

Notice of Determination

TO:	■ Office of Planning and Research PO Box 3044, 1400 Tenth Street, Room 222 Sacramento, CA 95812-3044	FROM: City of Shafter Planning Department 336 Pacific Avenue Shafter, CA 93263
	■ County Clerk County of Kern 1115 Truxtun Avenue Bakersfield, CA 93301	Lead Agency (if different from above): Same Address: Same Contact: Steve Esselman, Planning Director Phone: (661) 746-5002

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2004101029

Project Title: Development Agreement No. 25-22 for the Mission Lakes Specific Plan Area — Ordinance No. 780

Project Applicant: Land Reserve, Inc.; Millrose Properties California, LLC; and 7th Standard Ranch Investors, LLC

Project Location (include County): Mission Lakes Specific Plan area, generally on the north side of 7th Standard Road, west of the Calloway Canal, City of Shafter, Kern County, California; approximately 1,357 gross acres

Project Description: Approval of Development Agreement No. 25-22 through adoption of Ordinance No. 780, replacing Development Agreement No. 06-03 (“Development Agreement”) for the Mission Lakes Specific Plan (“Specific Plan”) area. The agreement establishes vested development impact fee schedules and requirements for coordinated phasing, financing, and installation of public improvements to implement the previously approved Specific Plan. The Specific Plan provides for a maximum of 5,334 single-family and multifamily dwelling units, 68 acres of public parks, 129 acres of commercial development, one 25-acre middle school, one 15-acre elementary school, and 72 acres of road right-of-way on 1,357 gross acres. The agreement does not increase the previously analyzed development capacity or intensity, authorize different land uses, or change the location of allowable development.

The City’s adoption of the Specific Plan underwent environmental review pursuant to the California Environmental Quality Act (“CEQA”) via the Program Environmental Impact Report (“Program EIR”) that was certified for the 2005 City of Shafter General Plan Update and Related Actions (SCH No. 2004101029), which established the Specific Plan, and an Addendum to the Program EIR for Development Agreement No. 06-03 (“Addendum”). Collectively, the Program EIR and Addendum adequately describe the environmental effects of developing the Specific Plan area with a maximum of 5,334 approved residential units and associated public and private improvements.

The objective of Development Agreement No. 25-22 is to provide assurances that, upon approval, development within the Specific Plan may proceed in accordance with existing policies, rules, and regulations and subject to conditions of approval, thereby vesting certain development rights to the property. The agreement also ensures that all conditions of approval will proceed in an orderly and economical fashion to the benefit of the City.

Specifically, Development Agreement No. 25-22 establishes applicable development impact fees and provides for coordination between the property owners and the City regarding the completion of phases of development and associated public improvements within the Specific Plan area. The Development Agreement does not increase the maximum units or maximum scope or extent of development within the Specific Plan area and therefore, the Development Agreement will not have a significant effect on the environment that has not already been previously analyzed.

This is to advise that the City of Shafter, acting as Lead Agency, approved the above-described project on October 20, 2026 and has made the following determinations regarding the above-described project.

1. Significant Environmental Effects: The underlying development will have significant environmental effects previously identified in the Program EIR and Addendum for Development Agreement No. 06-03, which was the previous development agreement for the Specific Plan area. Approval of Development Agreement No. 25-22 will not result in a new significant environmental effect or a substantial increase in the severity of a previously identified significant effect.

2. Environmental Impact Report: A Program EIR was previously prepared and certified pursuant to CEQA. The City considered that Program EIR and the Addendum in approving this action and determined that no subsequent or supplemental EIR is required under Public Resources Code Section 21166 and CEQA Guidelines Section 15162.
3. Mitigation Measures: Previously adopted mitigation measures applicable to development within the Specific Plan area remain applicable. No new mitigation measures were adopted for this action.
4. Mitigation Monitoring or Reporting: Previously adopted mitigation monitoring or reporting applicable to development within the Specific Plan area remains applicable.
5. Statement of Overriding Considerations: A statement of overriding considerations was adopted for the Program EIR.
6. CEQA Findings: Findings were made pursuant to CEQA. Based on substantial evidence in the entire administrative record, the City Council determined that the Development Agreement remains within the scope and development intensity analyzed in the Program EIR and Addendum and that none of the conditions requiring subsequent or supplemental environmental review under Public Resources Code Section 21166 or CEQA Guidelines Section 15162 has occurred.

More specifically and based on substantial evidence in the record, the City Council further finds, pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162, that:

- a. No substantial changes are proposed in the project (i.e., the Mission Lakes Specific Plan) that would require major revisions to the Program EIR or Addendum because of a new significant environmental effect or a substantial increase in the severity of a previously identified significant effect. Development Agreement No. 25-22 establishes vested development impact fee amounts as well as requirements for coordination of public improvements across phases of development but does not authorize or contemplate changes to land uses, density, development intensity, or the location of development within the Specific Plan area. Accordingly, no substantial changes will occur to the project as was previously analyzed for purposes of CEQA.
- b. No substantial changes have occurred in the circumstances under which the project will be undertaken that would require major revisions to the Program EIR or Addendum because of a new significant environmental effect or a substantial increase in the severity of a previously identified significant effect. Development Agreement No. 25-22 will not alter the Specific Plan's zoning and development regulations, which will continue to permit the same scope and intensity of development within the Specific Plan area, subject to all applicable regulatory requirements and previously adopted mitigation measures. The City has considered information alleging the existence of changed circumstances pertaining to biological resources (for which an existing General Plan mitigation measure requires surveys, avoidance, and mitigation, in addition to compliance with all applicable State and Federal regulatory requirements), composite building materials (which are subject to Statewide regulatory controls, including those pertaining to formaldehyde levels), and emissions (which are subject to extensive existing local and State regulatory controls), and finds that this information does not constitute substantial evidence of changed circumstances that would lead to new or substantially increased significant impacts that would require major revisions to the prior environmental analysis.
- c. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence when the Program EIR was certified, demonstrates that:
 - i. The project will have a new significant environmental effect not discussed in the Program EIR or Addendum;
 - ii. A significant environmental effect previously examined will be substantially more severe than shown in the Program EIR or Addendum;
 - iii. A mitigation measure or alternative previously determined to be infeasible is now feasible, would substantially reduce a significant environmental effect, and has been declined by the project proponents; or
 - iv. A considerably different mitigation measure or alternative would substantially reduce a significant environmental effect and has been declined by the project proponents.

The City has considered information alleging the existence of new information pertaining to biological resources, which are subject to existing CEQA mitigation measures regarding surveys, avoidance, and mitigation. The City has also considered information alleging the existence of new information pertaining to updated regulatory guidance and/or thresholds of significance regarding air quality and greenhouse gas emissions; however, under relevant law, the adoption of new guidance and/or thresholds does not in and of itself require supplemental environmental review, particularly if the information is not of substantial importance (meaning that it does not show, with substantial evidence, that the project will have a new or substantially more severe impact), or the information was known or could have been known at the time of original environmental review (such as information regarding greenhouse gas emission effects, which have been known of for decades). Accordingly, the City has concluded that the alleged new information presented does not constitute substantial evidence demonstrating a need for additional environmental review.

Accordingly, the City Council finds that none of the conditions requiring preparation of a subsequent or supplemental EIR has occurred and that no further environmental review is required for approval of Development Agreement No. 25-22.

This is to certify that the certified Program EIR, including comments and responses, the 2006 Addendum, and the record of project approval are available to the General Public at: City of Shafter, Planning Department, 336 Pacific Avenue, Shafter, California 93263.

Signature (Public Agency):



Date: October 21, 2026

Title: Planning Director

Date Received for filing at OPR:

Authority cited: Sections 21083, Public Resources Code.

Reference Section 21000-21174, Public Resources Code.

Revised 2011