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Washington, DC 20410
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Environmental Assessment
Determinations and Compliance Findings for HUD-assisted Projects
24 CFR Part 58

Project Information

Project Name: 30.20.5 - Community Action Partnership of Kern (CAPK) Food Bank Expansion Project

Responsible Entity: Kern County Planning and Natural Resources Department, Community Development Division

Grant Recipient (if different than Responsible Entity): Community Action Partnership of Kern (CAPK)

State/Local Identifier:

Preparer: Kathleen Barker, Planner I

Certifying Officer Name and Title: Lorelei Oviatt, Director

Consultant (if applicable): N/A

Direct Comments to: Kathleen Barker, Planner

Project Location: The project consists of the expansion of an existing building located at 1807 Feliz Drive Bakersfield, Ca., the property is accessed from the corner of East Belle Terrace and Cottonwood Road, approximately 0.40 miles Northeast on Belle Terrace in Bakersfield, California. The Kern County Assessor's Parcel Number for the project site is APN 167-060-03. The existing parcel is 1.67 acres and currently owned by Community Action Partners of Kern (CAPK). Please see attached site map for more information.

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]**:** The CAPK Food Bank, located at 1807 Feliz Drive, Bakersfield, 93307, is the largest emergency food distributor in Kern County, serving the nutritional needs of the most vulnerable Bakersfield residents-low-income and poor children, families, single-parent households, vulnerable and disabled persons, seniors, the homeless and others. Phase 1 of the proposed project will expand the CAPK Food Bank warehouse from 20,000 ft^2 to 60,000 ft^2 and included required site improvements, Phase II buildout of three loading docks and installation of a pallet rack system, Phase III install 18,000 ft^3 refrigeration and 18,000 ft^3 freezer, and Phase IV installation of solar panels and fire alarms. This expansion will increase the Food Bank's capacity and efficiency to store and distribute

millions of pounds of food each year to Bakersfield and Kern County low-income and vulnerable residents.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]: Despite California's economic and agricultural prosperity, over one in four are hungry or at serious risk of hunger-significantly worse than the entire nation. Hunger is a symptom of poverty; far too many families experience devastating health consequences when their low wages or modest public benefits can't cover the cost of housing, utilities, and food.

In Kern County, Bakersfield is known as "The Hungriest City in America", according to the Food Research and Action Center, 2018 report. In Kern County, 76,287 (27%) of children are food insecure, lacking consistent access to enough food for an active, healthy life (USDA).

CAPK's Food Bank is operating at capacity for warehousing and processing food donations that supply the Food Bank's over one hundred commodity pantries and food distribution sites located throughout Kern County, to eliminate hunger and poverty. The existing 20,000 ft^2. warehouse and 3,000 ft^2. of office space, lack adequate storage, receiving, sorting, packaging, and shipping areas for staff and volunteers to support daily operations. The Food Bank is renting additional space off-site for its Senior Food program supplies, supporting 39 distribution sites, and inefficiency adding staff and transportation costs. The space limitations at the Food Bank have resulted in diverting truckloads of incoming food donations to out-of-county food banks or distribution partners at the time of availability due to the lack of available space. This expansion is vital in meeting the current and future needs for processing food donations.

The Food Bank is also a source of jobs in the community, with eighteen paid staff and five work development programs where people can volunteer to gain work experience that can be used to gain employment. This expansion will allow and require CAPK to hire additional staff and volunteers to operate the expanded facility.

Existing Conditions and Trends [24 CFR 58.40(a)]: The project area consists of an existing 20,000 ft^2. warehouse building with an additional 3,000 ft^2 section of general office space. The topography of the site is flat and is located in a rural setting with urbanization surrounding vacant properties. The project site is zoned Light Manufacturing (M-1), which permits land uses consistent with CAPK's Food Bank Warehouse activities and are in line with the Light Industry (LI) land use element of the Metropolitan Bakersfield General Plan. The site is surrounded by the following land uses:

Proposed project site location is North 660 ft. of the South half of the Northwest quarter of Section 4, Township 30 South, Range 28 East, Mount Diablo Baseline Meridian, as displayed on the United States Geological Survey (USGS) Lamont 7.5-minute quadrangle map.

Funding Information

Grant Number	HUD Program	Funding Amount
B-20-UC-06-0502	CDBG	$916,586

Estimated Total HUD Funded Amount: $916,586

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]**: $3,900,000**
In addition to the County provided CDBG funding listed above, the City of Bakersfield, California Water Service, and CAPK Foundation has committed funding to the project.

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes ☐ No ☒	No significant impact. The project site is not located within 2,500 feet of a civilian airport nor is it within 15,000 feet of a military airport. The project site is located approximately 7.17 air miles from the closest point of Meadows Field (BFL), and 1.63 miles from the Bakersfield Airpark, the nearest civil airport (Source: Google Earth, measured March 11, 2021). In addition, the project site is not in an Accident Potential Zone (APZ) because (1) there are no APZs at civil airports (24 CFR 51.301(a)), (2) such designations apply only to military airfields, and (3) there are no military airfields in the Bakersfield area (Public Use Airports and Military Airfields, 2007, California Department of Transportation, Division of Aeronautics).
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes ☐ No ☒	No significant impact. There are no Coastal Barrier Resource Systems or any of its units within the project area or surrounding neighborhoods.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994	Yes ☐ No ☒	No significant impact. A review of National Flood Insurance Maps on March 11, 2021 shows the project site is located in Zone X (unshaded), which is a minimal risk area outside the 1-percent and .2-percent-annual-chance floodplain (See attached Firmette).

[42 USC 4001-4128 and 42 USC 5154a]		
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes ☐ No ☒	No significant impact. The project site is located in an area designated by the U.S. Environmental Protection Agency as one which has not attained National Ambient Air Quality standards for ozone and particulates (Metropolitan Bakersfield General Plan, p. V-24). The project conforms to the implementation plan, the Nonattainment Area Plan/State Attainment Plan, as set forth by the Kern County Air Pollution Control District. Project will also be required to follow all San Joaquin Valley Air Pollution Control District rules. Project, as applicable, including but not limited to dust control regulations resulting in less than significant impacts. Air quality standards and Non-Attainment information can be found at http://valleyair.org/qqinfo/attainment.htm. The proposed project is not required to submit a Dust Control Plan to the SJVAPCD, because the footprint is less than 5-acres and does not involve handling more than 2,500 cubic yards of material per day on at least three days of the project.
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes ☐ No ☒	No significant impact. The project site is located approximately 73.2 air miles north east from the Pacific shoreline. Because the effects of this project will not extend 73.2 miles in any direction, the proposal will have no effect on any coastal zone.
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes ☐ No ☒	No significant impact. A search of the Department of Toxic Substance Control's "Envirostor" showed no inactive or active sites within a 0.5 mile radius of the project. Please see attached map for more information. A Phase I Environmental Site Assessment was performed by Krazan & Associates on May 4, 2021. During the course of this assessment, Krazan identified no evidence of Recognized Environmental Conditions (RECs), Controlled RECs (CRECs) or Historical RECs (HRECs) in conjunction with the subject site as defined by ASTM E 1527-13.
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes ☐ No ☒	No significant impact. The project is subject to the terms of the Metropolitan Bakersfield Habitat Conservation Plan (MBHCP) and associated Section 10 (a) (1) (b) and Section 2081 permits issued to the City of Bakersfield by the United States Fish and Wildlife Service and California Department of Fish and Wildlife, respectively, and Incidental Take Permit PRT-786634 and associated Implementation/Management Agreement by and among the United States Fish and Wildlife Service,

		California Department of Fish and Wildlife, City of Bakersfield and County of Kern (said documents hereby incorporated by reference). The MBHCP has been adopted as policy and is implemented by City ordinance. Additionally, this project is not located within or adjacent to the Kern River riparian habitat area, nor within the Kern River flood plain (noted as a wildlife corridor in the MBHCP), or along a canal which has been identified by the United States Fish and Wildlife Service as a corridor for native resident wildlife species, but is within the MBHCP area and is designated as open space. This plan, in agreement with the California Department of Fish and Wildlife and the United States Fish and Wildlife Service, includes ordinance requirements for all development projects in the MBHCP area. With implementation of the MBHCP, impacts are considered to be less than significant. A copy of the incidental take permit is attached. In review of this area, staff used the Endangered Species Act CEST and EA form compiled by HUD to assess this project. According to the MBHCP incidental take permit, this project will be required to perform a biological survey prior to ground disturbance. MBHCP considers this project a public project with a footprint of less than 10-acres and therefore is not subject to payment of fees.
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes ☐ No ☒	No significant impact. A site visit was conducted on March 11, 2021 by the City of Bakersfield's Economic & Community Development Department. During this visit, no explosive or flammable operations were observed on or immediately surrounding the site. A review of California Environmental Reporting System (CERS) showed 21-facilities within a mile of the project site, which are concerns for potentially housing above ground storage tanks with explosive materials. In consultation with the Bakersfield Fire Department, and using CERS data, staff determined the sites potential reach in the event of an explosion from the largest onsite container. 21-properties contained tanks, which hold between 7 and 36,000 Gallons of an explosive/flammable substance. As such, the explosive potential and location of these 21-sites were evaluated. As shown on the attached map for the largest closest assessed tank, explosion radius is not within range of the project site. No existing above ground storage tanks pose an explosive threat to future Food Bank employees or volunteers. No comments were received from the Bakersfield Fire Department regarding explosive and flammable substances near the project site.

		As such, the site is not significantly impacted by the presence or potential hazard of any explosive or flammable operations. Please see the attached map, contact correspondence, and site information for more details. The project area is protected using Kern County Fire Fighting assets including 2-engines, 1-truck, 1-Rescue squad, and 13 dedicated personnel. If an incident would occur within this area, Additional County/City resources would be added as necessary.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes ☐ No ☒	No significant impact. The proposed project does not involve the conversion of agriculture land to non-agriculture land. The proposed project site is zoned for Light Manufacturing (M-1) and exists in a rural setting with vacant properties near the facility with an urban environment surrounding the rural area. Please see attached soils map.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes ☐ No ☒	No significant impact. A review of National Flood Insurance Maps shows that the project site is located in Zone X, which is a minimal risk area outside the 1-percent and .2-percent-annual-chance floodplain. In review of this area, staff used the Floodplain Management CEST and EA form compiled by HUD to assess this project. The proposed warehouse expansion project would not result in a loss of life, injury to persons, or damage to property with respect to flooding. Therefore, compliance steps are not invoked with the project (Source: National Flood Hazard Layer FIRMette 06029C2325E, effective September, 26 2008). See attached map and compliance form.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes ☐ No ☒	No significant impact. The Native American Heritage Commission (NAHC) was consulted on April 12, 2021 by the City of Bakersfield's Economic & Community Development Department, to run a sacred lands search for the project site. No sacred lands were identified on the proposed project site. Twentynine federally recognized tribes who associate significance with the area, as identified by the NAHC, were contacted and provided 30-days to request consultation. Further, staff contacted all tribes listed on HUD's tribal directory assessment tool (TDAT) to ensure all tribes who associate significance to Kern County were notified about the undertaking. Responses from the San Manuel Band of Mission Indians (SMBMI), and Ft. Yuma Quechan Indians stated they were not requesting to provide consultation on the project. However, if any artifacts are uncovered during construction activities, NAHC will be contacted immediately. Additionally, City of Bakersfield Staff visited the proposed project site and documented the existing land uses, structure, and potential impacts due to the proposed project (See Attached Pictures). City Staff identified the project would use similar construction

		materials and design to accomplish the expansion of the existing warehouse. The existing building was constructed in 2003, which shows this building to be 18-years old. The California State Historic Preservation Officer (SHPO) was notified on June 15, 2021 by County staff, of the site being found to be not appropriate for consideration as a historical site and for no other historic site being impacted by the project. There has been no response to the request. A records request was sent to the California Historical Resource Information System. The report returned that there were no recorded cultural resources within the project area. There are seven recorded resources within the one-half mile radius of the project site including historic era buildings, historic era railroad, and a historic era highway. There are no recorded cultural resources within the project area or radius that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, or the California State Historic Landmarks.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes ☐ No ☒	No significant impact. Using the measuring tool within the NEPAssist site, the project location was determined to be more than 1,000 feet from a major roadway. The project location is zoned manufacturing within a mixed industrial/residential area. HUD Noise Abatement and Control EA Worksheet is attached.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes ☐ No ☒	No significant impact. There are no sole source aquifers within the boundaries of Kern County. This has been confirmed with a review of NEPAssist report provided.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes ☐ No ☒	No significant impact A site visit conducted by City of Bakersfield staff and showed that no wetlands exist on or adjacent to the project site. In addition, a website review conducted on shows the project site is not listed as a wetland on the U.S. Fish and Wildlife Service's National Wetlands Inventory, but does show a manmade infiltration basin with a wetland designation of PUSAx located approximately 655 ft. North East of the project site: https://www.fws.gov/wetlands/data/mapper.html. Proposed expansion does not pose a significant effect to this man made wetland.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes ☐ No ☒	No significant impact. A review of NEPAssist shows there are no wild and scenic rivers within the project area of influence. NEPAssist Report attached.

ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes ☐ No ☒	No significant impact. Project is located in an existing developed area and is suitable to the current environment. The project will benefit many low income Kern County residents by providing a safe and sustainable food source for people in need. There are no significant environmental impacts from the proposed project that adversely affect low-income and minority residents disproportionately.

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.
(1) Minor beneficial impact
(2) No impact anticipated
(3) Minor Adverse Impact – May require mitigation
(4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The project site current land use is zoned M-1. Within this zone, the current facility uses are allowed. The project is located in an area where a variety of uses, density, and designs are present. The proposed warehouse expansion project use will maintain the existing activity for the area.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	Soil located on this site is not considered prime farmland due to existing and developed land uses. The project area and surrounding areas were developed as residential and light industrial land uses. The entire project area is flat with native soils having a high infiltration rate, deep, and well drained. These soils are resistant to erosion and excessive water runoff.
Hazards and Nuisances including Site Safety and Noise	2	The project area is not impacted by any natural hazards. The California Department of Conservations mapping system was reviewed by City of Bakersfield staff to identify if the project site is located within or near an earthquake fault zone (accessed on March 19, 2021). Per this review

		no zones exist within or near the site and no further studies are required. Proposed project site is not significantly impacted by the presence or potential hazard of any explosive or flammable operations.
Energy Consumption	2	Energy consumption will increase given the expansion of the warehouse. However, a grid to grid solar project is proposed as one of the future phases. This will augment or replace the existing solar grid to grid power system. Existing utilities will be upgraded as needed to service the larger facility. All improvements will be built using energy efficiency standards as enforced by the City of Bakersfield's Building Department, which has adopted the International Building Code (IBC), ensuring energy efficiency measures are incorporated into the construction of the expanded facility.

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	1	Project Construction will provide short term employment opportunities in the construction trades. Long term employment and volunteers will be needed to support the larger facility and increased food distribution programs currently managed by CAPK's staff. In addition to providing temporary employment opportunities, any construction contract requiring bidding for the proposed project will be required to meet HUD protocol for bidding and contracts. As such, contracts awarded, which require subcontracting will be required to meet minority-owned business enterprise and women-owned business enterprise (MBE/WBE) outreach efforts before being awarded. In addition, any contracts, which meet the applicable Section 3 threshold will require bidders to make a good-faith effort to hire Section 3 qualified residents and subcontract to Section 3 businesses for the work giving preference to Section 3 contractors. The project will provide temporary employment for the construction component of the project. Furthermore, those construction contracts will provide MBE/WBE and Section 3 opportunities for qualified contractors and residents in the area.
Demographic Character Changes, Displacement	2	The project involves the expansion of an existing facility and will not displace residents. No changes in demographics are anticipated. A priority need exists to increase the supply of safe nutritious foods for the low income population within the City of Bakersfield and the surrounding areas.

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	The proposed project area is served by the Bakersfield City School District as well as the Kern High School District. Given the project proposes to expand an existing warehouse facility, staff has determined

		that there is no effect to the existing Educational and Cultural Facilities within the area.
Commercial Facilities	2	The project is adjacent to multiple commercial and industrial services. It is not anticipated that the expansion of the CAPK Food Bank would have an adverse effect to the adjacent businesses, residents, and land uses within the area.
Health Care and Social Services	2	Given the nature of the project, emergency services from Kern Medical would be the primary use of Health Care Facilities for the CAPK Food Bank. Kern Medical is located approximately 2.4 Miles to the North East of the project site. Also, given the nature of the development as well as the applicant, social services, and similar services will be an integral part of the projects design and function. Staff has determined that there is no significant impact or need for further analysis for the warehouse expansion project on existing services.
Solid Waste Disposal / Recycling	2	Solid waste will increase slightly due to the addition of the larger facility being able to process the additional food orders. Trash service in the area is currently being provided by the City of Bakersfield (Southside). No significant impact is expected to stem from the expansion, but will be reviewed further by City of Bakersfield staff as part of the project development process.
Waste Water / Sanitary Sewers	2	Existing sewer which serves the surrounding area are deemed adequate to incorporate the increase in sewage from the proposed Food Bank Expansion. No significant impact is expected. Any increases in sewer capacity required for the project will be assessed as a part of the project development process.
Water Supply	2	Water to the area is currently being provided by Cal Water. The expansion will rely on the existing service lines being provided by Cal-Water to the area. Given the relatively low increase in daily water usage due to the project, no significant impact is expected.
Public Safety - Police, Fire and Emergency Medical	2	This area is served by the Bakersfield Police Department and Bakersfield Fire Department. Fire Station No. 42 (Virginia Colony Station) is approximately 1.14-miles northeast of the project site, while the surrounding area is currently served by the Bakersfield Police Department. The project area falls within the East Police Command Zone, specifically Beat Valley, Grid No. BP350, of the Bakersfield Police Department coverage areas. There are currently 111 officers assigned to the East side, which includes the Valley Beat zone.
Parks, Open Space and Recreation	2	The project site is approximately 0.50 miles northeast of Belle Terrace Park. Given the use of the facility and size, the expansion will not impact the park's capacity. Additionally, the project will not impact open space areas in the nearby community.
Transportation and Accessibility	2	City of Bakersfield staff contacted Kern Council of Governments for an evaluation of transportation impacts the proposed project may have on the existing infrastructure. Results showed Kern COG saw no conflict with the existing Regional Transportation Plan of Projects.

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		

Unique Natural Features, Water Resources	2	No impact is anticipated. The Kern Island Canal East Branch is located approximately 0.78 miles southwest of the project site. The proposed project will not have an impact to the Kern Island Canal East Branch.
Vegetation, Wildlife	2	All undertakings within the project will be subject to the City of Bakersfield's Metropolitan Habitat Conservation Plan and covered by the incidental take permit PRT-786634. A copy of this permit is attached. According to the MBHCP incidental take permit, this project will be required to perform a biological survey prior to ground disturbance. MBHCP considers this project a public project with a footprint of less than 10-acres and therefore is not subject to payment of fees.
Other Factors		No additional environmental factors are being considered for the project area.

Additional Studies Performed: Phase I ESA: Krazan's & Associates

Field Inspection (Date and completed by)**:** A site inspection was conducted by Chris Hinds, Associate Planner for the City of Bakersfield, on Friday, March 12, 2021. During the review staff observed typical traffic for the area on East Belle Terrace. The area is comprised of multiple uses, including commercial, light industrial, and public and private schools.

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:
1. NEPAssist: Project site search and measurements.
2. FEMA Federal Insurance Rate Maps (FIRM)
3. USFWS ECOS – IpaC website tool
4. State of California ENVIROSTOR and GEOTRACKER websites
5. Department of Transportation, Federal Aviation Administration website

State of California
CalTrans District 6; California Department of Conservation – DOGGER (Bakersfield); California Reg. Water Quality Control Board – Central Valley; California Department of Fish and Wildlife; California Department of Conservation; State Historic Preservation Office (SHPO); Southern San Joaquin Valley Information Center (SSJVIC)

Other
AT&T California; Native American Heritage Preservation Council; Kern County Center on Race, Poverty, and the Environment (Oakland); Kern County Center on Race, Poverty, and the Environment (Delano); Pacific Gas & Electric (Bakersfield); Tulare Basin Wetlands Association; Defenders of Wildlife; Sierra Club; Adams, Broadwell, Joseph & Cardozo; Lozeau Drury, LLP; Leadership Counsel for Justice and Accountability

Local
Kern Mosquito and Vector Control District; Northwest Kern Resource Conservation District

County
Kern County Superintendent of Schools; Kern County Water Agency

Federal
US Postal Service; Bureau of Land Management – Bakersfield Office; US Fish and Wildlife – Sacramento Office; US Department of Agriculture; Environmental Protection Agency

Tribal Contacts

Kern Valley Indian Council; Tejon Indian Tribe; Chumash Council of Bakersfield; Santa Rosa Rancheria Tachi Yokut Tribe; Tule River Indian Tribe; Tubatulabals of Kern County; Kitanemuk & Yowlumne Tejon Indians; Kern Valley Indian Council

List of Permits Obtained:
No permits have been obtained

Public Outreach [24 CFR 50.23 & 58.43]**:**
A Finding of No Significant Impact (FONSI) was published in the Bakersfield Californian and El Popular on Friday, June 11, 2021 by the City of Bakersfield staff. Both newspapers are papers of general circulation, which serve the Bakersfield area.

Cumulative Impact Analysis [24 CFR 58.32]**:**
Staff reviewed the applicable laws based on the general aggregate of the project's development. In summary, the project's impact is considered to be less than significant as defined by the laws under 58.6, 58.5, and the impact factors. The project will result in a less than significant environmental impact while conforming to existing services, zoning, and other administrative services in the area. As a result, the projects cumulative impacts are deemed to be less than significant. All recommended mitigation fell within administrative policies and procedures for Kern County Planning and Natural Resources.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]
No alternative sites were evaluated for the proposed project.

No impacts were identified during the environmental review, which would require the site design to be modified. The only other alternative to the project, which was considered is to deny Federal assistance to the project. This option is discussed more in depth below.

No Action Alternative [24 CFR 58.40(e)]:
The project site was selected because the project applicant has site control of the property. The projects general plan land use and zoning are already approved for the project site, meaning CEQA compliance has already been obtained. Additionally, Kern County's ConPlan 2020-2025 identified a goal to enhance services for the non-homeless special needs population. Without this project, the Food Bank would be limiting the opportunities to help low-income residents with food insecurities within the area.

Summary of Findings and Conclusions:
The proposed project will not have an adverse impact on the environment. Within the confines of the City of Bakersfield's zoning laws, building codes, the Metropolitan Bakersfield Habitat Conservation Plan (MBHCP), and regulations set forth by the San Joaquin Valley Air Pollution Control District (SJVAPCD) the project impacts will be mitigated if required and result in a less than significant impact. Additionally, the impact of not proceeding with this project is that the opportunities within the community for low-income residents to have access to safe and nutritious foods would be reduced. This expansion project is well-suited for the proposed improvements given the existing services, including transportation, commercial, and public safety in the area.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Determination:

Law, Authority, or Factor	Mitigation Measure
NA	NA

☒ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The project may significantly affect the quality of the human environment.

Preparer Signature: _____ Date: 08/12/2021

Name/Title/Organization: Kathleen Barker, Planner I, Kern County Planning and Natural Resources – Community Development Division

Certifying Officer Signature: _____ Date: 08/12/2021

Name/Title: Lorelei H. Oviatt, AICP, Director of Planning and Natural Resources

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

PROJECT DESCRIPTION

A. Project/Activity Title: Community Action Partnership of Kern Food Bank Expansion

B. Project/Activity Number: CD Activity #03.20.5

C. Date Environmental Review Commenced: May 12, 2021

D. Project/Activity Address/Location: 1807 Feliz Drive, Bakersfield, 93307

E. Comprehensive Project/Activity Description *(General Nature / Purpose of Project, Physical Extent of Project, Environmental Setting, HUD National Objective Compliance, and Phasing/Estimated Project Cost).*

GENERAL NATURE / PURPOSE OF PROJECT:

CAPK's Food Bank is operating at capacity for warehousing and processing food donations that supply the Food Bank's over one hundred commodity pantries and food distribution sites located throughout Kern County, to eliminate hunger and poverty. The existing 20,000 ft^2. warehouse and 3,000 ft^2. of office space, lack adequate storage, receiving, sorting, packaging, and shipping areas for staff and volunteers to support daily operations. The Food Bank is renting additional space off-site for its Senior Food program supplies, supporting 39 distribution sites, and inefficiency adding staff and transportation costs. The space limitations at the Food Bank have resulted in diverting truckloads of incoming food donations to out-of-county food banks or distribution partners at the time of availability due to the lack of available space. This expansion is vital in meeting the current and future needs for processing food donations.

PHYSICAL EXTENT OF PROJECT:

CD Project #30.20.5 – Phase 1 of the proposed project will expand the CAPK Food Bank warehouse from 20,000 ft^2 to 60,000 ft^2 and included required site improvements, Phase II buildout of three loading docks and installation of a pallet rack system, Phase III install 18,000 ft^3 refrigeration and 18,000 ft^3 freezer, and Phase IV installation of solar panels and fire alarms.

Historical/Current use of the site and area of project effect (APE): According to NEPAssist, there no identified candidates or listed properties on the National Register of Historic Places in the area of the project.

Hazardous Materials: According to NEPAssist, there are no RCRA "hazardous waste" operations located within the project area.

Airport: The nearest civil airport, Bakersfield Airpark, is located 1.63 miles away from the project. The nearest municipal airport, Kern County Meadows Field, is located more than 7.17 air miles from the project site. Both of these are outside of the impact areas.

Floodplain and Flood Insurance: According to NEPAssist and FEMA's Flood Map Service Flood Insurance Rate (FIRM) Map No. 06029C2325E, no portion of the site is located within a Special Flood Hazard Area (SFHA). The site is classified as Zone X per FIRM, dated September 26, 2008. Consequently, no flood insurance is required.

Biological Resources: There are no critical habitats within the project area, though there are identified threatened or endangered species within the project area on the species list (see attached document).

Air Related Impacts: The project is located within the administrative boundaries of the San Joaquin Valley Air Pollution Control District. the U.S. Environmental Protection Agency has designated the area as one which has not attained National Ambient Air Quality standards for ozone and particulates.

Project Utilities: If there is the potential for conflict with any utilities or other obstructions in rights-of-way, please notify us if you have resources in the area of the project that must be considered prior to undertaking the activity.

Tribal Consultation: As a resource, the Native American Heritage Commission (NAHC) has been included in the consultation regarding the appropriate authorities to identify any cultural resources in the area of the project.

HUD National Objective Compliance: The project meets a HUD National Objective pursuant to 24 CFR, Part 570, Subpart C, Section 570.208(a)(1) – Low and Moderate Income Area Benefit; Acquisition, and 570.201(c) – Public Facilities and Improvements.

Phasing/Estimated Project Cost: The contemplated project has a projected cost of $916,586.

Project Location Maps and Research Information

Figure 1: COMMUNITY ACTION PARTNERS (CAPK) FOOD BANK EXPANSION



Prepared By: Christopher Hinds, Associate Planner

Source: Google Earth

Date: May 26, 2021

Legend

Project Site

N

Lorelei H. Oviatt, AICP, Director
2700 "M" Street, Suite 250
Bakersfield, CA 93301-2323
Phone: (661) 862-5050
Fax: (661) 862-5052 TTY Relay 1-800-735-2929
Email: kerncd@co.kern.ca.us
Web Address: http://pcd.kerndsa.com/

PLANNING AND NATURAL RESOURCES DEPARTMENT

Planning
Community Development
Administrative Operations

June 15, 2021 File: Environmental Review Record (ERR)

State Historic Preservation Officer, Office of Historic Preservation
Department of Parks and Recreation
1416 9th Street, Room 1442
P.O. Box 942896
Sacramento, CA 94296-0001
Attn: Ms. Lucinda Woodward

Re: CD Activity #03.20.5 – CAPK – Community Action Partnership of Kern Food Bank Expansion Project

Dear Ms. Woodward:

This letter is a request pursuant to Section 106 of the National Historic Preservation Act. Specifically, we ask for your views and concurrence with regard to identification of historic resources (36 CFR 800.4) and assessment of adverse effects (36 CFR 800.5). The Area of Potential Effects (APE), as defined at 36 CFR 800.16 (d) – is the area of the project and within one half mile of the project site. The project consists of the expansion of an existing building located at 1807 Feliz Drive Bakersfield, Ca., the property is accessed from the corner of East Belle Terrace and Cottonwood Road, approximately 0.40 miles Northeast on Belle Terrace in Bakersfield, California. The Kern County Assessor's Parcel Number for the project site is APN 167-060-035.

The existing parcel is 1.67 acres and currently owned by Community Action Partners of Kern (CAPK). The site holds the existing Community Action Partnership of Kern Food Bank. The surrounding area is a mix of residential and commercial properties. The project site parcel is zoned M-1, Light Manufacturing. In Kern County, Bakersfield is known as "The Hungriest City in America", according to the Food Research and Action Center, 2018 report. In Kern County, 76,287 (27%) of children are food insecure, lacking consistent access to enough food for an active, healthy life (USDA).

Based on the foregoing evaluation, we have made the following finding(s) regarding the proposed undertaking and its impact on Historic Properties within the Area of Potential Effects for the project:

[X] No Historic Properties, as defined at 36 CFR 800.16 (l), will be affected by the undertakings.

[ ] The undertaking **will not** have an adverse effect, as defined at 36 CFR 800.5, on Historic Properties.

[ ] The undertaking **will** have an adverse effect on Historic Properties, as defined at 36 CFR 800.5 (a), and requires further consultation and resolution between this Agency, SHPO and the Advisory Council on Historic Preservation, in accordance with 36 CFR 800.6.

If you have questions or require further documentation, please contact me at (661) 862-5144 or email me at barkerk@kerncounty.com.

Sincerely,

Kathleen Barker, Planner
Planning and Natural Resources Department
Enclosure: Site Map and Photo
I:\CEDD\PLANNING\Barker\3.20.5 - CAPK Food Bank expansion\CAPK_SHPO_ltr1.docx

California Historical Resources Information System

ACCESS AGREEMENT SHORT FORM

Number: _____

I, the undersigned, have been granted access to historical resources information on file at the Southern San Joaquin Valley Information Center of the California Historical Resources Information System.

I understand that any CHRIS Confidential Information I receive shall not be disclosed to individuals who do not qualify for access to such information, as specified in Section III(A-E) of the CHRIS Information Center Rules of Operation Manual, or in publicly distributed documents without written consent of the Information Center Coordinator.

I agree to submit historical Resource Records and Reports based in part on the CHRIS information released under this Access Agreement to the Information Center within sixty (60) calendar days of completion.

I agree to pay for CHRIS services provided under this Access Agreement within sixty (60) calendar days of receipt of billing.

I understand that failure to comply with this Access Agreement shall be grounds for denial of access to CHRIS Information.

Print Name: Kathleen Barker Date: 08/10/2021

Signature: _____

Affiliation: Kern County Planning and Natural Resources - Community Development Division

Address: 2700 M Street, Suite 250 City/State/Zip: Bakersfield, CA 93304

Billing Address (if different from above): _____

Telephone: (661) 862-5144 Fax: (661) 862-8601 Email: barkerk@kerncounty.com

Purpose of Access: Project Review

Reference (project name or number, title of study, and street address if applicable): CD Activity - 30.20.5 CAPK Food Bank Expansion

County: Kern County Township/Range/Section or UTMs: T 30 S, R 28 E

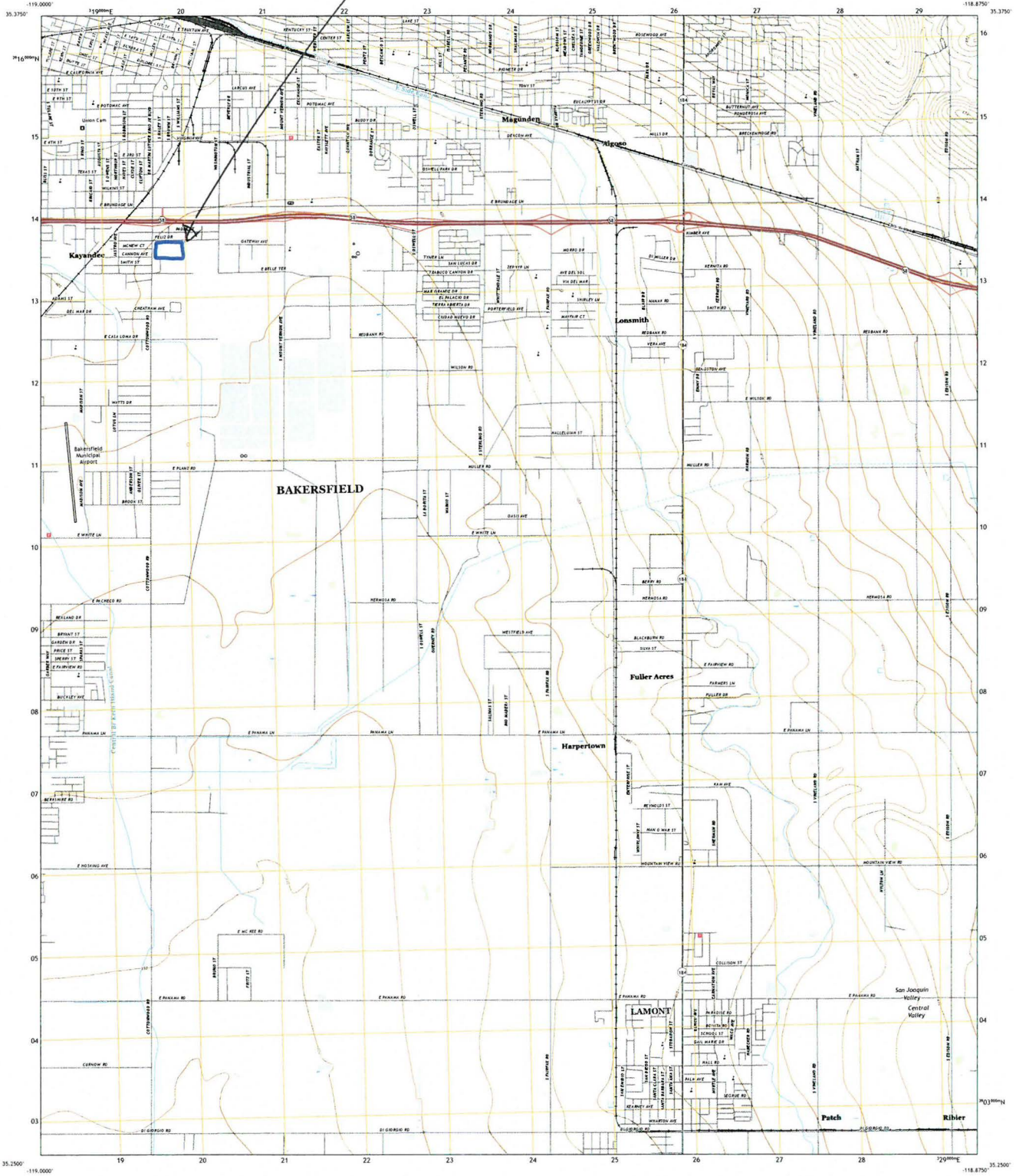
USGS 7.5' Quad: Lamont Quadrangle

PROJECT SITE

U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY

The National Map US Topo

LAMONT QUADRANGLE
CALIFORNIA - KERN COUNTY
7.5-MINUTE SERIES



Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84). Projection and
1 000-meter grid:Universal Transverse Mercator, Zone 11S
This map is not a legal document. Boundaries may be
generalized for this map scale. Private lands within government
reservations may not be shown. Obtain permission before
entering private lands.

Imagery.....NAIP, June 2016 - October 2016
Roads.....U.S. Census Bureau, 2016
Names.....GNIS, 1981 - 2018
Hydrography.....National Hydrography Dataset, 2006 - 2017
Contours.....National Elevation Dataset, 2006 - 2009
Boundaries.....Multiple sources; see metadata file 2016 - 2017
Public Land Survey System.....BLM, 2018
Wetlands.....FWS National Wetlands Inventory 1984 - 1987

UTM GRID AND 2017 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

SCALE 1:24 000

1 KILOMETERS 0.5 0 1 2
1000 500 0 METERS 1000 2000
1 0.5 0 1 MILES
1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000 FEET

CONTOUR INTERVAL 10 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988

This map was produced to conform with the
National Geospatial Program US Topo Product Standard, 2011.
A metadata file associated with this product is draft version 0.6.18

CALIFORNIA
QUADRANGLE LOCATION

1 Oildale
2 Oil Center
3 Rio Bravo Ranch
4 Gosford
5 Edison
6 Conner
7 Weed Patch
8 Arvin
ADJOINING QUADRANGLES

ROAD CLASSIFICATION
Expressway — Local Connector
Secondary Hwy — Local Road
Ramp — 4WD
Interstate Route — US Route — State Route

LAMONT, CA
2018

NSN 7643013259809
NGA REF NO. USGS24K2481J

California Historical Resources Information System



Fresno
Kern
Kings
Madera
Tulare

Southern San Joaquin Valley Information Center
California State University, Bakersfield
Mail Stop: 72 DOB
9001 Stockdale Highway
Bakersfield, California 93311-1022
(661) 654-2289
E-mail: ssjvic@csub.edu
Website: www.csub.edu/ssjvic

To: Kathleen Barker
Kern County Planning & Natural Resources Dept.
2700 M Street, Suite 250
Bakersfield, CA 93301

Record Search 21-300

Date: August 18, 2021

Re: Consultation for CD Project No. 30.20.5 – Community Action Partnership of Kern (CAPK) Food Bank Expansion Project

County: Kern

Map(s): Lamont 7.5'

CULTURAL RESOURCES RECORDS SEARCH

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

The following are the results of a search of the cultural resource files at the Southern San Joaquin Valley Information Center. These files include known and recorded cultural resources sites, inventory and excavation reports filed with this office, and resources listed on the National Register of Historic Places, the OHP Built Environment Resources Directory, California State Historical Landmarks, California Register of Historical Resources, California Inventory of Historic Resources, and California Points of Historical Interest. Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the OHP are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area.

PRIOR CULTURAL RESOURCE STUDIES CONDUCTED WITHIN THE PROJECT AREA AND THE ONE-HALF MILE RADIUS

According to the information in our files, there has been one previous cultural resource study conducted within a very small portion of the project area, KE-02708. There have been six additional studies conducted within a one-half mile radius, KE-02211, 02278, 03100, 03208, 03444, and 03528.

KNOWN/RECORDED CULTURAL RESOURCES WITHIN THE PROJECT AREA AND THE ONE-HALF MILE RADIUS

There are no recorded resources within the project area, and it is not known if any exist there. There are seven recorded resources within the one-half mile radius, P-15-002050, 008025, 008079, 008080, 008171, 008233, and 017304. These resources primarily include historic era buildings. They also include an historic era railroad and an historic era highway.

There are no recorded cultural resources within the project area or radius that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, or the California State Historic Landmarks.

COMMENTS AND RECOMMENDATIONS

We understand this project consists of expansion of the CAPK Food Bank warehouse from 20,000 sq. ft. to 60,000 sq. ft. No information was given as to the current condition of the project area. Because a cultural resources study has not been completed on most of this property, it is unknown if any cultural resources are present. Therefore, if the project area is vacant, prior to any ground disturbance activities, we recommend a qualified, professional consultant conduct a field survey prior to any ground disturbance activities to determine if any cultural resources are present. If any structures more than 45 years old currently exist on the property, we recommend they be recorded and evaluated for historical significance prior to any alteration or demolition. If the project area is currently developed and no structures more than 45 years old will be affected by project activities, than no further cultural resource investigation is recommended at this time. However if cultural resources are unearthed during ground disturbance activities, all work must halt in the area of the find and a qualified, professional consultant should be called out to assess the findings and make the appropriate mitigation recommendations. A list of qualified consultants can be found at www.chrisinfo.org.

We also recommend that you contact the Native American Heritage Commission in Sacramento. They will provide you with a current list of Native American individuals/organizations that can assist you with information regarding cultural resources that may not be included in the CHRIS Inventory and that may be of concern to the Native groups in the area. The Commission can consult their "Sacred Lands Inventory" file to determine what sacred resources, if any, exist within this project area and the way in which these resources might be managed. Finally, please consult with the lead agency on this project to determine if any other cultural resource investigation is required. If you need any additional information or have any questions or concerns, please contact our office at (661) 654-2289.

By:

Digitally signed by Celeste M. Thomson
Date: 2021.08.18 09:43:57 -07'00'

Celeste M. Thomson, Coordinator **Date**: August 18, 2021

Please note that invoices for Information Center services will be sent under separate cover from the California State University, Bakersfield Accounting Office.

Map



Geographic coordinates:

POINT (35.348838,-118.979839)
with buffer 500 feet

Note: The information in the following reports is based on publicly available databases and web services. The National Report uses nationally available datasets and the State Reports use datasets available through the EPA Regions. Click on the hyperlinked question to view the data source and associated metadata.

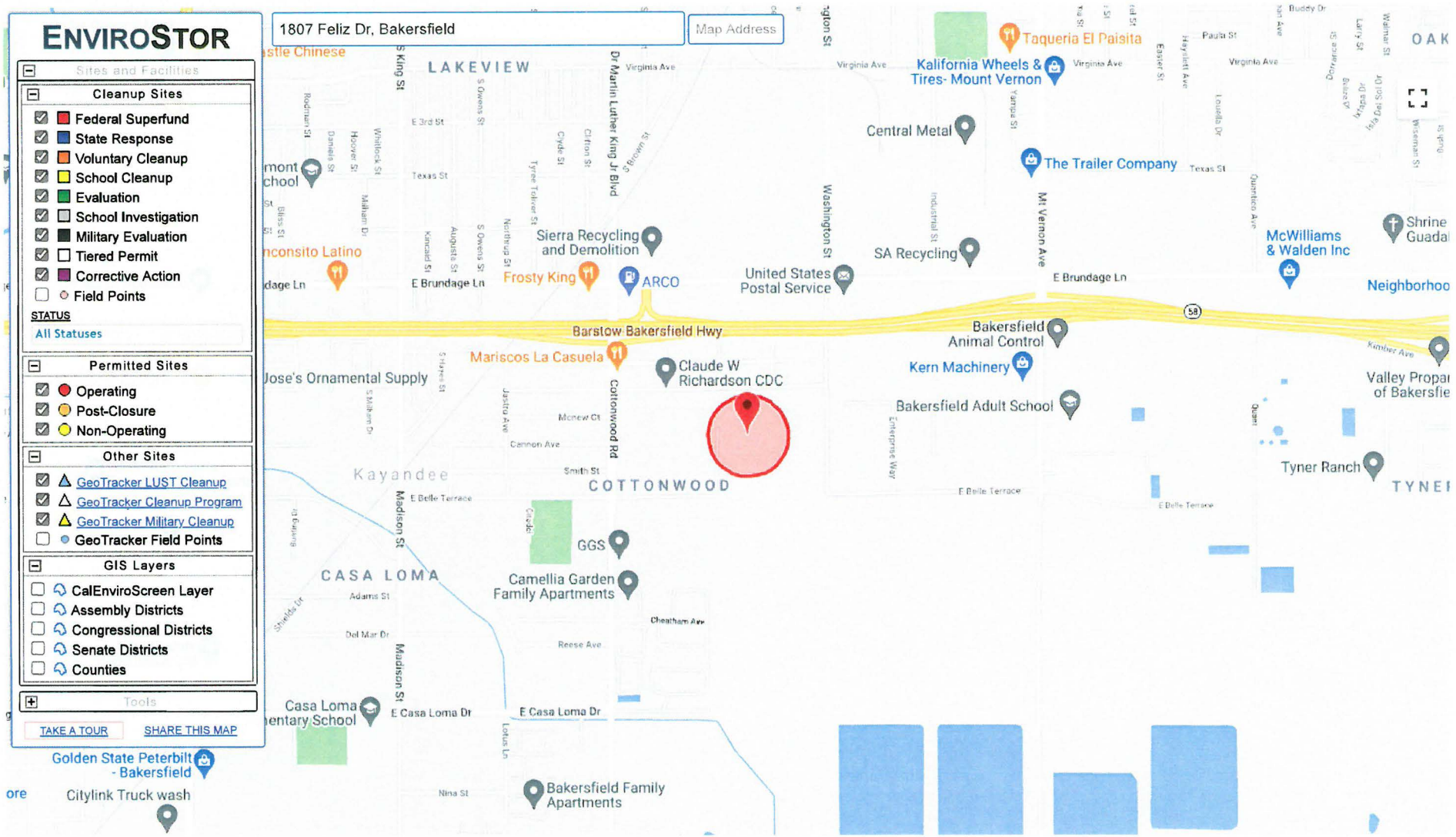
National Report

Project Location	35.348838,-118.979839
Within 500 feet of an Ozone 8-hr (1997 standard) Non-Attainment/Maintenance Area?	yes
Within 500 feet of an Ozone 8-hr (2008 standard) Non-Attainment/Maintenance Area?	yes
Within 500 feet of a Lead (2008 standard) Non-Attainment/Maintenance Area?	no
Within 500 feet of a SO2 1-hr (2010 standard) Non-Attainment/Maintenance Area?	no
Within 500 feet of a PM2.5 24hr (2006 standard) Non-Attainment/Maintenance Area?	yes
Within 500 feet of a PM2.5 Annual (1997 standard) Non-Attainment/Maintenance Area?	yes
Within 500 feet of a PM2.5 Annual (2012 standard) Non-Attainment/Maintenance Area?	yes
	yes

Within 500 feet of a PM10 (1987 standard) Non-Attainment/Maintenance Area?	
Within 500 feet of a Federal Land?	no
Within 500 feet of an impaired stream?	no
Within 500 feet of an impaired waterbody?	no
Within 500 feet of a waterbody?	no
Within 500 feet of a stream?	no
Within 500 feet of an NWI wetland?	click here ***May take several minutes***
Within 500 feet of a Brownfields site?	no
Within 500 feet of a Superfund site?	no
Within 500 feet of a Toxic Release Inventory (TRI) site?	no
Within 500 feet of a water discharger (NPDES)?	no
Within 500 feet of a hazardous waste (RCRA) facility?	no
Within 500 feet of an air emission facility?	no
Within 500 feet of a school?	no
Within 500 feet of an airport?	no
Within 500 feet of a hospital?	no
Within 500 feet of a designated sole source aquifer?	no
Within 500 feet of a historic property on the National Register of Historic Places?	no
Within 500 feet of a Toxic Substances Control Act (TSCA) site?	no
Within 500 feet of a Land Cession Boundary?	yes
Within 500 feet of a tribal area (lower 48 states)?	no
Within 500 feet of the service area of a mitigation or conservation bank?	yes
Within 500 feet of the service area of an In-Lieu-Fee Program?	yes

Save to Excel | Save as PDF

California Report
Demographic Reports
USFWS IPaC Report



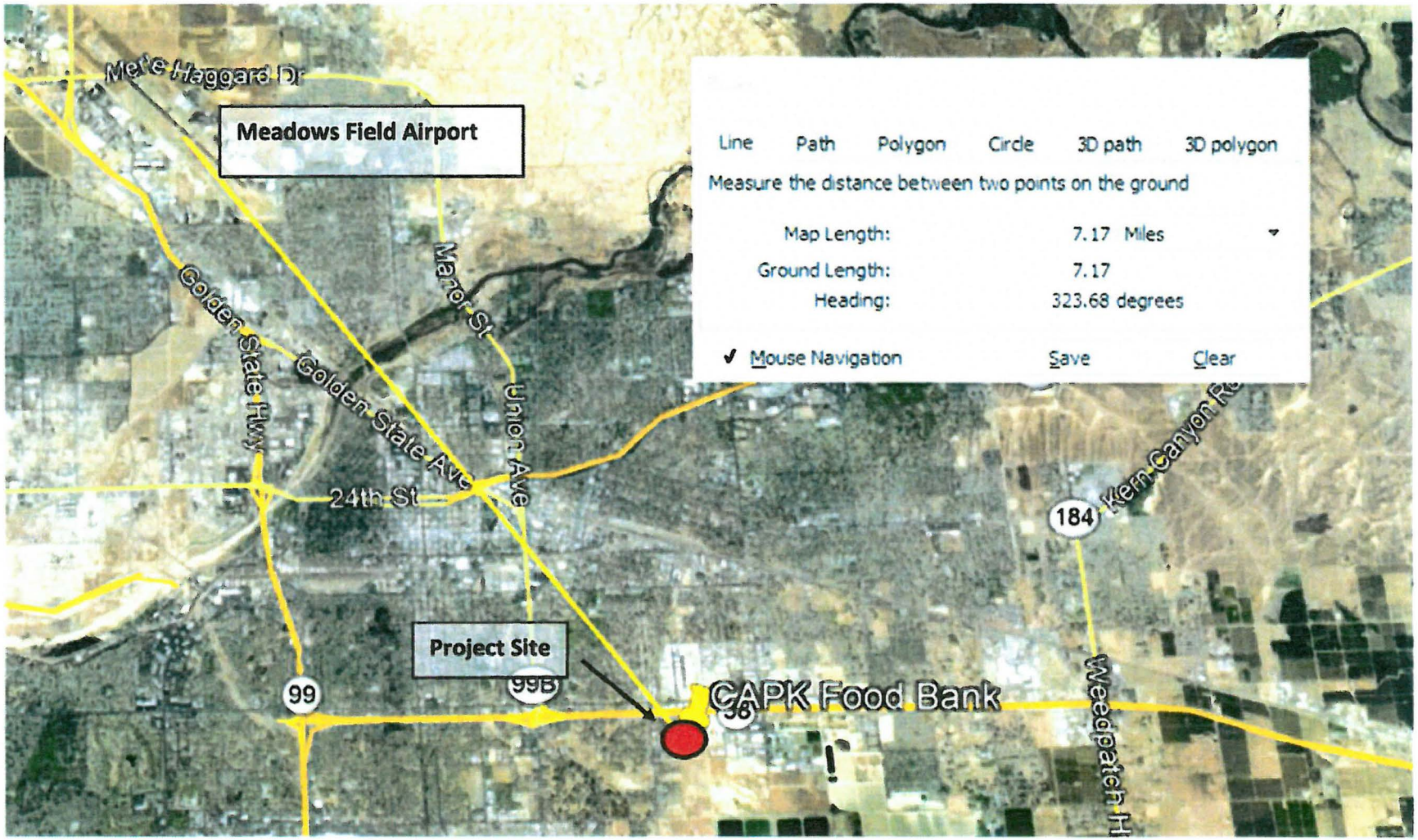
SITES FOUND IN SEARCH RADIUS

0 SITES LISTED

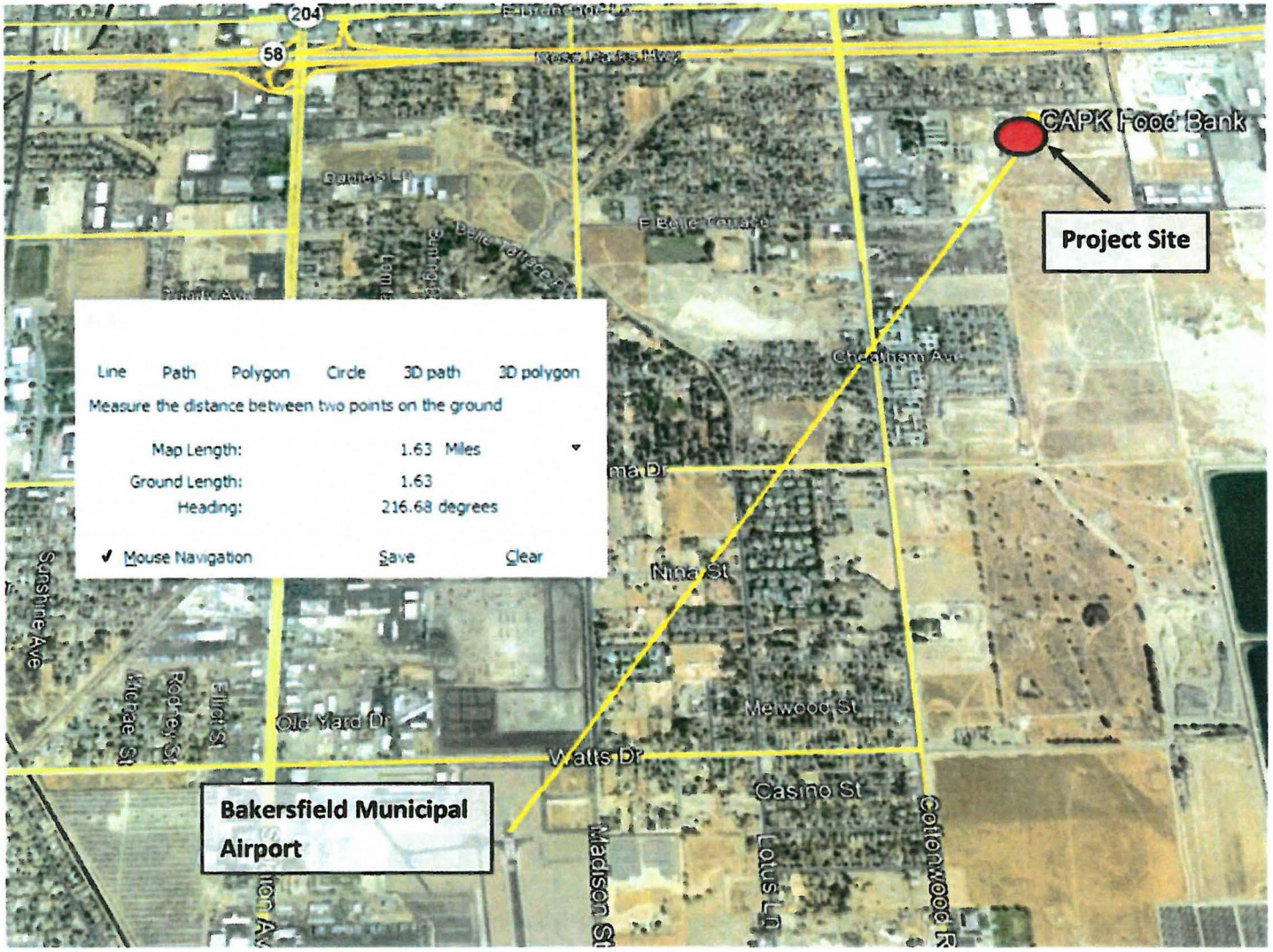
EXPORT THIS LIST TO EXCEL

PROJECT NAME	STATUS	PROJECT TYPE	ADDRESS	CITY

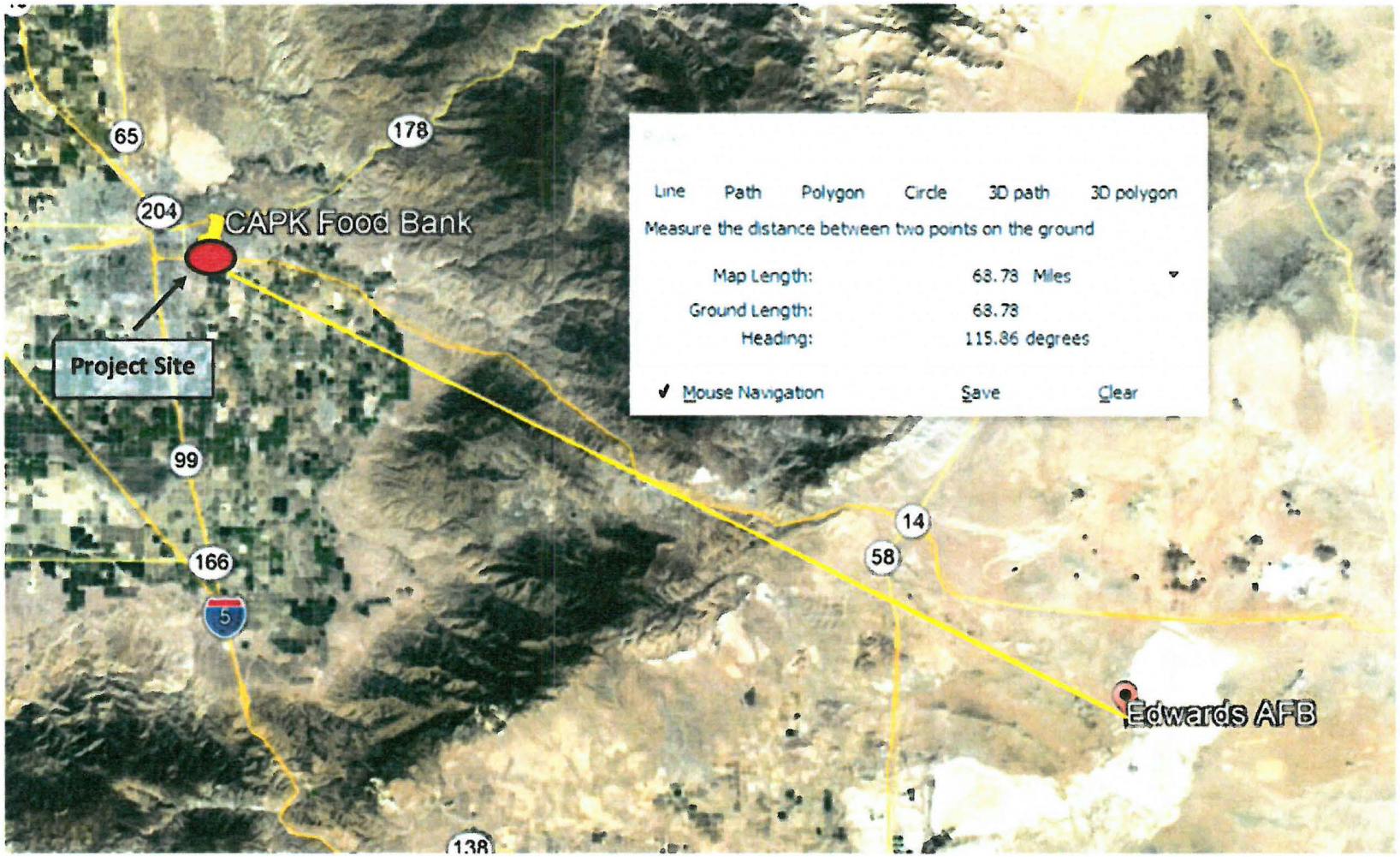
Airport Hazards Map: CAPK Food Bank Expansion B-20-MW-06-0510



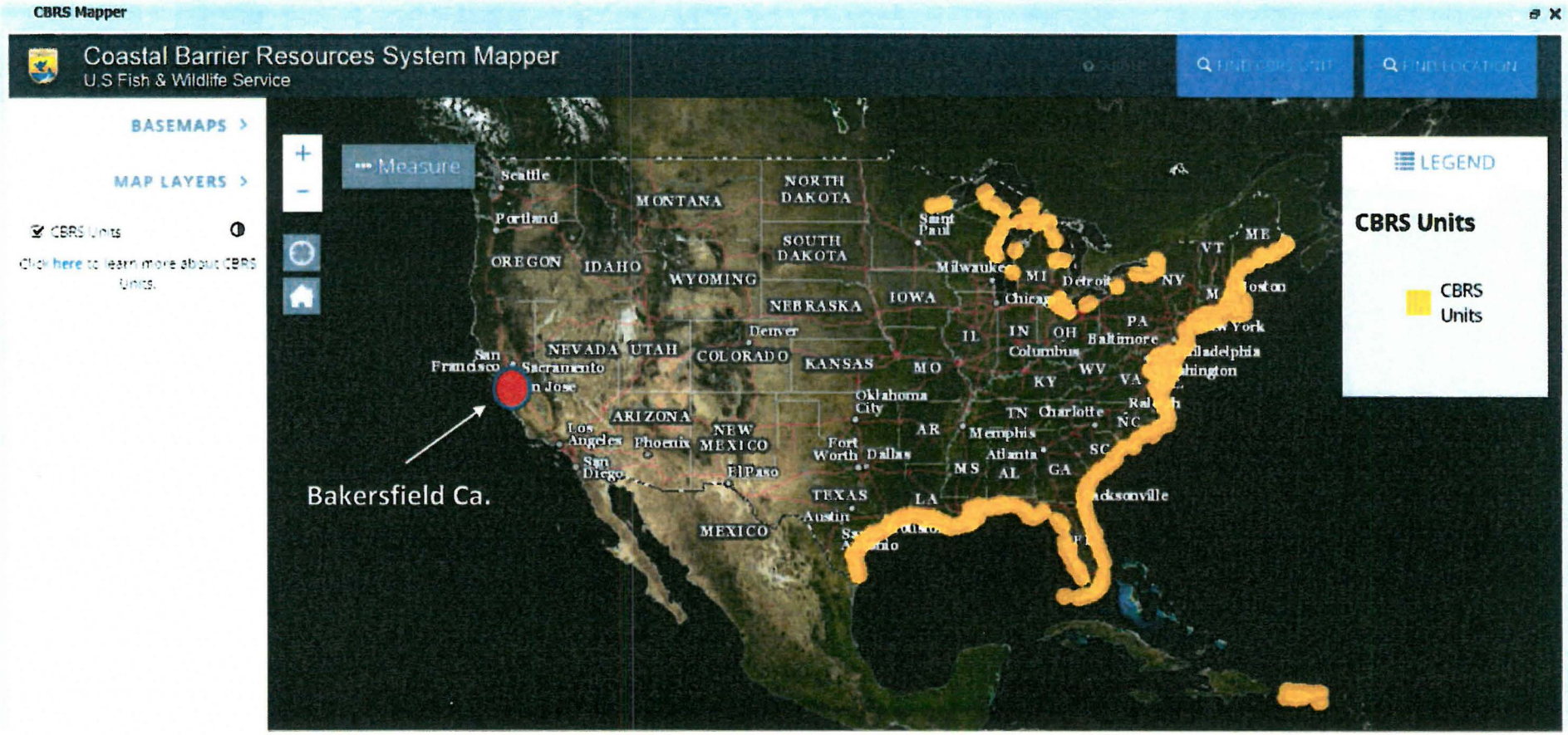
Airport Hazards Map: CAPK Food Bank Expansion - B-20-MW-06-0510



Airport Hazards Map: CAPK Food Bank Expansion - M-20-MC-06-0510



Coastal Barrier Resource Management Act- B-20-MW-06-0510



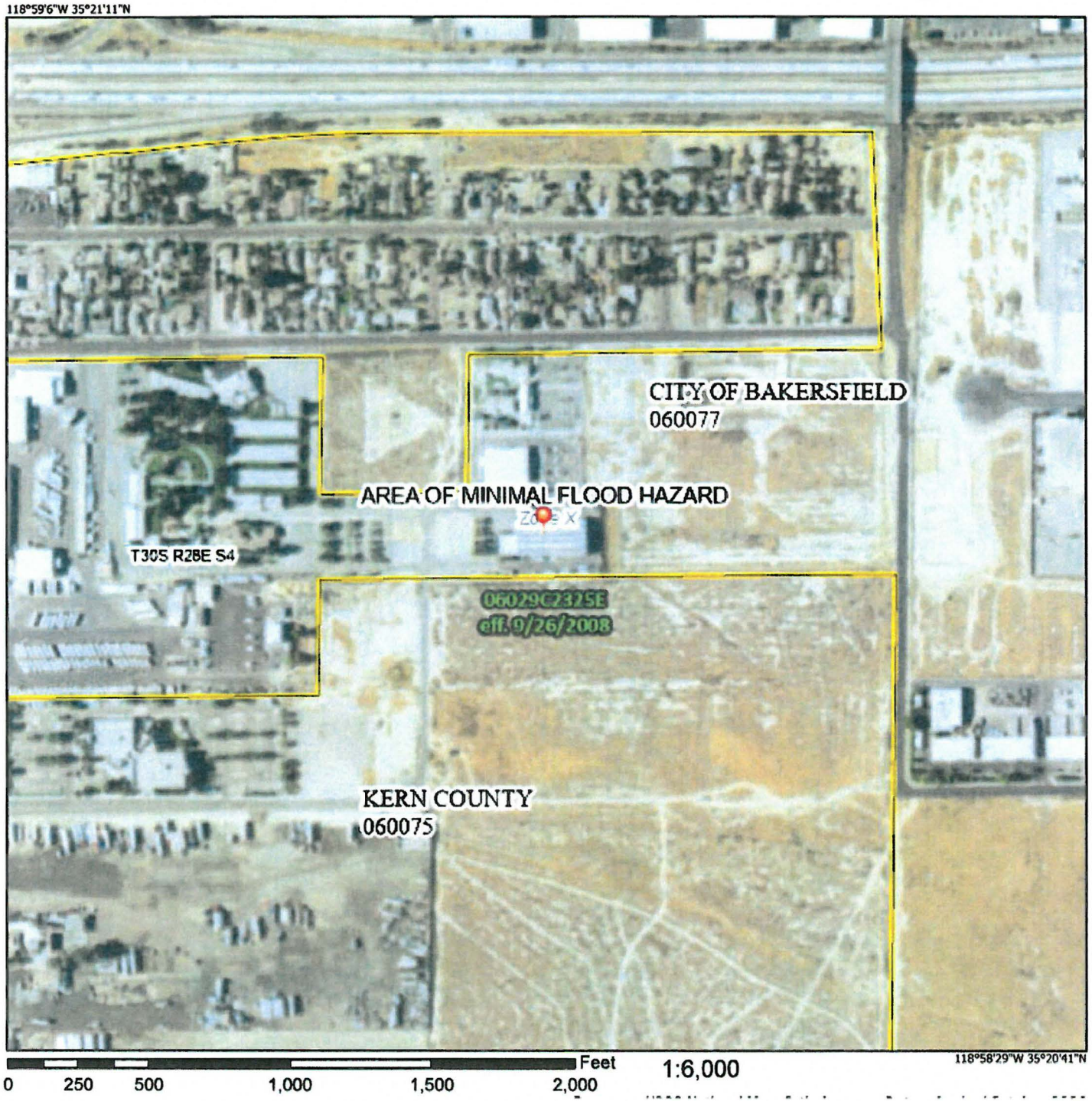
Source: Coastal Barrier Resource System Mapper – US Fish and Wildlife

Link: https://www.fws.gov/CBRA/Maps/Mapper.html

Date of Visit: 3/11/2021

National Flood Hazard Layer FIRMette

FEMA



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainag areas of less than one square mile *Zone*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN — Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 — Cross Sections with 1% Annual Chance
- 17.5 — Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

The pin displayed on the map is an approximate point selected by the user and does not represe an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/11/2021 at 2:35 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

CAPK Food Bank Expansion – Coastal Zone Management Map

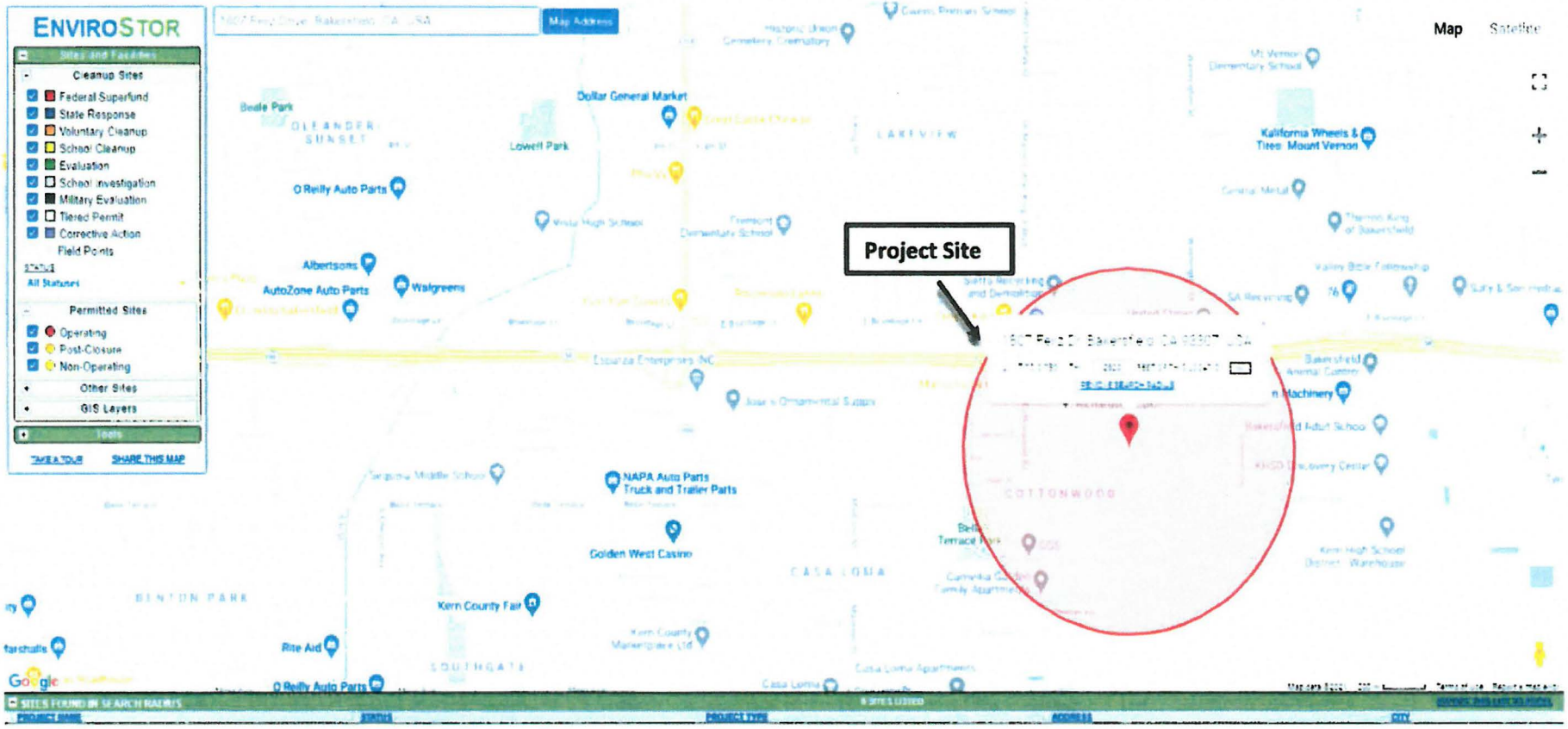


Source: Google Earth,

Prepared By: Christopher Hinds, Associate Planner

Date of Visit: March 11, 2021

Contamination and Toxic Substance CAPK Food Bank Expansion B-20-MW-06-0510



Source: Envirostor - Department of Toxic Substance Control

Date Accessed: March 11, 2021

Source: https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=bakersfield%2C+ca

Krazan & ASSOCIATES, INC.

GEOTECHNICAL ENGINEERING • ENVIRONMENTAL ENGINEERING
CONSTRUCTION TESTING & INSPECTION

May 4, 2021 Project No. 024-21018

Mr. Emilio Wagner
Director of Operations
Community Action Partnership of Kern
5005 Business Park North
Bakersfield, California 93309
ewagner@capk.org

RE: Phase I Environmental Site Assessment
Proposed Food Bank
1913 Feliz Drive
Bakersfield, California 93307

Dear Mr. Wagner:

Krazan & Associates, Inc., (Krazan) completed a Phase I Environmental Site Assessment at the referenced site summarized in a report dated May 4, 2021. We appreciate the opportunity to serve your environmental due diligence needs. During the course of this assessment, Krazan identified no evidence of recognized environmental conditions (RECs), controlled RECs (CRECs) or historical RECs (HRECs) in conjunction with the subject site as defined by ASTM E 1527-13. If you have any questions regarding the information presented in this report, please call me at (661) 837-9200.

Respectfully Submitted,
KRAZAN & ASSOCIATES, INC.

William R. Cooper, P.G. 7427
Environmental Manager

WRC/mlt

PHASE I ENVIRONMENTAL SITE ASSESSMENT PROPOSED FOOD BANK 1913 FELIZ DRIVE BAKERSFIELD, CALIFORNIA

Pursuant to ASTM E 1527-13

Project No. 024-21018
May 4, 2021

Prepared for:
Mr. Emilio Wagner
Community Action Partnership of Kern
5005 Business Park North
Bakersfield, California 93309
(661) 336-5236

Prepared by:
Krazan & Associates, Inc.
2205 Coy Avenue
Bakersfield, California 93307
(661) 837-9200

Krazan & ASSOCIATES, INC.
SITE DEVELOPMENT ENGINEERS

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May 4, 2021 Project No. 024-21018

PHASE I ENVIRONMENTAL SITE ASSESSMENT
PROPOSED FOOD BANK
1913 FELIZ DRIVE
BAKERSFIELD, CALIFORNIA

1.0 EXECUTIVE SUMMARY

Krazan & Associates, Inc. (Krazan) has conducted a Phase I Environmental Site Assessment (ESA) of the Proposed Food Bank Property located at 1913 Feliz Drive, Bakersfield, California (subject site). It is incumbent upon the user to read this Phase I ESA report in its entirety. If not otherwise defined within the text of this report, please refer to the Glossary of Terms Section following the References Section for definitions of terms and acronyms utilized within this Phase I ESA report. Krazan conducted the Phase I ESA of the subject site in conformance with the American Society for Testing and Materials (ASTM) E 1527-13 *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.* This Phase I ESA constitutes all appropriate inquiry (AAI) designed to identify recognized environmental conditions (RECs) in connection with the previous ownership and uses of the subject site as defined by ASTM E 1527-13 *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.*

ASTM E 1527-13 Section 1.1.1 *Recognized Environmental Conditions* – In defining a standard of good commercial and customary practice for conducting an environmental site assessment of a parcel of property, the goal of the processes established by this practice is to identify recognized environmental conditions. The term recognized environmental conditions means the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. *De minimis* conditions are not recognized environmental conditions.

During the course of this assessment, Krazan identified no evidence of recognized environmental conditions (RECs), controlled RECs (CRECs) or historical RECs (HRECs) in conjunction with the subject site as defined by E 1527-13.

2.0 PURPOSE AND SCOPE OF ASSESSMENT

2.1 Purpose

According to ASTM E 1527-13, the purpose of this practice is to define good commercial and customary practice in the United States of America for conducting an *environmental site assessment* of a parcel of *commercial real estate* with respect to the range of contaminants within the scope of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C. §9601) and *petroleum products*. As such, this practice is intended to permit a *user* to satisfy one of the requirements to qualify for the *innocent landowner, contiguous property owner,* or *bona fide prospective purchaser* limitation on CERCLA liability (hereinafter, the *landowner liability protections;* or *LLPs*): that is, the practice that constitutes *"all appropriate inquiry* into the previous ownership and uses of the *property* consistent with good commercial or customary practice" as defined at 42 U.S.C. §9601(35)(B). This report was also conducted in conformance with the ASTM E 1527-13 *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.*

2.2 Scope of Work

The Phase I ESA includes the following scope of work: a) a site reconnaissance of existing on-site conditions and observations of adjacent property uses, b) a review of user-provided documents, c) a review of historical aerial photographs, a review of available building permit records, city directories, historical Sanborn Fire Insurance Maps (SFIMs), and interview(s) with person(s) knowledgeable of the previous and current ownership and uses of the subject site, d) a review of local regulatory agency records, and e) a review of local, state, and federal regulatory agency lists compiled by Environmental Data Resources, Inc. (EDR). The scope of work for this Phase I ESA conforms to ASTM E 1527-13. Krazan was provided written authorization to conduct the Phase I ESA by Mr. Emilio Wagner with Community Action Partnership of Kern (CAPK) on April 14, 2021 in Krazan's Proposal contract number PB21-011.

3.0 SITE DESCRIPTION

The subject site is located on the south side of Feliz Drive within a mixed residential/commercial use area of the city of Bakersfield, California. The subject site comprises approximately 7 acres and is currently vacant land (detailed observations regarding the subject site are included in Section 4.1.)

General property information and property use are summarized in the following Table I. Refer to Figures No. 1 – 4 following the Reference Section.

TABLE I
Subject Site Information Summary

Current Owner:	Community Action Partnership of Kern
Assessor's Parcel Number (APN):	APN: 167-060-34 (6.85 acres) and a portion of APN 167-060-33
Address:	1913 Feliz Drive
Historical Address:	None
General Location:	South side of Feliz Drive with and approximately 400 feet west of Washington Street. A narrow strip along the southern boundary extends to Washington Street.
Acreage:	Approximately 7 acres
Existing Use/Zoning	Vacant land/M-1 Commercial
Original Construction Date:	None
Proposed Use:	Expansion of Existing Child Development Center
Topographic Map:	U.S. Geological Survey, 7.5 minute Lamont, California topographic quadrangle map, dated 1992.
Topographic Map Location:	A portion of Northwest Quarter of Section 4, Township 30 South, Range 28 East of Mount Diablo Baseline and Meridian
Latitude/Longitude:	35.3496/-118.9786
Topography:	Relatively flat, approximately 383 feet above mean sea level
Approximate Depth to Groundwater:	200 feet below ground surface (bgs) *Kern County Water Agency (KCWA)
Regional Groundwater Flow Direction:	Southwesterly *KCWA

*KCWA Depth to Water in Wells (Spring 2016)

3.1 Geology and Hydrogeology

The subject site is located within the San Joaquin Valley, a broad structural trough bound by the Sierra Nevada and Coast Ranges of California. The San Joaquin Valley, which comprises the southern portion of the Great Valley of California, has been filled with several thousand feet of sedimentary deposits. Sediments in the eastern valley, derived from the erosion of the Sierra Nevada, have been deposited by major to minor west-flowing drainages and their tributaries. Near-surface sediments are dominated by sands and silty sands with lesser silts, minor clays, and gravel. The sedimentary deposits in the region form large coalescing alluvial fans with gentle slopes. The groundwater in the area was reported as first encountered at a depth of approximately 200 feet bgs. The groundwater flow direction in the area of the subject site is generally towards the southwest.

4.0 SITE RECONNAISSANCE

A site reconnaissance, which included a visual observation of the subject site and surrounding properties, was conducted by Mr. William Cooper, Krazan's Environmental Professional, on April 15, 2021. Krazan's

Environmental Professional was unaccompanied during the site reconnaissance. The objective of the site reconnaissance is to obtain information indicating the likelihood of identifying recognized environmental conditions, including hazardous substances and petroleum products, in connection with the property (including soils, surface waters, and groundwater).

4.1 Observations

The following Table II summarizes conditions encountered during our site reconnaissance. A discussion of visual observations in the table below. Refer to the Site Map (Figure No. 3) and color photographs following the text for the locations of items discussed in this section of the report.

TABLE II
Summary of Site Reconnaissance

Feature	Observed	Not Observed
Structures (existing)		X
Evidence of Past Uses		X
Hazardous Substances and/or Petroleum Products (including containers)		X
Aboveground Storage Tanks (ASTs)		X
Underground Storage Tanks (USTs) or Evidence of USTs		X
Evidence of Underground Pipelines (Irrigation water pipeline only)		X
Strong, Pungent, or Noxious Odors		X
Pools of Liquid Likely to be Hazardous Materials or Petroleum Products		X
Drums		X
Unidentified Substance Containers		X
Potential Polychlorinated Biphenyl (PCB)-Containing Equipment		X
Subsurface Hydraulic Equipment		X
Heating/Ventilation/Air conditioning (HVAC)		X
Stains or Corrosion on Floors, Walls, or Ceilings		X
Floor Drains, Sumps, or Oil/Water Clarifiers		X
Storm Drains/Stormwater Basin		X
Pits, Ponds, or Lagoons		X
Stained Soil and/or Pavement		X
Soil piles and refuse concrete rubble	X	
Stressed Vegetation		X
Railroad tracks/spurs		X
Waste or Wastewater Discharges to Surface/ Surface Waters		X
Wells		X
Septic Systems		X

The subject site comprises approximately 7 acres of land within the associated Kern County APN of 167-060-34 and portion of 167-060-33. Refer to Figure No. 3, Site Map, for locations of the following referenced on-site features:

- The subject site was observed to be vacant ground with sparse to moderate weed and grass cover. Feliz Drive is adjacent to the north of the northwest portion of the subject site and a stormwater basin is adjacent to the east and north. The western portion of the subject site appears to be rough-graded level and a small stormwater basin is adjacent to the southwestern corner of the property.

Vegetation within the basin does not appear to be stressed. A dry stream-like depression feature is present within the central part of the subject site. The subject site includes a narrow strip of land (portion of APN 167-060-33) which is an unpaved road that extends from the southern boundary to Washington Street.

- Soil mounds were observed within the area of the subject site that is adjacent to the southwest of the stormwater basin located along Feliz Drive. No staining, unusual odors or stressed vegetation was noted in association with the soil mounds.

- Concrete-rubble piles were observed within various locations at the subject site. Several large piles of concrete rubble were observed adjacent to the south of the southern-central part of the adjacent stormwater basin.

- Exposed surface soils did not exhibit obvious signs of discoloration. No obvious evidence (vent pipes, fill pipes, dispensers, etc.) of USTs was noted within the areas observed. No standing water or unusual depressions were observed on the subject site. No pole- or pad-mounted transformers were noted on the subject site.

4.2 Utilities

Based on Krazan's historical research during this Phase I ESA, no permanent structures were identified on the subject site and no utilities appear to have been provided to the subject site.

Potable Water/Water Wells

No potable water is currently supplied to the subject site. The future water purveyor for the subject site would be California Water Service (CWS). CWS's water quality monitoring is an on-going program with water samples obtained on a regular basis. It is the responsibility of CWS to provide customers with potable water in compliance with the California State Maximum Contaminant Levels (MCLs) for primary drinking water constituents in water supplied to the public.

Sewer Service

During Krazan's April 15, 2021 site reconnaissance, no indications of former septic or sewer systems were observed on the subject site. The City of Bakersfield provides sewer service for the area of the subject site.

4.3 Adjacent Streets and Property Usage

The following Table III summarizes the current adjacent roads and adjacent property uses observed during the site reconnaissance:

TABLE III
Adjacent Streets and Property Use

Direction	Adjacent Street	Adjacent Property Use
North	Feliz Drive	Residential
South	None	Vacant/Agricultural
East	Washington Street	Vacant and Commercial
West	None	Commercial Warehouse and Commercial Child Development Center

Based on the observed uses of the properties located immediately adjacent to the subject site, it is unlikely that significant quantities of hazardous materials are currently stored at the adjacent properties.

4.4 ASTM Non-Scope Considerations

According to ASTM E 1527-13, there may be environmental issues or conditions at the subject site that are outside the scope of the Phase I ESA practice (non-scope considerations). Some substances may be present at the subject site in quantities and under conditions that may lead to contamination of the subject site or of nearby properties but are not included in CERCLA's definition of hazardous substances (42 U.S.C. §9601[14]). ASTM non-scope considerations are discussed below.

Asbestos-Containing Materials

Asbestos is a group of naturally occurring mineral fibers that have been used commonly in a variety of building construction materials for insulation and as a fire-retardant. Because of its fiber strength and heat resistant properties, asbestos has been used for a wide range of manufactured goods, mostly in building materials, vehicle brakes, and heat-resistant fabrics, packaging, gaskets, and coatings. When asbestos-containing materials (ACMs) are damaged or disturbed by repair, remodeling, or demolition activities, microscopic asbestos fibers may become airborne and can be inhaled into the lungs, where they can cause significant health problems. No structures are located on the subject site; therefore, ACMs are not an environmental concern.

Lead-Based Paint

Although lead-based paint (LBP) was banned in 1978, many building constructed prior to 1978 have paint that contains lead. Lead from paint, chips, and dust can pose serious health hazards if not addressed properly. No structures are located on the subject site; therefore, LBP is not an environmental concern.

Mold and Moisture Intrusion

A class of fungi, molds have been found to cause a variety of health problems in humans, including allergic, toxicological, and infectious responses. Building materials including drywall, wallpaper, baseboards, wood

framing, insulation and carpeting often play host to such growth. No structures are located on the subject site; therefore, mold and moisture intrusion is not an environmental concern.

Radon

Radon is a radioactive gas that is found in certain geologic environments and is formed by the natural breakdown of radium, which is found in the earth's crust. A radon survey was not included within the scope of this investigation; however, the State of California Department of Health Services (CDHS) maintains a statewide database of radon results in designated geographic areas. Radon detection devices are placed in homes throughout the study region to determine geographic regions with elevated radon concentrations. The U.S. EPA has set the safety standard for radon gas in homes to be 4.0 pico Curies per liter (pCi/L).

The US EPA has prepared a map to assist National, State and local organizations to target their resources and to implement radon-resistant building codes. The map divides the country into three Radon Zones, Zone 1 being those areas with the average predicted indoor radon concentration in residential dwellings exceeding the EPA Action Limit of 4.0 pCi/L. It is important to note that the EPA has found homes with elevated levels of radon in all three zones, and the EPA recommends site-specific testing in order to determine radon levels at a specific location. However, the map does give a valuable indication of the propensity of radon gas accumulation in structures. Review of the EPA Map of Radon Zones places the Property in Zone 2, where average predicted radon levels are between 2.0 and 4.0 pCi/L. Therefore, the available data suggests that the potential for radon to adversely impact the subject site appears to be low.

Wetlands

As defined by the U.S. EPA and the Department of Army, Corps of Engineers, wetlands are "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions." Jurisdictional wetlands are regulated under Section 404 of the Clean Water Act (1972, 1977, and 1987, and also the 1985 and 1990 Farm Bills), and are important for protection of aquatic waterfowl and species, water purification, and flood control. According to current Corps of Engineers information, three basic criteria are currently used to define wetlands:

- Wetland hydrology - areas exhibiting surface or near-surface saturation or inundation at some point in time (greater than 12.5 percent of growing season defined on basis of frost-free days) during an average rainfall year.
- Hydrophilic vegetation - frequency of occurrence of wetland indicator plants (plant life growing in water, soil, or substrate that is periodically deficient in oxygen as a result of excessive water content).

- Hydric soil - landscape patterns identified by saturation, flooding, or ponding long enough during the growing season (generally seven days) which develop characteristic color changes in the upper part of the soil as a result of anaerobic conditions.

Based on Krazan's reconnaissance of the subject site, evidence was not apparent to suggest that the site contained a wetland. Furthermore, according to the U. S. Fish & Wildlife Service (USFWS) National Wetlands Inventory available via the USFWS Internet website, the subject site does not contain a designated wetland. Therefore, at this time, regulations pertaining to wetlands do not appear to impact the subject site.

Environmental Non-Compliance Issue

No material non-compliance issue was identified in connection with the subject site in the process of preparing this report.

Activity and Use Limitations

No activity and use limitations were identified in connection with the subject site in the process of preparing this report.

5.0 USER-PROVIDED INFORMATION

A review of user-provided information was conducted in order to help identify pertinent information regarding potential environmental impacts associated with the subject site.

5.1 Environmental Liens/Activity and Use Limitations Report

As part of a previous Phase I ESA conducted by Krazan in 2019, on May 2, 2019 an Environmental Lien/Activity and Use Limitations (EL/AUL) Report was prepared by AFX Research, LLC (AFX) for the subject site. The AFX Report provides results from a search of available land title records for environmental cleanup liens and other activity and use limitations, such as engineering controls and institutional controls. The subject site EL/AUL Report was reviewed to identify potential environmental liens, institutional controls (ICs), land use controls (LUCs), activity and use limitations (AULs), or declaration of environmental use restrictions (DEULs) which may have been filed against the subject site or exist in connection with the subject site as indicated by the subject site EL/AUL Reports. Krazan's review of the EL/AUL Report indicated no liens, judgments, ICs, LUCs, AULs, or DEULs were found for the subject site according to the scope of work and limitations. Due to the lack of activities at the subject site since 2019, an additional EL/AUL Report does not appear to be warranted. Please refer to Appendix A for a copy of the EDR, EL/AUL report.

5.2 Phase I Environmental Site Assessment User Questionnaire

In order to qualify for one of the *Landowner Liability Protections (LLPs)* offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 (the *Brownfields Amendments*), the *user* must provide the following information (if available) to the *environmental professional*. Failure to provide this information could result in a determination that *all appropriate inquiry* is not complete. The user is asked to provide information or knowledge of the following:

1. Environmental cleanup liens that are filed or recorded against the site.
2. Activity and land use limitations that are in place on the site or that have been filed or recorded in a registry.
3. Specialized knowledge or experience of the person seeking to qualify for the LLPs.
4. Relationship of the purchase price to the fair market value of the *property* if it were not contaminated.
5. Commonly known or *reasonably ascertainable* information about the *property*.
6. The degree of obviousness of the presence or likely presence of contamination at the *property*, and the ability to detect the contamination by appropriate investigation.
7. The reason for preparation of this Phase I ESA.

As part of Krazan's 2019 Phase I ESA, on April 28, 2019, a completed Phase I ESA owner and user questionnaire was received from Mr. Emilio Wagner, the Phase I ESA user and representative of the owner of the subject site. Please refer to Appendix B for a copy of the completed questionnaire.

According to the questionnaire responses, Mr. Wagner indicated that CAPK has owned the subject site since 2001 and that the property is currently vacant. Mr. Wagner, to the best of his knowledge as the user of this Phase I ESA, was not aware of any environmental cleanup liens and activity or land use limitations which have been filed or recorded against the subject site; and Mr. Wagner has no specialized knowledge or experience of the prior nature of the business or chemical utilization on the subject site. Mr. Wagner indicated that, to the best of his knowledge, no previous buildings occupied the subject site; however, earthwork took place in 2007 for a pad for a proposed 10,000-square-foot training center. According to Mr. Wagner, the proposed facility was not funded and no buildings were constructed. Mr. Wagner did not have knowledge of the past or current presence of specific chemicals or hazardous materials, unauthorized spills or chemical releases or of any environmental cleanups in connection with the subject site. Mr. Wagner indicated that he did not have knowledge of any obvious indicators that point to the presence or likely presence of contamination at the subject site. Mr. Wagner indicated that the purchase price of the subject site reasonably reflects fair market value. Additionally, Mr. Wagner indicated that the reason for

preparation of this Phase I ESA is related to a proposed expansion of the Child Development Center located at 1825 Feliz Drive.

Krazan additionally discussed the property with Mr. Wagner via email on May 6, 2019. According to Mr. Wagner, portable buildings were temporarily stored on the subject site during 2009. The buildings were not used on the subject site but were to be used as classrooms at another facility. According to Mr. Wagner, the buildings were stolen from the subject site. According to Mr. Wagner, soil mounds observed at the subject site are a result of the earthwork previously referenced in the owner questionnaire. Additionally, Mr. Wagner indicated that concrete rubble has been dumped on the subject site.

On April 28, 2021, Krazan received an updated user/owner questionnaire from Mr. Wagner. According to Krazan's review of the 2021 questionnaire, no new significant environmental concerns were identified. Please refer to Appendix B for a copy of the completed 2021 questionnaire.

6.0 SITE USAGE SURVEY

The property usage survey included assessing property history, and reviewing local, state, and federal regulatory agency records.

6.1 Site History

A review of a previous Phase I ESAs, historical aerial photographs, City of Bakersfield Building Department (CBBD) records, reasonably ascertainable Haines Criss-Cross Directories (HCCDs), Sanborn Fire Insurance Maps (SFIMs), and a Phase I ESA user questionnaire was utilized to assess the history of the subject site.

Previous Environmental Assessments

Two previous Phase I ESAs were identified during the performance of this 2021 Phase I ESA for the Proposed Food Bank Property at 1913 Feliz Drive. These reports are summarized below:

A Phase I ESA was conducted in 2016 by Sierra Delta Consultants, LLC (SDC). This report was provided to Krazan for review by CAPK during Krazan's 2019 Phase I ESA. The previous Phase I was conducted for a larger property that included the subject site 7-acre portion of this current Phase I ESA. The SDC report refers to the subject site as the central and eastern parcels. Due to reliance and proprietary issues, a copy of the SDC Phase I ESA is not included in this report. The following summarizes the SDC 2016

Phase I ESA Report:

- *The property consists of four adjacent parcels totaling approximately 15.9 acres in southeastern Bakersfield. The two parcels along the western boundary of the property are developed with a child care facility, a warehouse-office structure, and a warehouse utilized as a food storage and distribution center. The food distribution warehouse was constructed in 2004 on previously undeveloped land and the child care facility / office-warehouse was constructed in 2008 on previously undeveloped land. The central and eastern parcel are undeveloped and appear to have never had any development in the past.*

- SDC further stated that they did not identify evidence of recognized environmental conditions (RECs), controlled RECs (CRECs) or historical RECs (HRECs) in conjunction with the subject site as defined by E 1527-13.

Krazan conducted a Phase I ESA of the Proposed Food Bank property in 2019. In summary, Krazan identified no evidence of RECs, CRECs or HRECs in conjunction with the subject site as defined by E 1527-13. All pertinent information from Krazan's 2019 Phase I ESA has been included in this report.

Aerial Photograph Interpretation

Historical aerial photographs dated 1937, 1956, 1975, 1985, 1992, 2002, 2006, 2009, 2011, and 2017 were reviewed to assess the history of the subject site. These photographs were obtained from EDR and Google Earth Pro ™. Aerial photograph coverage for the years between 1937 and 1956 and 1956 to 1975 was not reasonably available. The aerial photograph (AP) summary is provided in the following Table IV. Please refer to Appendix C for a copy of Historical Aerial Photographs.

TABLE IV
Summary of Aerial Photograph Map Review

Year/Scale	Site Use	Site and Adjacent Property Observation
1937 1" = 1,200'	Undeveloped	The subject site and adjacent properties are vacant and undeveloped land.
1956 1" = 1,500'	Undeveloped	Conditions on the subject site and the adjacent properties appear relatively similar to those noted in the 1937 aerial photograph (AP) except Feliz Dr. is present along the north and the northern-adjacent properties are developed with single-family homes.
1975 1" = 1,500'	Undeveloped	Conditions on the subject site and the adjacent properties appear relatively similar to those noted in the 1956 AP.
1985 1" = 1,000'	Undeveloped	Conditions on the subject site and the adjacent properties appear relatively similar to those noted in the 1975 AP except a stormwater basin is present to the east and north of the L-shaped subject site.
1992 1" = 500'	Undeveloped	Conditions on the subject site and the adjacent properties appear relatively similar to those noted in the 1985 AP.
2002 1" = 500'	Vacant	Conditions on the subject site and the adjacent properties appear relatively similar to those noted in the 1985 AP.

TABLE IV (continued)
Summary of Aerial Photograph Map Review

Year/Scale	Site Use	Site and Adjacent Property Observation
2006 1" = 500'	Vacant	The subject site has been rough-graded level throughout the western portion. A relatively small stormwater basin is present within the southwest corner and a commercial warehouse-like building has been constructed adjacent to the west of the southwest corner.
2009 1" = 500'	Vacant	Conditions on the subject site appear relatively similar except there appears to be numerous portable buildings within the northwestern portion of the subject site. The adjacent properties to the west have been commercially developed and the northern adjacent properties remain in residential use. The southern- and eastern-adjacent properties remain vacant and the stormwater basin is still present adjacent to Feliz Dr.
2011 1" = 500'	Vacant	Conditions on the subject site and the adjacent properties appear relatively similar to those noted in the 2009 AP except the portable buildings are no longer present on the subject site.
2017 1" = 500'	Vacant	Conditions on the subject site and the adjacent properties appear relatively similar to those noted in the 2011 AP.

USGS Topographic Quadrangle Map

Krazan's review of the USGS, 7.5 minute, Lamont, California topographic quadrangle map dated 1992, indicates that the subject site does not include structures (Refer to Figure No. 4, Topographic Map, for reference).

City of Bakersfield Building Department Records

As part of Krazan's 2019 Phase I ESA, on May 6, 2019 the City of Bakersfield Building Department (CBBD) was contacted for information regarding the subject site. According to a representative with CBBD, no permits were on file with CBBD for the subject site address of 1913 Feliz Drive. Due to the lack of construction or building activities at the subject site since 2019, and to absence of permits prior to 2019, CBBD records were not searched as part of this Phase I ESA.

Haines Criss-Cross and Polk Guide Directories

Haines Criss-Cross Directories (HCCDs) and Polk Guide Directories (PGDs) were not search due to the current and historical absence of structures on the subject site.

Sanborn Fire Insurance Maps

Krazan reviews SFIMs to evaluate prior land use of the subject site and the adjacent properties. SFIMs typically exist for cities with populations of 2,000 or more, the coverage dependent on the location of the subject site within the city limits. Krazan's research and knowledge of the area indicates no SFIM coverage for the subject site area.

6.2 Interviews and Questionnaires

Interviews and Questionnaires are designed to provide pertinent information regarding potential environmental impacts associated with the subject site.

Subject Site Owner – As part of Krazan's 2019 Phase I ESA, on April 26, 2019, Krazan received a completed owner/user questionnaire from Mr. Wagner, a representative of CAPK, the owner of the subject site. Mr. Wagner additionally completed a questionnaire for this 2021 Phase I ESA. Please refer to Section 5.2 for a discussion of the owner/user questionnaire responses. Please refer to Appendix B for a copy of the 2019 and 2021 owner/user questionnaires.

Previous Subject Site Owners/Occupants – An interview with a previous owner/occupant of the subject site was not reasonably ascertainable. Consequently, information regarding the history and historical uses of the subject site obtained from an interview of a previous owner and/or occupant constitutes a data gap.

6.3 Agricultural Chemicals

Review of historical aerial photographs indicates the subject site was not significantly utilized for agricultural purposes from at least 1937 to present. Consequently, the use, storage and application of agricultural chemicals at the subject site are not considered an environmental concern.

6.4 Regulatory Agency Interface

A review of regulatory agency records was conducted to help determine if hazardous materials have been handled, stored, or generated on the subject site and/or the adjacent properties and businesses. Regulatory records are reviewed based on the following criteria: 1) properties with known soils and/or groundwater releases considered to represent the potential for impact to the subject site that are located within 1,760 feet of the subject site for volatile organic compound (VOC) constituents, and 528 feet of the subject site for petroleum hydrocarbon (PHC) constituent; 2) properties that are adjacent or in proximity to the subject site included within the EDR regulatory database report or noted during the site reconnaissance to possibly handle, store, or generate hazardous materials. Applicable property records are discussed below.

City of Bakersfield Fire Department – Prevention Services Division

The City of Bakersfield Fire Department - Prevention Services Division (BFDPSD) is the lead regulatory agency or Certified Unified Program Agency (CUPA) for hazardous materials handling facilities in the City of Bakersfield. On April 16, 2021, Krazan reviewed available records via the internet at www.bakersfieldcity.us for potential records associated with USTs, hazardous materials business plans (HMBPs), or hazardous materials incident reports for the subject site and adjacent properties. Based on

Krazan's review of BFDPSD files, no records were found on file with the BFDPSD for the subject site or adjacent properties. A vicinity property was identified and is discussed below; however, no facilities were identified that have a reasonable potential to impact the subject site.

Bakersfield City Schools Bus Barn — 1,692 feet west
1501 Feliz Drive
Bakersfield, California
This facility is a case-closed Leaking Underground Storage Tank (LUST) site. Soil only was impacted with waste oil as a result of a release from a UST. The release was discovered during tank removal activities during 1997. Upon removal of the UST and completion of successful remediation activities, including the excavation and disposal of impacted soil, the facility was granted closure by Kern County Environmental Health (KCEH) on 01/29/1998. Based on the impact to soil only for waste oil, the distance from the subject site and the closure granted by the local regulatory agency, there is no evidence that this facility represents a significant environmental concern to the subject site.

State of California Regional Water Quality Control Board - Geotracker

Krazan's April 16, 2021 review of the State of California Regional Water Quality Control Board (RWQCB) Geotracker database available via the RWQCB Internet Website indicated that no LUST sites, land disposal sites, or military sites are listed for the subject site or adjacent properties. Additionally, no permitted UST sites were determined to be located on or adjacent to the subject site.

State of California Department of Toxic Substances Control - Envirostor

Krazan's April 16, 2021 review of the State of California Department of Toxic Substances Control (DTSC) Envirostor database available via the DTSC's Internet Website indicated that the subject site and adjacent properties are not listed. Further review of Envirostor did not reveal State response sites, voluntary cleanup sites, or military evaluation sites that are listed for the subject site, the adjacent properties, or properties located within 500 feet of the subject site; and, no Federal Superfund – National Priorities List (NPL) sites were determined to be located within a one-mile radius of the subject site.

State of California Department of Conservation - California Geologic Energy Management Division

Krazan's April 16, 2021 review of the State of California Department of Conservation, California Geologic Energy Management Division (CalGEM) Online Well Finder GIS database indicated that no plugged and abandoned or producing oil wells are located on or adjacent to the subject site.

Local Area Tribal Records

No Indian reservations, USTs on Indian land, or LUSTs on Indian land were reported on the subject site, adjacent properties, or vicinity properties in the EDR-provided database report.

6.5 Regulatory Agency Lists Review

Several agencies have published documents that list businesses or properties which have handled hazardous materials or waste or may have experienced site contamination. The lists consulted in the course of our assessment were compiled by EDR and Krazan and represent reasonably ascertainable current listings. Krazan did not verify the locations and distances of every property listed by EDR. Krazan verified the location and distances of the properties Krazan deemed as having the potential to adversely impact the subject site. The actual location of the listed properties may differ from the EDR listing. Refer to the following Table V for a summary of the listed properties located within the specified ASTM Search Radii. The actual distances of the listed properties (which are summarized in the table below) are based on observations during Krazan's site reconnaissance. No EDR-listed unmapped (non geocoded) sites were determined to be located on or adjacent to the subject site. Please refer to Appendix D for a copy of the EDR, Radius Map report.

TABLE V
Listed Properties

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
STANDARD ENVIRONMENTAL RECORDS								
Federal NPL site list								
NPL	1.000		0	0	0	0	NR	0
Proposed NPL	1.000		0	0	0	0	NR	0
NPL LIENS	1.000		0	0	0	0	NR	0
Federal Delisted NPL site list								
Delisted NPL	1.000		0	0	0	0	NR	0
Federal CERCLIS list								
FEDERAL FACILITY	0.500		0	0	0	NR	NR	0
SEMS	0.500		0	0	0	NR	NR	0
Federal CERCLIS NFRAP site list								
SEMS-ARCHIVE	0.500		0	0	0	NR	NR	0
Federal RCRA CORRACTS facilities list								
CORRACTS	1.000		0	0	0	0	NR	0
Federal RCRA non-CORRACTS TSD facilities list								
RCRA-TSDF	0.500		0	0	0	NR	NR	0
Federal RCRA generators list								
RCRA-LQG	0.250		0	0	NR	NR	NR	0
RCRA-SQG	0.250		0	0	NR	NR	NR	0
RCRA-CESQG	0.250		0	0	NR	NR	NR	0
Federal institutional controls / engineering controls registries								
LUCIS	0.500		0	0	0	NR	NR	0
US ENG CONTROLS	0.500		0	0	0	NR	NR	0
US INST CONTROL	0.500		0	0	0	NR	NR	0
Federal ERNS list								
ERNS	TP		NR	NR	NR	NR	NR	0
State- and tribal - equivalent NPL								
RESPONSE	1.000		0	0	0	0	NR	0
State- and tribal - equivalent CERCLIS								
ENVIROSTOR	1.000		0	0	1	11	NR	12
State and tribal landfill and/or solid waste disposal site lists								
SWF/LF	0.500		0	0	0	NR	NR	0
State and tribal leaking storage tank lists								
LUST	0.500		0	0	5	NR	NR	5

TABLE V (continued)
Listed Properties

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
INDIAN LUST	0.500		0	0	0	NR	NR	0
CPS-SLIC	0.500		0	0	0	NR	NR	0
State and tribal registered storage tank lists								
FEMA UST	0.250		0	0	NR	NR	NR	0
UST	0.250		0	0	NR	NR	NR	0
AST	0.250		0	0	NR	NR	NR	0
INDIAN UST	0.250		0	0	NR	NR	NR	0
State and tribal voluntary cleanup sites								
VCP	0.500		0	0	0	NR	NR	0
INDIAN VCP	0.500		0	0	0	NR	NR	0
State and tribal Brownfields sites								
BROWNFIELDS	0.500		0	0	0	NR	NR	0
ADDITIONAL ENVIRONMENTAL RECORDS								
Local Brownfield lists								
US BROWNFIELDS	0.500		0	0	0	NR	NR	0
Local Lists of Landfill / Solid Waste Disposal Sites								
WMUDS/SWAT	0.500		0	0	0	NR	NR	0
SWRCY	0.500		0	0	0	NR	NR	0
HAULERS	TP		NR	NR	NR	NR	NR	0
INDIAN ODI	0.500		0	0	0	NR	NR	0
ODI	0.500		0	0	0	NR	NR	0
DEBRIS REGION 9	0.500		0	0	0	NR	NR	0
IHS OPEN DUMPS	0.500		0	0	0	NR	NR	0
Local Lists of Hazardous waste / Contaminated Sites								
US HIST CDL	TP		NR	NR	NR	NR	NR	0
HIST Cal-Sites	1.000		0	0	0	0	NR	0
SCH	0.250		0	0	NR	NR	NR	0
CDL	TP		NR	NR	NR	NR	NR	0
CERS HAZ WASTE	0.250		0	0	NR	NR	NR	0
Toxic Pits	1.000		0	0	0	0	NR	0
US CDL	TP		NR	NR	NR	NR	NR	0
PFAS	0.500		0	0	0	NR	NR	0
Local Lists of Registered Storage Tanks								
SWEEPS UST	0.250		0	0	NR	NR	NR	0
HIST UST	0.250		0	0	NR	NR	NR	0
CERS TANKS	0.250		0	0	NR	NR	NR	0
CA FID UST	0.250		0	0	NR	NR	NR	0
Local Land Records								
LIENS	TP		NR	NR	NR	NR	NR	0

TABLE V (continued)
Listed Properties

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
LIENS 2	TP		NR	NR	NR	NR	NR	0
DEED	0.500		0	0	0	NR	NR	0
Records of Emergency Release Reports								
HMIRS	TP		NR	NR	NR	NR	NR	0
CHMIRS	TP		NR	NR	NR	NR	NR	0
LDS	TP		NR	NR	NR	NR	NR	0
MCS	TP		NR	NR	NR	NR	NR	0
SPILLS 90	TP		NR	NR	NR	NR	NR	0
Other Ascertainable Records								
RCRA NonGen / NLR	0.250		0	0	NR	NR	NR	0
FUDS	1.000		0	0	0	0	NR	0
DOD	1.000		0	0	0	0	NR	0
SCRD DRYCLEANERS	0.500		0	0	0	NR	NR	0
US FIN ASSUR	TP		NR	NR	NR	NR	NR	0
EPA WATCH LIST	TP		NR	NR	NR	NR	NR	0
2020 COR ACTION	0.250		0	0	NR	NR	NR	0
TSCA	TP		NR	NR	NR	NR	NR	0
TRIS	TP		NR	NR	NR	NR	NR	0
SSTS	TP		NR	NR	NR	NR	NR	0
ROD	1.000		0	0	0	0	NR	0
RMP	TP		NR	NR	NR	NR	NR	0
RAATS	TP		NR	NR	NR	NR	NR	0
PRP	TP		NR	NR	NR	NR	NR	0
PADS	TP		NR	NR	NR	NR	NR	0
ICIS	TP		NR	NR	NR	NR	NR	0
FTTS	TP		NR	NR	NR	NR	NR	0
MLTS	TP		NR	NR	NR	NR	NR	0
COAL ASH DOE	TP		NR	NR	NR	NR	NR	0
COAL ASH EPA	0.500		0	0	0	NR	NR	0
PCB TRANSFORMER	TP		NR	NR	NR	NR	NR	0
RADINFO	TP		NR	NR	NR	NR	NR	0
HIST FTTS	TP		NR	NR	NR	NR	NR	0
DOT OPS	TP		NR	NR	NR	NR	NR	0
CONSENT	1.000		0	0	0	0	NR	0
INDIAN RESERV	1.000		0	0	0	0	NR	0
FUSRAP	1.000		0	0	0	0	NR	0
UMTRA	0.500		0	0	0	NR	NR	0
LEAD SMELTERS	TP		NR	NR	NR	NR	NR	0
US AIRS	TP		NR	NR	NR	NR	NR	0
US MINES	0.250		0	0	NR	NR	NR	0
ABANDONED MINES	0.250		0	0	NR	NR	NR	0
FINDS	TP		NR	NR	NR	NR	NR	0
DOCKET HWC	TP		NR	NR	NR	NR	NR	0
UXO	1.000		0	0	0	0	NR	0
ECHO	TP		NR	NR	NR	NR	NR	0
FUELS PROGRAM	0.250		0	0	NR	NR	NR	0
CA BOND EXP. PLAN	1.000		0	0	0	0	NR	0
Cortese	0.500		0	0	0	NR	NR	0
CUPA Listings	0.250		0	0	NR	NR	NR	0

TABLE V (continued)
Listed Properties

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
DRYCLEANERS	0.250		0	0	NR	NR	NR	0
EMI	TP		NR	NR	NR	NR	NR	0
ENF	TP		NR	NR	NR	NR	NR	0
Financial Assurance	TP		NR	NR	NR	NR	NR	0
HAZNET	TP		NR	NR	NR	NR	NR	0
ICE	TP		NR	NR	NR	NR	NR	0
HIST CORTESE	0.500		0	0	4	NR	NR	4
HWP	1.000		0	0	0	1	NR	1
HWT	0.250		0	0	NR	NR	NR	0
MINES	0.250		0	0	NR	NR	NR	0
MWMP	0.250		0	0	NR	NR	NR	0
NPDES	TP		NR	NR	NR	NR	NR	0
PEST LIC	TP		NR	NR	NR	NR	NR	0
PROC	0.500		0	0	0	NR	NR	0
Notify 65	1.000		0	0	0	1	NR	1
UIC	TP		NR	NR	NR	NR	NR	0
UIC GEO	TP		NR	NR	NR	NR	NR	0
WASTEWATER PITS	0.500		0	0	0	NR	NR	0
WDS	TP		NR	NR	NR	NR	NR	0
MILITARY PRIV SITES	TP		NR	NR	NR	NR	NR	0
PROJECT	TP		NR	NR	NR	NR	NR	0
WDR	TP		NR	NR	NR	NR	NR	0
CIWQS	TP		NR	NR	NR	NR	NR	0
CERS	TP		NR	NR	NR	NR	NR	0
NON-CASE INFO	TP		NR	NR	NR	NR	NR	0
WIP	0.250		0	0	NR	NR	NR	0
OTHER OIL GAS	TP		NR	NR	NR	NR	NR	0
PROD WATER PONDS	TP		NR	NR	NR	NR	NR	0
SAMPLING POINT	TP		NR	NR	NR	NR	NR	0
WELL STIM PROJ	TP		NR	NR	NR	NR	NR	0
EDR HIGH RISK HISTORICAL RECORDS								
EDR Exclusive Records								
EDR MGP	1.000		0	0	0	0	NR	0
EDR Hist Auto	0.125		0	NR	NR	NR	NR	0
EDR Hist Cleaner	0.125		0	NR	NR	NR	NR	0
EDR RECOVERED GOVERNMENT ARCHIVES								
Exclusive Recovered Govt. Archives								
RGA LF	TP		NR	NR	NR	NR	NR	0
RGA LUST	TP		NR	NR	NR	NR	NR	0
- Totals --		0	0	0	10	13	0	23

The subject site and adjacent properties are not listed in the EDR regulatory database report. The following vicinity property is listed and discussed.

Bakersfield City School Bus Barn — 1,692 feet west
1501 Feliz Drive
Bakersfield, California
According to EDR this facility is a case-closed Leaking Underground Storage Tank (LUST) site. This facility was discussed in detail in Section 6.4. In summary, soil only was impacted with waste oil and, upon the completion of successful remedial activities, the facility was granted closure by KCEH on 01/29/1999. Based on the impact to soil only for waste oil, the distance from the subject site and the closure granted by the local regulatory agency, there is no evidence that this facility represents a significant environmental concern to the subject site.

The remaining properties within the specified search radius of the subject site which appeared on local, state, or federally published lists of sites that have had releases of hazardous materials are of sufficient distance and/or situated hydraulically cross- or downgradient from the subject site such that impact to the subject site is not likely. No engineering control sites, sites with institutional controls, or sites with deed restrictions were listed for the subject site, adjacent sites or vicinity properties in the EDR database report.

Hazardous Materials Migration in Soils and/or Groundwater

No sites with reported releases of hazardous materials to the subsurface were reported within the subject site vicinity under the criteria established in Section 6.4. In general, potentially hazardous materials or petroleum products released from facilities located approximately hydraulically upgradient within the subject site vicinity, or in a hydraulically cross-gradient direction in proximity to the site, may have a reasonable potential of migrating to the subject site via groundwater flow. This opinion is based on the assumption that non-vaporous hazardous materials generally do not migrate large distances laterally within the soil, but rather tend to migrate with groundwater in the general direction of groundwater flow. However, the potential for migration of volatile hazardous materials may include movement within soils, groundwater flow or potentially omni-directionally if present in a vaporous state.

Hazardous Materials Migration in Vapor

Hazardous materials or petroleum product vapors which may have the potential to migrate into the subsurface of the subject site may be caused by the release of vapors from contaminated soil or groundwater either on or in the vicinity of the subject site from current or historical uses of the subject site and/or adjacent or vicinity properties. Current or past land uses such as gasoline stations (using petroleum hydrocarbons), dry cleaning establishments (using chlorinated volatile organic compounds), former manufactured gas plant sites (using volatile and semi-volatile organic compounds), and former industrial sites such as those that had vapor degreasing or other parts-cleaning operations (using chlorinated volatile organic compounds) are

of particular concern. Constituent of concern vapors are capable of migrating great distances omni-directionally along subsurface conduits such as pipelines, utility lines, sewer and stormwater lines, and building foundations.

Based on Krazan's observations, review of BFDPSD records, and review of the EDR regulatory database report, no listings of concern were determined to be associated with the subject site, adjacent properties, or properties located within the subject site vicinity. However, the screening process for vapor migration in connection with the subject site is described in the ASTM E 2600-10 *Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions,* an industry consensus methodology to assess vapor migration which is not included in the scope of work of this Phase I ESA.

7.0 DISCUSSION OF FINDINGS

Historical Uses

Based on Krazan's review of historical aerial photographs, a site reconnaissance, and contacts with the local regulatory agencies, there is no evidence that RECs exist in connection with the historical uses of the subject site.

Current Uses

Based on Krazan's site reconnaissance and contacts with local regulatory agencies, there is no evidence that RECs exist in connection with the current uses of the subject site.

Adjacent or Vicinity Property Uses

Based on Krazan's field observations, review of the EDR government database report and consultation with local regulatory agencies, there is no evidence that RECs exist in connection with the subject site from adjacent property uses.

7.1 Evaluation of Data Gaps/Data Failure

In accordance with ASTM E 1527-13 guidance, data gaps represent a lack of or inability to obtain information required by this practice despite good faith efforts by the environmental professional to gather such information. Data gaps may result from incompleteness in any of the activities required by this practice. Data failure represents the failure to achieve the historical research objectives of this practice even after reviewing the standard historical sources that are available and likely to be useful. Data failure is one type of data gap. The following is a summary of data gaps encountered in the process of preparing this

report including an observation as to the presumed significance of that data gap to the conclusions of this assessment:

- Absence of Interview with a Previous Property Owner

  Phase I ESA interview with a previous owner of the subject site was not reasonably ascertainable. Consequently, information regarding the history and historical uses of the subject site obtained from an interview of a previous owner constitutes a data gap. Taken in consideration with the available information obtained in the course of preparing this report in conjunction with professional experience, there is no evidence to suggest that this data gap might alter the conclusions of this assessment. However, the contents of an interview with a previous property owner are unknown.

8.0 CONCLUSIONS/OPINIONS

We have conducted a Phase I ESA of the subject site in conformance with the scope and limitations of the ASTM E 1527-13 *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* guidance documents. Any deviations from this practice were previously described in this report. During the course of this assessment, Krazan identified no evidence of recognized environmental conditions (RECs), controlled RECs (CRECs) or historical RECs (HRECs) in conjunction with the subject site as defined by ASTM E 1527-13.

9.0 RELIANCE

This report was prepared solely for use by Client and should not be provided to any other person or entity without Krazan & Associates' prior written consent. No party other than Client may rely on this report without Krazan & Associates' express prior written consent. Reliance rights for third parties will only be in effect once requested by Client and authorized by Krazan & Associates with authorization granted by way of a Reliance Letter. The Reliance Letter will require that the relying party(ies) agree to be bound to the terms and conditions of the agreement between Client and Krazan & Associates as if originally issued to the relying party(ies), or as so stipulated in the Reliance Letter.

10.0 LIMITATIONS

The site reconnaissance and research of the subject site has been limited in scope. This type of assessment is undertaken with the calculated risk that the presence, full nature, and extent of contamination would not be revealed by visual observation alone. Although a thorough site reconnaissance was conducted in accordance with ASTM E 1527-13, and employing a professional standard of care, no warranty is given, either expressed or implied, that hazardous material contamination or buried structures, which would not have been disclosed through this investigation, do not exist at the subject site. Therefore, the data obtained are clear and accurate only to the degree implied by the sources and methods used.

The findings presented in this report were based upon field observations during a single property visit, review of available data, and discussions with local regulatory and advisory agencies. Observations describe only the conditions present at the time of this investigation. The data reviewed and observations made are limited to accessible areas and currently available records searched. Krazan cannot guarantee the completeness or accuracy of the regulatory agency records reviewed. Additionally, in evaluating the property, Krazan has relied in good faith upon representations and information provided by individuals noted in the report with respect to present operations and existing property conditions, and the historic uses of the property. It must also be understood that changing circumstances in the property usage, proposed property usage, subject site zoning, and changes in the environmental status of the other nearby properties can alter the validity of conclusions and information contained in this report. Therefore, the data obtained are clear and accurate only to the degree implied by the sources and methods used. This report is provided for the exclusive use of the client noted on the cover page and shall be subject to the terms and conditions in the applicable contract between the client and Krazan. Any third party use of this report, including use by Client's lender, shall also be subject to the terms and conditions governing the work in the contract between the client and Krazan. The unauthorized use of, reliance on, or release of the information contained in this report without the express written consent of Krazan is strictly prohibited and will be without risk or liability to Krazan.

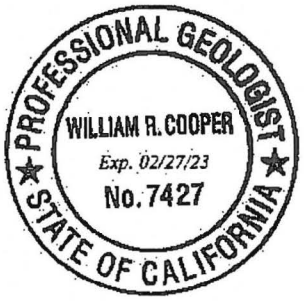
Conclusions and recommendations contained in this report are based on the evaluation of information made available during the course of this assessment. It is not warranted that such data cannot be superseded by future environmental, legal, geotechnical or technical developments. Consequently, given the possibility for unanticipated hazardous conditions to exist on a subject site which may not have been discovered, this Phase I ESA is not intended as the basis for a buyer or developer of real property to waive their rights of recovery based upon environmental unknowns.

Parties that choose to waive rights of recovery prior to site development do so at their own risk. Parties who seek to rely upon Phase I Environmental Site Assessment reports dated more than 180 days prior to the date of reliance do so at their own risk. This limitation in reliance is based on the potential for physical changes at the site, changes in circumstances, technological and professional advances, and guidance related to the continued viability of Environmental Site Assessment reports, user's responsibilities, and requirements for updating of components of the inquiry.

11.0 QUALIFICATIONS

This Phase I ESA was conducted under the supervision or responsible charge of Krazan's undersigned environmental professional. The work was conducted in accordance with ASTM E 1527-13 *Phase I Environmental Site Assessment Guidance* and generally accepted industry standards for environmental due diligence in place at the time of the preparation of this report, and Krazan's quality-control policies. We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in 40 CFR 312.10. We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property.

If you have any questions or if we can be of further assistance, please do not hesitate to contact our office at (661) 837-9200.



Respectfully submitted,
KRAZAN & ASSOCIATES, INC.

William R. Cooper, P.G. No. 7427
Environmental Professional

Arthur C. Farkas, REA
Environmental Professional

WRC/ACF/mlt

REFERENCES

Aerial photographs were obtained from the Kern County Engineering and Survey Services Department and Google Earth™.

American Society for Testing and Materials (ASTM), *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment (ESA) Process*, ASTM Designations: E 1527-13 and E 1527-13.

ASTM, *Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions,* ASTM Designation E 2600-10.

California Department of Conservation, Department of Oil and Gas (DOGGR), Online Mapping System (DOMS).

City of Bakersfield Building Department.

City of Bakersfield Fire Department – Prevention Services Division

EDR, Regulatory Database Report.

State of California Department of Conservation, Division of Oil, Gas and Geothermal Resources (DOGGR) Maps Website: http://www.conservation.ca.gov/dog/maps/Pages/index_map.aspx

State of California Department of Toxic Substances Control, Envirostor Website: http://www.envirostor.dtsc.ca.gov/public

State of California Regional Water Quality Control Board, Geotracker Website: http://geotracker.swrcb.ca.gov

State of California, Department of Water Resources, *Lines of Equal Elevation of Water in Wells Unconfined Aquifer, San Joaquin Valley, Spring 2016.*

U.S. Environmental Protection Agency (EPA) *Map of Radon Zones.*

U.S. Fish & Wildlife Service National Wetland Inventory *Wetlands Mapper:* http://www.fws.gov/wetlands/Data/Mapper.html

U.S. Geological Survey, 7.5 minute Lamont, California topographic quadrangle map, dated 1992.

GLOSSARY OF TERMS

Subject Site: The real property being investigated under this Phase I ESA.

Adjacent Properties: Properties which are contiguous with the subject site, or would be contiguous except for a street, road, or other public thoroughfare.

Subject Site Vicinity: Properties located within a 500-foot radius of the subject site.

Environmental Professional: A person meeting the education, training, and experience requirements as set forth in 40 CFR §312.10(b). The EP may be an independent contractor or an employee of the user.

User: The party seeking to use Practice E 1527 to complete an environmental site assessment of the subject site. A user may include, without limitation, a potential purchaser of the subject site, a potential tenant of the subject site, an owner of the subject site, a lender, or a property manager.

Recognized Environmental Condition (REC): In defining a standard of good commercial and customary practice for conducting an environmental site assessment of a parcel of property, the goal of the processes established by this practice is to identify recognized environmental conditions. The term recognized environmental conditions means the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. *De minimis* conditions are not recognized environmental conditions.

Controlled Recognized Environmental Condition (CREC): A recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls). For example, if a leaking underground storage tank has been cleaned up to a commercial use standard, but does not meet unrestricted residential cleanup criteria, this would be considered a CREC. The "control" is represented by the restriction that the property use remain commercial. A condition considered by the environmental professional to be a CREC shall be listed in the findings section of the Phase I ESA report and as an REC in the conclusions section. A condition identified as a CREC does not imply that the environmental professional has evaluated or confirmed the adequacy, implementation, or continued effectiveness of the required control that has been, or is intended to be, implemented.

Historical Recognized Environmental Condition (HREC): A past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls). Before calling the past release an HREC, the environmental professional must determine whether the past release is an REC at the time the Phase I ESA is conducted (for example, if there has been change in the regulatory criteria). If the EP considers the past release to be an REC at the time the Phase I ESA is conducted, the condition shall be included in the conclusions section of the report as an REC.

GLOSSARY OF TERMS (continued)

Potential Area of Concern (PAOC): A term adopted to provide an alternative designation to the REC and HREC for a range of environmental issues related to current subject site uses, historical subject site uses, or from adjacent and/or vicinity property uses. The PAOC is utilized to emphasize full disclosure and provide the User with conclusions and recommendations related to potential environmental issues in connection with the subject site based on Krazan's professional experience in cases where official documentation or other evidence may be absent in order to identify an REC or HREC, thereby aiding the User's considerations of environmental due diligence risk tolerance.

Migrate/migration: For the purposes of this practice, "migrate" and "migration" refer to the movement of hazardous substances or petroleum products in any form, including, for example, solid and liquid at the surface or subsurface, and vapor in the subsurface. Vapor migration in the subsurface is described in ASTM E 2600-10 guidance; however, nothing in the E 1527-13 practice should be construed to require application of the E 2600-10 standard to achieve compliance with AAI.

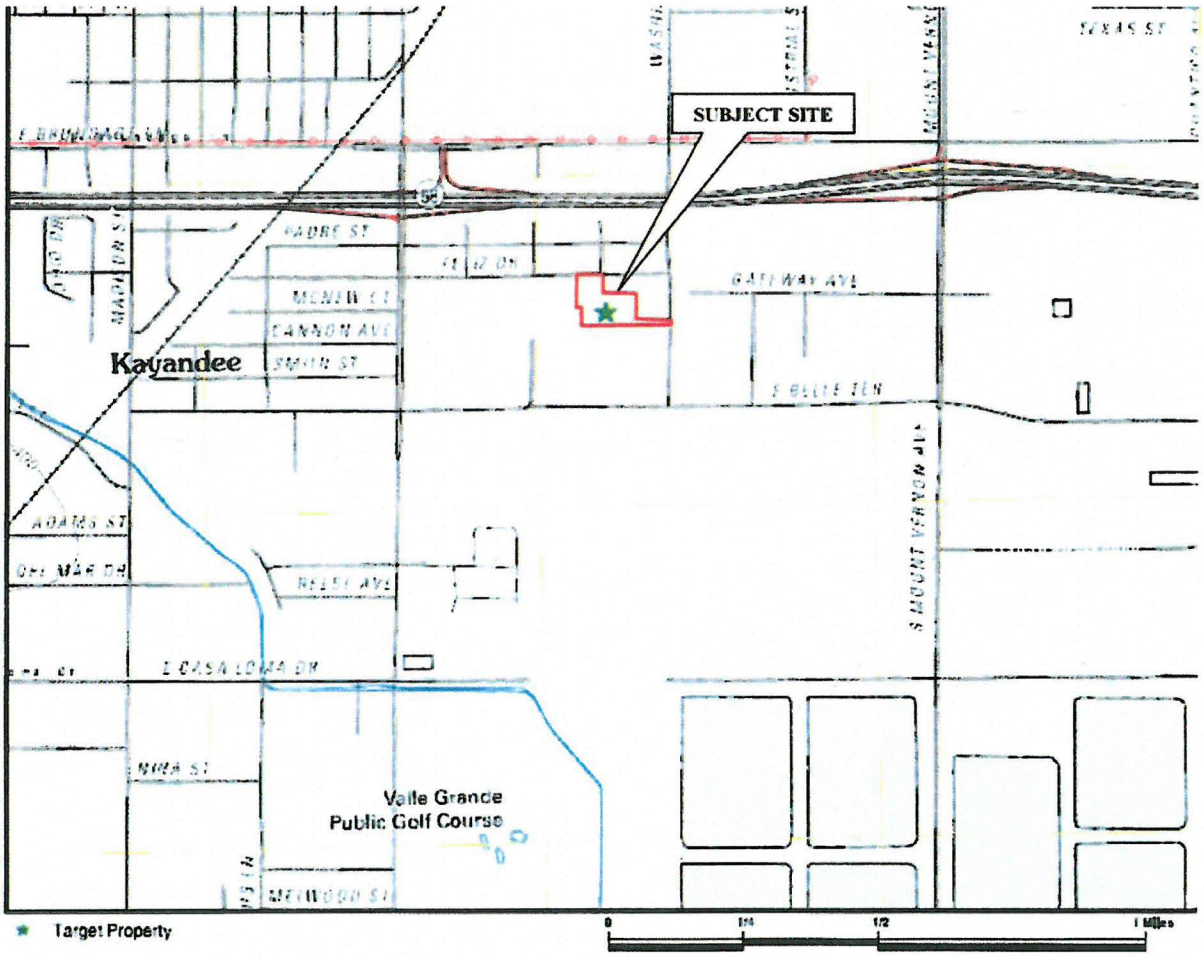
De minimis condition: A condition that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Condition determined to be *de minimis conditions* are not RECS or CRECs.

Data Gap: A lack of or inability to obtain information required by this practice despite good faith efforts by the Environmental Professional to gather such information. Data gaps may result from incompleteness in any of the activities required by this practice, including, but not limited to the site reconnaissance and interviews.

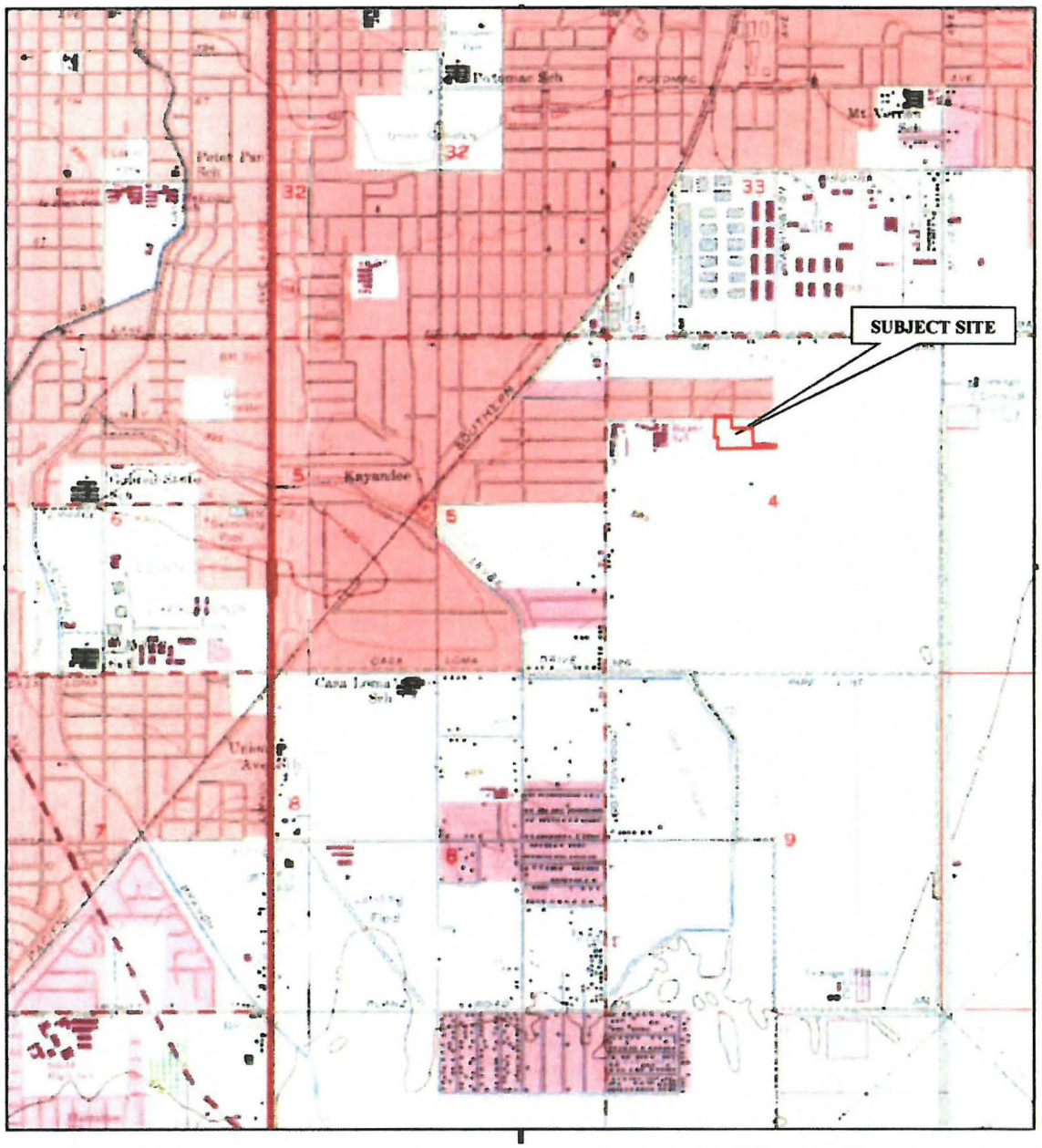
Data Failure: A failure to achieve the historical research objectives even after reviewing the standard historical sources that are reasonably ascertainable and likely to be useful. Data failure is one type of data gap.

GLOSSARY OF TERMS (continued)

AAI	All Appropriate Inquiries
AC	Asphalt Concrete
ACM	Asbestos-Containing Materials
AOC	Area of Concern
APN	Assessor's Parcel Number
AST	Aboveground Storage Tank
ASTM	American Society for Testing and Materials
AS	Air Sparging
AUL	Activity & Use Limitations
bgs	Below Ground Surface
BTEX	Benzene, Toluene, Ethylbenzene, Xylenes
CERCLA	Comprehensive Environmental Response Compensation and Liability Act
CESQG	Conditionally Exempt Small Quantity Generator
CFR	Code of Federal Regulations
CMU	Concrete Masonry Unit
COCs	Constituents of Concern
DEULs	Declaration of Environmental Use Restrictions
DOGGR	Division of Oil, Gas & Geothermal Resources (CA)
DTSC	Department of Toxic Substances Control (CA)
EC	Engineering Control
EDR	Environmental Data Resources
EP	Environmental Professional
EPA	United States Environmental Protection Agency
ERP	Emergency Response Plan
ESA	Environmental Site Assessment
ESL	Environmental Screening Level
FOIA	Freedom of Information Act
GPR	Ground Penetrating Radar
HCCD	Haines Criss-Cross Directory
HFIM	Historical Fire Insurance Map
HMBP	Hazardous Materials Business Plan
HREC	Historical Recognized Environmental Condition
HVAC	Heating, Ventilation, Air Conditioning
IC	Institutional Control
LBP	Lead-Based Paint
LLP	Landowner Liability Protection
LQG	Large Quantity Generator
LUC	Land Use Control
LUST	Leaking Underground Storage Tank
MCL	Maximum Contaminant Level
µg/L	Micrograms Per Liter
mg/kg	Milligrams Per Kilogram
mg/L	Milligrams Per Liter
MSDS	Material Safety Data Sheet
MTBE	Methyl Tertiary Butyl Ether
MFR	Multi-Family Residential
ND	Nondetectable
NFA	No Further Action (letter)
NPDES	National Pollution Discharge Elimination System
NPL	National Priorities List
O&M	Operations & Maintenance Plan
PAOC	Potential Area of Concern
PCB	Polychlorinated Biphenyl
PCC	Portland Cement Concrete
PCE	Perchloroethylene
PEC	Potential Environmental Concern (TS)
PGD	Polk Guide Directory
PG&E	Pacific Gas & Electric
PHCs	Petroleum Hydrocarbon Constituents
PID	Photoionization Detector
ppb	Parts Per Billion
ppm	Parts Per Million
PRG	Preliminary Remediation Goal
PRP	Potentially Responsible Party
RAP	Remedial Action Plan
RCRA	Resource Conservation and Recovery Act
REC	Recognized Environmental Condition
RP	Responsible Party
RWQCB	Regional Water Quality Control Board (CA)
SBA	Small Business Administration
SFR	Single-Family Residential
SPCC	Spill Prevention Control and Countermeasure Plan
SQG	Small Quantity Generator
SCE	Southern California Edison
SVE	Soil Vapor Extraction
SVOC	Semi-Volatile Organic Compound
SWRCB	State Water Resources Control Board
TCE	Trichloroethylene
TPH	Total Petroleum Hydrocarbons
TPH-D	Total Petroleum Hydrocarbons as Diesel
TPH-G	Total Petroleum Hydrocarbons as Gasoline
TPH-MO	Total Petroleum Hydrocarbons as Motor Oil
TS	Transaction Screen
USGS	United States Geological Survey
USFWS	United States Fish & Wildlife Service
UST	Underground Storage Tank
VEC	Vapor Encroachment Condition
VES	Vapor Encroachment Screening
VOCs	Volatile Organic Compounds



VICINITY MAP	Scale: NTS	Date: April 2021	Krazan SITE DEVELOPMENT ENGINEERS *Serving the Western United States*
PROPOSED FOOD BANK **1913 FELIZ DRIVE** **BAKERSFIELD, CALIFORNIA**	Drawn By: BC	Approved by: BC	
	Project No. 024-21018	Figure No. 1	



This report includes information from the following map sheet(s).

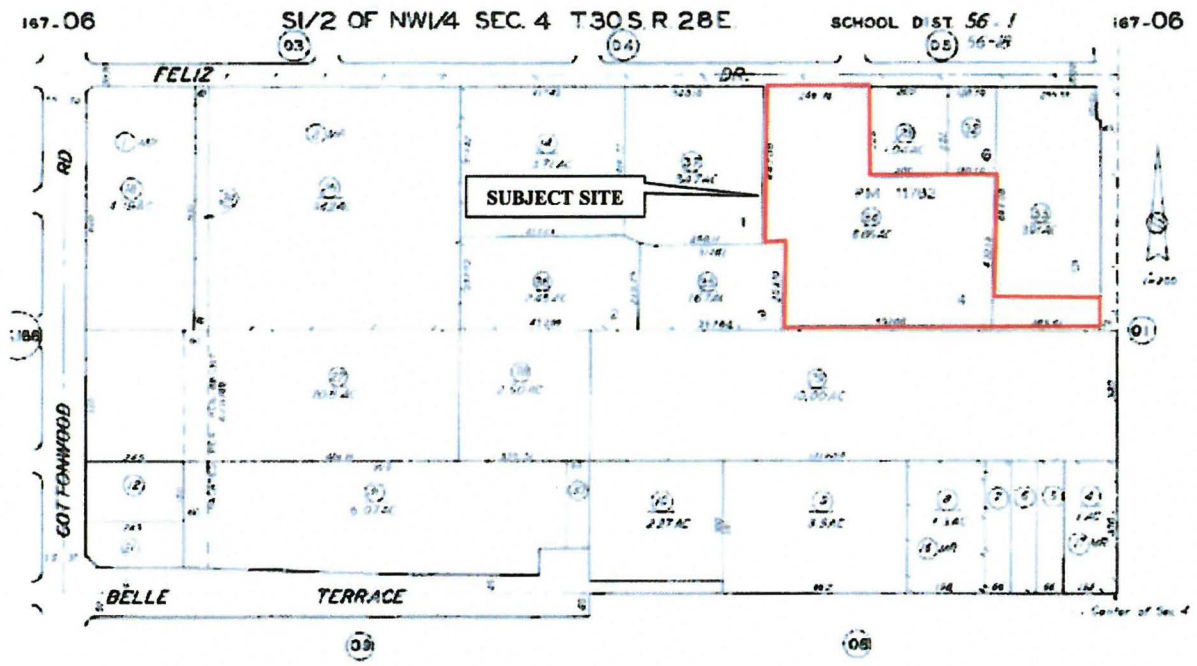
7.5-MINUTE SERIES
USGS TOPOGRAPHIC MAP
LAMONT CA.
DATED 1992

TOPOGRAPHIC MAP	Scale: NTS	Date: April 2021	Krazan
PROPOSED FOOD BANK 1913 FELIZ DRIVE BAKERSFIELD, CALIFORNIA	Drawn By: BC	Approved by: BC	SITE DEVELOPMENT ENGINEERS *Serving the Western United States*
	Project No. 024-21018	Figure No. 2	



= SUBJECT SITE BOUNDARY

SITE MAP	Scale: NTS	Date: April 2021	Krazan
PROPOSED FOOD BANK 1913 FELIZ DRIVE BAKERSFIELD, CALIFORNIA	Drawn By: BC	Approved by: BC	SITE DEVELOPMENT ENGINEERS *Serving the Western United States*
	Project No. 024-21018	Figure No. 3	



ASSESSORS MAP NO. 167-06
COUNTY OF KERN

ASSESSOR'S PARCEL MAP	Scale: NTS	Date: April 2021	Krazan
PROPOSED FOOD BANK 1913 FELIZ DRIVE BAKERSFIELD, CALIFORNIA	Drawn By: BC	Approved by: BC	SITE DEVELOPMENT ENGINEERS *Serving the Western United States*
	Project No. 024-21018	Figure No. 4	



Photo 1: Eastern-facing view of the southwest portion of the subject site. This is a narrow portion of APN 167-060-33 that has been added to the subject site since the previous 2019 Phase I ESA. This is an unpaved access road that connects the subject site to Washington Street in the background.



Photo 2: Western-facing view of the southwest portion of the subject site. The unpaved access road that connects the subject site to Washington Street is pictured.

PROPOSED FOOD BANK PROPERTY **1913 FELIZ DRIVE** **BAKERSFIELD, CALIFORNIA**	**Project No.** 024-21018 **Date:** April 2021 **Approved by:** BC	Krazan

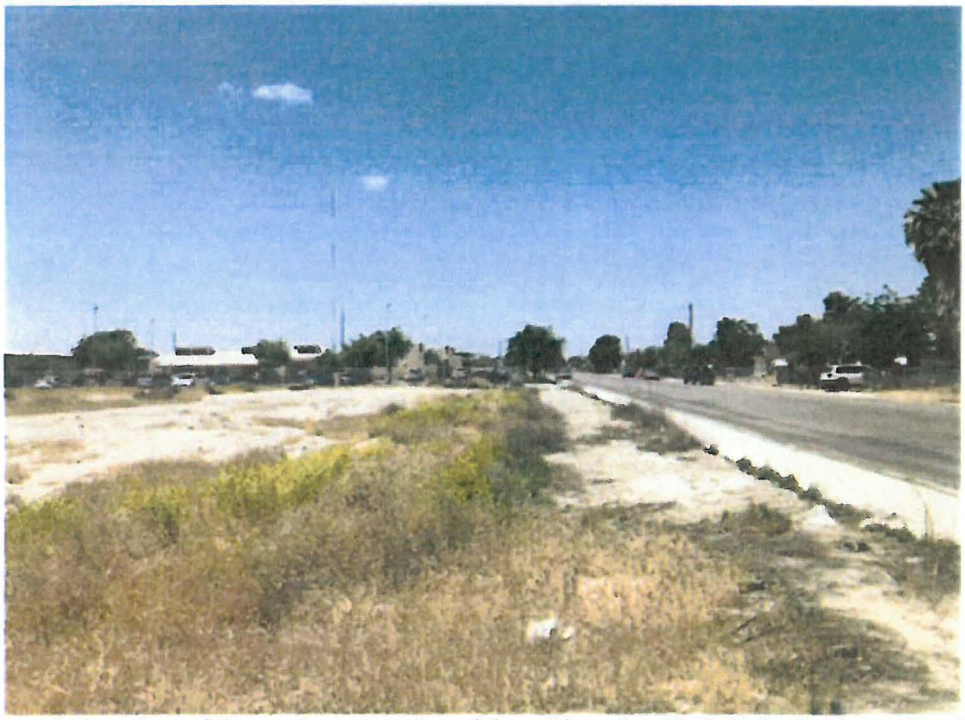


Photo 3: Western-facing view of the northwest portion of the subject site. Feliz Drive is pictured to the north



Photo 4: Southwestern-facing view from the northwest portion of the subject site. A few end-dump soil mounds are pictured.

x



Photo 5: Southwestern-facing view of the southwestern portion of the subject site. The warehouse facility pictured in the background is offsite.

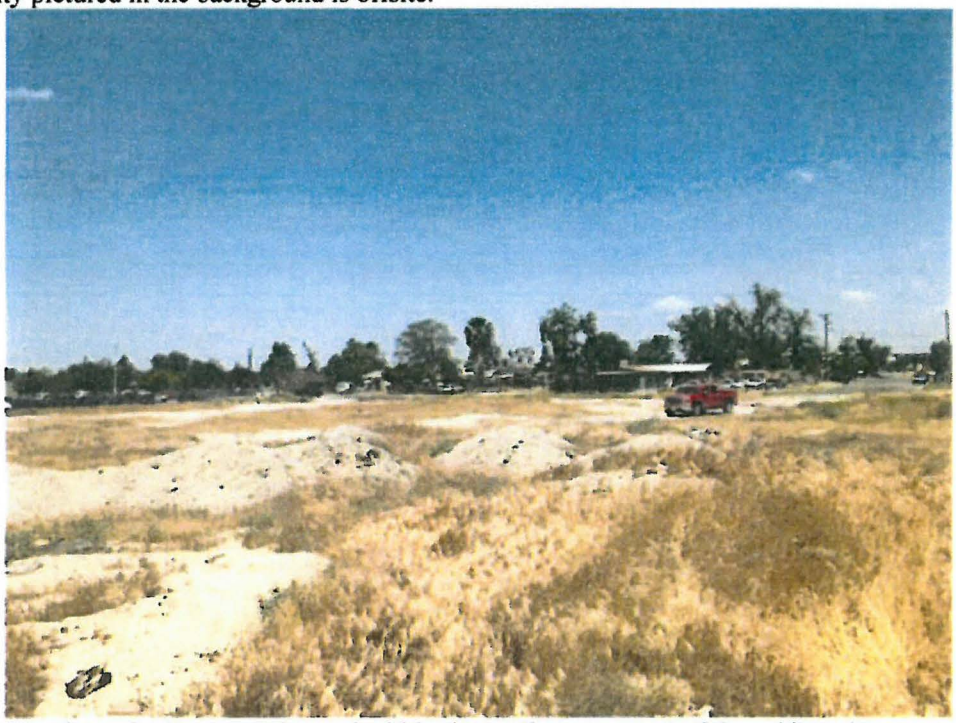


Photo 6: Close up-view of soil mounds located within the northwestern part of the subject site.



Photo 7: Western-facing view of the stormwater basin located adjacent to the southwest corner of the subject site. A food service warehouse is pictured off-site in the background.



Photo 8: Eastern-facing view from the southern portion of the subject site that extends to Washington Street.



Photo 9: Southeastern-facing view from the center of the subject site.

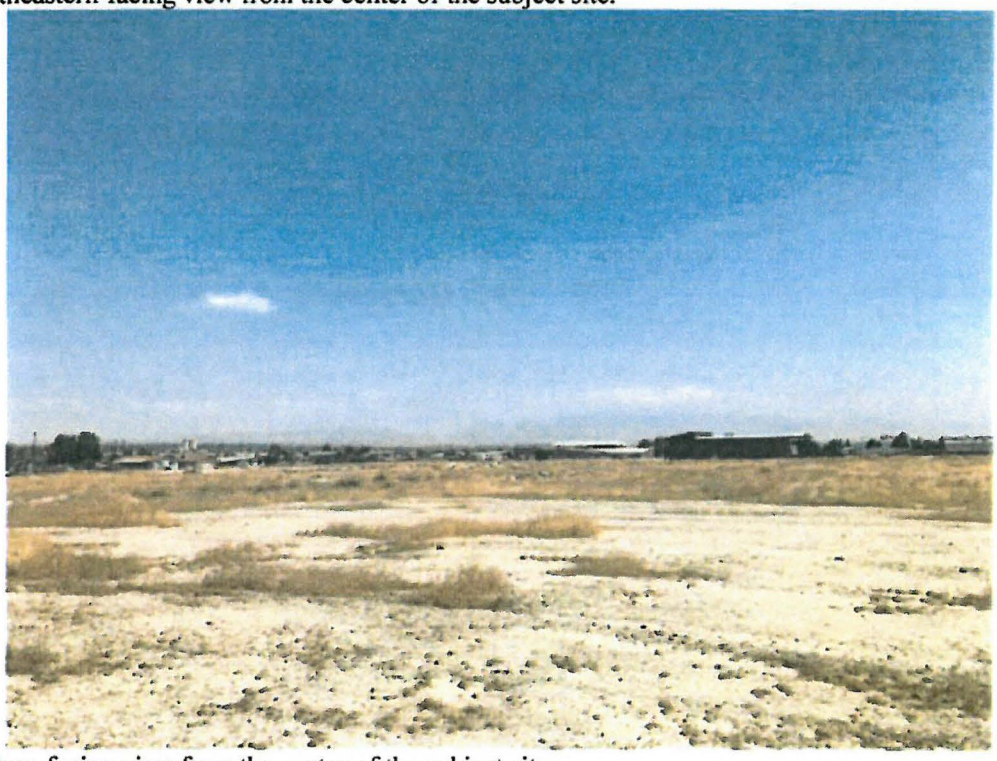


Photo 10: Eastern-facing view from the center of the subject site.

PROPOSED FOOD BANK PROPERTY **1913 FELIZ DRIVE** **BAKERSFIELD, CALIFORNIA**	**Project No.** 024-21018 **Date:** April 2021 **Approved by:** BC	Krazan



Photo 11: Northeastern-facing view from the center of the subject site.

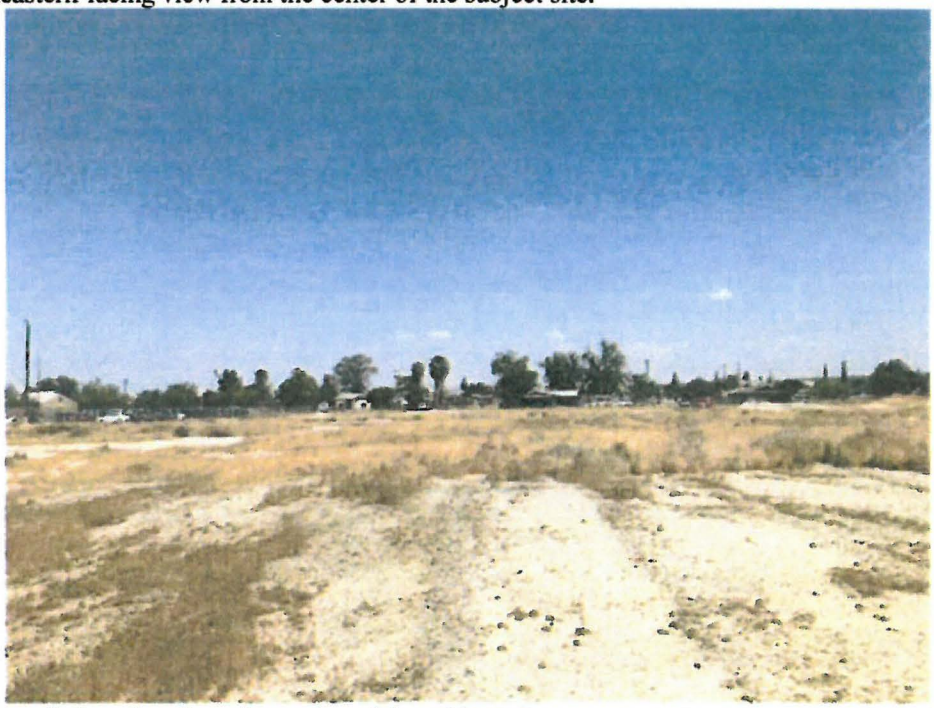


Photo 12: Northern-facing view from the center of the subject site.

PROPOSED FOOD BANK PROPERTY **1913 FELIZ DRIVE** **BAKERSFIELD, CALIFORNIA**	**Project No.** 024-21018 **Date:** April 2021 **Approved by:** BC	Krazan



Photo 13: Western-facing view from the southeastern corner of the subject site.

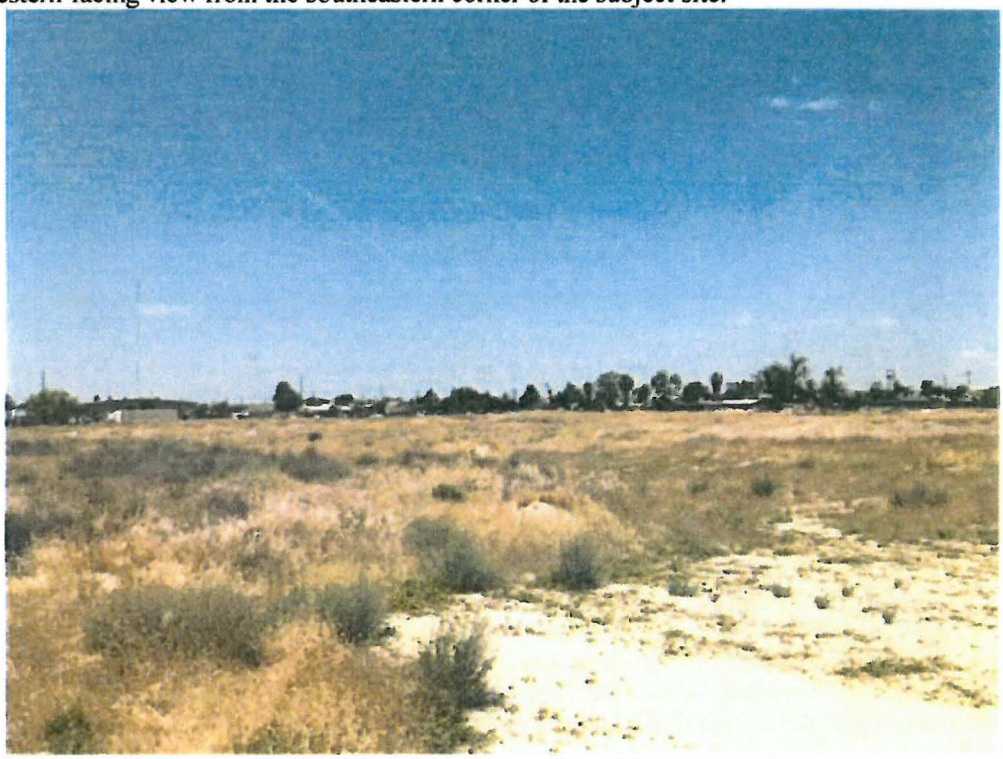


Photo 14: Northwestern-facing view from the southwestern portion of the subject site.

PROPOSED FOOD BANK PROPERTY **1913 FELIZ DRIVE** **BAKERSFIELD, CALIFORNIA**	**Project No.** 024-21018 **Date:** April 2021 **Approved by:** BC	Krazan



Photo 15: Northern-facing view from the southwestern corner of the subject site.



Photo 16: Western-facing view along the northern boundary of the eastern part of the subject site. The poles pictured to the right mark the boundary of the subject site with the adjacent stormwater basin.



Photo 17: Northern facing view of the northeastern part of the subject site.



Photo 18: Southwestern facing of the eastern part of the subject site. Concrete rubble is pictured in the background.



Photo 19: Typical view of concrete rubble refuse that has been dumped on the site to the south of the off-site stormwater basin.



Photo 20: Typical view of concrete rubble refuse that has been dumped on the site to the south of the off-site stormwater basin.

California Department of Fish and Wildlife
Central Region
1234 East Shaw Avenue
Fresno, California 93710

California Endangered Species Act
Incidental Take Permit No. 2081-2013-058-04

Metropolitan Bakersfield Urban development

Authority: This California Endangered Species Act (CESA) incidental take permit (ITP) is issued by the California Department of Fish and Wildlife (CDFW) pursuant to Fish and Game Code section 2081, subdivisions (b) and (c), and California Code of Regulations, Title 14, section 783.0 et seq. CESA prohibits the take[1] of any species of wildlife designated by the California Fish and Game Commission as an endangered, threatened, or candidate species.[2] CDFW may authorize the take of any such species by permit if the conditions set forth in Fish and Game Code section 2081, subdivisions (b) and (c) are met. (See Cal. Code Regs., tit. 14, § 783.4).

Permittee:	**City of Bakersfield**
Principal Officer:	**Alan Tandy, City Manager**
Permittee:	**County of Kern**
Principal Officer:	**Lorelei Oviatt, Planning and Community Development Director**
Contact Person:	**Martin Ortiz, Metropolitan Bakersfield Habitat Conservation Plan Implementation Trust Group Administrator** **(661) 326-3786; mortiz@bakersfieldcity.us**
Mailing Address:	**1715 Chester Avenue** **Bakersfield, California 93301**

Effective Date and Expiration Date of this ITP:
This ITP shall be executed in duplicate original form and shall become effective once a duplicate original is acknowledged by signature of the Permittees on the last page of this ITP and returned to CDFW's Habitat Conservation Planning Branch at the address listed in the Notices section of this ITP. Unless renewed by CDFW, this ITP's authorization to take the Covered Species shall expire on **September 1, 2019.**

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[1] Pursuant to Fish and Game Code section 86, "'Take' means hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." See also *Environmental Protection Information Center v. California Department of Forestry and Fire Protection* (2008) 44 Cal.4th 459, 507 (for purposes of incidental take permitting under Fish and Game Code section 2081, subdivision (b), "'take' ... means to catch, capture or kill").

[2] "The definition of an endangered, threatened, and candidate species for purposes of CESA are found in Fish and Game Code sections 2062, 2067, and 2068, respectively.

Notwithstanding the expiration date on the take authorization provided by this ITP, Permittee's obligations pursuant to this ITP do not end until CDFW accepts as complete the Permittee's Final Mitigation Report required by Condition of Approval 6.5 of this ITP.

Project Location:
The Project Area is the Metropolitan Bakersfield 2010 General Plan Area (GPA), which encompasses approximately 261,120 acres (408 sq. mi.) in central Kern County, centered on the City of Bakersfield. The lands within the Project Area are primarily privately owned and with about 165,120 acres under County jurisdiction and 96,000 acres under the jurisdiction of the City of Bakersfield. The lands within the GPA are broken into three categories:

- Urban: Lands that are already developed with uses that required issuance of grading permit, grading plan approval, building permit, or use permit from either Permittee. .
- Natural: Undeveloped lands which have not been significantly altered by human activity and includes open brushland/woodland, dense brushland/woodland, scrubland, riparian areas, wetlands, ephemeral flooded land, bare ground, sand dunes, rock outcroppings, grasslands, grasslands subject to grazing, and non-crop agricultural land which have retained natural contours or have reverted back to natural vegetation. Natural Lands do not include former agricultural lands which have been leveled or graded to facilitate irrigation or production activities, and land which has been out of production for less than five consecutive years (Natural Lands).
- Open: Includes Natural Lands and land which has been significantly altered by agricultural or industrial uses, but which has not been substantially developed for urban uses. These primarily consist of lands with intensive agriculture (Open Lands).

This ITP does not include the following areas within the GPA:

- The primary flood plain of the Kern River, as mapped in the Metropolitan Bakersfield Habitat Conservation Plan (MBHCP)
- Lands owned by the California Department of Water Resources (DWR) or Kern Water Bank Authority

Project Description:
The Project includes the Urban Development (defined below) of up to 14,200 acres of Natural Lands and 33,400 acres of Open Lands within the 261,120-acre MBHCP area, as defined in Figure 2 of the MBHCP dated April 1994. Because the Project is expected to result in take of a species designated as endangered under the federal Endangered Species Act (ESA), the Permittees prepared the MBHCP in support of an application for an ITP pursuant to section 10(a)(1)(B) of the ESA. On August 24, 1994, the United States (U.S.) Fish and Wildlife Service (Service) issued ITP No. PRT-786634 (federal ITP). The federal ITP requires

full implementation of, and compliance with, all conservation measures listed in the MBHCP for avoidance, minimization, and mitigation for impacts, as well as compliance with the terms and conditions in the associated Implementation/Management Agreement (dated August 15, 1994), all of which are incorporated by reference as conditions of the federal ITP. The 14,200 acres of Natural Lands or 33,400 acres of Open Lands that can be developed includes all MBHCP authorized development since 1994; as a result, only a portion of the development acreage contemplated in the 1994 MBHCP remains; as of December 31, 2012, there were 3,116.67 acres converted from Natural Lands to Urban Development, and 18,405.5 acres converted from Open Land to Urban Development. This ITP specifically authorizes development as contemplated in the MBHCP from the time of issuance of this ITP to its expiration in 2019.

"Urban Development" for the purpose of this ITP is defined as: A change in land use from open land to any other land use for which a permit such as a grading permit, grading plan approval, building permit or use permit is required from either Permittee, including but not limited to, the construction of buildings on lots of record and projects undertaken directly by either Permittee; where a Permittee project would require grading plan approval or approval of construction and maintenance activities undertaken by the Permittees.

Urban Development for the purposes of this ITP specifically does not include the following activities:

1. Agricultural uses;

2. Oil production and exploration, except for associated ancillary facilities within the Project Area on which either Permittee exercises discretionary authority of the issuance of permits or approvals pursuant to the California Environmental Quality Act (CEQA);

3. Water recharge and extraction facilities (not including wells developed in an urban setting) within lands owned by DWR, Kern County Water Agency, Kern Water Bank Authority, or other water districts;

4. Any flood control activities requiring notification to CDFW pursuant to Fish and Game Code section 1600 et seq.;

5. Any project undertaken by a State agency (e.g., Reclamation Board, Caltrans, Division of Oil, Gas, and Geothermic Resources (DOGGR), DWR) over which State agencies have CEQA lead agency responsibility; and

6. Other activities not normally considered "urban development."

Urban Development within the Project Area may include, but is not limited to, the following activities related to urban land development: grubbing, excavation, and mass grading; heavy equipment staging; stockpiling of soils; materials transport, laydown, and storage; trench digging and backfilling; existing road right-of-way paving and improvements; construction of new roads, dwelling units, commercial development, public buildings, medical and other office space, recreational facilities, and trails; construction of water supply distribution system and wastewater collection and treatment facilities; sump operation and maintenance; tree and other vegetation removal and trimming; fencing installation; landscaping and re-vegetation; and other activities related to build out of the Project (collectively referred to as Covered Activities).

Equipment needed to perform the above Covered Activities may include but not be limited to bulldozers, backhoes, motor graders, hovel scrapers, water trucks, front-end loaders, concrete pumpers, pavers, rollers, and haul trucks.

In 1994, the California Department of Fish and Game (now known as CDFW) issued a CESA Management Permit (CESA 9323) for the Project, which expires on August 24, 2014. The Permittees have not yet exceeded the acreage of impact contemplated and analyzed in CESA 9323. However, CESA 9323 cannot be extended or renewed, since CESA was amended in 1999 to include different requirements for authorization of take of State-listed species pursuant to CESA. This ITP therefore analyzes the same Project as CESA 9323 but contains different requirements, since it includes, among other things, measures to minimize and fully mitigate Project-related take.

Covered Species Subject to Take Authorization Provided by this ITP:

This ITP covers the following species:

Name	CESA Status
1. Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*)	Endangered[3]
2. San Joaquin kit fox (*Vulpes macrotis mutica*)	Threatened[4]
3. San Joaquin antelope squirrel (*Ammospermophilus nelsoni*)	Threatened[5]
4. Bakersfield cactus (*Opuntia basilaris* var. *treleasei*)	Endangered[6]

These species and only these species are the "Covered Species" for the purposes of this ITP.

[3]See Cal. Code Regs. tit. 14 § 670.5, subd. (a)(6)(D).
[4] See Cal. Code Regs. tit. 14 § 670.5, subd. (b)(6)(E).
[5]See Cal. Code Regs. tit. 14 § 670.5, subd. (b)(6)(B).
[6]See Cal. Code Regs. tit. 14 § 670.2, subd. (a)(8)(A).

Impacts of the Taking on Covered Species:
Project activities and their resulting impacts are expected to result in the incidental take of individuals of the Covered Species. The activities described above expected to result in incidental take of individuals of the Covered Species include: tree removal; ground, vegetation, and habitat clearing; grubbing; grading; cut and fill (leveling); excavation and stockpiling of material; ground compaction; compaction from equipment and materials storage; heavy equipment operations; trenching; backfilling; paving; utility installation; construction of roads, wastewater and stormwater collection, treatment, and storage systems; materials and equipment transport and laydown; and other activities related to Urban Development.

Covered Activities may result in incidental take of individuals of the Covered Species in the form of mortality ("kill") from vehicle/equipment strikes during construction site preparation and hauling of materials and spoils; collapse or excavation of occupied dens and burrows that results in crushing or suffocation of underground individuals during vegetation removal, grubbing, cut/fill, grading, compaction, and trenching; entombment of individuals from deposition of stockpiled material or spoils over occupied burrows and during vegetation, top soil, or soil compaction, grading activities, and development of roadbeds, structure building pads, and other surface infrastructure; entrapment and burial within trenches for utilities, open pipelines, or uncovered excavations; crushing by equipment; and vehicle strikes on roads due to increased Project-related traffic. Incidental take of individuals of the Covered Species may also occur from Covered Activities in the form of pursue, catch, capture, or attempt to do so through the capture or entrapment in holes or trenches, by uncovering through the excavation of den or burrow systems, and when individuals are salvaged and relocated out of harm's way as required by this ITP.

Tipton Kangaroo Rat

Within the Project Area, Tipton kangaroo rat (TKR) has been documented in low numbers in the Ten Section Oil Field, Kern Water Bank and in remnant habitat north of Panama Lane. A review of the habitat change map for the MBHCP dated September 30, 2012 indicates two parcels converted from Natural Lands to urban land use. One location near Cottonwood Road does not appear to have been altered to date, and the area near Nord Road and Stockdale Highway has been converted to residential land use. It is not known whether these sites were recently occupied by TKR. Direct Project-related impacts to TKR could occur from destruction of burrow systems, entombment, being crushed in shallow burrow systems, and from loss of native habitat or fallowed agricultural fields occupied by the species. Potential indirect effects include disturbance of native habitats from Off-Highway Vehicle (OHV) cross-country riding, trash dumping, wildfires, predation from dogs, cats, and other urban wildlife, and recreational activities that result in disturbance to soil and vegetation. The Project Area contains approximately 6,000 acres of potentially suitable TKR habitat.

San Joaquin Kit Fox

There are many California Natural Diversity Database (CNDDB) records of San Joaquin kit fox (SJKF) occurrences within the Project Area, but these records are incomplete and do not contain the thousands of SJKF observations recorded during recent studies within the City of Bakersfield and elsewhere within the Project Area. The Permittees' MBHCP implementation staff also maintain a database of known and potential kit fox dens to help implement avoidance and take minimization measures in the Project Area, as required by the MBHCP.

The Project Area is contained within a portion of the Western Kern County San Joaquin kit fox core area (approximately 10,500 acres) and the Metropolitan Bakersfield and Northeast Bakersfield Satellite areas. Three core areas and from 9 to 12 satellite areas were identified in the 1998 U. S. Fish and Wildlife Service Recovery Plan for Upland Species of the San Joaquin Valley, California (hereafter, Recovery Plan) to meet recovery goals for SJKF. The recovery strategy hinges on the enhanced protection and management of the Western Kern County, Carrizo Plain and Ciervo-Panoche core populations and the management of several of the 12 smaller satellite populations. Satellite areas, such as the Metropolitan Bakersfield and Northeast Bakersfield areas, will be fostered in remaining fragmented landscapes through habitat management on public land and conservation agreements with private land owners. Specific habitat evaluations and population estimates have not been conducted for the core and satellite areas. Urban and non-urban habitats are contained within the Project Area. In the non-urban habitats surrounding the metropolitan Bakersfield area, SJKF have been recorded in a variety of open undeveloped habitats. These include the larger grassland habitats on the eastern edge of the Project Area, small remnants of native habitat in the agricultural landscape, (e.g., alkali sink, saltbush scrub, non-native grassland), fallowed crop lands, low density oil fields, low density industrial and commercial facilities, landfills, and parks. Intensive agricultural row crops, orchards, and vineyards are generally not used due to a scarcity of small mammal and rodent prey items (B. Cypher pers. com). The small remnants of natural lands and the rangelands within the eastern portion of the Project Area with low topographic ruggedness are considered suitable SJKF habitat. A SJKF habitat suitability model has been developed by the Endangered Species Recovery Program (ESRP), which utilizes ratings factors of topography-ruggedness, land use, vegetation type, and vegetation biomass. Within the urban landscape of the Project Area, research conducted by ESRP since 1997 indicates that SJKF living within the urban landscape of the City of Bakersfield are faring well both demographically and ecologically. The current population appears robust, wide-spread, and persistent, and is estimated to be as large as 200 to 400 individuals within the City (Cypher and Van Horn Job, in press). Observations of SJKF are scattered across the urban landscape and include undeveloped lands (e.g., vacant lots, fallow crop fields), storm water sumps, industrial areas (e.g., manufacturing facilities, shipping yards with restricted access), commercial areas (e.g., office buildings, hotels, medical facilities, retail facilities and their parking areas), manicured open space (e.g., parks, school campuses, golf courses), linear rights of way (e.g., canals, railroads, roads, highway, and

power line corridors) and residential areas. Favorable attributes of urban environments include low abundance of natural kit fox predators, diverse food sources that along with water are consistently abundant, and plenty of potential denning sites (Cypher 2010).

Based on 27 radio-collared SJKF tracked by ESRP within the City of Bakersfield, urban SJKF within the City use undeveloped lots and sumps disproportionately more, relative to the availability of these habitats and use residential areas disproportionately less. Use of linear corridors, commercial, manicured open, industrial, and areas in transition (areas in which residential, commercial, or industrial construction is in progress or has recently been completed) are in proportion to their availability (Frost 2005). Undeveloped areas and sumps experience fewer human activities and disturbances while residential areas have high levels of disturbance as well as the presence of dogs, fences, and walls that discourage kit fox use (Cypher, 2010). Sumps are widely distributed throughout the urban landscape and represent important habitat features for denning. This pattern of SJKF use was also documented with additional radio-collared SJKF during a study of urban roads within the City of Bakersfield (Bjurlin et al., 2005). The pattern of SJKF habitat use described above is somewhat stable within the established urban landscape. However, as urban and industrial development expands within the Project Area, the open and transition areas are changing with the permitted development. Active agricultural croplands, orchards, and vineyards are often fallowed for some months to years prior to development-related surface disturbing activities. During this time, ground squirrels, small rodents, and other kit fox prey items can become established, there is a lack of human activities, and new den opportunities attract SJKF to occupy these suitable habitats. These open areas receive high SJKF use for denning and become "preferred" parts of their home ranges (used in a proportion greater than their availability) (Frost 2005). However, the long-term use of these open areas by SJKF depends on the suitability of the ultimate land use.

The Kern River corridor has variable utility as SJKF habitat. The undeveloped upland habitats adjacent to the river channel are classified as open habitats commonly used by SJKF. However, the more dense riparian habitats along the river channel are rarely used by SJKF, and when used they are subject to predation by bobcats and coyotes in this area (Bijurlin et al., 2005). The Kern River may serve as a SJKF movement corridor where there are open uplands and parks adjacent to the river channel. Where urban development restricts the river corridor to a narrow riparian channel, movements through this area are likely restricted and predation may become a factor (B. Cypher, pers. com). The recent and ongoing construction of an expressway along the Kern River will eliminate some open land habitat and will likely alter SJKF movement patterns.

SJKF home ranges within the urban setting are markedly smaller than those in non-urban natural lands. Frost (2005) estimated kit fox home ranges to be about 1.2 km^2 to 1.72 km^2 (296 acres to 425 acres) and a core use area of 0.16 km^2 (40 acres). These small home

ranges may be due to more abundant and concentrated food items, potential movement barriers, and reduced space use (Cypher, 2010).

Dens are a critical habitat element for SJKF habitat use. In the Bakersfield urban landscape, earthen and "atypical" man-made structures are used. Man-made structures include culverts, pipes, cargo containers, portable buildings, junkyard debris, and dumpsters. Although dens are found in all urban habitats, dens are more common in sumps and undeveloped areas compared with the availability of these habitats, and disproportionally less in residential and commercial areas (Cypher, 2010; Frost, 2005).

SJKF within the City of Bakersfield consume ground squirrels, pocket gophers, rabbits, birds, beetles, grasshoppers, cockroaches, and anthropogenic food items. Ground squirrels and gophers are the primary rodents consumed. Anthropogenic foods are widely available and can become a substantial part of the diet of urban SJKF. Such foods include trash, discarded food, and pet foods. SJKF will routinely visit locations where foods are consistently available (e.g., dumpsters, feral cat feeding stations). However, natural prey items are contained in nearly all scat samples. SJKF are not likely to depend on anthropogenic food items (Cypher, 2010). The combination of natural and anthropogenic foods likely results in less variation of prey availability found in non-urban environments and may contribute to a more stable population of kit foxes in the urban environment (Cypher and Van Horn Job, in press).

There may be some competition with non-native red foxes, striped skunks, feral cats, and raccoons which commonly occur in urban environments inhabited by SJKF. Red foxes, striped skunks, feral cats, and SJKF have been observed in close proximity at dens and feeding sites. These interactions may constitute a potential to transmit diseases, especially rabies, which is highly lethal and could significantly impact urban kit fox populations (Cypher and Van Horn Job, in press).

Direct impacts from Covered Activities include foraging habitat loss, loss of natural prey items, destruction of earthen and man-made dens, and entombment in dens. The direct impacts of greatest concern are those resulting from maintenance and operation of sumps and canals as a result of heavy equipment used to remove vegetation and to re-contour banks and slopes. Other activities such as landscaping or weed control can close or collapse dens. Several instances have occurred where kit fox dens have been covered over or destroyed by these activities (B. Cypher personal communication). The loss of a den in itself may not be a significant impact because SJKF typically have multiple dens within their home ranges. However, significant impacts can occur if a SJKF den is destroyed while occupied by one or more kit foxes, particularly if it is a natal den harboring young that are not able to escape entombment. (Cypher and Van Horn Job, in press).

Indirect impacts to SJKF may occur from Covered Activities from: vehicle strikes on roads and expressways; toxin exposure and the potential for primary and secondary consumption

resulting in mortality or reduced health; predation from dogs; disturbance from OHV and recreational activities on vacant land adjacent to residential development; mortality from entanglement in soccer and baseball nets; and creation of barriers to SJKF movements from roads, canals, fences and walls (Cypher and Van Horn Job, in press). There have been instances where SJKF have selected den sites within close proximity to ongoing human activities. Such dens have been constructed under school buildings, office and commercial buildings, and in landscaped or open spaces at shopping centers. In these situations, the SJKF are habituated to the human activities that occur in a regular pattern, but may be subject to harm, harassment, or direct mortality. During a study of 229 radio-collared SJKF in the Bakersfield area between 1997 and 2004, vehicle strikes proved to be the single largest source of mortality (48.1% of all reported, 26.9% of radio-collared foxes) of SJKF in the urban environment (Bjurlin et al., 2005). A high proportion of vehicle strikes occurred in arterial roads that have multiple lanes, greater posted speed limits, and higher traffic volumes. Most vehicle mortalities occurred at the intersections of major roads and other linear rights-of-way such as other roads, canals, railroads, utility corridors, golf course crossings, and riparian areas.

As of December 31, 2012, during the implementation of the existing MBHCP, there have been 3,116.67 acres converted from natural habitats to urban land use, and 18,405.5 acres converted from open to urban land use. The suitability and use of these areas by SJKF will depend on the density and configuration of the development. Approximately 45,000 acres of potentially suitable SJKF habitat is present in the Project Area, which includes agricultural lands.

San Joaquin Antelope Squirrel

The only CNDDB record of San Joaquin antelope squirrel (SJAS) occurring within the Project Area is dated from 1911, located at the western edge of the Project Area. SJAS has been recorded near the western edge of the Project Area, specifically in the vicinity of Kern Water Bank, and west of Interstate 5 and Highways 43 and 119. There is a potential for the SJAS to expand/recolonize into the Project Area from existing populations present in the Coles Levee Ecosystem Preserve and adjacent areas. The most likely areas to support SJAS within the Project Area include the 10 Section Oil Field and natural lands and long-term fallowed fields adjacent to the Kern Water Bank. There are no known direct or indirect impacts to SJAS from implementation of the MBHCP to date. However, loss of suitable SJAS habitat within the Project Area has occurred from MBHCP build-out and these losses will continue with implementation of the Covered Activities. Habitat Management (HM) land acquisition, specifically the continued protection of natural lands occupied by SJAS in the Semitropic and Lokern areas will contribute to the long-term conservation of the species. Protection of these landscapes was identified as important recovery actions in the Recovery Plan.

SJAS may be subject to direct and indirect adverse impacts associated with urban development. There are approximately 2,000 acres of potentially suitable SJAS habitat within the Project Area. Direct take could occur as a result of urban development on lands occupied by SJAS, and urban development could also result in additional indirect take from increased human-related activities (dogs, cats, off-road vehicle use, etc.) on land within the Project Area not subject to urban development.

Bakersfield Cactus

Bakersfield cactus population surveys conducted by Cypher et al. (2011) documented 17 occurrences of Bakersfield cactus within the Project Area. Several of these 2011 occurrences consolidated previously recorded CNDDB element occurrences. Four occurrences included populations that are now entirely extirpated. At eight locations, populations were not detected, but the area remains undeveloped open lands or natural land habitat. All Bakersfield cactus populations within the Project Area are located within the northeastern portion of the Project Area. Project implementation will result in impacts to Bakersfield cactus populations and habitat. However, Bakersfield cactus is a perennial and easily transplants successfully, as documented by studies and previous projects, provided that certain parameters are followed. This ITP requires salvage and transplantation to an appropriate recipient location of any Bakersfield cactus present within the footprint of any impending Urban Development. Salvage and transplantation of Bakersfield cactus as required by this ITP will limit Project-related losses of Bakersfield cactus individuals.

Incidental Take Authorization of Covered Species:
This ITP authorizes incidental take of the Covered Species and only the Covered Species. With respect to incidental take of the Covered Species, CDFW authorizes the Permittees, their employees, contractors, and agents to take Covered Species incidentally in carrying out the Covered Activities, subject to the limitations described in this section and the Conditions of Approval identified below. This ITP does not authorize take of Covered Species from activities outside the scope of the Covered Activities, take of Covered Species outside of the Project Area, take of Covered Species resulting from violation of this ITP, or intentional take of Covered Species, except for capture and relocation of Covered Species as authorized by this ITP.

Conditions of Approval:
Unless specified otherwise, the following measures apply to all Covered Activities within the Project Area. CDFW's issuance of this ITP and Permittees' authorization to take the Covered Species are subject to Permittees' compliance with and implementation of the following Conditions of Approval:

1. **Legal Compliance:** Permittees shall comply with all applicable federal, state, and local laws in existence on the effective date of this ITP or adopted thereafter.

2. **CEQA Compliance:** Permittees shall implement and adhere to the mitigation measures related to the Covered Species in the Biological Resources section of the Final Environmental Impact Report (SCH No. 1989020264) certified by the City of Bakersfield on August 17, 1993, as lead agency for the Project pursuant to CEQA (Pub. Resources Code, § 21000 et seq.).

3. **ESA Compliance:** Permittees shall implement and adhere to the terms and conditions related to the Covered Species in the MBHCP dated April 1994, and as conditioned by the associated Implementation/Management Agreement, and federal ITP issued by the Service on August 24, 1994 for the Project pursuant to ESA. For purposes of this ITP, where the terms and conditions for the Covered Species in the federal authorization(s) are less protective of the Covered Species or otherwise conflict with this ITP, the conditions of approval set forth in this ITP shall control.

4. **ITP Time Frame Compliance:** Permittee shall fully implement and adhere to the conditions of this ITP within the time frames set forth below and as set forth in the Mitigation Monitoring and Reporting Program (MMRP), which is included as Attachment 1 to this ITP.

5. **General Provisions:**

   5.1. Joint and Several Liability. All terms and conditions of this ITP, including those set forth in the attached MMRP, shall be binding upon both Permittees. Notwithstanding California Civil Code section 1431 or any other provision of law, both Permittees are jointly and severally liable for performance of all terms, conditions, and obligations of this ITP, including, but not limited to, those set forth in the attached MMRP. Any failure by either or both Permittees to comply with any term, condition, or obligation set forth in this ITP shall be deemed a failure to comply by both Permittees.

   5.2. Permittee Authorization. Both Permittees shall require that all proposed Covered Activities within the Project Area requiring issuance of a grading permit, building permit, urban development permit, or similar authorization (collectively, Permittee Authorizations) by either Permittee complies with the terms of this ITP. Permittees shall not issue or grant such Permittee Authorizations until the project proponent seeking a Permittee Authorization (Developer) demonstrates compliance with Conditions of Approval of this ITP.

   5.3. Developer Compliance. If sufficient evidence is presented to either Permittee to demonstrate that a Developer violated the provisions of the MBHCP or this ITP, the appropriate Permittee (e.g., the Permittee with jurisdiction over the specific Developer) shall notify the Developer of said violation within 48 hours and shall

issue an order in accordance with procedures in the applicable City or County Building Code that prohibits development activities which may result in ground disturbance (e.g., Stop Work Order) until the alleged violation is corrected or resolved. The Permittee with jurisdiction shall also notify the Service and CDFW in writing (email will suffice) of said violation at or before the time the Developer is notified. Upon the Developer providing the appropriate Permittee with written notice from the Service and CDFW that the violation has been corrected, the appropriate Permittee may lift the Stop Work Order and the Developer may then resume construction.

5.4. Permittee Projects. All City of Bakersfield and the County of Kern projects that do not require issuance of a Permittee Authorization shall follow all Conditions of Approval of this ITP, including but not limited to payment of the Habitat Mitigation Fee described in Condition of Approval 5.6, below, as well as Conditions of Approvals 6.1, and 7.1 through 7.16.

5.5. MBHCP Implementation Trust Group (MBHCPITG). The MBHCPITG is a body established pursuant to a Joint Powers Agreement (City of Bakersfield Agreement No. 93-168, Kern County Agreement No. 387-93, August 1993) between the Permittees for the purpose of carrying out the MBHCP and the associated Implementation/Management Agreement, federal ITP, and this ITP. The MBHCPITG is comprised of representatives from each Permittee as trustees, as well as CDFW and the Service as mandatory advisory members. In addition, a member of the public serves a two-year term and is alternately appointed by each Permittee. Other MBHCPITG members may be added as deemed appropriate by all MBHCPITG representatives. The MBHCPITG shall assist in the administration of measures necessary for compliance with the requirements of this ITP.

5.6. Habitat Mitigation Fee (HMF). During the ITP term, both Permittees shall collect a Habitat Mitigation Fee (HMF), as described in Condition of Approval 8 prior to the issuance or approval of any Permittee Authorization in the Project Area. If no Permittee Authorization is required for a Covered Activity (such as for Permittees' projects), the HMF shall be paid prior to initiation of vegetation- or ground-disturbing activities for said project. The current HMF is $2,145 per acre ($1,198.25 per acre for HM land acquisition costs, $159.99 per acre for HM land fencing and improvement, $477.72 per acre for HM land endowment, and $309.81 per acre for Permittee MBHCP implementation costs).

5.7. HMF Annual Update. The MBHCPITG shall establish and update the HMF, on a gross acre basis, required to implement the mitigation program. The HMF shall, at a minimum, be adjusted annually for inflation. On an annual basis, no later than December 31, of each year, CDFW will update the MBHCPITG on funding

requirements and a gross acre basis for Enhancement and Endowment funds for properties approved during the subsequent calendar year. The Enhancement and Endowment fees, on a gross acre basis, shall be set by the date of the MBHCPITG meeting at which the MBHCPITG approves the purchase of the specific Habitat Management lands (HM lands).

5.8. HMF Disposition. The Permittees shall hold all HMFs collected, and any fines collected, in a separate trust for payment of HM land acquisition costs as well as the associated enhancement and endowment costs, in addition to the associated administration costs, as identified in the MBHCP Implementation/Management Agreement (hereafter, Implementation Agreement), which include, but are not limited to, the cost of HM land acquisition, long-term HM land management funds (endowment), HM land improvement, public facilities and administration of the MBHCP program by the Permittees. Funds shall be transferred to the MBHCPITG for use in implementation of the MBHCP on a quarterly basis by the Permittees.

5.9. Designated Representative. Permittees shall both designate a representative (Designated Representative) responsible for communications with CDFW and overseeing compliance with this ITP. At the time of ITP issuance, both Permittees' Designated Representatives are their respective administrators for the MBHCPITG. At any time during the term of this ITP, in the event that either Permittee proposes to change their Designated Representative, the Permittee proposing to change its Designated Representative shall notify CDFW in writing within five business days of the new Designated Representative's name, business address, and contact information.

5.10. Qualified Wildlife Biologist. Permittees shall submit to CDFW in writing the names, qualifications, business addresses, and contact information of proposed Qualified Wildlife Biologists before starting Covered Activities. Permittee shall ensure that the proposed Qualified Wildlife Biologists are knowledgeable and experienced in the biology and natural history of the Covered Species. Permittees shall obtain CDFW advance written approval of each proposed Qualified Wildlife Biologist before accepting biological surveys conducted by these individuals to satisfy terms of this ITP. Permittees may at any time propose to add or remove names from the list of CDFW-approved Qualified Wildlife Biologists. CDFW may remove individuals from the list of CDFW-approved Qualified Wildlife Biologists in the event of apparent non-compliance with the Fish and Game Code or this ITP.

5.11. TKR Qualified Biologist. Permittees shall submit to CDFW in writing the names, qualifications, business addresses, and contact information of proposed TKR Qualified Biologist(s) at least 30 calendar days before initiation of any TKR Trapping and Salvage required by Condition of Approval 7.9. Permittee shall

ensure that the proposed TKR Qualified Biologist(s) is experienced with the live trapping and handling of *Dipodomys nitratoides* ssp., and that such previous experience is demonstrated to be from one or more of the following scenarios: (1) working under his/her own CDFW 2081(a) permit for TKR or a conspecific kangaroo rat; (2) working under another individual's 2081(a) for TKR or a conspecific kangaroo rat permit; the contact information for the lead individual must be provided and the lead individual must vouch for the proposed TKR Qualified Biologist's experience and qualifications; and/or (3) the proposed TKR Qualified Biologist has conducted live trapping and salvage of TKR or a conspecific as a CDFW-approved Qualified Wildlife Biologist under a 2081(b) (e.g., ITP) permit where *Dipodomys* sp. is a Covered Species. In this last instance, the ITP number and project name shall also be furnished. Permittees shall obtain CDFW advance written approval of each proposed TKR Qualified Biologist before accepting any TKR Trapping and Salvage documentation prepared by these biologists to satisfy Condition of Approval 7.9. Permittees may at any time propose to add or remove names from the list of CDFW-approved TKR Qualified Biologists. CDFW may remove individuals from the list of TKR Qualified Biologist in the event of apparent non-compliance with the Fish and Game Code or this ITP, or any apparent failure to practice and apply widely practiced means by which to minimize trap related mortality and injury.

5.12. Bakersfield Cactus Qualified Botanist. Permittees shall submit to CDFW in writing the names, qualifications, business addresses, and contact information of proposed Bakersfield Cactus Qualified Botanist(s) at least 30 calendar days before initiation of any Bakersfield cactus translocation required by Condition of Approval 7.13. Permittees shall ensure that the proposed Bakersfield Cactus Qualified Botanist(s) is experienced with the identification, collection, and transplantation of Bakersfield cactus or other beavertail cactl, and that such previous experience is demonstrated to be from one or more of the following scenarios: (1) working under his/her own CDFW 2081(a) permit for Bakersfield cactus; (2) working under another individual's 2081(a) for Bakersfield cactus; the contact information for the lead individual is provided and the lead individual must vouch for the proposed Bakersfield Cactus Qualified Botanist(s) experience and qualifications; and/or (3) the proposed Bakersfield Cactus Qualified Botanist(s) has conducted Bakersfield cactus salvage and translocation as a CDFW-approved Qualified Wildlife Biologist under a 2081(b) (e.g., ITP) permit where Bakersfield cactus is a Covered Species. In this last instance, the ITP number and project name shall also be furnished. Permittees shall obtain CDFW advance written approval of each proposed Bakersfield Cactus Qualified Botanist(s) before accepting any Bakersfield cactus transplantation documentation prepared by these biologists to satisfy Condition of Approval 7.13. Permittees may at any time propose to add or remove names from the list of

CDFW-approved Bakersfield Cactus Qualified Botanist(s). CDFW may remove individuals from the list of Bakersfield Cactus Qualified Botanist(s) in the event of apparent non-compliance with the Fish and Game Code or this ITP, or any apparent failure to practice and apply widely accepted means by which to minimize cactus mortality during salvage and relocation efforts.

5.13. Permittee Authority. To ensure compliance with the Conditions of Approval of this ITP, either Permittee shall have authority to immediately stop any activity that does not comply with this ITP, and/or to order any reasonable measure to avoid the unauthorized take of an individual of the Covered Species.

5.14. CDFW Access. Permittees shall provide CDFW staff with reasonable access to the development projects authorized by either Permittee, and shall otherwise fully cooperate with CDFW efforts to verify compliance with or effectiveness of mitigation measures set forth in this ITP.

6. Monitoring, Notification and Reporting Provisions:

6.1. Notification Before Commencement. If a Covered Species is identified in the Biological Clearance Survey required by Condition of Approval 7.1, the Permittees shall require the Developer to notify CDFW, the Service and the applicable Permittee via a "Notice of Grading Start" at least five (5) business days prior to ground disturbance in accordance with Condition of Approval 7.3.

6.2. Notification of Non-compliance. The Designated Representative(s) shall immediately notify CDFW in writing if it determines that either Permittee, or any Developer utilizing the MBHCP, as authorized by a Permittee Authorization, is not in compliance with the MBHCP or any Condition of Approval of this ITP, including but not limited to any actual or anticipated failure to implement measures within the time periods indicated in this ITP and/or the MMRP. The Designated Representative(s) shall report any non-compliance with this ITP to CDFW within 24 hours.

6.3. Quarterly Compliance Report. The Permittees each and separately shall maintain and provide the MBHCPITG, with a record of the following on a quarterly basis: (1) the cumulative amount of Urban Development (in acres) requiring HM land acquisition per Condition of Approval 8 for the reporting period and since the start of the MBHCP; (2) the cumulative amount of Natural Land approved for Urban Development for the reporting period and since the start of the MBHCP; (3) the cumulative amount of Open Land approved for Urban Development for the reporting period and since the start of the MBHCP; (4) the amount in acres of Mitigation Credits (as defined in Condition of Approval 8.1) outstanding and

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
CENTRAL REGION
1234 EAST SHAW AVENUE
FRESNO, CALIFORNIA 93710

AMENDMENT NO. 3
(A Minor Amendment)
California Endangered Species Act
Incidental Take Permit No. 2081-2013-058-04
City of Bakersfield and County of Kern
Metropolitan Bakersfield Urban Development in Kern County

INTRODUCTION

On August 24, 2014, the California Department of Fish and Wildlife (CDFW) issued Incidental Take Permit No. 2081-2013-058-04 (ITP) to the City of Bakersfield and County of Kern (Permittees) authorizing take of Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*), San Joaquin kit fox (*Vulpes macrotis mutica*), San Joaquin antelope squirrel (*Ammospermophilus nelsoni*), and Bakersfield cactus (*Opuntia basilaris* var. *treleasei*) (collectively, the Covered Species) associated with and incidental to Urban Development (as defined in the ITP) in the Metropolitan Bakersfield 2010 General Plan Area in Kern County, California (Project). The Project as described in the ITP originally issued by CDFW includes the urban development of up to 14,200 acres of Natural Lands or 33,400 acres of Open Lands within the 261,120-acre Metropolitan Bakersfield Habitat Conservation Plan (MBHCP) area, as defined in Figure 2 of the MBHCP, dated April 1994. The Project as defined in the ITP is specifically conditioned by the MBHCP, associated Implementation/Management Agreement dated August 15, 1994, and a federal incidental take permit pursuant to section 10(a)(1)(B) of the Endangered Species Act issued by the United States Fish and Wildlife Service on August 24, 1994. The 14,200 acres of Natural Lands or 33,400 acres of Open Lands that can be developed includes all MBHCP authorized development since 1994; as a result, only a portion of the development acreage contemplated in the 1994 MBHCP remains; as of December 31, 2012, there were 3,116.67 acres converted from Natural Lands to Urban Development, and 18,405.5 acres converted from Open Land to Urban Development. The ITP specifically authorizes development as contemplated in the MBHCP from the time of issuance of the ITP to ITP expiration in 2019.

On April 1, 2015, CDFW issued Major Amendment No. 1 to the ITP to require annual San Joaquin kit fox surveys for Covered Activities that will occur over a duration of greater than one year and to authorize reductions to San Joaquin kit fox avoidance buffers with written approval from CDFW.

On June 2, 2016, CDFW issued Minor Amendment No. 2 to the ITP to explicitly state that CDFW-approved Qualified Biologists, Tipton kangaroo rat Qualified Biologists, and Bakersfield Cactus Qualified Biologists have the authority to immediately stop any activity that does not comply with this ITP, as amended, and/or to order any reasonable measure to avoid the unauthorized take of an individual of the Covered Species.

In issuing the ITP, Major Amendment No. 1 and Minor Amendment No. 2 (collectively, the ITP, as amended), CDFW found, among other things, that Permittee's compliance with the Conditions of Approval of the ITP would fully mitigate impacts to the Covered Species and would not jeopardize the continued existence of the Covered Species.

On December 26, 2018, the Permittees requested a revision to the ITP, as amended, to extend the expiration date. On July 26, 2019, the Permittees also requested to also include language that establishes deadlines for projects seeking a Permittee Authorization and Covered Species take authorization under the ITP, as amended. New projects will be required to request Permittee Authorization and pay their Habitat Mitigation Fee (HMF) no later than August 31, 2021. For new projects that pay the HMF by no later than August 31, 2021, Covered Species take authorization will extend 180 days until the expiration date of the ITP, as amended. Therefore; all Covered Activities must be completed by the expiration date of February 28, 2022, and any take that occurs within the Project Area as a result of the continuation of activities past the expiration date will not be covered under the ITP, as amended.

This Minor Amendment No. 3 (Amendment) makes the following changes to the ITP, as amended:

First, this Amendment extends the expiration date of the ITP, as amended.

Second, this Amendment adds language to establish a timeline for paying the HMF and for completion of ground-disturbing activities for new projects requesting Covered Species take authorization under this ITP, as amended.

AMENDMENT

The ITP, as amended, is further amended as follows (amended language in ***bold italics***; deleted language in ~~strikethrough~~):

1. The paragraph entitled "Effective Date and Expiration Date of this ITP" on page 1 of the ITP, as amended, shall be further amended to read as follows:

   This ITP shall be executed in duplicate original form and shall become effective once a duplicate original is acknowledged by signature of the Permittees on the

last page of this ITP and returned to CDFW's Habitat Conservation Planning Branch at the address listed in the Notices section of this ITP. Unless renewed by CDFW, this ITP's authorization to take the Covered Species shall expire on ~~**September 1, 2019**~~ ***February 28, 2022.***

2. Condition of Approval 5.6 (Habitat Mitigation Fee (HMF)) on page 12 of the ITP, as amended, shall be further amended to read as follows:

   5.6 Habitat Mitigation Fee (HMF). During the ITP term, both Permittees shall collect a Habitat Mitigation Fee (HMF), as described in Condition of Approval 8 prior to the issuance or approval of any Permittee Authorization in the Project Area. ***To ensure take of the Covered Species does not occur after the expiration date of this ITP, the HMF must be paid no later than August 31, 2021, and all Covered Activities shall be completed by the ITP expiration date on February 28, 2022. Permittee Authorization terminates on the expiration date of this ITP; therefore, any take that occurs within the Project Area as a result of the continuation of activities past the expiration date will not be covered under this ITP.*** If no Permittee Authorization is required for a Covered Activity (such as for Permittees' projects), the HMF shall be paid prior to initiation of vegetation- or ground-disturbing activities for said project. The current HMF is $2,145 per acre ($1,198.25 per acre for HM land acquisition costs, $159.99 per acre for HM land fencing and improvement, $477.72 per acre for HM land endowment, and $309.81 per acre for Permittee MBHCP implementation costs.)

The corresponding measures in the Mitigation Monitoring and Reporting Program (MMRP) (Attachment 1 of the ITP, as amended) shall be further amended to read the same as above. All terms and conditions of the ITP, as amended, and MMRP that are not expressly amended herein remain in effect and must be implemented and adhered to by the Permittee.

FINDINGS

Issuance of this Amendment will not increase the amount of take of the Covered Species compared to the Project as originally approved, nor will this Amendment increase other Project impacts on the Covered Species (i.e., "impacts of taking" as used in Fish and Game Code Section 2081, subd. (b)(2)).

Discussion: This Amendment makes two specific changes to the ITP, as amended. This Amendment modifies the "Effective Date and Expiration Date of Permit" by extending the existing permit expiration date to February 28, 2022, and establishes deadlines for

HMF payment and for completion of Covered Activities for projects authorized by the Permittees. The resulting impacts to the Covered Species, however, including the duration of impacts and the number of acres of habitat that will be lost as a result of the Project, will remain the same.

CDFW has determined that extending the existing permit expiration date and establishing deadlines for HMF payment and completion of Covered Activities will not increase the amount of take or the severity of other impacts of the taking on the Covered Species. Given the circumstances of this Project, CDFW believes that the changes as described in this Amendment, will not increase impacts to the Covered Species.

Issuance of this Amendment does not affect CDFW's previous determination that issuance of the ITP, as amended, meets and is otherwise consistent with the permitting criteria set forth in Fish and Game Code section 2081, subdivisions (b) and (c).

Discussion: CDFW previously determined in August 2014, April 2015, and June 2016 that the Project, as approved, met the standards for issuance of an ITP and amendment under CESA. This determination included findings that, among other things, the impacts of the taking would be minimized and fully mitigated and that the Project would not jeopardize the continued existence of the Covered Species. Those findings are unchanged with respect to this Amendment because this Amendment only extends the expiration date and establishes a deadline for paying HMF fees and completion of Covered Activities. No new impacts or activities are authorized by this Amendment, and no changes were made to the Take Minimization Measures or the required Habitat Management Land Acquisition.

Permittee's continued adherence to and implementation of the avoidance and minimization measures set forth in the ITP, as amended, Conditions of Approval and MMRP will minimize and fully mitigate impacts of the taking on the Covered Species.

None of the factors that would trigger the need for subsequent or supplemental environmental analysis of the Project under Public Resources Code section 21166 or California Code of Regulations, title 14, sections 15162 and 15163, exist as a result of this Amendment.

Discussion: CDFW issued the ITP in August 2014, Amendment No. 1 in April 2015, and Amendment 2 in June 2016 as a responsible agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) after, among other things, considering the in the MBHCP Section IV Final Environmental Impact Report (State Clearinghouse No. 1989020264) dated July 1993 certified by the City of Bakersfield as the lead agency for the Project in August 1993. As explained in the findings below,

CDFW finds for purposes of CESA that this Amendment is a minor change to the ITP, as amended. CDFW finds for the same reasons under CEQA that approval of this Amendment will not result in and does not have the potential to create any new significant or substantially more severe environmental effects than previously analyzed and disclosed by City of Bakersfield during its lead agency review of the Project, particularly with respect to the impacts authorized by CDFW pursuant to the ITP, as amended. As a result, CDFW finds that no additional subsequent or supplemental environmental review is required by CEQA as part of CDFW's approval of this Amendment.

CDFW finds that this Amendment is a Minor Amendment, as defined in California Code of Regulations, title 14, section 783.6, subdivision (c)(4).

Discussion: This Amendment modifies the "Effective Date and Expiration Date of Permit" in the ITP, as amended, by extending the existing permit expiration date. It also establishes a timeline for HMF payment and completion of Covered Activities. These changes to the ITP, as amended, will not: (1) increase the level of take or other Project impacts on Covered Species previously analyzed and authorized by the ITP, as amended, (2) affect Permittee's substantive mitigation obligations under the ITP, as amended, (3) require further environmental review under CEQA, or (4) increase temporal impacts on the Covered Species. Therefore, this Amendment will not significantly modify the scope or nature of the permitted Project or activity, or the minimization, mitigation, or monitoring measures in the ITP, as amended. CDFW has determined that the change to the ITP, as amended, constitutes a Minor Amendment as defined in California Code of Regulations, title 14, section 783.6, subdivision (c)(4).

The authorization provided by this Amendment is not valid until Permittees sign and date the acknowledgement below, and return one of the triplicate originals of this Amendment by registered first class mail to CDFW at:

California Department of Fish and Wildlife
Habitat Conservation Planning Branch
Attention: CESA Permitting Program
Post Office Box 944209
Sacramento, California 94244-2090

APPROVED BY THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

on 8/22/19

Julie A. Vance
Regional Manager
Central Region

ACKNOWLEDGMENT

The undersigned: (1) warrants that he or she is acting as a duly authorized representative of the Permittee, (2) acknowledges receipt of the original ITP and this Amendment, and (3) agrees on behalf of the Permittee to comply with all terms and conditions of the ITP as amended.

City of Bakersfield

By: _____ Date: 8/29/19

Printed Name: Jacqui Kitchen Title: Assistant City Manager

County of Kern

By: _____ Date: 8/30/19

Printed Name: Lorelei Oviatt Title: Kern County Director Planning and Natural Resources.

Distance to Largest Above Ground Tank Explosion Hazard Map for Assessed Tank.

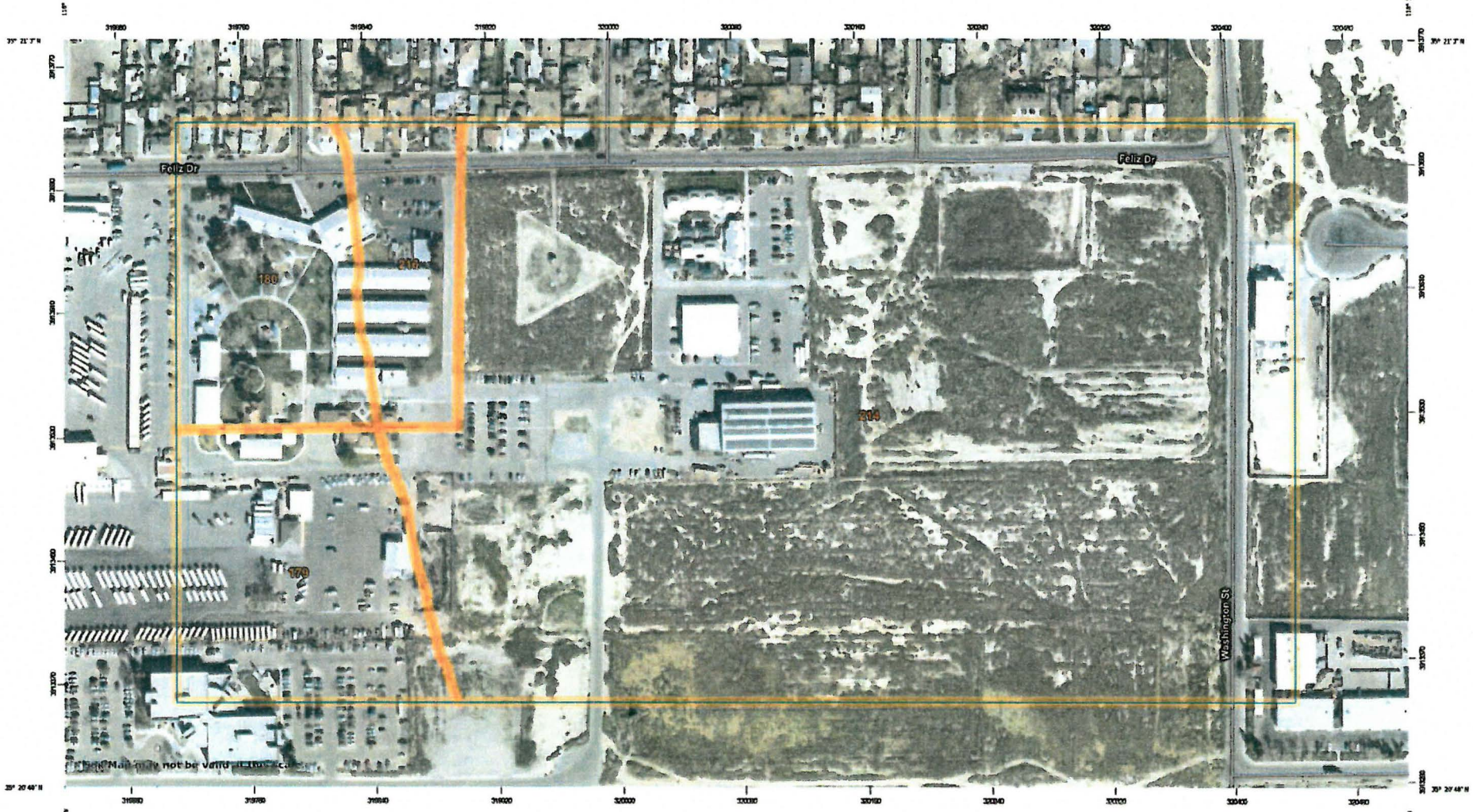


Source: HUD Acceptable Separation Distance Assessment Tool and Google Earth Map

Date of Visit: 4/23/2021

Accessed By: Christopher Hinds, Associate Planner

Soil Map—Kern County, California, Northwestern Part
(CAPK Food Bank Expantion)



Map Scale: 1:2,360 if printed on B landscape (17" x 11") sheet.

Meters: 0, 30, 60, 120, 180

Feet: 0, 100, 200, 400, 600

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 11N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Kern County, California, Northwestern Part
Survey Area Data: Version 13, May 29, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Feb 9, 2020—Feb 25, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
179	Kimberlina fine sandy loam, saline-sodic, 0 to 2 percent slopes	6.9	10.2%
180	Kimberlina-Urban land-Cajon complex, 0 to 2 percent slopes	5.8	8.6%
214	Calflax clay loam, saline-sodic, 0 to 2 percent slopes, MLRA 17	51.9	76.5%
216	Panoche-Urban land complex, 0 to 2 percent slopes	3.2	4.7%
Totals for Area of Interest		67.9	100.0%

STATE OF CALIFORNIA Gavin Newsom, Governor

NATIVE AMERICAN HERITAGE COMMISSION

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COMMISSIONER
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EXECUTIVE SECRETARY
Christina Snider
Pomo

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

April 14, 2021

Christopher R. Hinds

City of Bakersfield

Via Email to: chinds@bakersfieldcity.us

Re: CAPK Food Bank Expansion Project, Kern County

Dear Mr. Hinds:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated; if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: Nancy.Gonzalez-Lopez@nahc.ca.gov.

Sincerely,

Nancy Gonzalez-Lopez

Cultural Resources Analyst

Attachment

Native American Heritage Commission
Native American Contacts List
April 14, 2021

Big Pine Paiute Tribe of the Owens Valley
James Rambeau, Sr., Chairperson
P.O. Box 700 — Paiute - Shoshone
Big Pine ,CA 93513
j.rambeau@bigpinepaiute.org
(760) 938-2003
(976) 938-2942 Fax

Big Pine Paiute Tribe of Owens Valley
Sally Manning, Environmental Director
P.O. Box 700 — Paiute
Big Pine ,CA 93513
s.manning@bigpinepaiute.org
(760) 938-2003
(760) 938-2942 Fax

Big Pine Paiute Tribe of the Owens Valley
Danelle Gutierrez THPO
P.O. Box 700 — Paiute
Big Pine ,CA 93513
d.gutierrez@bigpinepaiute.org
(760) 938-2003, ext. 228
(760) 938-2942 Fax

Chumash Council of Bakersfield
Julio Quair, Chairperson
729 Texas Street — Chumash
Bakersfield ,CA 93307
chumashtribe@sbcglobal.net
(661) 322-0121

Coastal Band of the Chumash Nation
Mariza Sullivan, Chairman
P. O. Box 4464 — Chumash
Santa Barbara ,CA 93140
cbcntribalchair@gmail.com
(805) 665-0486

Fernandeno Tataviam Band of Mission Indians
Jairo F. Avila, THPO
1019 Second St., Suite 1 — Fernandeno
San Fernando ,CA 91340 — Tataviam
jairo.avila@tataviam-nsn.us
(818) 837-0794 Office
(818) 837-0796 Fax

Kern Valley Indian Community
Julie Turner, Secretary
P.O. Box 1010 — Kawaiisu
Lake Isabella ,CA 93240 — Tubatulabal
(661) 340-0032 Cell

Kern Valley Indian Community
Robert Robinson, Chairperson
P.O. Box 1010 — Tubatulabal
Lake Isabella ,CA 93240 — Kawaiisu
bbutterbredt@gmail.com
(760) 378-2915 Cell

Kern Valley Indian Community
Brandy Kendricks
30741 Foxridge Court — Kawaiisu
Tehachapi ,CA 93561 — Tubatulabal
krazykendricks@hotmail.com
(661) 821-1733
(661) 972-0445

Kitanemuk & Yowlumne Tejon Indians
Delia Dominguez, Chairperson
115 Radio Street — Yowlumne
Bakersfield ,CA 93305 — Kitanemuk
2deedominguez@gmail.com
(626) 339-6785

This list is current as of the date of this document and is based on the information available to the Commission on the date it was produced.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code,Section 5097.94 of the Public Resources Code, or Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans Tribes for the proposed:
CAPK Food Bank Expansion Project, Kern County.

Native American Heritage Commission
Native American Contacts List
April 14, 2021

Quechan Tribe of the Fort Yuma Reservation
Jordan D. Joaquin, President
P.O.Box 1899 Quechan
Yuma ,AZ 85366
tribalsecretary@quechantribe.com
(760) 572-0213

Quechan Tribe of the Fort Yuma Reservation
Virgil S. Smith, Vice President
P.O. Box 1899 Quechan
Yuma ,AZ 85366
tribalsecretary@quechantribe.com
(760) 572-0213

Quechan Tribe of the Fort Yuma Reservation
Jill McCormick, Historic Preservation Officer
P.O. Box 1899 Quechan
Yuma ,AZ 85366
historicpreservation@quechantribe.com
(760) 572-2423

Quechan Tribe of the Fort Yuma Reservation
Manfred Scott, Acting Chairman Kw'ts'an
P.O. Box 1899 Quechan
Yuma ,AZ 85366
scottmanfred@yahoo.com
(928) 750-2516

San Fernando Band of Mission Indians
Donna Yocum, Chairperson
P.O. Box 221838 Fernandeno
Newhall ,CA 91322 Tataviam
ddyocum@comcast.net Serrano
(503) 593-0933 Vanyume
(503) 574-3308 Kitanemuk

San Manuel Band of Mission Indians
Jessica Mauck, Director-CRM Dept.
26569 Community Center Drive Serrano
Highland ,CA 92346
jmauck@sanmanuel-nsn.gov
(909) 864-8933

Santa Rosa Rancheria Tachi Yokut Tribe
Leo Sisco, Chairperson
P.O. Box 8 Tache
Lemoore ,CA 93245 Tachi
(559) 924-1278 Yokut
(559) 924-3583 Fax

Santa Ynez Band of Chumash Indians
Kenneth Kahn, Chairperson
P.O. Box 517 Chumash
Santa Ynez ,CA 93460
kkahn@santaynezchumash.org
(805) 688-7997
(805) 686-9578 Fax

Tejon Indian Tribe
Octavio Escobedo III, Chairperson
P.O. Box 640 Kitanemuk
Arvin ,CA 93203
oescobedo@tejonindiantribe-nsn.gov
(661) 834-8566

Tejon Indian Tribe
Colin Rambo, CRM Tech
P.O. Box 640 Kitanemuk
Arvin ,CA 93203
colin.rambo@tejonindiantribe-nsn.gov
(661) 834-8566
(484) 515-4790 Cell

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CAPK Food Bank Expansion Project, Kern County.

Native American Heritage Commission
Native American Contacts List
April 14, 2021

Tubatulabals of Kern Valley
Robert L. Gomez, Jr., Tribal Chairperson
P.O. Box 226 Tubatulabal
Lake Isabella ,CA 93240
(760) 379-4590
(760) 379-4592 Fax

Tule River Indian Tribe
Neil Peyron, Chairperson
P.O. Box 589 Yokuts
Porterville ,CA 93258
neil.peyron@tuleriver tribe-nsn.gov
(559) 781-4271
(559) 781-4610 Fax

Wuksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow, Chairperson
1179 Rock Haven Ct. Foothill Yokuts
Salinas ,CA 93906 Mono
kwood8934@aol.com Wuksache
(831) 443-9702

Xolon-Salinan Tribe
Karen White, Chairperson
P.O. Box 7045 Salinan
Spreckels ,CA 93962
xolon.salinan.heritage@gmail.com
831-238-1488

yak tityu tityu yak tilhini - Northern Chumash Tribe
Mona Olivas Tucker, Chairwoman
660 Camino Del Rey Chumash
Arroyo Grande ,CA 93420
olivas.mona@gmail.com
(805) 489-1052 Home
(805) 748-2121 Cell

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This list is only applicable for contacting local Native Americans Tribes for the proposed: CAPK Food Bank Expansion Project, Kern County.

Tribal Directory Assessment Information

Contact Information for Tribes with Interests in Kern County, California

Tribal Name	County Name
Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation, California	Kern

Contact Name	Title	Mailing Address	Work Phone	Fax Number	Cell Phone	Email Address	URL
Wendy Stine	Chairperson	PO Box 67 Independence, CA 93526-0067	(760) 878-5160	(760) 878-2311		chairman@fortindependence.com	www.fortindependence.com
Stephanie Arman	THPO	PO Box 67 Independence, CA 93526	(760) 878-5160 ext. 164	(760) 878-2311	(760) 937-3139	thpo@fortindependence.com	www.fortindependence.com

Tribal Name	County Name
Te-Moak Tribe of Western Shoshone Indians of Nevada	Kern

Contact Name	Title	Mailing Address	Work Phone	Fax Number	Cell Phone	Email Address	URL
Davis Gonzales	Chairperson	525 Sunset Street Elko, NV 89801	(775) 738-9251	(775) 738-2345		tmkchairman@elko-nv.com	http://www.temoaktribe.com

Tribal Name	County Name
Tejon Indian Tribe	Kern

Contact Name	Title	Mailing Address	Work Phone	Fax Number	Cell Phone	Email Address	URL
Kathryn Montes Morgan	Chairperson	1731 Hasti-Acres Drive, Suite #108 Bakersfield, CA 93309	661 834 8566	661 834 8564		kmorgan@tejontribe.net	www.tejonranch.com

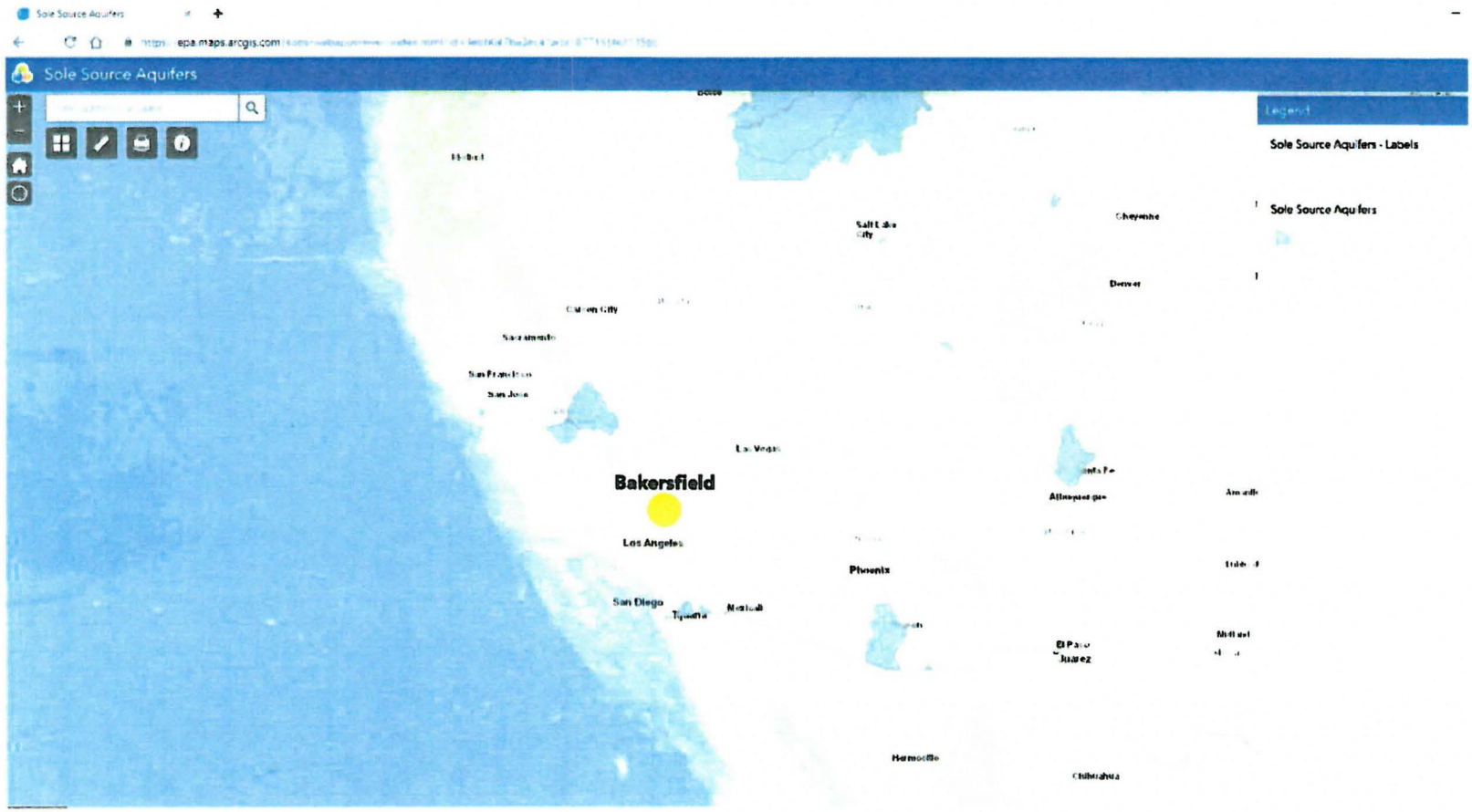
Tribal Name	County Name
Tule River Indian Tribe of the Tule River Reservation, California	Kern

Contact Name	Title	Mailing Address	Work Phone	Fax Number	Cell Phone	Email Address	URL
Neil Peyron	Chairperson	PO Box 589 Porterville, CA 93258-0589	(559) 781-4271	(559) 781-4610		neil.peyron@tulerivertribe-nsn.gov	http://www.tulerivertribe-nsn.gov

1 - 4 of 4 results

« ‹ 1 › » 10

Sole Source Aquifer Map – CAPK Food Bank Expansion - B-20-MW-06-0510



Source: United States Environmental Protection Agency
https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b

Reviewed by: Chris Hinds, Associate Planner

Date of Review: March 11th , 2021

U.S. Fish and Wildlife Service

National Wetlands Inventory

CAPK Food Bank Expansion



March 11, 2021

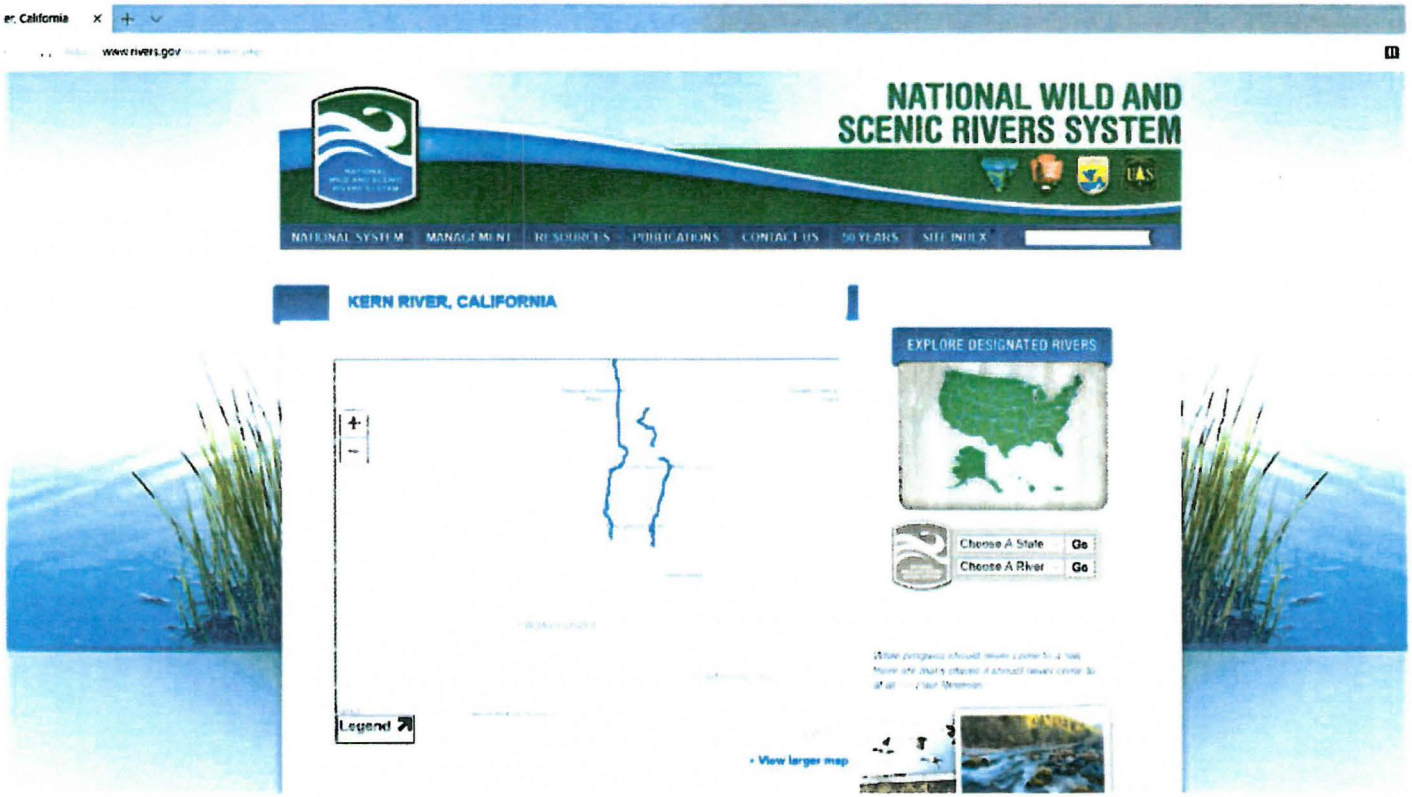
Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

Wild and Scenic River Map – CAPK Food Bank Expansion - B-20-MW-06-0510



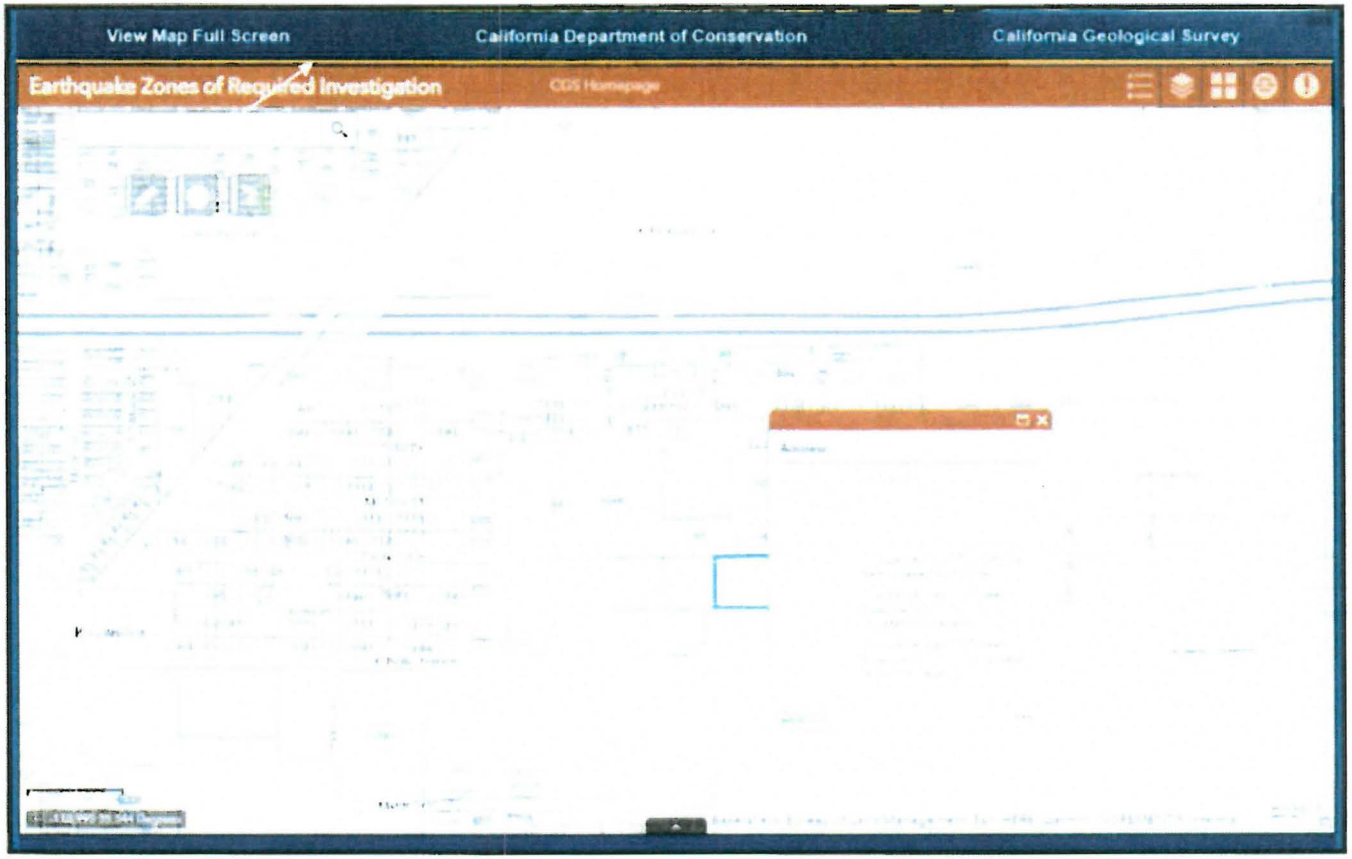
Source: National Wild and Scenic Rivers System

https://www.rivers.gov/california.php

Reviewed by: Chris Hinds, Associate Planner

Date of Review: March 12, 2021

California Geologic Survey Map- B-20-MW-06-0510

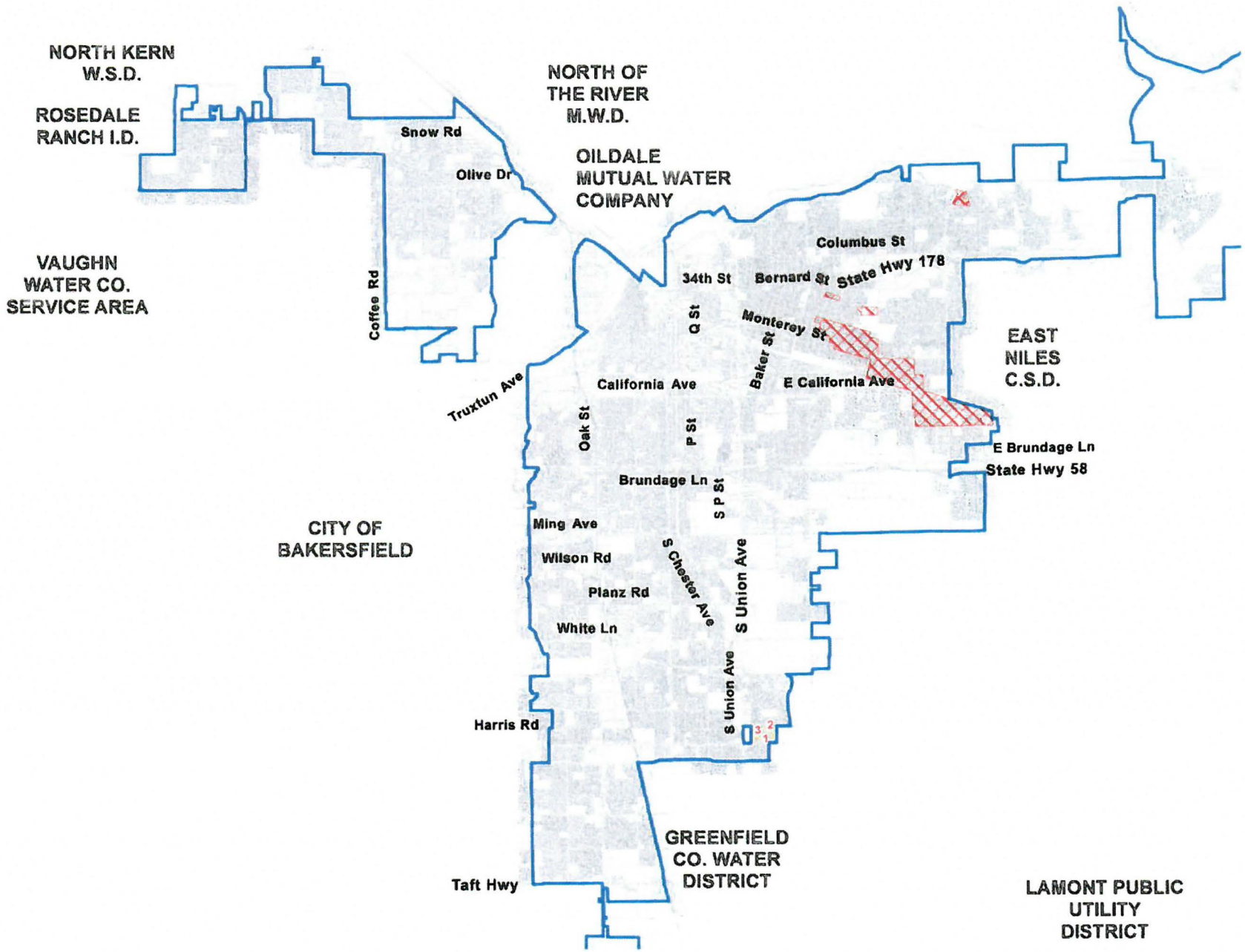


Source: California Department of Conservation, Geological Survey

Link: https://maps.conservation.ca.gov/cgs/EQZApp/

Date of Visit: 3/19/2021

CALIFORNIA WATER SERVICE
1720 North First Street, San Jose, CA 95112
(408) 367 - 8200



San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

HEALTHY AIR LIVING

May 27, 2021

Chris Hinds
City of Bakersfield
Development Services Department
1715 Chester Avenue
Bakersfield, CA 93301

Project: Community Action Partnership of Kern Food Bank Expansion Project Early Consultation for NEPA Environmental Assessment

District CEQA Reference No: 20210475

Dear Mr. Hinds:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above from the City of Bakersfield (City) consisting of an expansion of the existing Community Action Partnership of Kern (CAPK) Food Bank (Project). The Project is located at 1807 Feliz Drive in Bakersfield, CA (APN 167-060-035).

Project Scope

The Project consists of four phases. Phase one is a 40,000 square-foot expansion of the existing warehouse including required site improvements. Phase two is the addition of three loading docks and the installation of a pallet rack system. Phase three will install an 18,000 ft. refrigeration and an 18,000 ft. freezer system. Phase four will consist of the installation of solar panels and fire alarms.

Based on information provided to the District, Project specific annual emissions from construction and operation emissions of criteria pollutants are not expected to exceed any of the following District significance thresholds: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5).

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

www.valleyair.org www.healthyairliving.com

Other potential significant air quality impacts related to Toxic Air Contaminants (see information below under Health Risk Assessment), Ambient Air Quality Standards, Hazards and Odors, may require assessments and mitigation. More information can be found in the District's Guidance for Assessing and Mitigating Air Quality Impacts at: https://www.valleyair.org/transportation/GAMAQI.pdf

The District offers the following comments:

1a) Project Related Construction Emissions

Although the construction-related emissions are expected to have a less than significant impact, the District suggests that the City advise project proponents with construction-related exhaust emissions and activities resulting in less than significant impact on air quality to utilize the cleanest reasonably available off-road construction fleets and practices (i.e. eliminating unnecessary idling) to further reduce impacts from construction-related exhaust emissions and activities.

1b) Project Related Operational Emissions– Truck Routing

Truck routing involves the path/roads heavy-duty trucks take to and from their destination. The air emissions from heavy-duty trucks can impact residential communities and sensitive receptors.

The District recommends the City consider evaluating heavy-duty truck routing patterns to help limit emission exposure to residential communities and sensitive receptors. More specifically, this measure would assess current truck routes, in consideration of the number and type of each vehicle, destination/origin of each vehicular trip, time of day/week analysis, vehicle miles traveled and emissions. The truck routing evaluation would also identify alternative truck routes and their impacts on VMT, GHG emissions, and air quality.

1c) Project Related Operational Emissions– Cleanest Available Truck

The San Joaquin Valley will not be able to attain stringent health-based federal air quality standards without significant reductions in emissions from heavy-heavy duty (HHD) Trucks, the single largest source of NOx emissions in the San Joaquin Valley. The District recently adopted the 2018 PM2.5 Plan, which includes significant new reductions from HHD Trucks, including emissions reductions by 2023 through the implementation of the California Air Resources Board (CARB) Statewide Truck and Bus Regulation, which requires truck fleets operating in California to meet the 2010 0.2 g/bhp-hr NOx standard by 2023. Additionally, to meet the federal air quality standards by the 2020 to 2024 attainment deadlines,

the District's Plan relies on a significant and immediate transition of heavy duty truck fleets to zero or near-zero emissions technologies, including the near-zero truck standard of 0.02 g/bhp-hr NOx established by the California Air Resources Board.

For development projects which typically generate a high volume of heavy duty truck traffic (e.g. "high-cube" warehouse or distribution center), there are heavy duty trucks traveling to-and-from from the project location at longer trip length distances for potential distribution. The District recommends that the following mitigation measures be considered by the City for inclusion in the ~~CEQA document~~ NEPA Environmental Assessment for project related operational emissions.

- Advise fleets associated with Project operational activities to utilize the cleanest available HHD truck technologies, including zero and near-zero (0.02 g/bhp-hr NOx) technologies as feasible.

- Advise all on-site service equipment (cargo handling, yard hostlers, forklifts, pallet jacks, etc.) to utilize zero-emissions technologies as feasible.

- Advise fleets associated with future development projects to be subject to the best practices (i.e. eliminating unnecessary idling).

In addition, the District recommends that the City include mitigation measures to reduce project related operational impacts through incorporation of design elements, for example, increased energy efficiency, reducing vehicle miles traveled, etc. More information on mitigation measures can be found on the District's website at: http://www.valleyair.org/transportation/ceqa_idx.htm.

1d) Project Related Operational Emissions– Reduce Idling of Heavy Duty Trucks

The goal of this strategy is to limit the potential for localized PM2.5 and toxic air quality impacts associated with failure to comply with the state's Heavy Duty anti-idling regulation (e.g limiting vehicle idling to specific time limits). The diesel exhaust from excessive idling has the potential to impose significant adverse health and environmental impacts. Therefore, efforts to ensure compliance of the anti-idling regulation, especially near sensitive receptors, is important to limit the amount of idling within the community, which will result in community air quality benefits.

1e) **Project Related Operational Emissions– Electric On-Site Off-Road and On-Road Equipment**

Since the Project consists of a food distribution center, it may have the potential to result in increased use of off-road equipment (i.e. forklifts) and/or on-road equipment (i.e. mobile yard trucks with the ability to move materials). The District recommends the City advise the project proponent to utilize electric or zero emission off-road and on-road equipment used on-site for this Project.

2) **Health Risk Screening/Assessment**

A Health Risk Screening/Assessment identifies potential Toxic Air Contaminants (TAC's) impact on surrounding sensitive receptors such as hospitals, daycare centers, schools, work-sites, and residences. TAC's are air pollutants identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health. A common source of TACs can be attributed to diesel exhaust emitted from both mobile and stationary sources. List of TAC's identified by OEHHA/CARB can be found at: https://ww2.arb.ca.gov/resources/documents/carb-identified-toxic-air-contaminants

The District recommends the development project(s) be evaluated for potential health impacts to surrounding receptors (on-site and off-site) resulting from operational and multi-year construction TAC emissions.

i) The District recommends conducting a screening analysis that includes all sources of emissions. A screening analysis is used to identify projects which may have a significant health impact. A prioritization, using CAPCOA's updated methodology, is the recommended screening method. A prioritization score of 10 or greater is considered to be significant and a refined Health Risk Assessment (HRA) should be performed.

For your convenience, the District's prioritization calculator can be found at: http:www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION%20RMR%202016.XLS.

ii) The District recommends a refined HRA for development projects that result in a prioritization score of 10 or greater. Prior to performing an HRA, it is recommended that development project applicants contact the District to review the proposed modeling protocol. A development project would be considered to have a significant health risk if the HRA demonstrates that the project related health impacts would exceed the Districts significance threshold of 20 in a million for carcinogenic risk and 1.0 for the Acute and Chronic Hazard Indices, and would

trigger all feasible mitigation measures. The District recommends that development projects which result in a significant health risk not be approved.

For HRA submittals, please provide the following information electronically to the District for review:

- HRA AERMOD model files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodology.

More information on toxic emission factors, prioritizations and HRAs can be obtained by:

- E-Mailing inquiries to: hramodeler@valleyair.org; or
- The District can be contacted at (559) 230-6000 for assistance; or
- Visiting the Districts website (Modeling Guidance) at: http://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm.

3) Ambient Air Quality Analysis

An ambient air quality analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of the ambient air quality standards. The District recommends that an AAQA be performed for the Project if emissions exceed 100 pounds per day of any pollutant.

If an AAQA is performed, the analysis should include emissions from both Project specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Specific information for assessing significance, including screening tools and modeling guidance is available online at the District's website www.valleyair.org/ceqa.

4) Cumulative Air Impacts

In addition to the discussions on the topics identified above, the District recommends the environmental document/assessment also include a discussion of whether the Project would result in a cumulatively considerable net increase of any criteria pollutant or precursor for which the San Joaquin Valley Air Basin is in non-attainment. More information on the District's attainment status can be found online by visiting the District's website at: http://valleyair.org/aqinfo/attainment.htm.

5) Vegetative Barriers and Urban Greening

The District suggests the City of Bakersfield consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (i.e. residential units).

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

5a) District Rule 9510 (Indirect Source Review)

The purpose of District Rule 9510 is to reduce the growth in both NOx and PM10 emissions associated with development and transportation projects from mobile and area sources associated with construction and operation of development projects. The rule encourages clean air design elements to be incorporated into development projects. In case the proposed development project clean air design elements are insufficient to meet the targeted emission reductions, the rule requires developers to pay a fee used to fund projects to achieve off-site emissions reductions.

The proposed Project is subject to District Rule 9510 because it will receive a project-level discretionary approval from a public agency and will equal or exceed 25,000 square feet of light industrial space. When subject to the rule, an Air Impact Assessment (AIA) application is required prior to applying for project-level approval from a public agency. In this case, if not already done, please inform the project proponent to immediately submit an AIA application to the District to comply with District Rule 9510.

An AIA application is required and the District recommends that demonstration of compliance with District Rule 9510, before issuance of the first building permit, be made a condition of Project approval.

Information about how to comply with District Rule 9510 can be found online at:

http://www.valleyair.org/ISR/ISRHome.htm.

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

5b) District Rule 9410 (Employer Based Trip Reduction)

The Project may be subject to District Rule 9410 (Employer Based Trip Reduction) if the Project would result in employment of 100 or more "eligible" employees. District Rule 9410 requires employers with 100 or more "eligible" employees at a worksite to establish an Employer Trip Reduction Implementation Plan (eTRIP) that encourages employees to reduce single-occupancy vehicle trips, thus reducing pollutant emissions associated with work commutes. Under an eTRIP plan, employers have the flexibility to select the options that work best for their worksites and their employees.

Information about how District Rule 9410 can be found online at: www.valleyair.org/tripreduction.htm.

For additional information, you can contact the District by phone at 559-230-6000 or by e-mail at etrip@valleyair.org

5c) Other District Rules and Regulations

The Project may also be subject to the following District rules: Regulation VIII, (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

If you have any questions or require further information, please contact Cherie Clark by e-mail at Cherie.Clark@valleyair.org or by phone at (559) 230-5940.

Sincerely,

Brian Clements
Director of Permit Services



For John Stagnaro
Program Manager