the Project described below to determine whether it could have a significant effect on the environment because of its development. In accordance with CEQA Guidelines Section 15382, "[s]ignificant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the Project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

Project Name

Site #5 Elementary School Project

Project Location

Southwest of the intersection of South Oswell Street and Zephyr Lane in Bakersfield, California

Project Description

The Fairfax School District (District), as Lead Agency, is proposing a new elementary school on a portion of a 20-acre undeveloped site (APN 173-191-01) located southwest of the intersection of South Oswell Street and Zephyr Lane within the City of Bakersfield, California (Project). The site is within Section 3, Township 30 S Range 28 East, Mount Diablo Base and Meridian. Access to the site will be from Oswell Street.

Due to overcrowding at the existing elementary school to the east, the new school campus will serve the surrounding community and existing District student population. The school will operate between 7:30 a.m. and 5:30 p.m., Monday through Friday, and will serve 700 students and 70 teachers at full build-out.

The site will include classrooms, administration offices, parking, and play areas, with an approximate area totaling 150,000 square feet (sq. ft.). Solar panels will be installed on building rooftops and/or used to create covered parking for staff and visitors. The school will connect to the California Water Service water system and to the Kern Sanitation Authority sanitation district sewer system. Construction of the Project is anticipated to take approximately 9-12 months.

Mailing Address and Phone Number of Contact Person

Fairfax School District
1500 South Fairfax Road
Bakersfield, CA 93307
Contact Person: David Mack, Chief Administrator of Business Services
Phone: (661) 366-7221

Findings

As Lead Agency, the District finds that the Project will not have a significant effect on the environment. The Environmental Checklist (CEQA Guidelines Appendix G) or Initial Study (IS) *(see Section 3 – Initial Study)* identified one or more potentially significant effects on the environment, but revisions to the Project have been made before the release of this Mitigated Negative Declaration (MND), or mitigation measures would be implemented that reduce all potentially significant impacts to less than significant levels. The Lead Agency further finds that there is no substantial evidence that this Project would have a significant effect on the environment.

Mitigation Measures Included in the Project to Avoid Potentially Significant Effects

MM BIO-1: Prior to ground-disturbance activities, a qualified wildlife biologist shall conduct a biological clearance survey between 14 and 30 calendar days prior to the onset of construction. The clearance survey shall include walking transects to identify the presence of San Joaquin kit fox, American badger, Swainson's hawk, western burrowing owl, nesting birds, and other special-status species or their sign. The preconstruction survey shall be walked by a maximum distance of 30-foot transects for 100 percent coverage of the Project site and the 50-foot buffer, where feasible. A report outlining the results of the survey shall be submitted to the Lead Agency.

Potential kit fox dens may be excavated provided that the following conditions are satisfied: (1) the den has been monitored for at least five consecutive days and is deemed unoccupied by a qualified biologist; (2) the excavation is conducted by or under the direct supervision of a qualified biologist. Den monitoring and excavation should be conducted in accordance with the *Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance* (United States Fish and Wildlife Service, 2011).

In addition, impacts to occupied burrowing owl burrows shall be avoided in accordance with the following table unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: (1) the birds have not begun egg laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

If burrowing owl are found to occupy the Project site, and avoidance is not possible, burrow exclusion may be conducted by qualified biologists only during the non-breeding season, before breeding behavior is exhibited, and after the burrow is confirmed empty through non-invasive methods (surveillance). Replacement of occupied burrows shall consist of artificial burrows at a ratio of 1 burrow collapsed to 1 artificial burrow constructed (1:1). Ongoing surveillance of the Project site during construction activities shall occur at a rate sufficient to detect burrowing owl if they return.

MM BIO-2: Prior to ground-disturbance activities, or within one week of being deployed at the Project site for newly hired workers, all construction workers at the Project site shall attend a Construction Worker Environmental Awareness Training and Education Program, developed and presented by a qualified biologist.

The Construction Worker Environmental Awareness Training and Education Program shall be presented by the biologist and shall include information on the life history of wildlife and plant species that may be encountered during construction activities, their legal protections, the definition of "take" under the Endangered Species Act, measures the Project operator is implementing to protect the species, reporting requirements, specific measures that each worker must employ to avoid take of the species, and penalties for violation of the Act. Identification and information regarding special status or other sensitive species with the potential to occur on the Project site shall also be provided to construction personnel. The program shall include:

- An acknowledgment form signed by each worker indicating that environmental training has been completed.
- A copy of the training transcript and/or training video/CD, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgment forms, shall be maintained onsite for the duration of construction activities.

MM BIO-3: The following measures shall be implemented to reduce potential impacts to Swainson's hawk: Nesting surveys for the Swainson's hawks shall be conducted in accordance with the protocol outlined in the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (Swainson's hawk Technical Advisory Committee, 2011). If potential Swainson's hawk nests or nesting substrates are located within 0.5 miles of the Project site, then those nests or substrates must be monitored for activity on a routine and repeating basis throughout the breeding season, or until Swainson's hawks or other raptor species are verified to be using them. The protocol recommends that the following visits be made to each nest or nesting site: one visit from January 1–March 20 to identify potential nest sites, three visits from March 20–April 5, three visits from April 5–April 20, and three visits during June 10–July 30. To meet the minimum level of protection for the species, surveys shall be completed for at least the two survey periods immediately prior to Project-related ground-disturbance activities. If Swainson's hawks are not found to nest within the survey area, then no further action is warranted.

If Swainson's hawks are not found to be present, then no action is warranted. If Swainson's hawks are found to nest within the survey area, active Swainson's hawk nests shall be

avoided by 0.5 miles during the nesting period unless this avoidance buffer is reduced through consultation with the CDFW and/or a qualified biologist with expertise in Swainson's hawk issues. If a construction area falls within this nesting area, construction must be delayed until the young have fledged (left the nest). The 0.5-mile radius no-construction zone may be reduced in size but in no case shall be reduced to less than 500 feet except where a qualified biologist concludes that a smaller buffer area is sufficiently protective. A qualified biologist must conduct construction monitoring on a daily basis, inspect the nest on a daily basis, and ensure that construction activities do not disrupt breeding behaviors.

MM BIO-4: A qualified biologist shall conduct a preconstruction survey on the Project site and within 500 feet of its perimeter, where feasible, to identify the presence of the western burrowing owl. The survey shall be conducted between 14 and 30 days prior to the start of construction activities. If no burrowing owl or potential den of burrowing owl is identified, then no further action is warranted. If any burrowing owl burrows are observed during the preconstruction survey, avoidance measures shall be consistent with those included in the CDFW staff report on burrowing owl mitigation (CDFW, 2012). If occupied burrowing owl burrows are observed outside of the breeding season (September 1 through January 31) and within 250 feet of proposed construction activities, a passive relocation effort may be instituted in accordance with the guidelines established by the California Burrowing Owl Consortium (1993) and the California Department of Fish and Wildlife (2012). During the breeding season (February 1 through August 31), a 500-foot (minimum) buffer zone should be maintained unless a qualified biologist verifies through non-invasive methods that either the birds have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

MM BIO-5: If construction is planned outside the nesting period for raptors (other than the western burrowing owl) and migratory birds (February 15 to August 31), no mitigation shall be required. If construction is planned during the nesting season for migratory birds and raptors, a preconstruction survey to identify active bird nests shall be conducted by a qualified biologist to evaluate the site and a 250-foot buffer for migratory birds and a 500-foot buffer for raptors. If nesting birds are identified during the survey, active raptor nests shall be avoided by 500 feet, and all other migratory bird nests shall be avoided by 250 feet. Avoidance buffers may be reduced if a qualified onsite monitor determines that encroachment into the buffer area is not affecting nest building, the rearing of young, or otherwise affecting the breeding behaviors of the resident birds. Because nesting birds can establish new nests or produce a second or even third clutch at any time during the nesting season, nesting bird surveys shall be repeated every 30 days as construction activities are occurring throughout the nesting season.

No construction or earth-moving activity shall occur within a non-disturbance buffer until it is determined by a qualified biologist that the young have fledged (left the nest) and have attained sufficient flight skills to avoid Project construction areas. Once the migratory birds or raptors have completed nesting and young have fledged, disturbance buffers will no longer be needed and can be removed, and monitoring can cease.

MM BIO-6: During all construction-related activities, the following mitigation shall apply:

a. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from the construction or Project site.

b. Construction-related vehicle traffic shall be restricted to established roads and predetermined ingress and egress corridors, staging, and parking areas. Vehicle speeds should not exceed 20 miles per hour (mph) within the Project site.

c. To prevent inadvertent entrapment of kit fox or other animals during construction, the contractor shall cover all excavated, steep-walled holes or trenches more than two feet deep at the close of each workday with plywood or similar materials. If holes or trenches cannot be covered, one or more escape ramps constructed of earthen fill or wooden planks shall be installed in the trench. Before such holes or trenches are filled, the contractor shall thoroughly inspect them for entrapped animals. All construction-related pipes, culverts, or similar structures with a diameter of four inches or greater that are stored on the Project site shall be thoroughly inspected for wildlife before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If at any time an entrapped or injured kit fox is discovered, work in the immediate area shall be temporarily halted, and USFWS and CDFW shall be consulted.

d. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the USFWS and CDFW have been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity until the fox has escaped.

e. No pets, such as dogs or cats, shall be permitted on the Project site to prevent harassment, mortality of kit foxes, or destruction of dens.

f. Use of anti-coagulant rodenticides and herbicides in Project areas shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe labels and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and federal legislation, as well as additional Project-related restrictions deemed necessary by the USFWS and CDFW. If rodent control must be conducted, zinc phosphide shall be used because of the proven lower risk to kit foxes.

g. A representative shall be appointed by the Project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or

who finds a dead, injured, or entrapped kit fox. The representative shall be identified during the employee education program, and their name and telephone number shall be provided to the USFWS.

h. The Sacramento Fish and Wildlife Office of USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during Project-related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species at the addresses and telephone numbers below. The CDFW contact can be reached at (559) 243-4005 and reg4sec@wildlife.ca.gov.

i. All sightings of the San Joaquin kit fox shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to the USFWS at the address below.

j. Any Project-related information required by the USFWS or questions concerning the above conditions or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at Endangered Species Division, 2800 Cottage Way, Suite W 2605, Sacramento, California 95825-1846, phone (916) 414-6544 or (916) 414-6600.

MM CUL-1: If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock, as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from Project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.

MM CUL-2: If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement in the event of a discovery of human remains at the direction of the county coroner.

MM GEO-1: Prior to construction, the District shall submit: (1) the approved Stormwater Pollution Prevention Plan (SWPPP) and (2) the Notice of Intent (NOI) to comply with the General National Pollutant Discharge Elimination System (NPDES) from the Central Valley

Regional Water Quality Control Board. The requirements of the SWPPP and NPDES shall be incorporated into design specifications and construction contracts. Recommended best management practices for the construction phase may include the following:

- Stockpiling and disposing of demolition debris, concrete, and soil properly.
- Protecting existing storm drain inlets and stabilizing disturbed areas.
- Implementing erosion controls.
- Properly managing construction materials.
- Managing waste, aggressively controlling litter, and implementing sediment controls.

MM GEO-2: The District shall limit grading to the minimum area necessary for the construction and operation of the Project. Final grading plans shall include best management practices to limit onsite and offsite erosion.

MM GEO-3: During any ground-disturbance activities, if paleontological resources are encountered, all work within 25 feet of the find shall halt until a qualified paleontologist as defined by the Society of Vertebrate Paleontology *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources* (2010), can evaluate the find and make recommendations regarding treatment. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. The qualified paleontologist shall contact the Natural History Museum of Los Angeles County or other appropriate facility regarding any discoveries of paleontological resources.

If the qualified paleontologist determines that the discovery represents a potentially significant paleontological resource, additional investigations and fossil recovery may be required to mitigate adverse impacts from Project implementation. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, they shall be avoided to ensure no adverse effects, or such effects must be mitigated. Construction in that area shall not resume until the resource-appropriate measures are recommended or the materials are determined to be less than significant. If the resource is significant and fossil recovery is the identified form of treatment, then the fossil shall be deposited in an accredited and permanent scientific institution. Copies of all correspondence and reports shall be submitted to the Lead Agency.

MM HAZ-1: Prior to operation of the Project, the Project proponent shall prepare a Hazardous Materials Business Plan that identifies the new location of the new school campus and submit it to the appropriate regulatory agency for review and approval. The Project proponent shall provide the Hazardous Materials Business Plan to all contractors working on the Project and shall ensure that one copy is available at the Project site at all times.

MM HAZ-2: If during construction activities new areas of potential environmental concern are discovered at the site work will cease in these areas and the Department of Toxic Substances Control (DTSC) shall be notified. The Project contractor shall discuss these areas with DTSC to determine the appropriate actions to be taken to lessen and/or remediate these new potential areas of concern.

MM TRANS-1: Prior to development of the Project, the Project proponent shall coordinate with the City of Bakersfield Public Works Department regarding partial funding of improvements through the City of Bakersfield Regional Transportation Impact Fee (RTIF) or Local Mitigation programs.

SECTION 1 - INTRODUCTION

1.1 - Overview

The District is proposing a new elementary school on a 20-acre portion of a 40-acre undeveloped site located southwest of the intersection of South Oswell Street and Zephyr Lane in Bakersfield, California. Due to overcrowding at the existing elementary school to the east, the new school campus will serve the surrounding community and existing District student population. Figure 1-1 is a map of the regional location, Figure 1-2 shows the aerial location of the Project site, and Figure 1-3 shows the potential hazards.

1.2 - California Environmental Quality Act

The District is the Lead Agency for this Project pursuant to the CEQA Guidelines (Public Resources Code Section 15000 et seq.). The Environmental Checklist (CEQA Guidelines Appendix G) or Initial Study (IS) (see *Section 3 – Initial Study*) provides analysis that examines the potential environmental effects of the construction and operation of the Project. Section 15063 of the CEQA Guidelines requires the Lead Agency to prepare an IS to determine whether a discretionary project will have a significant effect on the environment. A Mitigated Negative Declaration (MND) is appropriate when an IS has been prepared, and a determination can be made that no significant environmental effects will occur because revisions to the project have been made or mitigation measures will be implemented that reduce all potentially significant impacts to less than significant levels. The content of an MND is the same as a Negative Declaration, with the addition of identified mitigation measures and a Mitigation Monitoring and Reporting Program (MMRP) (see *Section 6 – Mitigation Monitoring and Reporting Program*).

Based on the IS, the Lead Agency has determined that the environmental review for the proposed application can be completed with an MND.

1.3 - California Department of Education, School Siting Requirements

Education Code Section 17251 and the California Code of Regulations (CCR), Title 5, Sections 14001 through 14012, outline the powers and duties of the California Department of Education (CDE) regarding school sites and the construction of school buildings. Districts using local funds are encouraged to seek the Department's approval for the benefits that such outside, objective reviews provide to the school district and the community.

Safety is the first consideration in the selection and/or construction of school sites. Certain health and safety requirements are governed by state regulations and the policies of the Department. When selecting new school sites, the selection team considers the following factors: (1) proximity to airports; (2) proximity to high-voltage power transmission lines; (3) presence of toxic and hazardous substances; (4) hazardous air emissions and facilities within a quarter mile; (5) other health hazards; (6) proximity to railroads; (7) proximity to high-pressure natural gas lines, gasoline lines, pressurized sewer lines, or high-pressure water pipelines; (8) proximity to propane tanks; (9) noise; (10) proximity to major

roadways; (11) results of geological studies and soils analyses; (12) condition of traffic and school bus safety; (13) safe routes to school; and (14) safety issues for joint-use projects.

In considering the construction of the Site #5 Elementary School, the District considered the factors that apply to new school sites, including the location and/or proximity of known hazards using the factors listed above for school site selection and lists the distances to each of the identified hazards from the school.

No known historic oil activity has occurred on the site. According to the California Geologic Energy Management Division (CalGEM) records and maps, the Project is located within the boundaries of the Edison Oil & Gas Field. There are no oil or gas wells shown to be present on the Project site. However, historical oilfield activities have been conducted within 1/3 of a mile of the site location. There are two abandoned oil wells adjacent to the site to the north and south, ~280 feet and ~320 feet, respectively, and two other abandoned oil wells to the east and southeast, ~980 feet and ~730 feet, respectively. There are no known high-pressure water, gas, or oil pipelines within 1,500 feet of the site.

A 16-inch water line is present along the eastern portion of South Oswell Street that has the potential to flood approximately 50 feet into the site border. No overhead or underground power lines greater than 50kV appear to be present within 350 feet of the site (Soils Engineering, Inc., 2022c). The closest public-use airport is Bakersfield Municipal Airport, approximately 2.7 miles to the southwest. The closest traffic corridor is SR 58, approximately 0.5 miles to the north, and the closest railroad is 1.5 miles away (Figure 1-3).

1.4 - Impact Terminology

The following terminology is used to describe the level of significance of impacts.

- A finding of "no impact" is appropriate if the analysis concludes that the project would not affect a topic area in any way.
- An impact is considered "less than significant" if the analysis concludes that it would cause no substantial adverse change to the environment and requires no mitigation.
- An impact is considered "less than significant with mitigation incorporated" if the analysis concludes that it would cause no substantial adverse change to the environment with the inclusion of environmental commitments that have been agreed to by the applicant.
- An impact is considered "potentially significant" if the analysis concludes that it could have a substantial adverse effect on the environment.

Figure 1-1
Regional Location

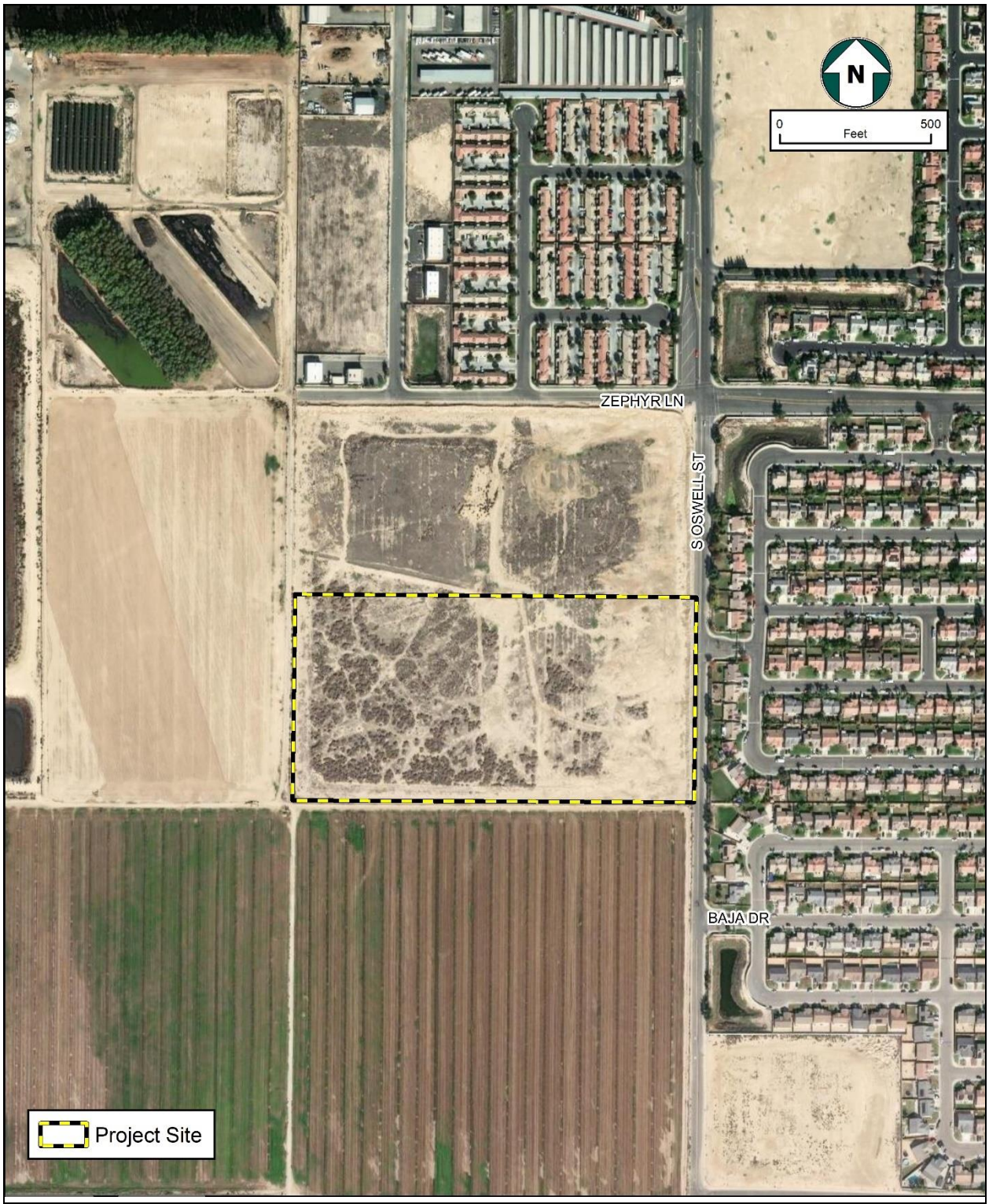

Figure 1-2
Project Site

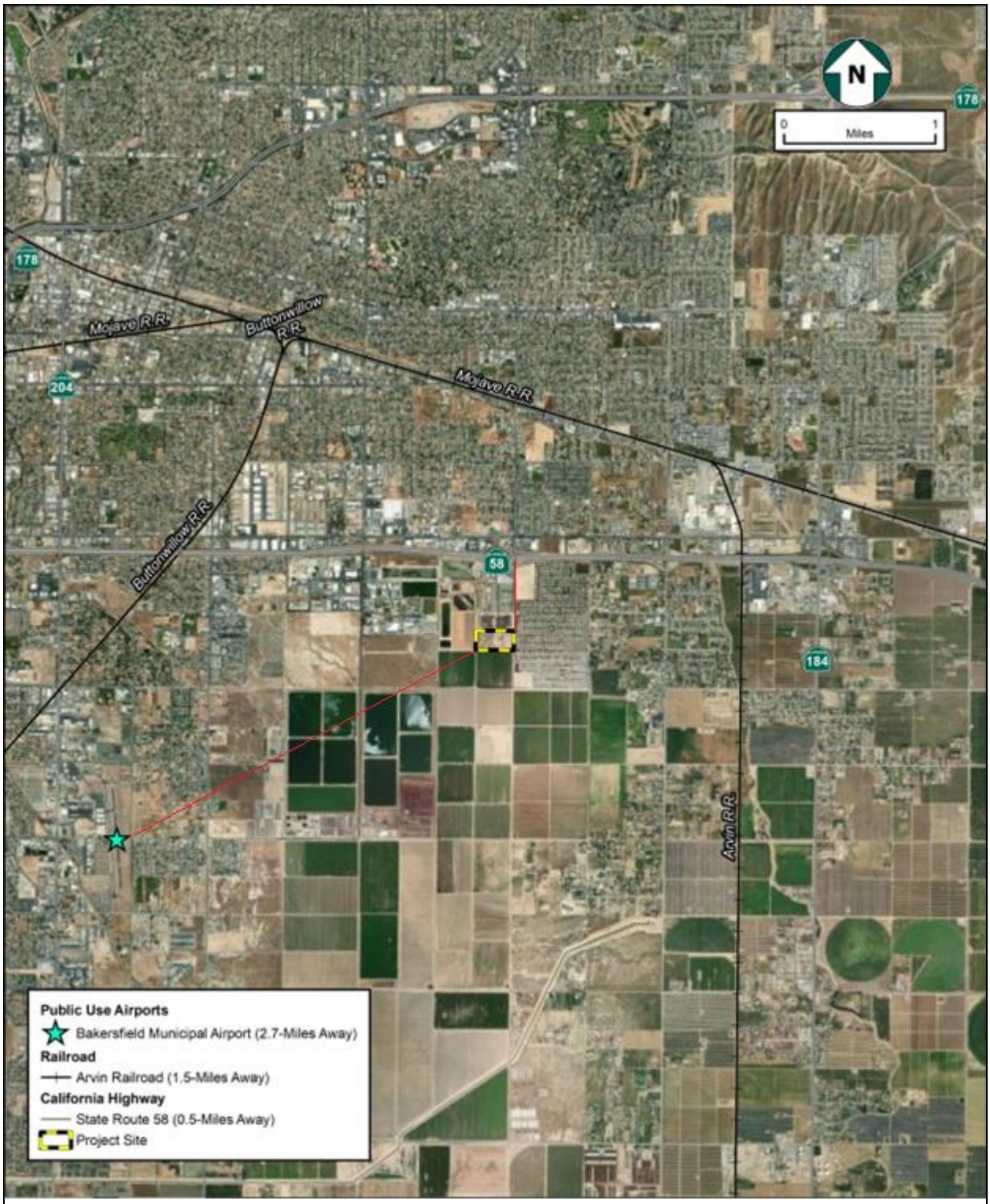

Figure 1-3
Hazards

1.5 - Document Organization and Contents

The content and format of this IS/MND is designed to meet the requirements of CEQA. The report contains the following sections:

- *Section 1 – Introduction:* This section provides an overview of CEQA requirements, intended uses of the IS/MND, document organization, and a list of regulations that have been incorporated by reference.
- *Section 2– Project Description:* This section describes the Project and provides data on the site's location.
- *Section 3 – Initial Study:* This section contains the evaluation of 21 different environmental resource factors contained in Appendix G of the CEQA Guidelines. Each environmental resource factor is analyzed to determine whether the proposed Project would have an impact. One of four findings is made which include: no impact, less-than-significant impact, less than significant with mitigation, or significant and unavoidable. If the evaluation results in a finding of significant and unavoidable for any of the 21 environmental resource factors, then an Environmental Impact Report will be required.
- *Section 4 – List of Preparers:* This section identifies the individuals who prepared the IS/MND.
- *Section 5 – Bibliography:* This section contains a full list of references that were used in the preparation of this IS/MND.
- *Section 6 – Mitigation Monitoring and Reporting Program:* This section contains the Mitigation Monitoring and Reporting Program.

1.6 - Incorporated by Reference

The following documents and/or regulations are incorporated into this IS/MND by reference:

- Metropolitan Bakersfield General Plan
- City of Bakersfield Zoning Ordinance
- California Department of Education, Title 5, California Code of Regulation
- Kern County Airport Land Use Compatabilty Plan

SECTION 2 - PROJECT DESCRIPTION

2.1 - Introduction

The District is proposing a new elementary school on a 20-acre portion of a vacant site located southwest of the intersection of South Oswell Street and Zephyr Lane in the City of Bakersfield, California. The new elementary school campus is to serve the surrounding student population. Figure 1-1 is a map of the regional location, and Figure 1-2 shows the aerial location of the Project site.

2.2 - Project Location

The Project site is located within Section 3, Township 30 S Range 28 East, Mount Diablo Base and Meridian (MDB&M), within the Malaga U.S. Geological Survey (USGS) 7.5-minute topographic quadrangle. The site encompasses an approximately 20-acre portion of Assessor's Parcel Number APN 173-191-01. The Project site is located southwest of the intersection of South Oswell Street and Zephyr Lane in the City of Bakersfield, California.

2.3 - Project Environment

Although the site is not currently under agricultural cultivation, there has been significant historical and ongoing ground disturbance from agricultural practices. The site is bordered by urban development to the east, vacant land to the north, and agricultural land to the south and west.

Police and fire service will be served by the City of Bakersfield and/or the County of Kern. The California Water Service is proposed to serve the new school, and the Kern Sanitation Authority is proposed to provide sewer services.

2.4 - Proposed Project

The Fairfax School District (District), as Lead Agency, is proposing a new elementary school on a portion of a 20-acre undeveloped site (APN 173-191-01) located southwest of the intersection of South Oswell Street and Zephyr Lane in Bakersfield, California (Project). The site is within Section 3, Township 30 S Range 28 East, Mount Diablo Base and Meridian. Access to the site will be from Oswell Street.

Due to overcrowding at the existing elementary school to the east, the new school campus will serve the surrounding community and existing District student population. The school will operate between 7:30 a.m. and 5:30 p.m., Monday through Friday, and will serve 700 students and 70 teachers at full build-out.

The site will include classrooms, administration offices, parking, and play areas, with an approximate area totaling 150,000 square feet (sq. ft.). Solar panels will be installed on building rooftops and/or used to create covered parking for staff and visitors. The school will connect to the California Water Service water system and to the Kern Sanitation

Authority sanitation district sewer system. Construction of the Project is anticipated to take approximately 9-12 months.

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SECTION 3 - INITIAL STUDY

3.1 - Environmental Checklist

1. **Project Title:**

   Site #5 Elementary School Project

2. **Lead Agency Name and Address:**

   Fairfax School District
   1500 South Fairfax Road
   Bakersfield, CA 93307

3. **Contact Person and Phone Number:**

   David Mack, Chief Administrator of Business Services
   (661) 366-7221

4. **Project Location:**

   Southwest of the intersection of South Oswell Street and Zephyr Lane in the City of Bakersfield, California

5. **General Plan Designation:**

   Metropolitan Bakersfield General Plan: R-IA (Resource – Intensive Agriculture – 20 Acre Minimum)

6. **Zoning:**

   City of Bakersfield Zoning District: A (Agricultural)

7. **Description of Project:**

   The Fairfax School District as Lead Agency, is proposing a new elementary school on a 20-acre portion of the site (Project). Due to overcrowding at the existing elementary school to the east, the new school campus will serve the surrounding community and existing District student population. The school will operate between 7:30 a.m. and 5:30 p.m., Monday through Friday, and will serve 700 students and 70 teachers at full build-out.

   The site will include classrooms, administration offices, parking, and play areas, with an approximate area totaling 150,000 square feet (sq. ft.). The school will connect to the California Water Service water system and to the Kern Sanitation Authority sanitation district sewer system. Construction of the Project is anticipated to take approximately 9-12 months.

8. **Surrounding Land Uses and Setting:**

   High-density multi-family residential to the north, single-family residential to the east, and agricultural production to the south and west.

9. **Other Public Agencies Whose Approval May Be Required:**

   - California Department of Education
   - California Department of Toxic Substances Control
   - California Division of the State Architect
   - Office of Public School Construction
   - San Joaquin Valley Air Pollution Control District

3.2 - Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

3.3 - 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 (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENT 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 (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

Signature	Date
Printed Name	For

3.4 - 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 offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

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

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

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

    a. Earlier Analysis Used. Identify and state where they are available for review.

    b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

    c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a

previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

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

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

9. The explanation of each issue should identify:

   a. The significance criteria or threshold, if any, used to evaluate each question; and

   b. The mitigation measure identified, if any, to reduce the impact to less than significant.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.1 - AESTHETICS					
Except as provided in Public Resources Code Section 21099, would the Project:					
a.	Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	☐	☐	☐	☒
c.	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d.	Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Discussion

Impact #3.4.1a – Except as provided in Public Resources Code Section 21099, would the Project have a substantial adverse effect on a scenic vista?

The proposed Project site is located in an area characterized by flat, undeveloped land that has been historically used for agricultural production and is surrounded by existing residential areas. No known aesthetic resources exist on the site. The site is not within or in the vicinity of a city, county, or State identified scenic vistas.

Therefore, no scenic resources will be affected. The Project will not result in development that is substantially different from surrounding land uses.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.1b - Except as provided in Public Resources Code Section 21099, would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

The Project does not lie near or within a State Designated or Eligible State Scenic Highway (California Department of Transportation, 2023). The nearest Eligible State Scenic Highway is Route 58 (Near Mojave)/Route 395 (Near Little Lake), which is approximately 60 miles east of the Project site. The nearest State Designated State Scenic Highway is VEN 33 48 / VEN 33 57.508, which is approximately 50 miles southwest of the Project site in Ventura County.

Furthermore, the development of the Project would not block or preclude views to any area containing important or what would be considered visually appealing landforms. Finally, the proposed Project does not include the removal of trees determined to be scenic or of scenic value, the destruction of rock outcroppings, or the degradation of any historic buildings.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.1c - Except as provided in Public Resources Code Section 21099, would the Project in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?

The Project is in an area that is a mix of agricultural land and urban development, with multi-family development to the north and single-family residences to the east. The proposed Project campus and associated structures will be set back from the roadway but will remain visible to traveling motorists. However, changes to the visual quality and character of the Project site will be similar in nature to the nearby residential development and the existing elementary school 0.7 miles to the east. The proposed Project would also include landscaping that would soften the visual impact of the school. The Project's appearance would not substantially degrade the visual character of the site. Therefore, the Project would result in a less-than-significant impact to the visual quality of the area.

See also discussion of Impact #3.4.1a above.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.1d - Except as provided in Public Resources Code Section 21099, would the Project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Construction of the proposed Project would generally occur during daytime hours, typically from 7:00 a.m. to 6:00 p.m. All lighting would be directed downward and shielded to focus illumination on the desired work areas only and prevent light spillage onto adjacent properties. Because lighting used to illuminate work areas would be shielded, focused downward, and turned off by 6:00 p.m., the potential for lighting to affect any residents adversely is minimal. Increased truck traffic and the transport of construction materials to the Project site would temporarily increase glare conditions during construction. However, this increase in glare would be minimal. Construction activity would focus on specific areas on the sites, and any sources of glare would not be stationary for a prolonged period of time. Therefore, construction of the proposed Project would not create a new source of substantial glare that would affect daytime views in the area.

For operations, exterior lighting would comply with the Title 5 lighting standards, which include lighting design to minimize reflective glare and light scatter. The school's outdoor lighting is for security purposes and will be shielded and aimed downward to reduce potential off-site nuisances from light or glare. The proposed Project would not create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area. Therefore, the proposed Project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact

3.4.2 - AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the Project:

a.	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b.	Conflict with existing zoning for agricultural use or a Williamson Act contract?	☐	☐	☒	☐
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g])?	☐	☐	☐	☒
d.	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Discussion

Impact #3.4.2a – Would the Project 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?

CEQA uses the California Department of Conservation Division of Land Resource Protection's Farmland Mapping Project (FMMP) categories of "Prime Farmland," "Farmland of Statewide

Importance," and "Unique Farmland" to define "agricultural land" for the purposes of assessing environmental impacts (PRC Section 21060.1[a]). The Project site is designated as Vacant or Disturbed Land (California Department of Conservation, 2018). Figure 3.4.2-1 depicts the FMMP categories of the Project and surrounding properties.

"Vacant or Disturbed Land" is defined under the FMMP as "Other Land," which is identified as "Land not included in any other mapping category." Common examples include low-density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than 40 acres. Vacant and non-agricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land (California Department of Conservation, 2022). Therefore, the proposed Project would have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be ***no impact***.

Impact #3.4.2b – Would the Project conflict with existing zoning for agricultural use or a Williamson Act contract?

The Project site is zoned for agricultural use, however, it is not subject to a Williamson Act land use contract. Additionally, there are no adjacent lands that are currently held under a Williamson Act contract. The Metropolitan Bakersfield General Plan (MBGP) designates the proposed Project site as R-IA (Resource – Intensive Agriculture – 20 Acre Minimum Parcel Size).

The Project site has historically been used for agricultural purposes (prior to 2019), which is consistent with the existing zoning designation. Conflicts with existing zoning for agricultural use and/or Williamson Act contracts that could potentially be caused by the Project would be limited to indirect impacts. Although properties to the south and west of the Project site are currently zoned for agriculture, indirect impacts related to the pressure to convert these adjacent properties to non-agricultural uses has already occurred. The site and surrounding properties are within City limits. The parcels on the east are zoned R-1 (One Family Residential) and R-1 and M-2 (General Manufacturing). The properties to the south and west that are still zoned A (Agriculture) are remnants of what were previously primarily agricultural lands. As the City has grown, these pockets of agricultural lands are slowly converting to more urban land uses for residential and commercial development. Therefore, the Project's impacts related to conflicts with existing zoning for agricultural use and/or Williamson Act contracts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.2c – Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g])?

The Public Resources Code Section 12220(g) and Section 4526 defines "forest land" as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions and that allows for the management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. There are no forest lands identified on the Project site or within its vicinity; therefore, there would be no conflict with or impacts to zoning for forest land or timberland. The proposed Project would not result in the loss or conversion of forest land to a non-forest use. Therefore, there is no impact to timberland or forest resources.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.2d – Would the Project result in the loss of forest land or conversion of forest land to non-forest use?

See discussion of Impact #3.4.2c above.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.2e – Would the Project 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?

See discussion of Impacts #3.4.2a, #3.4.2b, and #3.4.2c above.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

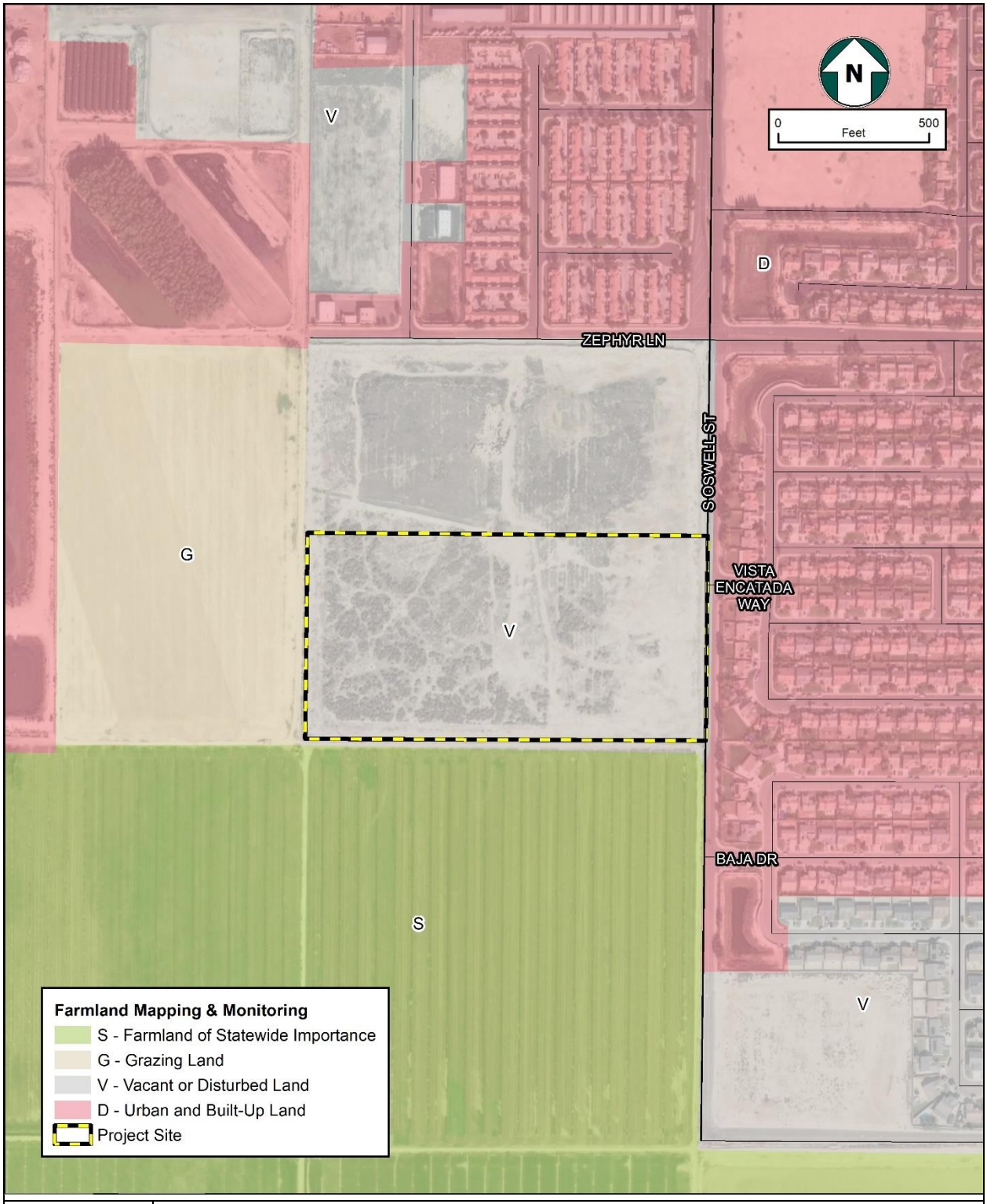

Figure 3.4.2-1
Farmland Mapping and Monitoring Program (FMMP)

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact

3.4.3 - AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the Project:

a.	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b.	Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or State ambient air quality standard?	☐	☐	☒	☐
c.	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d.	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Discussion

A Small Project Analysis Level Assessment (SPAL) was prepared for the Project (Trinity Consultants, 2023) and is included in Appendix A.

Impact #3.4.3a – Would the Project Conflict with or obstruct implementation of the applicable air quality plan?

The Project is within the San Joaquin Valley Air Basin (SJVAB) and under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). Using project type and size categories, the SJVAPCD has pre-quantified emissions and determined a size below which it is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants. This Project was determined to qualify under the Small Project Analysis Level (SPAL).

The Project would construct 150,000 square feet, which is below the 156,000 square feet threshold and will not exceed the 1,000 average daily trip threshold parameters for an elementary school project (Trinity Consultants, 2023). As indicated in the SJVAPCD *Guide to Mitigating and Assessing Air Quality Impacts* (GAMAQI), projects that fall within the SPAL analysis levels are "deemed to have a less than significant impact on air quality due to criteria pollutant emissions and as such are excluded from quantifying criteria pollutant emissions for CEQA purposes. However, to meet the standards of adequacy for disclosure of potential

environmental impacts and mitigation, the SJVAPCD recommends that the Lead Agency's environmental document include a narrative that identifies the sources of emissions and includes a sufficient discussion of SPAL values to support the conclusion that criteria pollutant emissions from the project would have a less-than-significant impact on air quality."

Emissions associated with the construction of the Project would be temporary in nature and are not anticipated to result in the generation of a substantial amount of hazardous air pollutants. Table 3.4.3-1 shows the construction emission levels for the construction of the Project.

Table 3.4.3-1
Construction Emissions

Emission Source	Pollutant					
	ROG	NOx	CO	SOx (tons/year)	PM10	PM2.5
2023 Construction Emissions	0.24	2.05	2.36	0.005	0.223	0.129
2024 Construction Emissions	1.05	0.02	0.03	0.000	0.002	0.001
SJCAPCD Construction Emissions Thresholds	10	10	100	27	15	15
Is Threshold Exceeded?	No	No	No	No	No	No

Based on these anticipated levels, Project construction activities would not exceed construction emission thresholds. Therefore, construction emissions were found to be less than significant.

Table 3.4.3-2 shows the Project's long-term operations emissions generated from energy and area sources emissions.

Table 3.4.3-2
Total Project Operational Emissions

Emission Source	Pollutant					
	ROG	NOx	CO	SOx (tons/year)	PM10	PM2.5
Operational Emissions	1.24	1.16	4.71	0.01	0.97	0.28
SJCAPCD Construction Emissions Thresholds	10	10	100	27	15	15
Is Threshold Exceeded?	No	No	No	No	No	No

As calculated, the long-term operational emissions associated with the proposed Project would be less than SJVAPCD significance thresholds and would, therefore, not pose a

significant impact to criteria air pollutants. As such, impacts of the Project are anticipated to be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant.***

Impact #3.4.3b – Would the Project 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?

The CEQA Guidelines indicate that a significant impact would occur if the proposed Project would conflict with or obstruct implementation of the applicable air quality plan. The San Joaquin Valley Air Basin (SJVAB) is designated non-attainment of State and federal health-based air quality standards for ozone and particulate matter less than 2.5 microns ($PM_{2.5}$). The SJVAB is designated attainment for federal particulate matter less than 10 microns (PM_{10}) standards and non-attainment of the State PM_{10} threshold. To meet federal Clean Air Act (CAA) requirements, the SJVAPCD has multiple air quality attainment plan (AQAP) documents, including:

- 2008 Extreme Ozone Attainment Demonstration Plan (EOADP) for attainment of the 1-hour ozone standard.
- 2007 Ozone Plan for attainment of the 8-hour ozone standard.
- 2007 PM_{10} Maintenance Plan and Request for Redesignation.
- 2008 $PM_{2.5}$ Plan.

Because of the region's federal non-attainment status for ozone and $PM_{2.5}$ and State non-attainment status for ozone, $PM_{2.5}$, and PM_{10}, if the Project-generated emissions of either the ozone precursor pollutants (reactive organic gases [ROG] or oxides of nitrogen [NO_x]), PM_{10}, or $PM_{2.5}$ were to exceed the SJVAPCD's significance thresholds, then the Project uses would be considered to conflict with the attainment plans. In addition, if the Project uses were to result in a change in land use, and corresponding increases in vehicle miles traveled, they may result in an increase in vehicle miles traveled that is unaccounted for in regional emissions inventories contained in regional air quality control plans.

The GAMAQI states that the SJVAPCD's established thresholds of significance for criteria pollutant emissions, which are based on the NSR, require offsets for stationary sources. "Emission reductions achieved through implementation of District offset requirements are a major component of the District's air quality plans. Thus, projects with emissions below the thresholds of significance for criteria pollutants would be determined to 'Not conflict or obstruct implementation of the District's air quality plan'" (Trinity Consultants, 2023).

Project's Contribution to Air Quality Violations

As discussed in Impact #3.4.3c below, predicted construction and operational emissions would not exceed the SJVAPCD's significance thresholds for ROG, NOx, PM_{10}, and $PM_{2.5}$. As a result, the Project would not conflict with emissions inventories contained in regional AQAPs and would not result in a significant contribution to the region's air quality non-attainment status.

Consistency with Assumptions in Air Quality Attainment Plans

The primary way of determining consistency with the AQAP's assumptions is determining consistency with the applicable General Plan to ensure that the Project's population density and land use are consistent with the growth assumptions used in the AQAPs for the air basin.

As required by California law, city and county General Plans contain a land use element that details the types and quantities of land uses that the city or county estimates will be needed for future growth and that designates locations for land uses to regulate growth. The Kern County Council of Governments uses the growth projections, and land use information in adopted general plans to estimate future average daily trips and then vehicle miles traveled (VMT), which are then provided to SJVAPCD to estimate future emissions in the AQAPs. Existing and future pollutant emissions computed in the AQAP are based on land uses from area general plans. AQAPs detail the control measures and emission reductions required for reaching attainment of the air standards.

The Project is not anticipated to result in substantial direct or indirect population growth that was not previously anticipated because the student population for the proposed elementary school would come from the existing school district population. Accordingly, it can be concluded the proposed Project's uses are consistent with the growth and vehicle miles traveled projections contained in the AQP. The Project impact is less than significant for this criterion.

Control Measures

The AQAPs contain a number of control measures, including the rules outlined by the SJVAPCD. The AQAP control measures are enforceable requirements. The Project would comply with all of the SJVAPCD's applicable rules and regulations. Therefore, the Project would comply with this criterion.

With the incorporation of the enforceable requirements outlined in the AQAP, the Project is not anticipated to result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is in non-attainment under any federal or State ambient air quality standards.

The SJVAPCD's Regulation VIII establishes required controls to reduce and minimize fugitive dust emissions. The following SJVAPCD Rules and Regulations apply to the proposed Project (and all projects):

- Rule 4102 - Nuisance
- Regulation VIII – Fugitive PM_{10} Prohibitions
- Rule 8011 - General Requirements
- Rule 8021 - Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities
- Rule 8041 - Carryout and Trackout
- Rule 8051 - Open Areas

SJVAPCD's required measures for all projects would also apply:

- Water-exposed areas three times per day.
- Reduce vehicle speed to less than 15 miles per hour.

Cumulative Impacts

Cumulative impacts were also evaluated; however, cumulative emissions were not quantified because no other tentative projects were found within a one-mile radius of the proposed Project that provided enough project detail information to accurately estimate emissions. Owing to the inherently cumulative nature of air quality impacts, the threshold for whether a project would make a cumulatively considerable contribution to a significant cumulative impact is currently based on whether the proposed Project would exceed established project-level thresholds. As such, a qualitative evaluation of the cumulative projects supports a finding that the Project's contribution would not be cumulatively considerable because the proposed Project's incremental emissions increase would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant.*

Impact #3.4.3c – Would the Project expose sensitive receptors to substantial pollutant concentrations?

Sensitive receptors are defined as areas where young children, chronically ill individuals, the elderly, or people who are more sensitive than the general population. Table 3.4.3-3 below identifies the potential sensitive receptors located less than one mile from the Project site.

Table 3.4.3-3
Sensitive Receptors Located <1 Mile from Project

Receptor	Facility Type	Distance from Project in Miles	Direction from Project
Tierra Del Sol Continuation High	9-12	0.35	W
Bakersfield Adult School Children's Center	Daycare	0.64	NW
Valley Children's Learning Center	K-8	0.96	NW
Mira Monte High School	9-12	0.80	SE
Fairfax Junior High School	7-8	0.82	E
Zephyr Lane Elementary School	K-6	0.85	E
Virginia Avenue Elementary School	K-6	0.89	N
Shirley Lane Elementary School	K-6	1.00	E

The proposed Project, because of its educational nature, is not expected to result in the generation of odors or hazardous air pollutants. However, during construction of the Project, construction activities and equipment may generate emissions from construction equipment exhaust. These impacts are localized and temporary in nature and therefore are considered less than significant. The Project would not expose sensitive receptors to substantial concentrations of localized PM_{10}, carbon monoxide, diesel particulate matter, hazardous air pollutants, or naturally occurring asbestos, as discussed below.

Hazardous Pollutants or Odors

The GAMAQI guidelines introduce two types of projects that should be assessed when considering hazardous air pollutants (HAPs), which include: (1) placing a toxic land use in an area where it may have an adverse health impact on an existing sensitive land use and (2) placing a sensitive land use in an area where an adverse health impact may occur from an existing toxic land use. Some examples of projects that may include HAPs are:

- Agricultural products processing.
- Bulk material handling.
- Chemical blending, mixing, manufacturing, storage, etc.
- Combustion equipment (boilers, engines, heaters, incinerators, etc.).
- Metals etching, melting, plating, refining, etc.
- Plastics & fiberglass forming and manufacturing.
- Petroleum production, manufacturing, storage, and distribution.
- Rock & mineral mining and processing.

The proposed Project is located on a site that is currently undeveloped land. During the construction period, some odors could result from vehicles and equipment using diesel fuels. However, vehicles and equipment using diesel fuels at the proposed Project site would have to comply with the California Air Resources Board (CARB) guidelines, which limit idling time to five minutes with the Airborne Toxic Control Measure (ATCM). Although construction activities are anticipated to generate fugitive dust, the Project would minimize the

generation of fugitive dust by complying with the SJVAPCD's Regulation VIII. Dust-disturbing activities would be limited in scope and duration.

Toxic Air Contaminants (TAC) and Health Risk Impacts

To predict the potential health risk to the population attributable to emissions of diesel particulate matter from the proposed Project, ambient air concentrations were predicted with dispersion modeling to arrive at a conservative estimate of increased individual carcinogenic risk that might occur as a result of continuous exposure over a one-year construction timeline. Similarly, predicted concentrations were used to calculate non-cancer chronic and acute hazard indices, which are the ratio of expected exposure to acceptable exposure. The basis for evaluating potential health risks is the identification of sources with increased TACs. For construction health impacts, diesel combustion emissions from diesel onsite construction equipment were modeled as an area source for onsite construction activity on the property. Diesel particulate matter was calculated using CalEEMod for onsite construction equipment.

The carcinogenic risk and the health hazard index (HI) for chronic non-cancer risk at the point of maximum impact (PMI) do not exceed the significance levels of 20 in one million (20 x 10-6) and 1.0, respectively for the proposed Project. The PMIs, are identified by receptor location and risk and are provided in Table 3.4.3-4.

Table 3.4.3-4
Sensitive Receptors Located <1 Mile from Project

	Value	UTM East	UTM North
Excess Cancer Risk	9.18E-06	322847.9	3912992.6
Chronic Hazard Index	1.03E-02	322847.9	3912992.6

Source: (Trinity Consultants, 2023)

As shown above, the maximum predicted cancer risk for the proposed Project is 9.18E-06. The maximum chronic non-cancer hazard index for the proposed Project is 1.03E-02. Since the PMI remained below the significance threshold for cancer and chronic risk, this Project would not have an adverse effect to any of the surrounding communities.

The potential health risk attributable to the proposed Project is determined to be less than significant based on the following conclusions:

1. Potential carcinogenic risk from the proposed Project is below the significance level of 20 in a million at each of the modeled receptors; and

2. The hazard index for the potential chronic non-cancer risk from the proposed Project is below the significance level of 1.0 at each of the modeled receptors.

3. The hazard index for the potential acute non-cancer risk was not calculated since there is no acute risk associated with DPM emission; therefore, the proposed Project is considered below the significance level.

Therefore, the potential risk to the population attributable to emissions of TACs from the proposed Project would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.3d – Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

See the discussion of Impact #3.4.3 above.

The educational nature of the Project is not expected to result in the generation of odors or hazardous air pollutants. Emissions associated with the construction of the Project would be temporary in nature and are not anticipated to result in the generation of a substantial amount of hazardous air pollutants. Emissions associated with the operation of the Project would result from students and faculty arriving at and departing from the school and are not anticipated to be significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

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

Discussion

A biological survey was conducted to determine whether there are sensitive biological resources that might be adversely affected by the proposed Project. The evaluation is based on existing site conditions, the potential for sensitive biological resources to occur on and in the vicinity of the Project site, and any respective impacts that could potentially occur.

A review of the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDB) (CDFW, 2020a), CDFW's special animals list (CDFW, 2020b) California Native Plant Society, the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation project planning tool (U.S. Fish and Wildlife Service), and the United States Fish and Wildlife Service Endangered Species List (USFWS 2020b) was conducted to identify special-status plant and wildlife species with the potential to occur within the Project site and vicinity (the surrounding nine USGS 7.5-minute quadrangles and a 10-mile radius). Information on the potential presence of wetlands and waters was obtained from the National Wetlands Inventory (NWI), National Hydrography Database (NHD), and Federal Emergency Management Agency (FEMA). Information regarding the presence of Critical Habitat in the Project vicinity was obtained from the United States Fish and Wildlife Service's Critical Habitat Mapper database. The results of the database inquiries were subsequently reviewed to evaluate the potential for the occurrence of special-status species and other sensitive biological resources known to occur on or near the Project site prior to conducting the biological survey.

A biological survey of the entire Project site and a 250-foot buffer area (Biological Survey Area [BSA]), where feasible, was conducted on September 29, 2022, by a qualified biologist. The purpose of the survey was to determine the locations and extent of sensitive-plant communities and habitats, determine the potential for the occurrence of special-status plant and animal species, and identify other sensitive biological resources within the BSA. Meandering pedestrian transects were walked through all habitat types present on the site. Protocol surveys for specific special-status wildlife species were not conducted because it was determined by the biologist that such surveys were not warranted due to the disturbed condition of the Project site. Photographs were taken to document the existing landscape of the Project site and adjacent land uses. Detailed notes on observed plant and wildlife species and site conditions were taken.

General Site Conditions

The entire Project site has historically had ground disturbance from agricultural practices prior to 1992 and since has gone fallow and is returning to native-like habitat. It also includes scarring from a previous burn and young growth of plants throughout most of the area. Wildlife species inhabiting the BSA include those typically found in moderate to heavily disturbed habitats associated with agricultural development zones of Kern County and the central San Joaquin Valley (Table 3.4.4-1).

Table 3.4.4-1
List of Plant and Wildlife Species Observed within the Survey Area

Scientific name	Common name
Plants	
Atriplex polycarpa	cattle saltbush
Brassica nigra	mustard
Datura stramonium	devils trumpet, jimsonweed
Elymus elymoides	bottlebrush squirreltail

Scientific name	Common name
Salsola tragus	Russian thistle
Wildlife	
Ardea alba	great egret
Athene cunicularia	burrowing owl
Buteo jamaicensis	red-tailed hawk
Canis lupus familiaris	domestic dog
Charadrius vociferus	killdeer
Corvus corax	common raven
Falco sparverius	American kestrel
Felis catus	domestic cat
Melospiza melodia	song sparrow
Otospermophilus beecheyi	California ground squirrel
Sylvilagus audubonii	desert cottontail
Uta stansburiana	common side-blotched lizard
Vulpes macrotis mutica	San Joaquin kit fox*
Zenaida macroura	mourning dove

*Indicates that only sign (scat, tracks, prey remains, dens) were observed.

Impact #3.4.4a – Would the Project 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?

The literature search indicated that there is a potential for several sensitive natural communities and special-status species to be present on the Project site. Each of these resources was evaluated for their potential to occur on the site based on known records and site conditions on the site verified by the biological survey. No sensitive natural community or special-status plant species occur on or near the Project site, and four wildlife species have the potential to occur. There is a potential for nesting migratory birds and nesting raptors to be present on the site or within 500 feet of the site.

Sensitive Natural Communities and Special-Status Species

SENSITIVE NATURAL COMMUNITIES AND SPECIAL-STATUS PLANTS

There are sensitive natural communities; seven special-status plant species were identified as having the potential to occur. There were no sensitive natural communities and three plant species with records of occurring within a 10-mile buffer of the Project site. These plant species include the California jewelflower (*Caulanthus californicus*), striped adobe-lily (*Fritillaria striata*), and the Bakersfield cactus (*Opuntia basilaris var. treleasei*). The Project site and vicinity has been highly disturbed for decades by ongoing agriculture production and nearby residential development, and it does not provide habitat for any sensitive natural community or special-status plant species. No vernal pool habitat and no special-status plant species were identified during the biological survey.

SPECIAL-STATUS WILDLIFE

There were nine special-status wildlife species that were identified as having the potential to occur. Of the nine species, five were eliminated from occurring on the site because of a lack of suitable habitat that would support the species. The remaining four species have the potential to occur within the Project site and vicinity. These four species are discussed below.

Swainson's Hawk

Swainson's hawk, a State threatened species, occurs in grassland, desert, and agricultural landscapes in the Central Valley and Antelope Valley. These hawks may be resident or migrant, and nest and breed in stands with few trees in juniper-sage flats, riparian areas, and oak savannah habitats. This species has also been observed nesting and breeding in large eucalyptus trees along freeways and in trees over rural residences surrounded by agriculture. Nests are a platform of sticks, bark, and fresh leaves at or near the top of trees. This species breeds from late March to late August. It forages in grassland, open scrub, and grain fields, primarily for rodents.

The most recent CNDDB recorded occurrence (EONDX 118752) of Swainson's hawk (*Buteo swainsonsi*) was from 2016, approximately 2.90 miles southeast of the Project site. Swainson's hawks are known to forage in open fields, such as hay, alfalfa, and non-native grassland habitats. The BSA has been historically used for agricultural production and contains suitable foraging habitat. No stick nests that could support nesting of this species were present within 500 feet of the Project site, but suitable nesting substrates were present in the tree canopy of surrounding native and ornamental trees and in the immediate vicinity. There are multiple small mammal burrows on the Project site to support prey for this species. No Swainson's hawks or sign of the species was observed during the survey. The Project site provides suitable low quality habitat for foraging, and the vicinity may provide nesting habitat.

Western Burrowing Owl

Western burrowing owl, a State Species of Special Concern, is a small ground-dwelling owl that can be found throughout western North America. This species can be found in a variety of habitat types including grasslands, deserts, or other open habitats where food resources are available and contain treeless areas with low vegetation cover and gently sloping terrain. Burrowing owls use earthen burrows, typically relying on other fossorial mammals to construct their burrows such as California ground squirrels or American badger. They use a burrow throughout the year for temperature regulation, offspring rearing, shelter, and escape from predators. While burrows are most often earthen, they also use atypical burrows such as pipes, culverts, and other man-made structures, most often as shelter. Burrowing owls can have several burrows close to one other that they may frequently move among to avoid predators. According to the database search, western burrowing owls have been recorded within ten miles of the Project site. A burrowing owl was observed during the survey after being flushed from vegetation in the southwest area of the Project site but no burrow exhibiting habitation (whitewash, pellets, etc) was observed. There were many California ground squirrel several potential San Joaquin kit fox burrows present, which are

often used as burrows by this species. Burrowing owls are winter and summer residents in the San Joaquin Valley, and it is possible that the species could be present on the Project site at any time as a resident or transient forager.

San Joaquin Kit Fox

San Joaquin kit fox, a federally endangered and State threatened species, is a subspecies of kit fox that is endemic to the San Joaquin Valley, Carrizo Plain, and Cuyama Valley, as well as other small valleys in the western foothills of the Central Valley of California. They occupy arid to semi-arid grasslands, open shrublands, savannahs, and grazed lands with loose-textured soils. San Joaquin kit fox are highly mobile and well-established in some urban areas and are highly adaptable to human-altered landscapes. They generally avoid intensively maintained agricultural land but forage well into croplands from surrounding habitat. Kit fox uses subterranean dens year-round for shelter and pup-rearing. They are nocturnally active but may be above ground near their dens during the day, particularly in the spring. They feed primarily on small mammals but will consume a variety of prey and will scavenge for human food.

The database search indicates San Joaquin kit fox (*Vulpes macrotis mutica*) have been observed within 10 miles of the Project site. Three potential burrows for San Joaquin kit fox and sign were observed in the field north of the Project site. All three are outside the Project footprint but within the 250-foot buffer of the Project site (Figure 3.4.4-1). Because kit fox are highly mobile, they have the potential to occur on the Project site at any time as a resident and transient forager.

American Badger

American badger, a State Species of Special Concern, is an uncommon, permanent resident at lower elevations throughout California except for the northern North Coast. They can typically be found in grasslands, deserts, and drier habitats. Badgers are typically nocturnal and hunt or forage at night while spending daylight hours below ground. Subterranean dens are usually found in friable soils, which are easier to dig in. American badger spends most of their time near a den, but they may have multiple dens in an area that can be used intermittently. Badgers primarily feed on small mammals that they capture from digging out the prey's burrows. Such prey may include pocket gophers, mice, chipmunks, and ground squirrels. Other prey may include birds, bird eggs, reptiles, invertebrates, and carrion.

The most recent CNDDB record occurrence (EONDX 93543) of American badger (*Taxidea taxus*) was recorded in 2012 southeast over 10 miles from the Project site, and no potential burrows or sign of this species were observed during the survey. However, during the survey, the California ground squirrel was present which is a suitable prey for this species. The American badger has the potential to occur in the BSA of the Project site and could be present as a resident or transient forager.

Nesting Migratory Birds and Nesting Raptors.

Nesting birds protected by the federal Migratory Bird Treaty Act (MBTA) may also be present during the breeding season. No active or inactive bird nests were observed during the survey, which was conducted outside of the typical avian breeding season (February 15 to August 31). Ground-nesting migratory birds could be present on the BSA at any time during the nesting season. There is suitable nesting habitat existing in the Project's vicinity in the native and ornamental trees large enough to support raptors and passerine migratory birds. Foraging habitat for raptors and migratory birds exist within the BSA.

Conclusion

The Project site and surrounding area have been disturbed for years by ongoing agriculture crop cultivation and residential development. The Project site and vicinity do not provide suitable habitat for any sensitive natural community or special-status plant species, and no mitigation measures to protect, avoid, or minimize impacts to these biological resources are warranted.

There is potential for five special-status wildlife species to be present and subject to impact by Project activities. There is also potential for nesting migratory birds and nesting raptors to be present on and near the Project site. Compliance with Mitigation Measures MM BIO-1 through MM BIO-6 would protect, avoid, and minimize impacts to special-status wildlife species and nesting migratory birds and nesting raptors. When implemented, these measures would reduce impacts to these species to below-significant levels.

MITIGATION MEASURE(S)

MM BIO-1: Prior to ground-disturbance activities, a qualified wildlife biologist shall conduct a biological clearance survey between 14 and 30 calendar days prior to the onset of construction. The clearance survey shall include walking transects to identify the presence of San Joaquin kit fox, American badger, Swainson's hawk, western burrowing owl, nesting birds, and other special-status species or their sign. The preconstruction survey shall be walked by a maximum distance of 30-foot transects for 100 percent coverage of the Project site and the 50-foot buffer, where feasible. A report outlining the results of the survey shall be submitted to the Lead Agency.

Potential kit fox dens may be excavated provided that the following conditions are satisfied: (1) the den has been monitored for at least five consecutive days and is deemed unoccupied by a qualified biologist; (2) the excavation is conducted by or under the direct supervision of a qualified biologist. Den monitoring and excavation should be conducted in accordance with the *Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance* (United States Fish and Wildlife Service, 2011).

In addition, impacts to occupied burrowing owl burrows shall be avoided in accordance with the following table unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: (1) the birds have not begun egg laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

If burrowing owl are found to occupy the Project site, and avoidance is not possible, burrow exclusion may be conducted by qualified biologists only during the non-breeding season, before breeding behavior is exhibited, and after the burrow is confirmed empty through non-invasive methods (surveillance). Replacement of occupied burrows shall consist of artificial burrows at a ratio of 1 burrow collapsed to 1 artificial burrow constructed (1:1). Ongoing surveillance of the Project site during construction activities shall occur at a rate sufficient to detect burrowing owl if they return.

MM BIO-2: Prior to ground-disturbance activities, or within one week of being deployed at the Project site for newly hired workers, all construction workers at the Project site shall attend a Construction Worker Environmental Awareness Training and Education Program, developed and presented by a qualified biologist.

The Construction Worker Environmental Awareness Training and Education Program shall be presented by the biologist and shall include information on the life history of wildlife and plant species that may be encountered during construction activities, their legal protections, the definition of "take" under the Endangered Species Act, measures the Project operator is implementing to protect the species, reporting requirements, specific measures that each worker must employ to avoid take of the species, and penalties for violation of the Act. Identification and information regarding special status or other sensitive species with the potential to occur on the Project site shall also be provided to construction personnel. The program shall include:

- An acknowledgment form signed by each worker indicating that environmental training has been completed.
- A copy of the training transcript and/or training video/CD, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgment forms, shall be maintained onsite for the duration of construction activities.

MM BIO-3: The following measures shall be implemented to reduce potential impacts to Swainson's hawk: Nesting surveys for the Swainson's hawks shall be conducted in accordance with the protocol outlined in the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (Swainson's hawk Technical Advisory Committee, 2011). If potential Swainson's hawk nests or nesting substrates are located within 0.5 miles of the Project site, then those nests or substrates must be monitored for activity on a routine and repeating basis throughout the breeding season, or until Swainson's hawks or other raptor species are verified to be using them. The protocol recommends that the following visits be made to each nest or nesting site: one visit from

January 1–March 20 to identify potential nest sites, three visits from March 20–April 5, three visits from April 5–April 20, and three visits during June 10–July 30. To meet the minimum level of protection for the species, surveys shall be completed for at least the two survey periods immediately prior to Project-related ground-disturbance activities. If Swainson's hawks are not found to nest within the survey area, then no further action is warranted.

If Swainson's hawks are not found to be present, then no action is warranted. If Swainson's hawks are found to nest within the survey area, active Swainson's hawk nests shall be avoided by 0.5 miles during the nesting period unless this avoidance buffer is reduced through consultation with the CDFW and/or a qualified biologist with expertise in Swainson's hawk issues. If a construction area falls within this nesting area, construction must be delayed until the young have fledged (left the nest). The 0.5-mile radius no-construction zone may be reduced in size but in no case shall be reduced to less than 500 feet except where a qualified biologist concludes that a smaller buffer area is sufficiently protective. A qualified biologist must conduct construction monitoring on a daily basis, inspect the nest on a daily basis, and ensure that construction activities do not disrupt breeding behaviors.

MM BIO-4: A qualified biologist shall conduct a preconstruction survey on the Project site and within 500 feet of its perimeter, where feasible, to identify the presence of the western burrowing owl. The survey shall be conducted between 14 and 30 days prior to the start of construction activities. If no burrowing owl or potential den of burrowing owl is identified, then no further action is warranted. If any burrowing owl burrows are observed during the preconstruction survey, avoidance measures shall be consistent with those included in the CDFW staff report on burrowing owl mitigation (CDFW, 2012). If occupied burrowing owl burrows are observed outside of the breeding season (September 1 through January 31) and within 250 feet of proposed construction activities, a passive relocation effort may be instituted in accordance with the guidelines established by the California Burrowing Owl Consortium (1993) and the California Department of Fish and Wildlife (2012). During the breeding season (February 1 through August 31), a 500-foot (minimum) buffer zone should be maintained unless a qualified biologist verifies through non-invasive methods that either the birds have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

MM BIO-5: If construction is planned outside the nesting period for raptors (other than the western burrowing owl) and migratory birds (February 15 to August 31), no mitigation shall be required. If construction is planned during the nesting season for migratory birds and raptors, a preconstruction survey to identify active bird nests shall be conducted by a qualified biologist to evaluate the site and a 250-foot buffer for migratory birds and a 500-foot buffer for raptors. If nesting birds are identified during the survey, active raptor nests shall be avoided by 500 feet, and all other migratory bird nests shall be avoided by 250 feet. Avoidance buffers may be reduced if a qualified onsite monitor determines that encroachment into the buffer area is not affecting nest building, the rearing of young, or otherwise affecting the breeding behaviors of the resident birds. Because nesting birds can establish new nests or produce a second or even third clutch at any time during the nesting

season, nesting bird surveys shall be repeated every 30 days as construction activities are occurring throughout the nesting season.

No construction or earth-moving activity shall occur within a non-disturbance buffer until it is determined by a qualified biologist that the young have fledged (left the nest) and have attained sufficient flight skills to avoid Project construction areas. Once the migratory birds or raptors have completed nesting and young have fledged, disturbance buffers will no longer be needed and can be removed, and monitoring can cease.

MM BIO-6: During all construction-related activities, the following mitigation shall apply:

a. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from the construction or Project site.

b. Construction-related vehicle traffic shall be restricted to established roads and predetermined ingress and egress corridors, staging, and parking areas. Vehicle speeds should not exceed 20 miles per hour (mph) within the Project site.

c. To prevent inadvertent entrapment of kit fox or other animals during construction, the contractor shall cover all excavated, steep-walled holes or trenches more than two feet deep at the close of each workday with plywood or similar materials. If holes or trenches cannot be covered, one or more escape ramps constructed of earthen fill or wooden planks shall be installed in the trench. Before such holes or trenches are filled, the contractor shall thoroughly inspect them for entrapped animals. All construction-related pipes, culverts, or similar structures with a diameter of four inches or greater that are stored on the Project site shall be thoroughly inspected for wildlife before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If at any time an entrapped or injured kit fox is discovered, work in the immediate area shall be temporarily halted, and USFWS and CDFW shall be consulted.

d. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the USFWS and CDFW have been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity until the fox has escaped.

e. No pets, such as dogs or cats, shall be permitted on the Project site to prevent harassment, mortality of kit foxes, or destruction of dens.

f. Use of anti-coagulant rodenticides and herbicides in Project areas shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe labels

and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and federal legislation, as well as additional Project-related restrictions deemed necessary by the USFWS and CDFW. If rodent control must be conducted, zinc phosphide shall be used because of the proven lower risk to kit foxes.

g. A representative shall be appointed by the Project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured, or entrapped kit fox. The representative shall be identified during the employee education program, and their name and telephone number shall be provided to the USFWS.

h. The Sacramento Fish and Wildlife Office of USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during Project-related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species at the addresses and telephone numbers below. The CDFW contact can be reached at (559) 243-4005 and reg4sec@wildlife.ca.gov.

i. All sightings of the San Joaquin kit fox shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to the USFWS at the address below.

j. Any Project-related information required by the USFWS or questions concerning the above conditions or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at Endangered Species Division, 2800 Cottage Way, Suite W 2605, Sacramento, California 95825-1846, phone (916) 414-6544 or (916) 414-6600.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.4b – Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

The Project site is highly disturbed, and it does not contain any sensitive natural community. The Project would not result in impacts to any sensitive natural community. The Project site covers a portion of approximately 39.5 acres of an undeveloped site and consists of recent non-native vegetation regrowth. The Project site is surrounded by disturbed cultivated land, construction, industrial, and residential development.

Riparian habitat is defined as lands that are influenced by a river, specifically the land area that encompasses the river channel and its current or potential floodplain. The Project is not

located within a river or an area that encompasses a river or potential floodplain. The proposed Project would have no impact to riparian habitat.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be ***no impact***.

Impact #3.4.4c – Would the Project have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

The United States Army Corps of Engineers (USACE) has regulatory authority over the Clean Water Act (CWA), as provided for by the EPA. The USACE has established specific criteria for the determination of wetlands based on the presence of wetland hydrology, hydric soils, and hydrophilic vegetation. Wetlands, streams, reservoirs, sloughs, and ponds typically meet the criteria for federal jurisdiction under Section 404 of the CWA and State regulatory authority under the Porter-Cologne Water Quality Control Act. Streams and ponds typically meet the criteria for State regulatory authority under Section 1602 of the California Fish and Game Code. There are no features on the Project site that would meet the criteria for either federal jurisdiction or State regulatory authority.

There are no federally protected wetlands or vernal pools that occur within the Project site. There also are no State-regulated wetlands or waters present on the Project site. There would be no impact to federally protected wetlands or waterways or State wetlands or waters.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be ***no impact***.

Impact #3.4.4d – Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Wildlife migratory corridors are linear stretches of land that connect two open pieces of habitat that would otherwise be unconnected. These routes provide shelter and sufficient food resources to support wildlife species during migratory movements. Movement corridors generally consist of riparian, woodlands, or forested habitats that span contiguous acres of undisturbed habitat and are important elements of resident species' home ranges.

The proposed Project does not occur within any terrestrial migration route, significant wildlife corridor, or wildlife linkage area as identified in the *Recovery Plan for Upland Species in the San Joaquin Valley* (US Fish and Wildlife Service, 1998) or by the California Essential Habitat Connectivity Project (Spencer, W.D., et al., 2010). The survey conducted for the Project did not provide evidence of a wildlife nursery or important migratory habitat being present on the Project site.

The Project would not substantially affect migrating birds or other wildlife. The Project will not restrict, eliminate, or significantly alter a wildlife movement corridor, wildlife core area, or Essential Habitat Connectivity area, either during construction or after the Project has been constructed. Project construction will not substantially interfere with wildlife movements or reduce breeding opportunities.

The land surrounding the Project is developed with residences or is in agricultural production. These land uses are not well suited for use as wildlife movements. The proposed Project would not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. The Project would have no impacts to wildlife movements, no impacts to wildlife movement corridors, and no impacts to a nursery site.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.4e – Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

There are no adopted local policies or ordinances protecting biological resources that would apply to this Project site. Therefore, implementation of the proposed Project would have no conflict related to adopted local policies or ordinances protecting biological resources.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.4f – Would the Project conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan?

The Project site is not located within any natural community conservation plan area or any other local, regional, or State habitat conservation plan.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be ***no impact***.

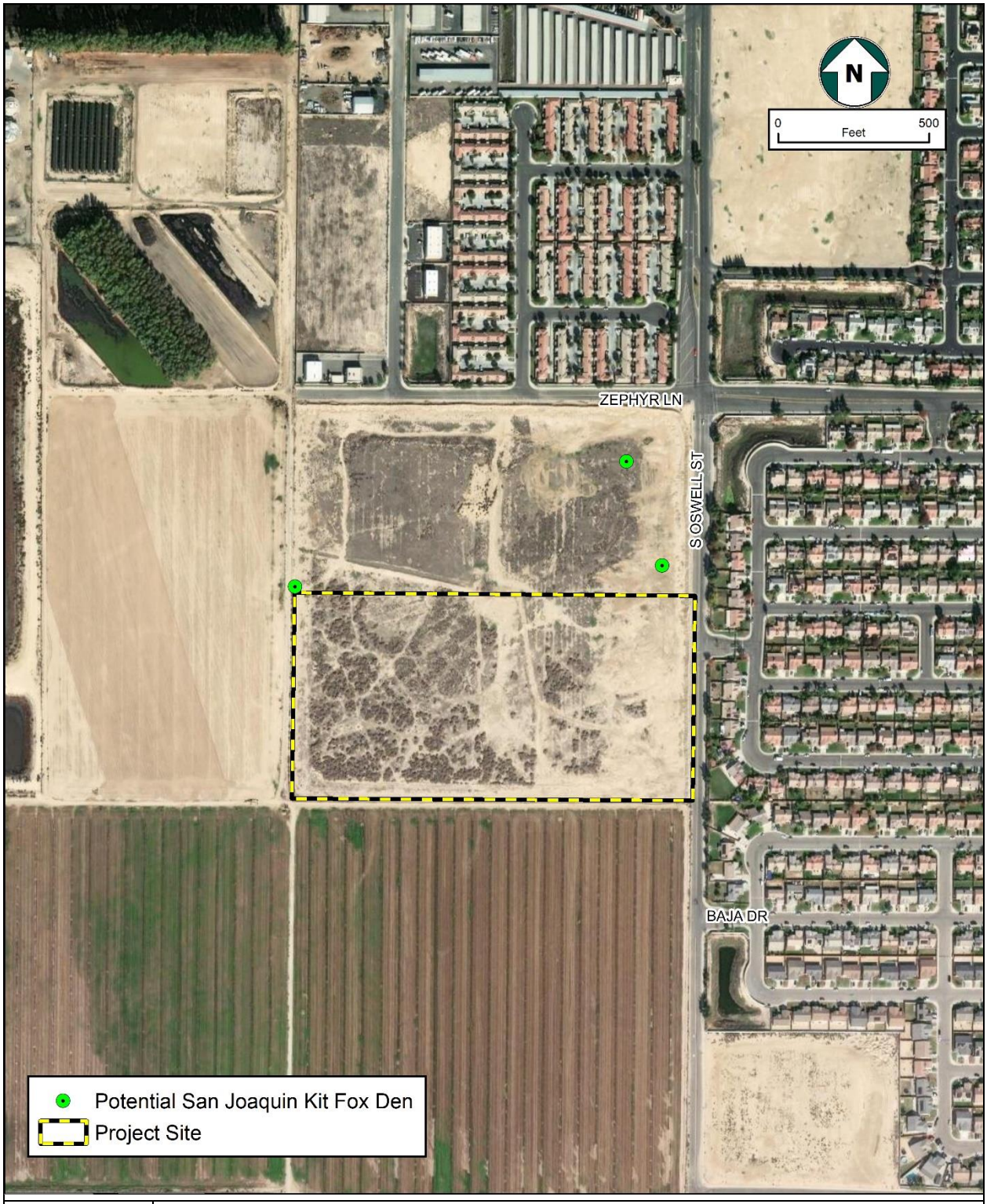

Figure 3.4.4-1
Biological Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact

3.4.5 - CULTURAL RESOURCES

Would the Project:

a.	Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?	☐	☒	☐	☐
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?	☐	☒	☐	☐
c.	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

This section is based on a cultural resource technical memo (Quad Knopf, Inc., 2022) prepared for the Project, which is included in this document as Appendix B.

Discussion

Impact #3.4.5a – Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?

As defined by CEQA Guidelines Section 15064.5, "historical resources" are:

- A resource listed in or determined to be eligible by the State Historical Resources Commission for listing in the California Register of Historical Resources (Public Resource Code Section 5024.1, Title 14 California Code of Regulations, Section 4850 et seq.).
- A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of the evidence demonstrates that it is not historically or culturally significant.
- Any object, building, structure, site, area, place, record, or manuscript which a Lead Agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, may be considered to be a historical resource, provided the Lead Agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the Lead Agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Public Resources Code Section 5024.1, Title 14 CCR, Section 4852), including the following:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- Is associated with the lives of persons important in our past.
- Embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of an important creative individual or possesses high artistic values; or
- Has yielded or may be likely to yield information important in prehistory or history.

A cultural resources records search (#22-376) was conducted at the Southern San Joaquin Valley Information Center (IC), CSU Bakersfield for properties within one-half mile of the subject property and included a review of the *National Register of Historic Places*, *California Points of Historical Interest*, *California Registry of Historic Resources, Historical Landmarks, California State Historic Resources Inventory*, and a review of cultural resource reports on file (Quad Knopf, Inc., 2022).

Five cultural resource studies have been conducted within a half mile of the Project. One historic records search indicated that the southern half of the subject property had been included within a cultural resources review related to a larger project; however, none of the property has been surveyed for cultural resources, and it is not known if any exist on it. Another cultural resource has been recorded within one-half mile of the Project. This is the historic route of California State Highway 58 (P-15-017304). No additional cultural resources have been identified or recorded within a half mile of the Project.

The Native American Heritage Commission (NAHC) was also contacted, and a Sacred Lands File search was conducted, and the results received on November 10, 2022, were negative. The NAHC also provided a list of tribal groups to contact pursuant to AB 52. Letters were sent to each tribal representative listed. To date, no tribal groups have commented on the Project. Copies of the letters and a Table of Tribal Contacts are included in Appendix B.

Although there is no obvious evidence of historical or archaeological resources on the Project site, there is the potential during construction for the discovery of cultural resources. Grading and trenching, as well as other ground-disturbing actions, have the potential to damage or destroy these previously unidentified and potentially significant cultural resources within the Project area, including historical resources. It would be an unlikely event the disturbance of any deposits that have the potential to provide significant cultural data would be considered a significant impact under CEQA. However, implementation of MM CUL-1 would reduce potential impacts to cultural resources to less-than-significant levels.

MITIGATION MEASURE(S)

MM CUL-1: If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock, as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional

investigations may be required to mitigate adverse impacts from Project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.5b – Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?

See Impact #3.4.4 above.

As noted, letters were mailed to each of the Native American tribes within the geographic area as identified by the NAHC (see Appendix B). The letters included a Project description and location maps. To date, no response has been received from the Native American tribes.

See also discussion of Impact #3.4.5a above.

MITIGATION MEASURE(S)

Implementation of Mitigation Measure MM CUL-1.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.5c – Would the Project disturb any human remains, including those interred outside of formal cemeteries?

Although unlikely, subsurface construction activities, such as trenching and grading, associated with the proposed Project could potentially disturb previously undiscovered human burial sites. Accordingly, this is a potentially significant impact. Although considered unlikely, subsurface construction activities could cause a potentially significant impact to previously undiscovered human burial sites. The records searches did not indicate the presence of human remains, burials, or cemeteries within the Project site. No human remains have been discovered at the Project site, and no burials or cemeteries are known to occur within the area of the site. However, construction would involve earth-disturbing activities, and it is still possible that human remains may be discovered, possibly in association with archaeological sites. Implementation of the below mitigation measure would ensure that the proposed Project would not directly or indirectly destroy previously unknown human remains. It is unlikely that the proposed Project would disturb any known human remains, including those interred outside of formal cemeteries. However, with implementation of MM CUL-2, the Project would have a less-than-significant impact.

MITIGATION MEASURE(S)

MM CUL-2: If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement in the event of a discovery of human remains at the direction of the county coroner.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact

3.4.6 - 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?	☐	☐	☒	☐

This section is based on a SPAL (Trinity Consultants, 2023)prepared for the Project, which is included in this document as Appendix A.

Discussion

Impact #3.4.6a – Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?

Energy demand during the construction phase would result from the transportation of materials, construction equipment, and employee vehicle trips. Construction equipment includes excavators, graders, off-highway trucks, rubber-tired dozers, scrapers, tractors, loaders, backhoes, forklifts, cement and mortar mixers, and cranes. The Project would comply with the SJVAPCD requirements regarding the use of fuel-efficient vehicles and equipment to the extent feasible. The Project will not use natural gas during the construction phase. Compliance with standard regional and local regulations, the Project would minimize fuel consumption during construction.

There are no unusual Project characteristics that would cause construction equipment to be less energy efficient compared with other similar construction sites in other parts of the State. Thus, the construction-related fuel consumption of the Project would not result in inefficient, wasteful, or unnecessary energy use.

Energy demand during the operational phase would result from ongoing school activities, the use of typical appliances, school equipment, and maintenance equipment. However, the buildings will be constructed to meet current Title 5 building codes for energy efficiency. In addition, the school will include the installation of roof-mount photovoltaic (PV) solar panels and/or will have solar panels that create covered parking for staff and visitors. The use of PV solar panels that generate renewable energy will offset operational electricity demand and will reduce the need for electrical energy generated by fossil fuel-driven power plants. The

Project will also use energy-efficient appliances, lighting, low-flow toilets, faucets, dual pane windows, ceiling fans, etc., which would also help reduce energy consumption and water demand.

It is anticipated that the modes of transportation used to the Project site would remain the same as those used for typical elementary schools, such as buses and cars. However, the new school is located in close proximity to surrounding residential development, which makes vehicular travel relatively short. There is also a bus service offered that reduces the number of parents dropping off or picking up students. Total fuel consumption for the Project would be based on available bus routes, parent drop-offs, and pick-ups but are not anticipated to be significant, based on air quality modeling, as shown in Impact #3.4.4- *Air Quality*. Based on this analysis, construction and operationally related fuel consumption for the Project would not result in inefficient, wasteful, or unnecessary energy use. The Project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant.***

Impact #3.4.6b – Would the Project Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?

See Impact #3.4.6a above. The Project must comply with Title 5 - California Code of Regulations, Division 1, Chapter 13 *School Facilities Construction* standards for all school buildings. The Project must comply with CCR, Title 20, with adoptions of the California Energy Commission (California Department of Education, 2022).

Energy-saving strategies will be implemented where feasible to reduce the Project's energy consumption during the construction and post-construction phases. Strategies being implemented include those recommended by the California Air Resources Board (CARB) that may reduce the Project's construction energy consumption, including diesel anti-idling measures, light-duty vehicle technology, usage of alternative fuels, such as biodiesel blends and ethanol, and heavy-duty vehicle design measures to reduce energy consumption. The continued use of solar-generated energy, along with the energy efficiency components outlined above, will assist California in meeting its greenhouse gas (GHG) emissions reduction goal by 2030, as required by the California Global Warming Solutions Act (AB 32) (amended by SB 32 in 2016). Impacts would be less than significant.

Mitigation Measure(s)

No mitigation is required.

Level of Significance

Impacts would be ***less than significant.***

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.7 - 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 offsite 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 wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?	☐	☐	☒	☐
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

The following analysis is based primarily on the Geological Hazard Study (Soils Engineering, Inc., 2022a) prepared for this Project (see Appendix C of this document) and other available data.

Discussion

Impact #3.4.7a(i) – Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving 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?

The proposed Project site is in a region traditionally characterized by low seismic activity (Soils Engineering, Inc., 2022a). The proposed construction and operation of the Project would increase the potential exposure of persons working on the Project site to seismic events, including the risk of loss, injury, and death related to earthquakes and related hazards.

The Project site is not located within an Alquist-Priolo earthquake zone, and no active faults are located on or near the Project site. However, the site is within the vicinity of several active faults. The nearest active fault is the Kern Front fault, approximately eight miles northwest of the site. The nearest Seismic Source Type A fault is the San Andreas fault, located approximately 36 miles from the site (Soils Engineering, Inc., 2022a).

In addition, pursuant to the California Educational Code Sections 17212 and 17212.5, the construction of school buildings has to comply with safety standards that prohibit schools from being located on an active earthquake fault or fault trace. The proposed Project would comply with the most recent CDE codes and regulation that provides criteria for the seismic design of buildings as implemented by the Division of the State Architect (DSA).

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.7a(ii) – Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

The proposed Project site is in a region traditionally characterized by low seismic activity (Soils Engineering, Inc., 2022a); however, moderate to severe ground shaking associated with earthquakes on the nearby faults can be expected within the Project area and throughout the City of Bakersfield. In the event of an earthquake on one of the nearby faults, it is likely that the Project site would experience ground shaking and expose people and

structures associated with the Project. The California Geologic Survey (CGS) Map of California shows that the nearest active faults include the Kern Front fault, approximately 12.8 kilometers (km); the White Wolf fault, approximately 21.7 km; the Pleito Thrust fault, approximately 38.5 km; the Garlock (West), fault approximately 52.7 km; the San Andreas fault, approximately 57.2 km; the Big Pine fault, approximately 58.4 km; and the San Gabriel fault, approximately 70.5 km. A major seismic event on the previously mentioned faults or other nearby faults may cause ground shaking at the site. Additionally, based on the deterministic ground acceleration, the San Andreas fault, located west of the Project site, is considered the governing fault (Soils Engineering, Inc., 2022a).

While such shaking would be less severe from an earthquake that originates at a greater distance from the Project site, the effects could potentially be damaging to school buildings and supporting infrastructure. The Project is required to design all school development and associated infrastructure to withstand substantial ground shaking in accordance with applicable State law IBC CBC, Title 5 and Title 24 earthquake construction standards, including those relating to soil characteristics. Adherence to all applicable local and State regulations would avoid any potential impacts to structures resulting from liquefaction at the Project site. Therefore, there would be a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.7a(iii) – Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

The Geological Hazards Study indicates that there is a low to moderate probability for liquefaction to occur during a major earthquake at the site and that the maximum peak ground acceleration at the site would be 0.297g for a 7.3 magnitude earthquake on the White Wolf Fault approximately 21.7 kilometers away. The computer-modeling program Eqsearchwin estimated that a ground motion of 0.344g occurred at the site from a 6.1 magnitude earthquake (aftershock) on the White Wolf Fault on July 23, 1952. The proposed structures should be built to withstand the magnitude of an earthquake and ground motions (Soils Engineering, Inc., 2022a).

Therefore, the Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. Structures constructed as part of the Project would be required by State law to be constructed in accordance with all applicable IBC CBC, Title 5 and Title 24 construction standards. Adherence to all applicable regulations would reduce or avoid any potential impacts to structures resulting from liquefaction at the Project site, and impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.7a(iv) – Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

The site and surrounding area are flat, with no significant topological features. There is no potential for rock falls and landslides to impact the site in the event of a major earthquake, as the area has no dramatic elevation changes. Based on the predicted maximum horizontal accelerations at the Project site and the soil types, minor subsurface settlement may occur onsite during a major earthquake, and this is considered less than significant. The site would not be subject to liquefaction impacts due to the depth of groundwater below ground surface (Soils Engineering, Inc., 2022a).

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.7b – Would the Project result in substantial soil erosion or the loss of topsoil?

Construction activities associated with the proposed Project would disrupt surface vegetation and soils and would expose these disturbed areas to erosion by wind and water. National Pollutant Discharge Elimination System (NPDES) stormwater permitting programs regulate stormwater quality from construction sites, which includes erosion and sedimentation. Under the NPDES permitting program, the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) are required for construction activities that would disturb an area of one acre or more. A SWPPP must identify potential sources of erosion or sedimentation that may be reasonably expected to affect the quality of stormwater discharges as well as identify and implement best management practices (BMPs) that ensure the reduction of these pollutants during stormwater discharges. Typical BMPs intended to control erosion include sandbags, retention basins, silt fencing, storm drain inlet protection, street sweeping, and monitoring of water bodies. Mitigation Measure MM GEO-1 requires the approval of a SWPPP to comply with the NPDES General Construction Permit from the Central Valley Regional Water Quality Control Board (RWQCB).

In the long term and after construction activities have been completed on the Project site, the ground surface will have impermeable surfaces as well as permeable surfaces. The

impermeable surfaces would include roadways, driveways, parking lots, and building sites. The permeable surfaces would include the playground and landscape areas that would stabilize the permeable areas. Overall, the development of the Project would not result in conditions where substantial surface soils would be exposed to wind and water erosion. Mitigation Measure MM GEO-2 requires the District to limit grading to the minimum area necessary for the construction and operation of the Project.

The Project would not result in substantial soil erosion or the loss of topsoil. Impacts would be less than significant with the incorporation of mitigation measures.

MITIGATION MEASURE(S)

MM GEO-1: Prior to construction, the District shall submit: (1) the approved Stormwater Pollution Prevention Plan (SWPPP) and (2) the Notice of Intent (NOI) to comply with the General National Pollutant Discharge Elimination System (NPDES) from the Central Valley Regional Water Quality Control Board. The requirements of the SWPPP and NPDES shall be incorporated into design specifications and construction contracts. Recommended best management practices for the construction phase may include the following:

- Stockpiling and disposing of demolition debris, concrete, and soil properly.
- Protecting existing storm drain inlets and stabilizing disturbed areas.
- Implementing erosion controls.
- Properly managing construction materials.
- Managing waste, aggressively controlling litter, and implementing sediment controls.

MM GEO-2: The District shall limit grading to the minimum area necessary for the construction and operation of the Project. Final grading plans shall include best management practices to limit onsite and offsite erosion.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.7c – Would the Project 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 offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?

The Project site and surrounding area is flat and is not located in an unstable geologic unit or on soil that is considered unstable. There is no evidence of landslides on the Project site. The United States Department of Agriculture Natural Resources Conservation Service indicates that Garces Silt Loam underlies the Project site (see Figure 3.4.7-1). This soil is characterized by the following attributes: very deep, well-drained saline-sodic soils that formed in granitic alluvium. As indicated in the Geological Hazard Study, groundwater levels in the Project vicinity range between 250-260 feet below ground surface (bgs) (Soils Engineering, Inc., 2022a). Liquefaction potential appears to be very low.

The proposed school site is located within the area where the lowest amount of historic land subsidence has occurred and outside of the area of hydrocompaction; therefore, regional subsidence is not likely to occur (Soils Engineering, Inc., 2022a).

As indicated in previous responses, the site and surrounding area is flat, which do not provide the conditions required for significant onsite land sliding. Additionally, the site is not located near any areas with sufficient slope, which could result in offsite landslides. Moreover, the Project will be designed by an engineer to resist spreading, subsidence, liquefaction or collapse.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.7d – Would the Project 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?

Based on an expansive index test performed on a soil sample collected from the near surface soil of the site, it was determined that it is unlikely expansive soils would be encountered. The Project is located within an area where the lowest amount of hydrocompaction has occurred (Soils Engineering, Inc., 2022a).

The Project would comply with all applicable requirements in accordance with applicable State law IBC CBC and Title 5 and Title 24 that provides criteria for the appropriate design of buildings. The proposed Project would not be located on any identified expansive soils, as defined in the California Building Code. Therefore, the Project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.7e – Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?

The proposed Project will not use a septic system; sewer services will be provided by the Kern Sanitation Authority. Therefore, the Project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.7f – Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The Project does not intend to use undisturbed land; the property has been historically farmed and is highly disturbed. However, there remains the possibility for previously unknown, buried paleontological resources or unique geological sites to be uncovered during subsurface construction activities. Therefore, this would be a potentially significant impact. However, MM GEO-3 requires that if unknown paleontological resources are discovered during construction activities, work within a 25-foot buffer would cease until a qualified paleontologist determined the appropriate course of action. With implementation of MM GEO-3, the Project will have a less-than-significant impact.

MITIGATION MEASURE(S)

MM GEO-3: During any ground-disturbance activities, if paleontological resources are encountered, all work within 25 feet of the find shall halt until a qualified paleontologist as defined by the Society of Vertebrate Paleontology *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources* (2010), can evaluate the find and make recommendations regarding treatment. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. The qualified paleontologist shall contact the Natural History Museum of Los Angeles County or other appropriate facility regarding any discoveries of paleontological resources.

If the qualified paleontologist determines that the discovery represents a potentially significant paleontological resource, additional investigations and fossil recovery may be required to mitigate adverse impacts from Project implementation. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, they shall be avoided to ensure no adverse effects, or such effects must be mitigated. Construction in that area shall not resume until the resource-appropriate measures are recommended or the materials are determined to be less than significant. If the resource is significant and fossil recovery is the identified form of treatment, then the fossil shall be deposited in an accredited and permanent scientific institution. Copies of all correspondence and reports shall be submitted to the Lead Agency.

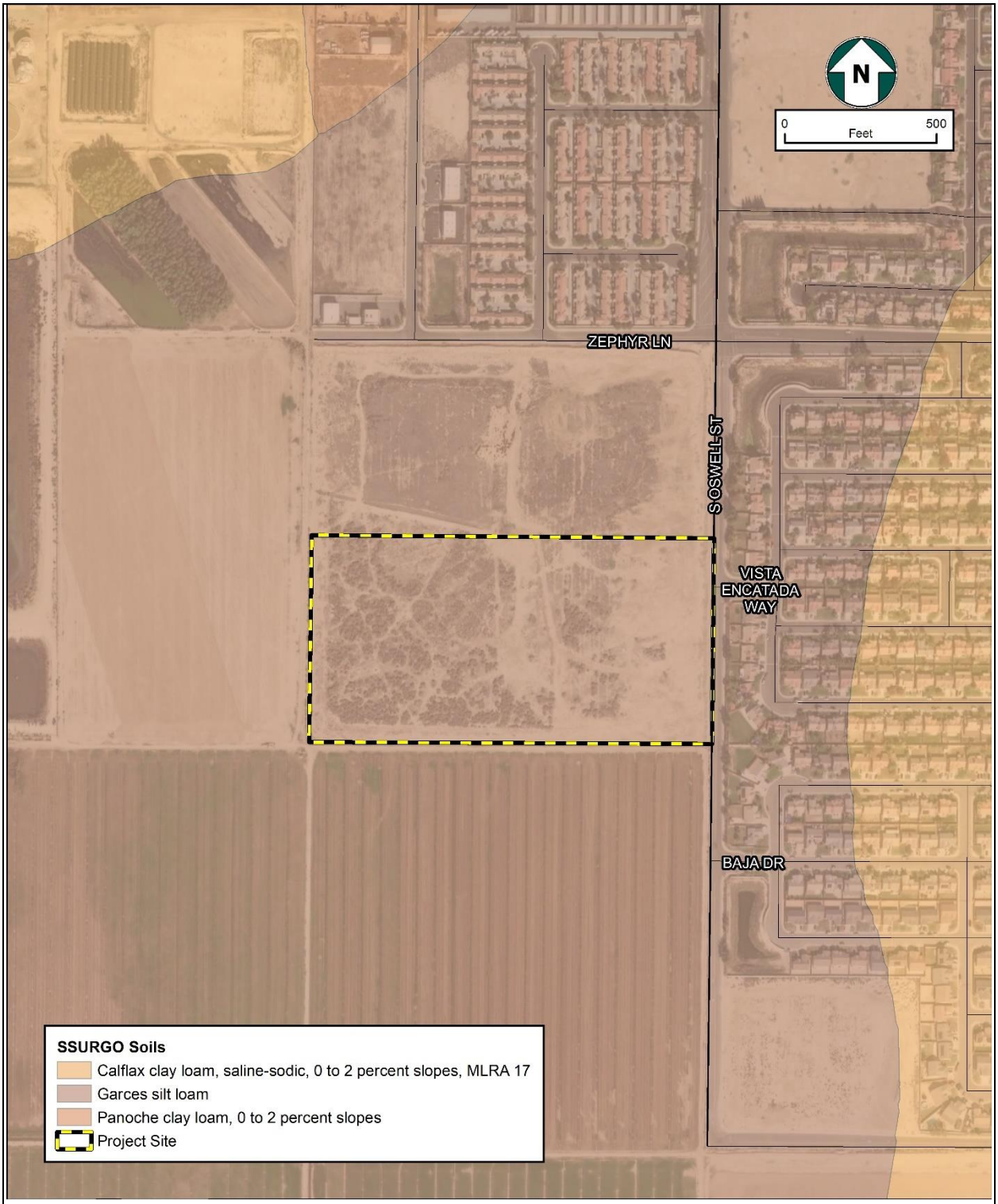

Figure 3.4.7-1
Soil Types

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact

3.4.8 - 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 any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

This section is based on a SPAL prepared for the Project (Trinity Consultants, 2023), which is included in this document as Appendix A.

Discussion

Impact #3.4.8a – Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Although the construction and operation of the proposed Project would result in emissions of GHGs, the Project does not exceed the SPAL established by the SJVAPCD. Therefore, the Project is anticipated to have a less-than-significant impact on the environment.

The Project's greenhouse gas (GHG) emissions are primarily from electricity and exhaust from transportation fuels. Not all GHGs exhibit the same ability to induce climate change; as a result, GHG contributions are commonly quantified as carbon dioxide equivalents (CO_2e) (see Appendix A). The proposed Project's operational CO_2e emissions were estimated using CalEEMod. These emissions are summarized in Table 3.4.8-1.

Table 3.4.8-1
Estimated Annual Greenhouse Gas Emissions

	CO2 Emissions metric tons	CH4 Emissions metric tons	N2O Emissions metric tons	CO2e Emissions metric tons
2023 Project Construction	431.82	0.08	0.01	437.31
2024 Project Construction	4.10	0.00	0.00	4.12
2024 Project Operations	1,316.3	1.66	0.07	1,378.6

The current inventory and forecast for GHG emissions in the California Air Resources Board's 2008 Climate Change Scoping Plan support the 2011 IPPC estimates. The 2008 Climate Change Scoping Plan also indicates that GHG emissions will increase to 596.41 million metric tons of CO_2e by 2020. It is widely understood that climate change is a "global" issue and, GHG emissions are a cumulative problem and can only be evaluated as such. The amount of CO_2 that would be generated by the Project is so small in relation to the California CO_2 equivalent estimates for 2020 (596 million metric tons CO_2e) that it's not possible for the contribution of the Project to be cumulatively considerable.

Therefore, the Project would not generate a cumulatively considerable GHG impact, nor would it conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. The Project will also not conflict with any elements of the California Air Resources Board's 2008 Climate Change Scoping Plan. Therefore, this potential impact is less than significant.

See also Impact #3.4.3a.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant***.

Impact #3.4.8b – Would the Project conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

See the discussion of Impact #3.4.8 above. Additionally, the Project will not exceed the SPAL thresholds established by the SJVAPCD. Therefore, the Project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs, and impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be ***less than significant***.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.9 - 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 involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☒	☐	☐
d. Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
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?	☐	☐	☒	☐

This section is based on the *Geological Hazards Study* (Soils Engineering, Inc., 2022a), the *Power Line Information at Proposed School Property* (Soils Engineering, Inc., 2022b), the *Pipeline & Aboveground Tank Survey* (Soils Engineering, Inc., 2022c), the *Preliminary Environmental Assessment (PEA)* (Soils Engineering, Inc., 2022d), the *Supplemental Site*

Investigation Workplan (Soils Engineering, Inc., 2022e), and the *Supplemental Site Investigation Completion Report* (Soils Engineering, Inc., 2023) prepared for the Project. These studies are included in Appendix C of this document.

Discussion

Impact #3.4.9a – Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Kern County Public Health Services Department, Environmental Health Division is the Certified Unified Program Agency (CUPA) for the County. The CUPA unifies and consolidates the various requirements for businesses handling hazardous materials, and generating or treating hazardous wastes. A Hazardous Materials Business Plan consists of the following items: business activities, business owner/operator identification, hazardous materials inventory stored and/or generated, facility site map, emergency response/contingency plan for procedures in the event of a release or threatened release of a hazardous material/waste, employee training plan, which includes hazardous communications/SDS, annual training refresher courses, and safety procedures in the event of a release or threatened release of a hazardous material/waste, etc. The CUPA reports to the California Environmental Protection Agency.

Per the California Health and Safety Code and CCR, a business is required to provide a Hazardous Materials Business Plan (HMBP) to the California Environmental Reporting System (CERS) if they handle a listed hazardous material above a certain threshold. Specific hazardous chemicals reported to the CERS and CUPA and procedures specified in the SPCC would provide a system of addressing hazardous materials handled by the Project. The material threshold for this program is 55 gallons of liquid, 500 pounds of solid, 200 cubic feet of compressed gas, and/or applicable State/federal threshold quantity for extremely hazardous material. Construction of the Project would involve the transport and use of minor quantities of hazardous materials such as fuels, oils, lubricants, hydraulic fluids, paints, and solvents. The types and quantities of hazardous materials to be used and stored onsite would not be of a significant amount to create a reasonably foreseeable upset or accident condition. The handling and transport of all hazardous materials onsite would be performed in accordance with all applicable federal, State, and local laws and regulations.

During Project operation, minor amounts of custodial chemicals would be used for cleaning purposes. It is not anticipated that these amounts would exceed CERS thresholds as listed above. The presence of such materials could present a risk if not managed properly. The presence and use of these materials, which can be classified as hazardous materials, create the potential for accidental spillage and exposure of workers to these substances.

The District has procedures in place for the transport, use, and storage of hazardous materials that comply with CDE Title 5. Hazardous and non-hazardous wastes would likely be transported to and from the Project site during the construction phase of the proposed Project. Therefore, no significant hazard to the public or to the environment through the routine transport, use, or disposal of hazardous waste during the construction or operation of the new school campus would occur.

Soil sampling was conducted at the Project site per the Department of Toxic Substance Control's (DTSC) guidance to evaluate the levels of organochlorine pesticides (OCPs) and arsenic in the near surface soils. In addition, soil samples collected in historical or current fill dirt areas were also analyzed for petroleum hydrocarbons, arsenic, and CAM 17 metals. Three soil samples were collected from the berm piles along the eastern portion of the site and analyzed for OCPs, petroleum hydrocarbons, arsenic, CAM 17 metals, and pH. The results indicate only minor concentrations of OCPs present in the near surface soils, all of which are below the DTSC's Screening Levels (SLs) and the EPA's Regional Screening Levels (RSLs).

Arsenic concentrations ranged from 5.03 mg/kg to 17.8 mg/kg in the soil samples, which is above the DTSC's recommended arsenic level of concern (12 mg/kg). Based on other nearby school sites (the nearby Mira Monte High School Expansion) and two deeper background soil samples collected at a depth of 6 feet, this level of arsenic is within the expected range of arsenic concentrations in the eastern portion of Bakersfield. None of the soil samples tested for Total Petroleum Hydrocarbons (TPH), volatile organic compounds (VOCs), CAM 17 metals, and pH had any concentrations reported of potential environmental concern or above the SLs or RSLs (Soils Engineering, Inc., 2022d).

However, the Enhanced Phase 1 Environmental Site Assessment (PEA Equivalent) and the Geological Hazards Study prepared for the proposed Project state that there are existing abandoned oil wells located approximately 280 feet to the north, ~32 feet to the south, ~730 feet to the southeast, and ~-980 feet to the east of the site. The Project site is also located within the boundary of the Edison Oil/Gas Field. Further, the studies indicate that there is a low to moderate potential that any significant subsurface oilfield-related gases (hydrogen sulfide, methane, etc.) may be present in the subsurface at elevated concentrations. Therefore, the studies recommended that prior to the construction of the proposed Project, a soil gas survey be conducted to verify the potential for vapor migration under DTSC oversight.

As required by DTSC, a Supplemental Site Investigation Work Plan (SSI Work Plan) was conditionally approved prior to conducting the soil gas survey sampling at the proposed Project site. The SSI Work Plan described the proposed work to be completed to adequately assess the areas of potential concern at the site related to the potential for vapor migration. The objective of the SSI is to evaluate the areas with potential chemicals of concern (methane, H_2S, VOCs, and arsenic) that may need to be mitigated in order to ensure the safety of future occupants of the site (Soils Engineering, Inc., 2022e). A Supplemental Site Investigation Completion Report (SSI Completion Report) was prepared following the conditional approval of the SSI Work Plan by the DTSC. Based on the collection and analysis of soil and soil gas samples, historical review, risk and hazard analysis, and visual observations by field personnel the SSI Completion Report, the following was concluded:

1. The site may have had limited agricultural use for <10 years with the possible application of pesticides and herbicides during this time period. The site is located within the Edison Oilfield with abandoned oil wells located as close as 280 feet away.

2. Based on the fate and transport properties of OCPs and metals it is highly unlikely that concentrations of potential concern of these constituents would migrate to

depths below 2.5 feet in the soil (silty sand) encountered at this site. The study concluded that no additional sampling and analysis below a depth of 2.5 feet is warranted at the site.

3. Soil, soil gas, and air are the likely potential pathways for any contaminates at the site. Groundwater is not considered a potential pathway at the site. In addition, the study noted that all water utilized at the site will be from public water sources.

4. During the PEA, soil sampling was conducted at the site per the DTSC's Agricultural Guidance (3rd Addition) to evaluate the levels of organochlorine pesticides (OCPs) and arsenic in the near surface soils. In addition, soil samples collected in historical or current fill dirt areas were also analyzed for petroleum hydrocarbons and CAM 17 Metals. Three soil samples were collected from the berm piles along the eastern portion of the site and analyzed for OCPs, petroleum hydrocarbons, CAM 17 Metals and pH. The analytical results indicate only minor concentrations of OCPs were present in the near surface soils all below the DTSC's Screening Levels (SLs) and the EPA's Residential Screening Levels (RSLs). The study concluded that none of the soil samples tested for Total Petroleum Hydrocarbons (TPH), volatile organic compounds (VOCs), CAM 17 metals and pH had any concentrations reported of potential environmental concern or above the DTSC's SLs or the EPAs RSLs.

5. During the SSI additional deep soil samples (5 feet, 10 feet, and 15 feet) were analyzed for arsenic to further evaluate the onsite background arsenic concentration. The onsite near surface arsenic concentrations ranged from 5.03 mg/kg to 17.8 mg/kg in the soil samples (0 to 6 inches and 2 feet to 2.5 feet). The onsite background arsenic concentrations ranged from 4.04 mg/kg to 30.7 mg/kg (re-run was 21.8 mg/kg). Based on a comparison of the onsite near surface arsenic concentrations (high of 17.8 mg/kg), the deep background arsenic concentrations (high of 30.7 mg/kg (re-run 21.8 mg/kg)) and a statistical analysis of the onsite near surface arsenic concentrations it appears that the arsenic concentrations are within the range of the onsite and regional background arsenic concentrations. These concentrations are part of one community population and not indicative of a release. Arsenic should not be considered a chemical of concern and should be excluded from the risk and hazard evaluation.

6. Historical oilfield activities have been conducted within one-third of a mile of the site location and the site resides within the Edison Oil & Gas Field. There are two abandoned oil wells adjacent to the site to the north and south ~ 280 feet and ~320 feet, respectively. There are two other abandoned oil wells to the east and southeast ~980 feet and ~730 feet, respectively. All of these wells were dry holes with no oil production. A soil gas survey was conducted at four locations along the borders of the site which included vapor samples collected at depths of 5 feet, 13 feet to 18 feet, 26 feet, and 37 feet to 40 feet bgs which were analyzed for methane, H_2S, and VOCs. No methane, H_2S, or VOC concentrations of concern were reported in these vapor samples when compared to the Screen Levels utilizing the DTSC's default attenuation factor of 0.001 for soil gas results. Only three of the samples (SG1-5', SG1-39', and

SG3-5') had benzene concentrations reported slightly above the EPA screening level (3.23 ug/m3) and two samples (SG1-5' and SG1-13') had naphthalene concentrations slightly exceeding the EPA screening level (2.77 ug/m3) with an EPA sub-slab attenuation factor of 0.03 utilized.

7. The highest OCPs, Methane, and VOCs reported in the soil and soil gas samples were included in a human health screening evaluation. The results were a total cumulative risk of 3.27 x 10-7 and a total cumulative hazard of 0.867 for all pathways. These results are less than the cumulative risk level (1 x 10-6) and the cumulative hazard level of 1.0 by potential pathways. The study indicates that there is not an apparent elevated risk or hazard to future occupants at the site from the site soil and soil gas.

The SSI Completion Report concluded in its recommendation that no additional assessment or mitigation at this site is necessary (Soils Engineering, Inc., 2023). However, Mitigation Measure MM HAZ-2 is included to reduce impacts to less than significant in order to ensure that if new areas of potential environmental concern are discovered, work will cease and the appropriate assessment and remediation measures are taken to identify any new areas of concern.

A pipeline survey was conducted for the proposed Project, which determined that no crude oil pipeline is located within 1,500 feet of the Project site (Soils Engineering, Inc., 2022c).

A powerline survey was also conducted for the proposed Project, which determined that visual site reconnaissance indicated that no power lines are present within 350 feet of the site boundaries that carry >50 Kilovolt (kV) power overhead or underground. There are a couple of underground powerlines that carry 21 Kilovolt (kV) on the east side of Sout Oswell Street. No setbacks from these powerlines are required since they carry power <50 kV (Soils Engineering, Inc., 2022b).

With mitigation, the proposed Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Based on the analysis above, Mitigation Measure MM HAZ-1 and MM HAZ-2 have been proposed to mitigate potential impacts. With this mitigation, the proposed Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials nor 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. Therefore, impacts would be less than significant with mitigation incorporated.

MITIGATION MEASURE(S)

MM HAZ-1: Prior to operation of the Project, the Project proponent shall prepare a Hazardous Materials Business Plan that identifies the new location of the new school campus and submit it to the appropriate regulatory agency for review and approval. The Project proponent shall provide the Hazardous Materials Business Plan to all contractors working on the Project and shall ensure that one copy is available at the Project site at all times.

MM HAZ-2: If during construction activities new areas of potential environmental concern are discovered at the site work will cease in these areas and the Department of Toxic Substances Control (DTSC) shall be notified. The Project contractor shall discuss these areas with DTSC to determine the appropriate actions to be taken to lessen and/or remediate these new potential areas of concern.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.9b – Would the Project 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?

See Impact #3.4.8a, above. As identified in the SSI Completion Report, historical oilfield activities have been conducted within 1/3 mile of the site location and the site resides within the Edison Oil & Gas Field. The study identified two abandoned oil wells adjacent to the site to the north and south ~ 280 feet and ~320 feet, respectively. There are two other abandoned oil wells to the east and southeast ~980 feet and ~730 feet, respectively. All of these wells were dry holes with no oil production. A soil gas survey conducted at four locations along the borders of the site which included vapor samples collected at depths of 5 feet, 13 feet to 18 feet, 26 feet, and 37 feet to 40 feet bgs which were analyzed for methane, H_2S, and VOCs. No methane, H_2S, or VOC concentrations of concern were reported in these vapor samples when compared to the DTSC's SLs utilizing the DTSC's default attenuation factor of 0.001 for soil gas results. Only three of the samples (SG1-5', SG1-39', and SG3-5') had benzene concentrations reported slightly above the EPA screening level (3.23 ug/m3) and two samples (SG1-5' and SG1-13') had naphthalene concentrations slightly exceeding the EPA screening level (2.77 ug/m3) with an EPA sub-slab attenuation factor of 0.03 utilized (Soils Engineering, Inc., 2023).

The highest OCPs, methane, and VOCs reported in the soil and soil gas samples were included in a human health screening evaluation. The results were a total cumulative risk of 3.27 x 10-7 and a total cumulative hazard of 0.867 for all pathways. These results are less than the cumulative risk level (1 x 10-6) and the cumulative hazard level of 1.0 by potential pathways. This indicates that there is not an apparent elevated risk or hazard to future occupants at the site from the site soil and soil gas (Soils Engineering, Inc., 2023).

As discussed under Impact #3.4.9a above, with implementation of Mitigation Measures MM HAZ-1 and MM HAZ-2, the Project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, and therefore would reduce impacts to less than significant.

MITIGATION MEASURE(S)

Implementation of Mitigation Measure MM HAZ-1 and MM HAZ-2.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.9c – Would the Project emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

See Impact #3.4.8a above.

MITIGATION MEASURE(S)

Implementation of Mitigation Measure MM HAZ-1 and MM HAZ-2.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.9d – Would the Project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

An Enhanced Phase 1 Environmental Site Assessment (PEA Equivalent) was prepared for the proposed Project, which determined that no current activities were found within a one-mile radius of the site that process, store, or transport hazardous materials in sufficient quantity or in a mode, which might have a measurable effect on the environmental integrity of the subject site. However, multiple sites were found in search of available or "reasonably ascertainable" State or federal government records, as reported by the Kern County Environmental Health Services Department, the Bakersfield Fire Department, and GeoTracker. From these record searches, no sites appear to have current environmental problems that may affect the Project site (Soils Engineering, Inc., 2022d). The Assessment also reviewed Leaking Underground Storage Tank (LUST) records from the California Regional Water Quality Control Board which indicated that there are no permitted underground storage tanks, leaking underground storage tanks, or any other cleanup sites on or in the vicinity (within one mile) of the Project site (Soils Engineering, Inc., 2022d).

The Project is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would not create a significant hazard to the public or the environment. The Project site is not within the immediate vicinity of a hazardous materials site and would not impact a listed site. Literature review of available federal, State, and local database information systems was performed for the purpose of identifying known recognized environmental conditions present on the site and the nearby properties that have the potential to adversely impact the site. There is no data identifying any facilities within one-quarter mile of the site that might reasonably be anticipated to emit hazardous air emissions or handle hazardous materials, substances, or wastes that might affect the proposed school expansion. As the proposed Project is not included on a list of

hazardous materials sites compiled pursuant to Government Code Section 65962.5, there is no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be ***no impact***.

Impact #3.4.9e – Would the Project be 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?

The closest public airport is the Bakersfield Municipal Airport, located approximately 2.7 miles southwest of the Project site (Figure 1-3). The proposed Project is not within the Sphere of Influence (SOI) of the airport and is not within an identified hazard zone as depicted by the Kern County Land Use Compatibility Plan (County of Kern, 2012). Therefore, the Project would not result in a safety hazard as a result of proximity to a public use airport and would have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be ***no impact.***

Impact #3.4.9f – Would the Project impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?

The proposed Project is required to adhere to the standards set forth in the Uniform Fire Code, which identifies the design standards for emergency access during both the Project's construction and operational phases. The Project would also comply with the appropriate local and State requirements regarding emergency response plans and access. The proposed Project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. The proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, the Project would have a less-than-significant impact with the incorporation of mitigation.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.9g – Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

The proposed Project is surrounded by a mix of agricultural and residential land uses that is becoming increasingly urbanized, and would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, as there are no wildlands in the vicinity. According to available data, the Project site is not located within a hazard zone classified as Very High, High, or Moderate for wildland fires (Cal Fire, 2023). Construction and operation of the Project is not expected to increase the risk of wildfires on or adjacent to the Project site. The Project will also be required to comply with all applicable standards as required by the State Fire Marshall, CDE Title 5 and Title 24 regulations, as well as local fire codes.

The proposed Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. Therefore, the impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

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

Discussion

Impact #3.4.10a – Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Construction of the Project would involve excavation, soil stockpiling, mass and fine grading, the installation of supporting drainage facilities, and associated infrastructure. During site grading and construction activities, large areas of bare soil could be exposed to erosive forces for long periods of time. Construction activities involving soil disturbance, excavation, cutting/filling, stockpiling, and grading activities could result in increased erosion and sedimentation to surface waters.

Additionally, accidental spills or disposal of potentially harmful materials used during construction could possibly wash into and pollute surface water runoff. Materials that could potentially contaminate the construction area, or spill or leak, include lead-based paint flakes, diesel fuel, gasoline, lubrication oil, hydraulic fluid, antifreeze, transmission fluid, lubricating grease, and other fluids. A SWPPP for construction-related activities would include, but not be limited to, the following types of BMPs to minimize the potential for pollution related to material spills:

- Vehicles and equipment will be cleaned.
- Vehicle and equipment fueling and maintenance requirements will be established.
- A spill containment and clean-up plan will be in place prior to and during construction activities.

In order to reduce potential impacts to water quality during construction activities, Mitigation Measure MM GEO-1 requires the Project proponent to file a Notice of Intent (NOI) to comply with the NPDES General Construction Permit and prepare a SWPPP. The Project SWPPP would include BMPs targeted at minimizing and controlling construction and post-construction runoff and erosion to the maximum extent practicable. Mitigation Measure MM GEO-2 requires the District to limit grading to the minimum area necessary for construction of the Project. Additionally, as noted in Section 3.4.9, *Hazards and Hazardous Materials*, Mitigation Measure MM HAZ-1 requires that all hazardous wastes be stored and properly managed in accordance with the approved Hazardous Materials Business Plan. Additionally, Mitigation Measure MM HAZ-2 requires that the Project proponent stop work and notify DTSC if, during field investigation activities or construction activities, new areas of potential environmental concern are discovered at the site.

Once constructed, it is unlikely that educational operational activities would impact surface or groundwater quality. The Project would continue to comply with all local regulations related to water quality. The Project site will be graded in compliance with City requirements, and impacts to water quality would be considered less than significant.

In order to reduce potential soil erosion that might be an impact to water quality during construction, Mitigation Measures MM GEO-1, MM GEO-2, MM HAZ-1, and MM HAZ-2 would be required. With mitigation, the proposed Project would not violate any water quality

standards or waste discharge requirements. Therefore, the Project would have a less than significant impact with incorporation of mitigation.

MITIGATION MEASURE(S)

Implementation of Mitigation Measures MM GEO-1, MM GEO-2, MM HAZ-1, and MM HAZ-2.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.10b – Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?

The Project site is located within the Kern County Subbasin within the San Joaquin Valley – Kern County Groundwater Basin (Basin Number 5-022.14, DWR Bulletin 118), which is identified as being critically over-drafted (California Department of Water Resources, 2020). The proposed Project is located within the Kern River Groundwater Sustainability Agency's (KRGSA) boundaries as regulated under the Sustainable Groundwater Management Act (SGMA). SGMA consists of three legislative bills which provide a framework for long-term sustainable groundwater management across California. The KRGSA has adopted a Groundwater Sustainability Plan (Kern River Groundwater Sustainability Agency, 2022) that includes goals to ensure that by the year 2040, the Subbasin is managed in a sustainable manner to maintain reliable water supply for current and future uses.

The water purveyor for the Project will be the California Water Service, which currently provides water to the surrounding area within their Bakersfield district boundaries. Water within the boundaries of the California Water Service is supplied by 70 groundwater well sites located throughout the City and surface water from the Kern River and the Kern County Water Agency (California Water Service, 2022). The proposed Project will not greatly expand the student as existing students will be relocated from other District schools to relieve overcrowding. New students and faculty will incrementally increase as the area's population grows.

However, the use of fixtures such as low-flow toilets, faucets and drip irrigation, where feasible, will also reduce water demand. Therefore, the Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.10c(i) – Would the Project 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 result in substantial erosion or siltation on or offsite?

The rate and amount of surface runoff is determined by multiple factors, including the following: topography, the amount and intensity of precipitation, the amount of evaporation that occurs in the watershed, and the amount of precipitation and water that infiltrates to the groundwater. Although Project site is substantially flat and without topography, it would alter the existing drainage pattern, which would have the potential to result in erosion, siltation, or flooding on or offsite. The disturbance of soils onsite during construction could cause erosion, resulting in temporary construction impacts. In addition, the placement of permanent structures onsite could affect drainage in the long term. Impacts from construction and operation are discussed below.

As discussed in Impact #3.4.10a, above, potential impacts on water quality arising from erosion and sedimentation are expected to be localized and temporary during construction. Construction-related erosion and sedimentation impacts, as a result of soil disturbance, would be less than significant after implementation of Mitigation Measure MM GEO-1, which requires approval of a SWPPP and BMPs required by the NPDES, as well as MM GEO-2 that requires minimizing grading during construction. No drainages or other water bodies are present on the Project site, and therefore, the proposed Project would not change the course of any such drainages.

Once constructed, there would be areas of impervious surface that might cause stormwater runoff during rain events, although a large amount of open area for recreational fields and lawns will allow rain to percolate to ground. However, the site will be graded in compliance with City requirements to direct stormwater into the City sewer system, and impacts from stormwater would be considered less than significant.

With mitigation, 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. Therefore, the Project would have a less than significant impact with the incorporation of mitigation.

MITIGATION MEASURE(S)

Implementation of Mitigation Measures MM GEO-1 and MM GEO-2 .

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.10c(ii) – Would the Project 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 substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite?

See also Impact #3.4.9c and c(i) above.

The Project site is relatively flat, and grading would be minimal. The topography of the site would not appreciably change because of grading activities. The site in an area of minimal flood hazard. and does not contain any blue-line water features, including streams or rivers. The Project would develop areas of impervious surfaces that could significantly reduce the rate of percolation at the site or concentrate and accelerate surface runoff in comparison to the baseline condition. However, there are areas of the Project that would be undeveloped (i.e., lawns, play areas and portions of the recreational field), and stormwater would generally allow water to percolate to the ground.

Mitigation Measure MM GEO-1 and MM GEO-2 require the development of a SWPPP and the use of BMPs, and limit the amount of grading where feasible to reduce impacts to water quality during construction, respectively. Once constructed, the Project will handle stormwater as required by City. 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 drainage patterns or cause substantial surface runoff that would result in flooding on or offsite. Therefore, the Project would have a less-than-signficant impact with the incorporation of mitigation.

MITIGATION MEASURE(S)

Implementation of Mitigation Measures MM GEO-1 and MM GEO-2.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.10c(iii) – Would the Project 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 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?

Please see response #3.4.10a through c(ii) above. The Project would comply with all applicable local and State codes and regulations. The Project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant.

No streams or rivers exist within the Project's vicinity that would result in substantial erosion or siltation on or offsite. With implementation of MM GEO-1, MM GEO-2, and MM

HAZ-1, MM HAZ-2, as noted above, the Project would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or offsite, contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, nor provide additional sources of polluted runoff.

MITIGATION MEASURE(S)

Implementation of Mitigation Measures MM GEO-1, MM GEO-2, MM HAZ-1, and MM HAZ-2.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.10c(iv) – Would the Project 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 impede or redirect flood flows?

As discussed above in Impact #3.4.10a through c(iii), construction and operations activities could potentially degrade water quality through the occurrence of erosion or siltation at the Project site. Additionally, the accidental release of potentially harmful materials, such as engine oil, diesel fuel, or other substances used in the operation of the facilities, could potentially degrade water quality onsite.

Construction of the Project would include soil-disturbing activities that could result in erosion and siltation, as well as the use of harmful and potentially hazardous materials required to operate vehicles and equipment. The transport of disturbed soils or the accidental release of potentially hazardous materials could result in water quality degradation. The District would be required to request coverage under the NPDES Construction General Permit. A SWPPP would be prepared to specify BMPs to prevent construction pollutants as required by MM GEO-1. Mitigation Measure MM GEO-2 requires the District to limit grading to the minimum area necessary for construction and operation of the Project. The proposed Project would not otherwise impede or redirect flood flows. Therefore, with the implementation of mitigation, the Project will have a less-than-significant impact.

MITIGATION MEASURE(S)

Implementation of Mitigation Measures MM GEO-1, MM GEO-2, MM HAZ-1, and MM HAZ-2.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.10d – Would the Project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation?

The Project site is not located near the ocean or a steep topographic feature (i.e., mountain, hill, bluff, etc.). Therefore, there is no potential for the site to be inundated by tsunami or mudflow. Additionally, there is no body of water within the vicinity of the Project site. There is no potential for inundation of the Project site by seiche.

As shown by Federal Emergency Management Agency (FEMA), the Project property is not located within a 100-year flood zone (see Figure 3.4.10-1). The proposed Project site is located within a FEMA Flood Hazard Zone X: Area of Minimal Flood Hazard and the potential for flooding at the site appears to be very low.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impacts.*

Impact #3.4.10e – Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

As noted in Impact #3.4.10b, above, the proposed Project is located within the jurisdictional boundaries of the KRGSA, which is given authority under the SGMA to oversee groundwater management as outlined in the KRGSA's GSP. The KRGSA's GSP includes measurable thresholds to ensure groundwater management goals are met in adherence with the SGMA.

The water demand from this Project will not significantly increase water usage, and would not result in a depleted groundwater resources or interference with groundwater recharge. The Project would not expand water demand beyond a reasonable amount supplied to similar-sized elementary school facilities, and in fact, will implement reduction of water use by installing more efficient appliances such as low flow toilets, faucets, and sprinkler heads.

As the Project site use has been determined to be consistent with the KRGSA and SGMA. The proposed Project will not substantially deplete aquifer supplies or interfere substantially with groundwater recharge or significantly alter local groundwater supplies, nor deplete the water supply or significantly increase water demand that would conflict with the GSP. Therefore, no additional requirements or implementation measures are applicable.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

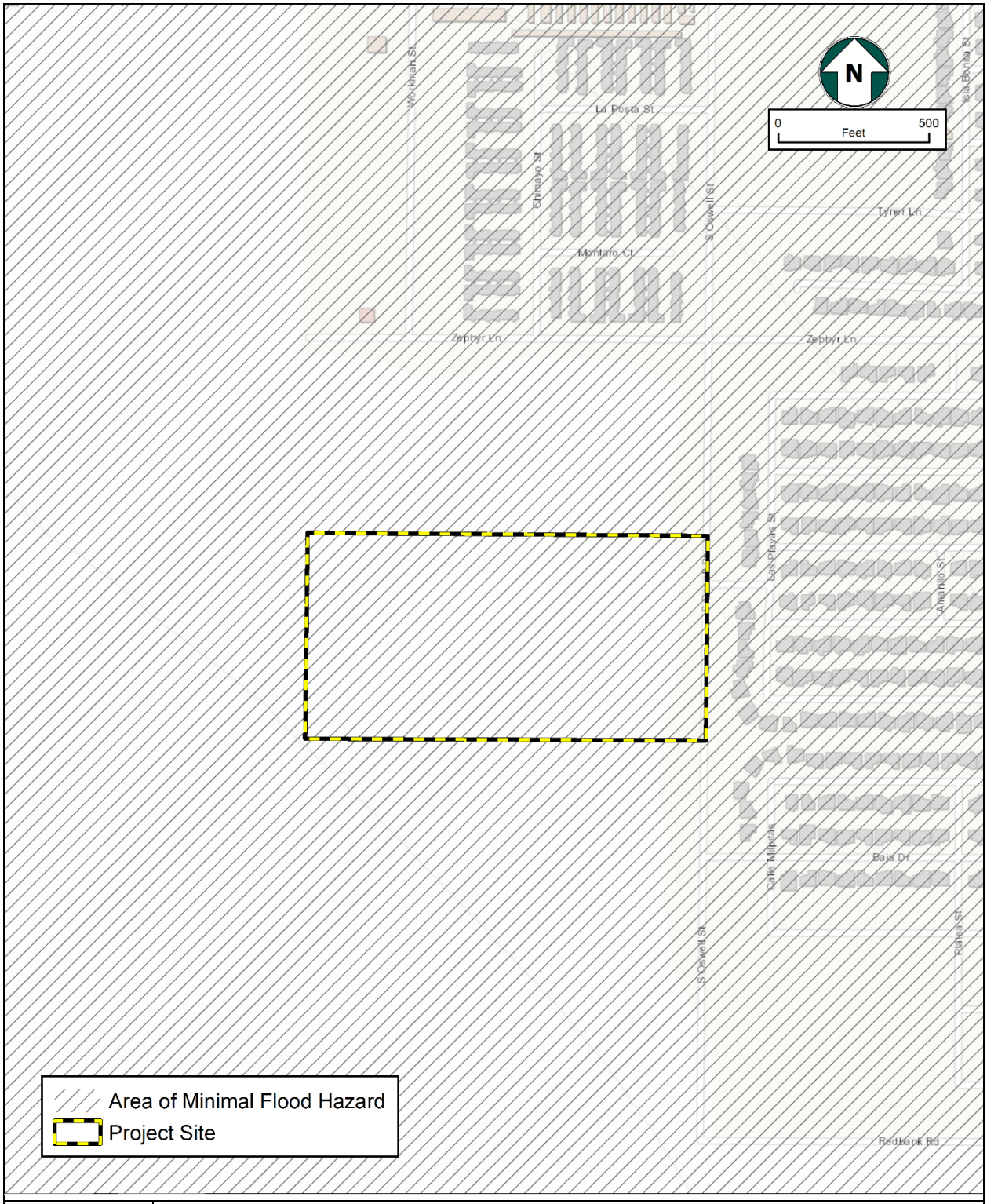

Figure 3.4.10-1
FEMA Flood Hazards

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact

3.4.11 - 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

Impact #3.4.11a – Would the Project physically divide an established community?

The proposed Project site is presently undeveloped land and is surrounded by agricultural land to the south and west, multi-family residences to the north, and single-family residences to the east and is becoming increasily urbanized. The proposed Project would not physically divide an established community and will have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be ***no impact***.

Impact #3.4.11b – Would the Project 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?

As a project proposed by a special district, the Project does not fall under the jurisdiction of the City of Bakersfield Zoning Ordinance or the MBGP and therefore is not subject to local land use regulations. Government Code Section 53091 does not require a school district to comply with county land use designations, and therefore, the District is not seeking a General Plan Amendment or zone change for the subject site. The Project is proposed to reduce current student/teacher ratios at existing nearby schools, and will allow the District to proactively address anticipated student population growth due to ongoing residential development occurring in this area of the City. Therefore, the Project itself does not result in

substantial direct or indirect unanticipated population growth. The proposed 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. Therefore, the Project would have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be ***no impact***.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.12 - MINERAL RESOURCES					
Would the Project:					
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	☐	☐	☐	☒
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

Impact #3.4.12a – Would the Project 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?

No current mineral extraction activities exist on the Project site, nor are any mineral extraction activities included in the Project design. An Enhanced Phase 1 ESA was conducted for the Project site (Soils Engineering, Inc., 2022d), which indicated that historical oilfield activities had been conducted within one-third of a mile of the site location and the site resides within the Edison Oil & Gas Field. The Phase 1 ESA identified two abandoned oil wells adjacent to the site to the north and south, ~ 280 feet and ~320 feet, respectively, and two other abandoned oil wells to the east and southeast, ~980 feet and ~730 feet, respectively. All of these wells were identified in the study as dry holes with no oil production.

The Project is not identified as being in a Mineral Resources Zone (MRZ), nor is it indicated to have known mineral resources of value to the region or State (California Department of Conservation, 2015). The proposed Project would not result in the loss of availability of mineral resources as the Project does not propose the extraction of mineral resources. Additionally, the proposed Project would not restrict the ability of mineral rights holders in the area to exercise their legal rights to access surrounding sites for the exploration and/or extraction of underlying oil research or other natural resources.

The proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State. Therefore, there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be ***no impact***.

Impact #3.4.12b – Would the Project 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?

As noted in Section 3.4.11, *Land Use and Planning*, and 3.4.12a above, the proposed Project is not designated as a mineral recovery area or MRZ by the MBGP (City of Bakersfield/County of Kern, 2010). The Project would not alter any existing plans that protect mineral resources. As a result, the proposed Project would not interfere with mining operations and would not result in the loss of land designated for mineral and petroleum.

The proposed Project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Therefore, the Project would have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be ***no impact***.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.13 - 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

Impact #3.4.13a – Would the Project result in 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?

The MBGP contains noise policies within the Noise Element (City of Bakersfield/County of Kern, 2010). It discusses the noise environment in the Planning Area and establishes policies regarding land uses that may generate noise and sensitive land uses that may be affected by noise generated elsewhere. Schools are identified as a sensitive land use. The primary function of the Noise Element is to incorporate noise considerations into the land use decision-making process.

Construction-related noise levels and activities will be temporary and intermittent. Construction activities are anticipated to take approximately 9-12 months. The proposed Project will generate noise from construction equipment such as crane, bulldozer, grader, bobcat, trencher, cement truck, water truck, trash truck, equipment delivery truck, and construction crew vehicles. No pile driving is proposed for this Project. Additionally, traffic and the various other noises generally associated with construction activities will be temporary and only take place during daylight hours. In addition, the construction-related noise will be intermittent and cease once the proposed Project is completed. Consequently,

sensitive receptors located at the school site will not be exposed to noise levels that violate applicable noise standards. Impacts to sensitive receptors onsite are considered less than significant.

Once constructed, the Project would not significantly increase traffic on local roadways and will not generate other types of noise. Activities that would take place within the new facilities would be similar to noise currently generated around the school site.

As indicated above, the Project's noise impacts are anticipated to generate noise levels below standards established and comply with local codes and regulations. Any permanent increase in ambient noise levels in the Project vicinity and temporary or periodic increases in ambient noise levels in the Project vicinity would not be considered significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.13b – Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?

Construction activities, in general, can have the potential to create groundborne vibrations. However, based on the soil types found in the general Project vicinity, it is unlikely that any blasting or pile driving would be required in connection with the construction of the school expansion. Therefore, the potential for groundborne vibrations to occur as part of the construction of the Project is considered minimal.

The Federal Transit Administration (FTA) has published standard vibration velocities for construction equipment operations. In general, the FTA architectural damage criterion for continuous vibrations (i.e., 0.2 inch/second) appears to be conservative even for sustained pile driving. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. This distance can vary substantially depending on the soil composition and underground geological layer between the vibration source and receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. The typical vibration produced by construction equipment is illustrated in Table 3.4.13-1.

Construction will be of short duration and will not require jackhammers or pile driving. Therefore, the potential for groundborne vibrations impacts during the construction of the Project is considered less than significant. Once operational, the Project would not have any activities that would create groundborne vibrations. The proposed Project would not result in the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Table 3.4.13-1
Typical Vibration Levels for Construction Equipment

Equipment	Reference peak particle velocity at 25 feet (inches/second)[1]	Approximate peak particle velocity at 100 feet (inches/second)[2]
Large bulldozer	0.089	0.011
Loaded trucks	0.076	0.010
Small bulldozer	0.003	0.0004
Vibratory compactor/roller	0.210	0.026

Notes:
1 – Federal Transit Administration, Transit Noise and Vibration Impact Assessment Guidelines, May 2006. Table 12-2.
2 – Calculated using the following formula:
$PPV_{equip} = PPVref \times (25/D)1.5$
where: PPV (equip) = the peak particle velocity in in/sec of the equipment adjusted for the distance PPV (ref) = the reference vibration level in in/sec from Table 12-2 of the FTA Transit Noise and Vibration Impact Assessment Guidelines
D = the distance from the equipment to the receiver

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.13c – 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?

See Impact #3.4.9e.

The proposed Project is not located within the vicinity of an ALUCP hazard zone or within two miles of a public airport. The closest public airport is appromimately 2.7 miles to the southwest. The proposed Project would not expose people residing in or working in the proposed Project area to excessive noise levels related to public airports. There would be no impact associated with the proposed Project relating to excessive noise from a public or private airport. Therefore, the proposed Project would have less-than-significant impacts.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.14 - POPULATION AND HOUSING				
Would the Project:				
a. Induce substantial population unplanned 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

Impact #3.4.14a – Would the Project induce substantial population unplanned 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)?

The Project includes the construction of a new elementary school campus to alleviate overcrowding at nearby schools and to proactively address the growing population within the District's boundaries. The proposed school is proposed to support 700 students and 70 faculty at full buildout.

The proposed Project would not induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through the extension of roads or other infrastructure). The construction of the school is a result of the anticipated urbanization of this area of greater metropolitan Bakersfield. Therefore, impacts of the Project would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.14b – Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The proposed Project site is undeveloped; therefore, it would not displace any existing housing or people nor would implementation of the Project require construction or replacement of housing.

In addition, it is anticipated that construction workers would come from the surrounding area and would not require new housing. The proposed Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. Therefore, the Project would have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.15 - PUBLIC SERVICES				
Would the Project:				
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 to other performance objectives for any of the public services:				
i. Fire protection?	☐	☐	☒	☐
ii. Police protection?	☐	☐	☒	☐
iii. Schools?	☐	☐	☒	☐
iv. Parks?	☐	☐	☒	☐
v. Other public facilities?	☐	☐	☒	☐

Discussion

Impact #3.4.15a(i) – Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services - Fire Protection?

The proposed Project would have to comply with the CDE Title 5, California Code of Regulations Section 14001, which requires that all schools are designed to meet federal, State, and local statutory requirements for structure, fire, and public safety, and will be conveniently located for public services, including but not limited to fire protection, police protection, public transit, and trash disposal whenever feasible.

Fire protection services will be provided by the City of Bakersfield Fire Department. However, the City of Bakersfield and the County of Kern have an existing Joint Powers Agreement to provide emergency services within all boundaries of the MBGP Plan area. Therefore, should an emergency occur that requires fire protection services, the nearest available City or County fire station would respond.

The closest fire station to the Project site is located 1.5 miles northwest of the Project site. Additionally, any additional fire suppression support for the proposed Project site would come from Kern County Fire Station #41 located at 2214 Virginia Avenue.

An approved water supply system capable of supplying required fire flow for fire protection purposes is to be provided to all portions of the school campus where buildings are to be located. The establishment of gallons-per-minute requirements for fire flow will be based on the *Guide for Determination of Required Fire Flow*, published by the State Insurance Service Office and CDE fire safety requirements.

Fire hydrants would also be located and installed per local standards. The District would install the required infrastructure to meet water supply demands for municipal fire protection services. These design standards, coupled with existing fire protection infrastructure, would provide for proper fire suppression services onsite, such as fire sprinklers and a fire alarm system. By meeting these standards and incorporating needed features in the Project design, the expansion of fire protection services would not be required. Therefore, the Project would not increase the need for such services beyond the baseline condition.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.15a(ii) – Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services – Police Protection?

Police protection services will be provided by the City of Bakersfield Police Department. However, the City of Bakersfield and County of Kern have an existing Joint Powers Agreement to provide emergency services within all boundaries of the MBGP area. Therefore, should an emergency occur that requires police protection services, the nearest available City or County police/sheriff station would respond as directed by the emergency services operator. The Bakersfield police Westside Substation would provide services to the Project, as would the Kern County Sheriff's Taft and Lamont Substations.

The Project will not directly cause an increase in the student or faculty population that would require more police protection services, and it is unlikely that the expansion of the existing elementary school campus could result in additional police service calls. However, the District would continue to implement current security measures used in the existing elementary school. Therefore, impacts to police protection services are considered less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant.*

Impact #3.4.15a(iii) – Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services – Schools?

The Project proposes to construct a new elementary school campus would allow the District to meet the needs of the expanding population within its boundaries. The proposed expansion will relocate some of the existing student population and the faculty to alleviate overcrowding and meet student/teacher ratios. It will also allow the District to proactively handle the anticipated increase in students as the area becomes more urbanized. Therefore, the proposed Project will have a less-than-significant impact on school services, as the purpose of the Project is to meet the demands of the growing population.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant.*

Impact #3.4.15a(iv) – Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services – Parks?

The nearest community park facility is Oswell South Park, located approximately 800 feet southwest of the proposed Project site. The proposed Project includes an onsite playground and recreational areas as appropriate for the students and will provide increased recreational opportunity to the neighboring community. It is not anticipated to result in significantly greater usage of the parks in the Project vicinity. Therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant.*

Impact #3.4.15a(v) – Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services – Other Public Facilities?

The proposed Project is to meet the increasing demands of school services to support the growing population within the District's boundaries. Therefore, the Project is considered to not induce the appreciable use of other public facilities such as libraries, courts, and other City and County services.

The proposed Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause a significant environmental impact. Therefore, impacts are considered less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant.*

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.16 - RECREATION				
Would the Project:				
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒

Discussion

Impact #3.4.16a – 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?

See Impact #3.4.15a(iv). The proposed Project would not increase the population of Bakersfield but is planned to support the existing growing population within the District's boundaries. As such, it is unlikely that the Project would increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration would occur or be accelerated or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment. Further, the new school is planned to construct an additional playground and recreation areas that would add to the existing recreation opportunities within the area. Therefore, the Project would have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be ***no impact***.

Impact #3.4.16b – Would the Project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

See Impact #3.4.15a(iv) and Impact #3.4.16a above.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be ***no impact***.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.17 - TRANSPORTATION					
Would the Project:					
a.	Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☒	☐	☐
b.	Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	☒	☐
c.	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d.	Result in inadequate emergency access?	☐	☐	☒	☐

This section is based on the Traffic Study (Ruettgers and Schuler, 2022), prepared for the Project. These studies are included in Appendix D of this document.

Discussion

Impact #3.4.17a – Would the Project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

The proposed Project will construct an elementary school to support a maximum of 700 students and 70 faculty in order to reduce overcrowding and student/teacher ratios, and to service the anticipated growth in population in the area. The proposed Project trip generation was calculated using existing and future traffic generation, determined utilizing traffic counts and population projections within the area to determine future peak hours and volumes as reflected in Table 3.4.17-1 below.

Table 3.4.17-1
Project Trip Generation

General Information			Daily Trips		AM Peak Hour Trips			PM Peak Hour Trips		
ITE Code	Development Type	Variable	ADT RATE	ADT	Rate	In % Split/ Trips	Out % Split/ Trips	Rate	In % Split/ Trips	Out % Split/ Trips
520	Elementary School	700 Students	2.27	1589	0.75	54% 284	46% 242	0.16	46% 52	54% 60

Source: (Ruettgers and Schuler, 2022)

Level of Services (LOS)

Capacity and roadway analysis were calculated for nearby intersections for existing and future projections using these numbers to determine impacts from construction of the elementary school in accordance with local and State plans, ordinances, and policies.

However, the intersections of Oswell Street and State Route (SR) 58 west bound ramps and Oswell Street & Zephyr Lane are currently operating below an acceptable level of service (LOS) prior to the addition of Project traffic (Ruettgers and Schuler, 2022). The LOS goal for roadway facilities in Bakersfield is LOS "C". Intersection delays are shown for all intersections that operate below LOS "C." A level of service deficiency is generally defined as a condition where the addition of Project traffic reduces the LOS to below LOS C, or where the pre-existing condition of the roadway is below LOS C, and the LOS degrades below the pre-existing level of service with the addition of the project. Tables 3.4.17-2 and 3.4.17-3 reflect the existing and projected conditions of nearby intersections studied.

Table 3.4.17-2
PM Intersection Level of Service

#	Intersection	Control Type	2022	2022+ Project	2042	2042+ Project	2042+ Project w/Mitigation[1]
1	Oswell Street & Brundage Lane	Signal	C	C	C	C	-
2	Oswell Street & SR 58 WB Ramps	WB	C	D (30.9)	D (27.7)	F (113.2)	B
3	Oswell Street & SR 58 EB Ramps	Signal	C	C	C	C	-
4	Oswell Street & Zephyr Lane	AWSC	B	C	C	C	C[2]

[1]Mitigation shown in Table 5
[2]Mitigation necessary due to AM Peak Hour

Table 3.4.17-3
AM Intersection Level of Service

#	Intersection	Control Type	2022	2022+ Project	2042	2042+ Project	2042+ Project w/Mitigation[1]
1	Oswell Street & Brundage Lane	Signal	C	C	C	C	-
2	Oswell Street & SR 58 WB Ramps	WB	C	F (>300)	F (55.0)	F (>300)	C
3	Oswell Street & SR 58 EB Ramps	Signal	C	C	C	C	-
4	Oswell Street & Zephyr Lane	AWSC	B	E (35.9)	B	E (40.2)	C

1 Mitigation shown in Table 3.4.17-4

As part of the development of the Project, it is anticipated that frontage street improvements will be constructed along both Oswell Street and Zephyr Lane. Table 3.4.17-4 below identifies the intersection improvements needed in order to improve the level of service for the two intersections which do not meet the MBGP goals for the City of Bakersfield.

Table 3.4.17-4
Future Intersection Improvements

#	Intersection	Total Improvements Required by 2042
2	Oswell Street & SR 58 WB Ramps	Install Signal
4	Oswell Street & Zephyr Lane	Install Signal

Therefore, in order to mitigate the impacts associated with the proposed Project, implementation of MM TRANS-1 requires the Project to work with the City Public Works staff determine an appropriate Regional Transportation Impact Fee (RTIF). Implementation of MM TRANS-1 will reduce traffic impacts to less than significant.

Transit

The proposed Project site is bordered by urban development to the east, vacant land to the north, and agricultural land to the south and west. The MBGP does not identify transit stops in the Project area. According to the Golden Empire Transit (GET) System Map (Golden Empire Transit, 2022), the nearest bus stop is Route 41 on Zephyr Lane and South Oswell Street, adjacent to the proposed Project site. However, the District offers bus service for students and generally, staff would travel by personal vehicles. The proposed Project would not conflict with the existing transit system.

Bike

The MBGP does not include bike lanes in the Project area. There are no existing bike lanes in close proximity to the proposed Project.

Roadways

The proposed Project does not require or propose the construction of a new street and will be served by existing Zephyr Lane and South Oswell Street.

Vehicle Miles Traveled (VMT) Evaluation

CEQA Guidelines Section 15064.3, subdivision (b), was adopted to determine the significance of transportation impacts primarily focused on projects within transit priority areas and shift the focus from driver delay to the reduction of greenhouse gas emissions, creation of multimodal networks, and promotion of a mix of land uses. Vehicle miles traveled or VMT is a measure of the total number of miles driven to or from a development and is sometimes expressed as an average per trip or per person.

To date, the City has not yet formally adopted its transportation significance thresholds or its transportation impact analysis procedures. The proposed Project would increase the level of traffic as a result of the proposed activities; however, it is not expected for the Project to have a potentially significant level of VMT (Ruettgers and Schuler, 2022). Further, the OPR Technical Advisory lists "Schools" under ways to "mitigate" vehicle miles traveled, which indicates that schools would result in a reduction in VMT. This would be expected as schools are typically located in areas to serve the surrounding population and in many instances, provides a school that is within walking distance. Therefore, it is expected that this school will result in a less-than-significant VMT impact and would not require a detailed VMT analysis. Therefore, impacts related to CEQA Guidelines Section 15064.3 subdivision (b) would be less than significant.

As previously stated, the proposed Project will construct an elementary school for a maximum of 700 students and 70 faculty. Although the proposed Project will temporarily increase traffic during construction, the Project is expected to have a less than significant impact in accordance with OPR Guidelines related to VMT (Ruettgers and Schuler, 2022).

MITIGATION MEASURE(S)

MM TRANS-1: Prior to development of the Project, the Project proponent shall coordinate with the City of Bakersfield Public Works Department regarding partial funding of improvements through the City of Bakersfield Regional Transportation Impact Fee (RTIF) or Local Mitigation programs.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.17b – Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

See Impact #3.4.17a above. Although the proposed Project will increase traffic as a result of construction, the Project is expected to have a less than significant impact in accordance with OPR Guidelines related to VMT (Ruettgers and Schuler, 2022).

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.17c – Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The Project will be designed to current local and CDE standards and safety regulations. No new roadways are proposed. The proposed elementary school will be accessed off of the existing Zephyr Lane and South Oswell Street and allow for the safe movement of vehicles during student drop-off and pick-up times.

Vehicles will be provided with a clear view of the roadway without obstructions. Landscaping associated with the entry driveways could impede such views if improperly installed. Specific circulation patterns and roadway designs will incorporate all applicable safety measures to ensure that hazardous design features or inadequate emergency access to the site or other areas surrounding the Project area would not occur.

Therefore, with the incorporated design features and all applicable rules and regulations, the proposed Project will have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.17d – Would the Project result in inadequate emergency access?

See the discussion in Impact #3.4.9f.

State and local fire codes and regulations establish standards by which emergency access may be determined. The proposed Project would have to provide adequate unobstructed space for fire trucks to turn around. The proposed Project site would have adequate internal

circulation capacity, including entrance and exit routes, to provide adequate unobstructed space for the fire trucks and other emergency vehicles to gain access and to turn around.

The proposed Project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. The proposed Project would not interfere with the District's established Emergency Response Plan.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.18 - TRIBAL CULTURAL RESOURCES				
Would the Project:				
a. Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in 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:				
i. 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), or	☐	☒	☐	☐
ii. A resource determined by the Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Discussion

Impact #3.4.18a(i) – Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in 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 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)?

See the discussion presented in Section 3.4.5 - *Cultural Resources,* Impacts #3.4.5a through #3.4.5c.

The Native American Heritage Commission (NAHC) was asked to conduct a search of its Sacred Lands File to identify previously recorded sacred sites or cultural resources of special importance to tribes and provide contact information for local Native American representatives who may have information about the Project area. The NAHC responded on November 10, 2022, with negative findings and attached a list of Native American tribes and individuals culturally affiliated with the Project area.

On November 18, 2022, letters were mailed to each of the Native American tribes within the geographic area (see Appendix B). The letters included a brief Project description and location maps. To date, no response has been received from the Native American tribes.

With implementation of Mitigation Measures MM CUL-1 through MM CUL-2, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources or in a local register of historic resources.

MITIGATION MEASURE(S)

Implementation of Mitigation Measures MM CUL-1 and MM CUL-2.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.18a(ii) – Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in 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 resource determined by the Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe?

See discussion for Impacts #3.4.5a through#3.4.5c and Impact #3.4.18a above.

MITIGATION MEASURE(S)

Implementation of Mitigation Measures MM CUL-1 and MM CUL-2.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.19 - UTILITIES AND SERVICE SYSTEMS				
Would the Project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which would cause significant environmental effects?	☐	☐	☒	☐
b. Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c. Result in a determination by the wastewater treatment provider that 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

Impact #3.4.19a – Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which would cause significant environmental effects?

The Project is within the domestic water boundaries of the California Water Service. The proposed Project will connect to the existing water lines adjacent to the Project site currently serving existing residents. The proposed Project is estimated to have an average daily demand of 30,000 gallons per day for all students and faculty, up to 75,000 gpd for max daily demand, and 112,500 gpd for peak hour demand (without irrigation). The Project will increase water usage in the new classrooms and landscaping, with current regulations under

Title 20 in effect related to the installment of efficient appliances and the State's Model Water Efficiency Landscape Ordinance, which regulates water impacts related to irrigation for landscaping Therefore, an increase in public utility services is anticipated, but impacts are considered less than significant through implementation of required local and state regulations.

Electric power will be supplied by Pacific Gas and Electricity (PG&E). New telecommunication lines are proposed to be built within the Project. Sanitation/garbage collection will continue to be provided by Kern Sanitation Authority, which serves the City of Bakersfield. In addition, the school will include the installation of roof-mount photovoltaic (PV) solar panels and/or will have solar panels that create covered parking for staff and visitors. The use of PV solar panels that generate renewable energy will offset operational electricity demand and will reduce the need for electrical energy generated by fossil fuel-driven power plants. The Project will also use energy-efficient appliances, lighting, low-flow toilets, faucets, dual pane windows, ceiling fans, etc., which would also help reduce energy consumption and water demand.

The proposed Project will connect to the existing sewer connection, currently serving the nearby residents. Wastewater is managed by the Kern Sanitation Authority, which provides wastewater services to the City of Bakersfield and other surrounding jurisdictions. The sewer lines would connect to the City of Bakersfield's existing sanitary sewer system and are not expected to increase the amount of sewage significantly.

For these reasons, the proposed Project would not need to relocate or construct a new or expanded water, wastewater treatment, or stormwater drainage and would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant.*

Impact #3.4.19b – Would the Project have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?

The Project site is located within the San Joaquin Valley – Kern County Groundwater Subbasin (Basin Number 5-022.08, DWR Bulletin 118), which is identified as being critically over-drafted (California Department of Water Resources, 2020). As discussed in Impact #3.4.10e, the proposed Project site is located within the KRGSA and is required to follow regulations associated with the local GSP (California Department of Water Resources, 2022). The KRGSA GSP has goals to ensure the areas within the subbasin contain sufficient domestic water supplies through 2040. The Project will not impede with any of the GSP goals.

The Project would be served by water provided by the California Water Service, and water lines would be constructed to supply water to the school. As discussed in Impact #3.4.19a above, there is an adequate water supply for the Project. Therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.19c – Would the Project result in a determination by the wastewater treatment provider that 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?

See Impact #3.4.19a and b above. The proposed Project will connect to the existing sewer connection, currently serving the nearby residents. Wastewater is managed by the Kern Sanitation Authority, which provides wastewater services to the City of Bakersfield and other surrounding jurisdictions. The sewer lines would connect to the City of Bakersfield's existing sanitary sewer system and are not expected to increase the amount of sewage significantly. Therefore, impacts are considered less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant.*

Impact #3.4.19d – Would the Project 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?

Construction of the proposed Project would result in the generation of minimal amounts of solid waste. Solid waste removed from the site would be transported to the Bena landfill disposal site located approximately 10 miles east of the proposed Project site. The small amounts of residual refuse and debris, as well as any discarded materials, would be taken to the Bena landfill for disposal. Because the proposed Project would generate only a minimal amount of waste, it would not be expected to affect nearby County landfills significantly. According to CalRecycle, the Bena landfill disposal site has sufficient capacity to accommodate the proposed Project (CalRecycle, 2023).

A school site of this size would typically generate up to 4.5 tons of solid waste per day. To reduce the amount of solid waste being sent to landfills, the recycling of food and other types of solid waste will be conducted the extent feasible.

The Project, in compliance with federal, State, and local statutes and regulations related to solid waste, would dispose of all waste generated onsite at an approved solid waste facility. The Project does not and would not conflict with federal, State, or local regulations related to solid waste. The proposed Project would be served by a landfill with a sufficient permitted capacity to accommodate the Project's solid waste disposal needs in compliance with federal, State, and local statutes and regulations related to solid waste. Therefore, the Project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant.*

Impact #3.4.19e – Would the Project comply with federal, State, and local statutes and regulations related to solid waste?

See discussion for Impact #3.4.19d above.

The 1989 California Integrated Waste Management Act (AB 939) requires Kern County to attain specific waste diversion goals. The Local Government Construction and Demolition (C&D) Guide of 2002 (SB 1374) amended this act to include construction and demolition material.

As stated above, the Bena Landfill has the available capacity to accommodate solid waste generated by the proposed Project. Therefore, the proposed Project would not be expected to significantly impact Kern County landfills. The proposed Project would be required to comply with all federal, State, and local statutes and regulations related to solid waste. Therefore, implementation of the proposed Project would result in less than significant impacts in this regard.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant.*

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

Discussion

Impact #3.4.20a – Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?

As previously noted in Impact #3.4.9g, the proposed Project site is not located in or near SRA or lands classified as being very high hazard severity zones. The construction of an elementary school would not impair implementation of the Kern County Emergency Operations Plan or other applicable emergency response plan or evacuation plan. The Project will also be required to comply with all applicable standards as required by the State Fire Marshall, CDE Title 5 and Title 24 regulations, as well as local fire codes. Once operational, the school would also develop and implement an emergency response plan in case of fire or other emergency situations. Therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is needed.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.20b – Would the Project 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?

As discussed in Impact #3.4.20a above, the proposed Project site is not located in or near SRA or lands classified as very high hazard severity zones. Additionally, the proposed Project site is flat and does not exacerbate the risk of exposure of Project occupants to wildfire. Therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is needed.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.20c – Would the Project 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?

See Impacts # 3.4.9a and g, #3.4.20a and b. As previously discussed, the proposed Project site is not located in or near State Responsibility Areas or lands classified as very high hazard severity zones. Additionally, the Project site is not located within 350 feet of high voltage transmission lines as reflected in the Power Line Information at Proposed School Property report prepared for this Project (Soils Engineering, Inc., 2022b). Additionally, the Project would not require the installation or maintenance of infrastructure that would exacerbate fire risk or result in environmental impacts. Therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is needed.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.20d – Would the Project 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?

See Impacts # 3.4.9a and g, #3.4.20a, b, and c. The topography of the site is relatively flat, and the Project is not within a FEMA-designated floodplain. Additionally, MM GEO-1 requires the preparation of a SWPPP to mitigate the site drainage changes during the construction of the proposed Project. Therefore, no flooding is anticipated as a result of runoff, post-fire slope instability, or drainage changes, and impacts would be less than significant.

MITIGATION MEASURE(S)

Implementation of MM GEO-1.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.21 - MANDATORY FINDINGS OF SIGNIFICANCE					
a.	Does the Project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b.	Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a 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.)	☐	☒	☐	☐
c.	Does the Project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Discussion

Impact #3.4.21a – Does the Project 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, 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?

As evaluated in this IS/MND, the proposed Project would not substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory. With implementation of the mitigation measures recommended in this document, the proposed Project would not have the potential to degrade the quality of the environment, significantly impact biological resources, or eliminate important examples of

the major periods of California's history or prehistory. Therefore, the Project would have a less-than-significant impact with mitigation incorporated.

MITIGATION MEASURE(S)

Implementation of Mitigation Measures MM BIO-1 through MM BIO-6; MM CUL-1 and MM CUL-2.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact with mitigation incorporated*.

Impact #3.4.21b - Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a 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.)?

As described in the impact analyses in Sections 3.4.1 through 3.4.20 of this IS/MND, any potentially significant impacts of the proposed Project would be reduced to a less than significant level following incorporation of the mitigation measures listed in Section 6, *Mitigation Monitoring and Reporting Program*. Projects completed in the past have also implemented mitigation as necessary. Accordingly, the proposed Project would not otherwise combine with impacts of related development to add considerably to any cumulative impacts in the region. With mitigation, the proposed Project would not have impacts that are individually limited but cumulatively considerable. Therefore, the Project would have a less-than-cumulatively-considerable impact with mitigation incorporated.

MITIGATION MEASURE(S)

Implementation of Mitigation Measures MM BIO-1 through MM BIO-6; MM CUL-1 and MM CUL-2; MM GEO-1, MM GEO-2, and MM GEO-3; MM HAZ-1, MM HAZ-2 and MM TRANS-1.

LEVEL OF SIGNIFICANCE

The Project would have a *less than significant impact with mitigation incorporated*.

Impact #3.4.21c - Does the Project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?

All of the Project's impacts, both direct and indirect, that are attributable to the Project were identified and mitigated. As shown in Section 6, *Mitigation Monitoring and Reporting Plan*, the District has agreed to implement mitigation measures that will substantially reduce or eliminate the impacts of the Project. Therefore, the proposed Project would not either directly or indirectly cause substantial adverse effects on human beings because all potentially adverse direct impacts of the proposed Project are identified as having no impact, less than significant impact, or less-than-significant impact with mitigation incorporated.

MITIGATION MEASURE(S)

Implementation of Mitigation Measures MM BIO-1 through MM BIO-6; MM CUL-1 and MM CUL-2; MM GEO-1, MM GEO-2, and MM GEO-3; MM HAZ-1, MM HAZ-2 and MM TRANS-1.

LEVEL OF SIGNIFICANCE

The Project would have a ***less-than-significant impact with mitigation incorporated***.

SECTION 4 - LIST OF PREPARERS

Lead Agency – Fairfax School District

David Mack- Chief Administrator of Business

Consultant – QK

Jaymie Brauer – Project Manager, QA/QC

Kristin Pittack – Lead Author

SECTION 5 - BIBLIOGRAPHY

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SECTION 6 - MITIGATION MONITORING AND REPORTING PROGRAM

Impact No.	Mitigation Measure	Implementation	Monitoring
Biological Resources			
3.4.4-a	**MM BIO-1:** Prior to ground-disturbance activities, a qualified wildlife biologist shall conduct a biological clearance survey between 14 and 30 calendar days prior to the onset of construction. The clearance survey shall include walking transects to identify the presence of San Joaquin kit fox, American badger, Swainson's hawk, western burrowing owl, nesting birds, and other special-status species or their sign. The preconstruction survey shall be walked by a maximum distance of 30-foot transects for 100 percent coverage of the Project site and the 50-foot buffer, where feasible. A report outlining the results of the survey shall be submitted to the Lead Agency. Potential kit fox dens may be excavated provided that the following conditions are satisfied: (1) the den has been monitored for at least five consecutive days and is deemed unoccupied by a qualified biologist; (2) the excavation is conducted by or under the direct supervision of a qualified biologist. Den monitoring and excavation should be conducted in accordance with the *Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance* (United States Fish and Wildlife Service, 2011). In addition, impacts to occupied burrowing owl burrows shall be avoided in accordance with the following table unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: (1) the birds have not begun	FSD/Project Contractor	FSD Project Inspector

Impact No.	Mitigation Measure	Implementation	Monitoring

egg laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

If burrowing owl are found to occupy the Project site, and avoidance is not possible, burrow exclusion may be conducted by qualified biologists only during the non-breeding season, before breeding behavior is exhibited, and after the burrow is confirmed empty through non-invasive methods (surveillance). Replacement of occupied burrows shall consist of artificial burrows at a ratio of 1 burrow collapsed to 1 artificial burrow constructed (1:1). Ongoing surveillance of the Project site during construction activities shall occur at a rate sufficient to detect burrowing owl if they return.

3.4.4-a	**MM BIO-2:** Prior to ground-disturbance activities, or within one week of being deployed at the Project site for newly hired workers, all construction workers at the Project site shall attend a Construction Worker Environmental Awareness	FSD/Project Contractor	FSD Project Inspector

Impact No.	Mitigation Measure	Implementation	Monitoring
	Training and Education Program, developed and presented by a qualified biologist. The Construction Worker Environmental Awareness Training and Education Program shall be presented by the biologist and shall include information on the life history of wildlife and plant species that may be encountered during construction activities, their legal protections, the definition of "take" under the Endangered Species Act, measures the Project operator is implementing to protect the species, reporting requirements, specific measures that each worker must employ to avoid take of the species, and penalties for violation of the Act. Identification and information regarding special status or other sensitive species with the potential to occur on the Project site shall also be provided to construction personnel. The program shall include: • An acknowledgment form signed by each worker indicating that environmental training has been completed. • A copy of the training transcript and/or training video/CD, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgment forms, shall be maintained onsite for the duration of construction activities.		
3.4.4-a	The following measures shall be implemented to reduce potential impacts to Swainson's hawk: Nesting surveys for the Swainson's hawks shall be conducted in accordance with the protocol outlined in the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in*	FSD/Project Contractor	FSD Project Inspector

Impact No.	Mitigation Measure	Implementation	Monitoring
	California's Central Valley (Swainson's hawk Technical Advisory Committee, 2011). If potential Swainson's hawk nests or nesting substrates are located within 0.5 miles of the Project site, then those nests or substrates must be monitored for activity on a routine and repeating basis throughout the breeding season, or until Swainson's hawks or other raptor species are verified to be using them. The protocol recommends that the following visits be made to each nest or nesting site: one visit from January 1–March 20 to identify potential nest sites, three visits from March 20–April 5, three visits from April 5–April 20, and three visits during June 10–July 30. To meet the minimum level of protection for the species, surveys shall be completed for at least the two survey periods immediately prior to Project-related ground-disturbance activities. If Swainson's hawks are not found to nest within the survey area, then no further action is warranted. If Swainson's hawks are not found to be present, then no action is warranted. If Swainson's hawks are found to nest within the survey area, active Swainson's hawk nests shall be avoided by 0.5 miles during the nesting period unless this avoidance buffer is reduced through consultation with the CDFW and/or a qualified biologist with expertise in Swainson's hawk issues. If a construction area falls within this nesting area, construction must be delayed until the young have fledged (left the nest). The 0.5-mile radius no-construction zone may be reduced in size but in no case shall be reduced to less than 500 feet except where a qualified biologist concludes that a smaller buffer area is sufficiently protective. A qualified biologist must conduct construction		

Impact No.	Mitigation Measure	Implementation	Monitoring
	monitoring on a daily basis, inspect the nest on a daily basis, and ensure that construction activities do not disrupt breeding behaviors.		
3.4.4-a	**MM BIO-4:** A qualified biologist shall conduct a preconstruction survey on the Project site and within 500 feet of its perimeter, where feasible, to identify the presence of the western burrowing owl. The survey shall be conducted between 14 and 30 days prior to the start of construction activities. If no burrowing owl or potential den of burrowing owl is identified, then no further action is warranted. If any burrowing owl burrows are observed during the preconstruction survey, avoidance measures shall be consistent with those included in the CDFW staff report on burrowing owl mitigation (CDFW, 2012). If occupied burrowing owl burrows are observed outside of the breeding season (September 1 through January 31) and within 250 feet of proposed construction activities, a passive relocation effort may be instituted in accordance with the guidelines established by the California Burrowing Owl Consortium (1993) and the California Department of Fish and Wildlife (2012). During the breeding season (February 1 through August 31), a 500-foot (minimum) buffer zone should be maintained unless a qualified biologist verifies through non-invasive methods that either the birds have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent survival.	FSD/Project Contractor	FSD Project Inspector
3.4.4-a	**MM BIO-5:** If construction is planned outside the nesting period for raptors (other than the western burrowing owl)	FSD/Project Contractor	FSD Project Inspector

Impact No.	Mitigation Measure	Implementation	Monitoring
	and migratory birds (February 15 to August 31), no mitigation shall be required. If construction is planned during the nesting season for migratory birds and raptors, a preconstruction survey to identify active bird nests shall be conducted by a qualified biologist to evaluate the site and a 250-foot buffer for migratory birds and a 500-foot buffer for raptors. If nesting birds are identified during the survey, active raptor nests shall be avoided by 500 feet, and all other migratory bird nests shall be avoided by 250 feet. Avoidance buffers may be reduced if a qualified onsite monitor determines that encroachment into the buffer area is not affecting nest building, the rearing of young, or otherwise affecting the breeding behaviors of the resident birds. Because nesting birds can establish new nests or produce a second or even third clutch at any time during the nesting season, nesting bird surveys shall be repeated every 30 days as construction activities are occurring throughout the nesting season. No construction or earth-moving activity shall occur within a non-disturbance buffer until it is determined by a qualified biologist that the young have fledged (left the nest) and have attained sufficient flight skills to avoid Project construction areas. Once the migratory birds or raptors have completed nesting and young have fledged, disturbance buffers will no longer be needed and can be removed, and monitoring can cease.		
3.4.4-a	**MM BIO-6:** During all construction-related activities, the following mitigation shall apply:	FSD/Project Contractor	FSD Project Inspector

Impact No.	Mitigation Measure	Implementation	Monitoring

a. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from the construction or Project site.

b. Construction-related vehicle traffic shall be restricted to established roads and predetermined ingress and egress corridors, staging, and parking areas. Vehicle speeds should not exceed 20 miles per hour (mph) within the Project site.

c. To prevent inadvertent entrapment of kit fox or other animals during construction, the contractor shall cover all excavated, steep-walled holes or trenches more than two feet deep at the close of each workday with plywood or similar materials. If holes or trenches cannot be covered, one or more escape ramps constructed of earthen fill or wooden planks shall be installed in the trench. Before such holes or trenches are filled, the contractor shall thoroughly inspect them for entrapped animals. All construction-related pipes, culverts, or similar structures with a diameter of four inches or greater that are stored on the Project site shall be thoroughly inspected for wildlife before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If at any time an entrapped or injured kit fox is discovered, work in the immediate area shall be temporarily halted, and USFWS and CDFW shall be consulted.

d. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or

Impact No.	Mitigation Measure	Implementation	Monitoring

injured. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the USFWS and CDFW have been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity until the fox has escaped.

e. No pets, such as dogs or cats, shall be permitted on the Project site to prevent harassment, mortality of kit foxes, or destruction of dens.

f. Use of anti-coagulant rodenticides and herbicides in Project areas shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe labels and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and federal legislation, as well as additional Project-related restrictions deemed necessary by the USFWS and CDFW. If rodent control must be conducted, zinc phosphide shall be used because of the proven lower risk to kit foxes.

g. A representative shall be appointed by the Project proponent who will be the contact source for any

Impact No.	Mitigation Measure	Implementation	Monitoring

employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured, or entrapped kit fox. The representative shall be identified during the employee education program, and their name and telephone number shall be provided to the USFWS.

h. The Sacramento Fish and Wildlife Office of USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during Project-related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species at the addresses and telephone numbers below. The CDFW contact can be reached at (559) 243-4005 and reg4sec@wildlife.ca.gov.

i. All sightings of the San Joaquin kit fox shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to the USFWS at the address below.

j. Any Project-related information required by the USFWS or questions concerning the above conditions or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at Endangered Species Division, 2800 Cottage Way, Suite W 2605, Sacramento, California 95825-1846, phone (916) 414-6544 or (916) 414-6600.

Impact No.	Mitigation Measure	Implementation	Monitoring
Cultural Resources			
3.4.5-a	**MM CUL-1:** If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock, as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from Project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.	FSD/Project Contractor	FSD Project Inspector
3.4.5-c	**MM CUL-2:** If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement in the event of a	FSD/Project Contractor	FSD Project Inspector

Impact No.	Mitigation Measure	Implementation	Monitoring
	discovery of human remains at the direction of the county coroner.		
Geology and Soils			
3.4.7-b	**MM GEO-1:** Prior to construction, the District shall submit: (1) the approved Stormwater Pollution Prevention Plan (SWPPP) and (2) the Notice of Intent (NOI) to comply with the General National Pollutant Discharge Elimination System (NPDES) from the Central Valley Regional Water Quality Control Board. The requirements of the SWPPP and NPDES shall be incorporated into design specifications and construction contracts. Recommended best management practices for the construction phase may include the following: • Stockpiling and disposing of demolition debris, concrete, and soil properly. • Protecting existing storm drain inlets and stabilizing disturbed areas. • Implementing erosion controls. • Properly managing construction materials. • Managing waste, aggressively controlling litter, and implementing sediment controls.	FSD/Project Contractor	FSD Project Inspector
3.4.7-b	**MM GEO-2:** The District shall limit grading to the minimum area necessary for the construction and operation of the Project. Final grading plans shall include best management practices to limit onsite and offsite erosion.	FSD/Project Contractor	FSD Project Inspector
3.4.7-f	**MM GEO-3:** During any ground-disturbance activities, if paleontological resources are encountered, all work within	FSD/Project Contractor	FSD Project Inspector

Impact No.	Mitigation Measure	Implementation	Monitoring
	25 feet of the find shall halt until a qualified paleontologist as defined by the Society of Vertebrate Paleontology *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources* (2010), can evaluate the find and make recommendations regarding treatment. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. The qualified paleontologist shall contact the Natural History Museum of Los Angeles County or other appropriate facility regarding any discoveries of paleontological resources. If the qualified paleontologist determines that the discovery represents a potentially significant paleontological resource, additional investigations and fossil recovery may be required to mitigate adverse impacts from Project implementation. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, they shall be avoided to ensure no adverse effects, or such effects must be mitigated. Construction in that area shall not resume until the resource-appropriate measures are recommended or the materials are determined to be less than significant. If the resource is significant and fossil recovery is the identified form of treatment, then the fossil shall be deposited in an accredited and permanent scientific institution. Copies of all correspondence and reports shall be submitted to the Lead Agency.		

Impact No.	Mitigation Measure	Implementation	Monitoring
Hazards and Hazardous Materials			
3.4.9-a	**MM HAZ-1:** Prior to operation of the Project, the Project proponent shall prepare a Hazardous Materials Business Plan that identifies the new location of the new school campus and submit it to the appropriate regulatory agency for review and approval. The Project proponent shall provide the Hazardous Materials Business Plan to all contractors working on the Project and shall ensure that one copy is available at the Project site at all times.	FSD/Project Contractor	FSD Project Inspector
3.4.9-a	**MM HAZ-2:** If during construction activities new areas of potential environmental concern are discovered at the site work will cease in these areas and the Department of Toxic Substances Control (DTSC) shall be notified. The Project contractor shall discuss these areas with DTSC to determine the appropriate actions to be taken to lessen and/or remediate these new potential areas of concern.	FSD/Project Contractor	FSD Project Inspector
3.4.17-a	**MM TRANS-1:** Prior to development of the Project, the Project proponent shall coordinate with the City of Bakersfield Public Works Department regarding partial funding of improvements through the City of Bakersfield Regional Transportation Impact Fee (RTIF) or Local Mitigation programs.		