

**DRAFT INITIAL STUDY AND  
MITIGATED NEGATIVE DECLARATION**

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**PANAMA-BUENA VISTA UNION SCHOOL  
DISTRICT**

**SITE #26 ELEMENTARY  
SCHOOL PROJECT**



**PANAMA-BUENA VISTA  
UNION SCHOOL DISTRICT**

**JUNE 2023**

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# DRAFT INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

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## SITE #26 ELEMENTARY SCHOOL PROJECT



PANAMA-BUENA VISTA  
UNION SCHOOL DISTRICT

Prepared for:

Panama-Buena Vista Union School District  
4200 Ashe Road  
Bakersfield, CA 93313

Contact Person: Paul Johnson, Director of Facilities, Planning, and Construction  
Phone: (661) 831-8331 ext. 6280

Consultant:



5080 California Avenue, Suite 220  
Bakersfield, CA 93309

Contact: Jaymie Brauer, Principal Planner  
Phone: (661) 616-2600

June 2023

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

This is to advise that the Panama-Buena Vista Union School District has prepared a Mitigated Negative Declaration for the Project identified below that is scheduled to be held at the Panama-Buena Vista Union School District – Board of Trustees meeting on Tuesday, August 8, 2023.

PLEASE BE ADVISED that the Panama-Buena Vista Union School District – Board of Trustees will consider adopting the Mitigated Negative Declaration at the Board’s meeting to be held on Tuesday, August 8, 2023. Presentations will be made at approximately 6:00 p.m. Action on items on the Board agenda will occur after the presentations. The meeting will be held at the Panama-Buena Vista Union School District, 4200 Ashe Road, Bakersfield, CA 93313.

### ***Project Name***

Site #26 Elementary School Project

### ***Project Location***

Southwest corner of the intersection of Taft Highway (SR 119) and Stine Road in the City of Bakersfield, California. The site is within Section 3, Township 31 South, Range 27 East, Mount Diablo Base and Meridian. Access to the site will be from Stine Road.

### ***Project Description***

The Panama-Buena Vista Union School District (District), as Lead Agency, is proposing a new elementary school on a 20-acre undeveloped site (APN 184-220-09).

The new elementary school campus will be approximately 101,000 square feet which will include classrooms, administration offices, parking, and play areas. The new school will serve the surrounding community and will serve approximately 1,200 students and 80 teachers at full build-out. Solar panels may be installed on building rooftops and/or used to create covered parking for staff and visitors. The hours of operation are expected to be between 7:30 a.m. and 5:30 p.m., Monday through Friday.

The document and documents referenced in the Initial Study/Mitigated Negative Declaration are available for review at Panama-Buena Vista Union School District, 4200 Ashe Road, Bakersfield, CA 93313.

As mandated by the California Environmental Quality Act (CEQA), the public review period for this document was 30 days (CEQA Section 15073[b]). The public review period begins on June 26, 2023, and ends on July 25, 2023. For further information, please contact Jaymie Brauer at (661) 616-2600.

**Notice of Completion & Environmental Document Transmittal**

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

SCH #

**Project Title:** Site #26 Elementary School

Lead Agency: Panama-Buena Vista Union School District

Contact Person: Paul Johnson

Mailing Address: 4200 Ashe Road

Phone: (661) 831-8331

City: Bakersfield

Zip: 93313

County: Kern

**Project Location:** County: Kern

City/Nearest Community: Bakersfield

Cross Streets: Stine Rd and Taft Hwy

Zip Code: 93313

Longitude/Latitude (degrees, minutes and seconds): 35 ° 15 ' 55 " N / 119 ° 03 ' 27 " W Total Acres: 20

Assessor's Parcel No.: 184-220-09

Section: 3

Twp.: 31S

Range: 27E

Base: MDBM

Within 2 Miles: State Hwy #: SR 119, SR 99

Waterways: Kern River, Farmers Canal

Airports: Costerisan Farms Airport

Railways:

Schools: Panama Elementary School, Ridge view High School, Lo

**Document Type:**CEQA: ☐ NOP☐ Draft EIRNEPA: ☐ NOIOther: ☐ Joint Document☐ Early Cons☐ Supplement/Subsequent EIR☐ EA☐ Final Document☐ Neg Dec

(Prior SCH No.)

☐ Draft EIS☐ Other:☒ Mit Neg Dec

Other:

☐ FONSI**Local Action Type:**☐ General Plan Update☐ Specific Plan☐ Rezone☐ Annexation☐ General Plan Amendment☐ Master Plan☐ Prezone☐ Redevelopment☐ General Plan Element☐ Planned Unit Development☐ Use Permit☐ Coastal Permit☐ Community Plan☐ Site Plan☐ Land Division (Subdivision, etc.)☒ Other: funding**Development Type:**☐ Residential: Units \_\_\_\_\_ Acres \_\_\_\_\_☐ Office: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_☐ Transportation: Type \_\_\_\_\_☐ Commercial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_☐ Mining: Mineral \_\_\_\_\_☐ Industrial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_☐ Power: Type \_\_\_\_\_ MW \_\_\_\_\_☒ Educational: New Elementary School on 20 acres☐ Waste Treatment: Type \_\_\_\_\_ MGD \_\_\_\_\_☐ Recreational:☐ Hazardous Waste: Type \_\_\_\_\_☐ Water Facilities: Type \_\_\_\_\_ MGD \_\_\_\_\_☐ Other: \_\_\_\_\_**Project Issues Discussed in Document:**☒ Aesthetic/Visual☐ Fiscal☒ Recreation/Parks☒ Vegetation☒ Agricultural Land☒ Flood Plain/Flooding☒ Schools/Universities☒ Water Quality☒ Air Quality☒ Forest Land/Fire Hazard☒ Septic Systems☒ Water Supply/Groundwater☒ Archeological/Historical☒ Geologic/Seismic☒ Sewer Capacity☒ Wetland/Riparian☒ Biological Resources☒ Minerals☒ Soil Erosion/Compaction/Grading☐ Growth Inducement☐ Coastal Zone☒ Noise☒ Solid Waste☒ Land Use☐ Drainage/Absorption☒ Population/Housing Balance☒ Toxic/Hazardous☐ Cumulative Effects☐ Economic/Jobs☒ Public Services/Facilities☒ Traffic/Circulation☐ Other: \_\_\_\_\_**Present Land Use/Zoning/General Plan Designation:**

Rural Residential (RR) – 2.5 Gross Acres/Dwelling Unit, Residential Suburban (R-S-20A) – 20 Acre Minimum

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

The Panama-Buena Vista Union School District (District), as Lead Agency, is proposing a new elementary school on a portion of a 20-acre undeveloped site (APN 184-220-09) located southwest of the intersection of Taft Highway and Stine Road in the City of Bakersfield, California (Project). The site is within Section 3, Township 31 S Range 27 East, Mount Diablo Base and Meridian. Access to the site will be from Stine Road.

The new elementary school campus will be approximately 101,000 square feet which will include classrooms, administration offices, parking, and play areas. The new school will serve the surrounding community and will serve approximately 1,200 students and 80 teachers at full build-out. Solar panels may be installed on building rooftops and/or used to create covered parking for staff and visitors. The hours of operation are expected to be between 7:30 a.m. and 5:30 p.m., Monday through Friday.

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

## Reviewing Agencies Checklist

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

|                                                                         |                                                                                    |
|-------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| <input type="checkbox"/> Air Resources Board                            | <input type="checkbox"/> Office of Historic Preservation                           |
| <input type="checkbox"/> Boating & Waterways, Department of             | <input checked="" type="checkbox"/> Office of Public School Construction           |
| <input type="checkbox"/> California Emergency Management Agency         | <input type="checkbox"/> Parks & Recreation, Department of                         |
| <input type="checkbox"/> California Highway Patrol                      | <input type="checkbox"/> Pesticide Regulation, Department of                       |
| <input checked="" type="checkbox"/> Caltrans District # <u>6</u>        | <input type="checkbox"/> Public Utilities Commission                               |
| <input type="checkbox"/> Caltrans Division of Aeronautics               | <input checked="" type="checkbox"/> Regional WQCB # <u>Central</u>                 |
| <input type="checkbox"/> Caltrans Planning                              | <input type="checkbox"/> Resources Agency                                          |
| <input type="checkbox"/> Central Valley Flood Protection Board          | <input type="checkbox"/> Resources Recycling and Recovery, Department of           |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy             | <input type="checkbox"/> S.F. Bay Conservation & Development Comm.                 |
| <input type="checkbox"/> Coastal Commission                             | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy       |
| <input type="checkbox"/> Colorado River Board                           | <input type="checkbox"/> San Joaquin River Conservancy                             |
| <input type="checkbox"/> Conservation, Department of                    | <input type="checkbox"/> Santa Monica Mtns. Conservancy                            |
| <input type="checkbox"/> Corrections, Department of                     | <input type="checkbox"/> State Lands Commission                                    |
| <input type="checkbox"/> Delta Protection Commission                    | <input type="checkbox"/> SWRCB: Clean Water Grants                                 |
| <input checked="" type="checkbox"/> Education, Department of            | <input checked="" type="checkbox"/> SWRCB: Water Quality                           |
| <input type="checkbox"/> Energy Commission                              | <input type="checkbox"/> SWRCB: Water Rights                                       |
| <input checked="" type="checkbox"/> Fish & Game Region # <u>4</u>       | <input type="checkbox"/> Tahoe Regional Planning Agency                            |
| <input type="checkbox"/> Food & Agriculture, Department of              | <input checked="" type="checkbox"/> Toxic Substances Control, Department of        |
| <input type="checkbox"/> Forestry and Fire Protection, Department of    | <input checked="" type="checkbox"/> Water Resources, Department of                 |
| <input type="checkbox"/> General Services, Department of                | <input type="checkbox"/> Other: <u>Dept of State Architect</u>                     |
| <input type="checkbox"/> Health Services, Department of                 | <input checked="" type="checkbox"/> Other: <u>Dept of Toxic Substances Control</u> |
| <input type="checkbox"/> Housing & Community Development                |                                                                                    |
| <input checked="" type="checkbox"/> Native American Heritage Commission |                                                                                    |

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

Starting Date June 26, 2023 Ending Date July 25, 2023

### Lead Agency (Complete if applicable):

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

Signature of Lead Agency Representative: Paul Johnson Date: June 26, 2023

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

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## LIST OF ACRONYMS AND ABBREVIATIONS

|                  |                                                       |
|------------------|-------------------------------------------------------|
| AB               | Assembly Bill                                         |
| ALUCP            | Airport Land Use Compatibility                        |
| APN              | Assessor's Parcel Number                              |
| AQAP             | Air Quality Attainment Plan                           |
| ATCM             | Airborne Toxic Control Measure                        |
| BMPs             | best management practices                             |
| BSA              | Biological Survey Area                                |
| C&D              | Construction and Demolition                           |
| CAA              | Clean Air Act                                         |
| CalEEMod         | California Emissions Estimator Model                  |
| CalGEM           | California Geologic Energy Management                 |
| Caltrans         | California Department of Transportation               |
| CARB             | California Air Resources Board                        |
| CCR              | California Code of Regulations                        |
| CDE              | California Department of Education                    |
| CDFG             | California Department of Fish and Game                |
| CDFW             | California Department of Fish and Wildlife            |
| CEQA             | California Environmental Quality Act                  |
| CERS             | California Environmental Reporting System             |
| CGS              | California Geological Survey                          |
| CNDDDB           | California Natural Diversity Database                 |
| CO <sub>2e</sub> | carbon dioxide equivalents                            |
| CUPA             | Certified Unified Program Agency                      |
| CWA              | Clean Water Act                                       |
| District         | Panama-Buena Vista Union School District              |
| DSA              | Division of the State Architect                       |
| DTSC             | Department of Toxic Substance Control                 |
| EIR              | Environmental Impact Report                           |
| EOADP            | Extreme Ozone Attainment Demonstration Plan           |
| EPA              | Environmental Protection Agency                       |
| ESA              | Environmental Site Assessment                         |
| FEMA             | Federal Emergency Management Agency                   |
| FMMP             | Farmland Mapping and Monitoring Program               |
| FTA              | Federal Transit Administration                        |
| GAMAQI           | Guide to Mitigating and Assessing Air Quality Impacts |
| GHG              | greenhouse gas                                        |
| GPCD             | gallons per capita per day                            |
| GSP              | Groundwater Sustainability Plan                       |
| HAPs             | hazardous air pollutants                              |
| HI               | hazard index                                          |
| HMBP             | Hazardous Materials Business Plan                     |
| IS               | Initial Study                                         |

|                   |                                                   |
|-------------------|---------------------------------------------------|
| ITE               | Institute of Transportation Engineers             |
| KRGSA             | Kern River Groundwater Sustainability Agency      |
| kV                | kilovolt                                          |
| LOS               | level of service                                  |
| MDB&M             | Mount Diablo Base and Meridian                    |
| mgd               | million gallons per day                           |
| MMRP              | Mitigation Monitoring and Reporting Program       |
| MND               | Mitigated Negative Declaration                    |
| mph               | miles per hour                                    |
| MRZ               | Mineral Resources Zone                            |
| NAHC              | Native American Heritage Commission               |
| NHD               | National Hydrography Database                     |
| NOA               | naturally occurring asbestos                      |
| NOI               | Notice of Intent                                  |
| NO <sub>x</sub>   | oxides of nitrogen                                |
| NPDES             | National Pollutant Discharge Elimination System   |
| NRHP              | National Register of Historic Places              |
| NWI               | National Wetlands Inventory                       |
| OPR               | Office of Planning and Research                   |
| PG&E              | Pacific Gas & Electric Company                    |
| PM <sub>10</sub>  | particulate matter less than 10 microns           |
| PM <sub>2.5</sub> | particulate matter less than 2.5 microns          |
| PMI               | point of maximum impact                           |
| PRC               | Public Resources Code                             |
| PV                | photovoltaic                                      |
| ROG               | reactive organic gases                            |
| RTIF              | Regional Traffic Impact Fee                       |
| RWQCB             | Regional Water Quality Control Board              |
| SB                | Senate Bill                                       |
| SDS               | safety data sheets                                |
| SGMA              | Sustainable Groundwater Management Act            |
| SJVAB             | San Joaquin Valley Air Basin                      |
| SJVAPCD           | San Joaquin Valley Air Pollution Control District |
| SPAL              | Small Project Analysis Level Assessment           |
| SSI               | Supplemental Site Investigation                   |
| SWPPP             | Stormwater Pollution Prevention Plan              |
| TA                | Technical Advisory                                |
| TAC               | toxic air contaminants                            |
| TPH               | total petroleum hydrocarbons                      |
| USACE             | United States Army Corps of Engineers             |
| USFWS             | United States Fish and Wildlife Service           |
| USGS              | U.S. Geological Survey                            |
| UWMP              | Urban Water Management Plan                       |
| VMT               | vehicle miles traveled                            |

|      |                            |
|------|----------------------------|
| VOCs | volatile organic compounds |
|------|----------------------------|

## **MITIGATED NEGATIVE DECLARATION**

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

### ***Project Name***

Site #26 Elementary School Project

### ***Project Location***

Southwest of the intersection of Taft Highway (SR 119) and Stine Road in the City of Bakersfield, California in the City of Bakersfield, California (Project). The site is within Section 3, Township 31 South, Range 27 East, Mount Diablo Base and Meridian. Access to the site will be from Stine Road.

### ***Project Description***

The Panama-Buena Vista Union School District (District), as Lead Agency, is proposing a new elementary school on a 20-acre undeveloped site (APN 184-220-09).

The new elementary school campus will be approximately 101,000 square feet and will include classrooms, administration offices, parking, and play areas. The new school will serve the surrounding community and will serve approximately 1,200 students and 80 teachers at full build-out. Solar panels may be installed on building rooftops and/or used to create covered parking for staff and visitors. The hours of operation are expected to be between 7:30 a.m. and 5:30 p.m., Monday through Friday.

### ***Mailing Address and Phone Number of Contact Person***

Panama-Buena Vista Union School District  
4200 Ashe Road  
Bakersfield, CA 93313

Contact Person: Paul Johnson, Director of Facilities, Planning, and Construction  
Phone: (661) 831-8331 ext. 6280

### ***Findings***

As Lead Agency, the District finds that the Project will not have a significant effect on the environment. The Environmental Checklist (CEQA Guidelines Appendix G) or Initial Study (IS) (*see Section 3 – Initial Study*) identified one or more potentially significant effects on

the environment, but revisions to the Project have been made before the release of this Mitigated Negative Declaration (MND) or mitigation measures would be implemented that reduce all potentially significant impacts to less-than-significant levels. The Lead Agency further finds that there is no substantial evidence that this Project would have a significant effect on the environment.

### ***Mitigation Measures Included in the Project to Avoid Potentially Significant Effects***

**MM BIO-1:** Prior to ground-disturbing activities, a qualified wildlife biologist shall conduct a biological clearance survey between 14 and 30 days prior to the onset of construction.

The clearance survey shall include walking transects to identify presence of San Joaquin kit fox, burrowing owl, nesting birds, and other special-status species. The pre-construction survey shall be walked by no greater than 30-foot transects for 100 percent coverage of the Project and a 50-foot buffer, where feasible. If no evidence of special-status species is detected, no further action is required except MM BIO-4 and BIO-6 shall be implemented.

**MM BIO-2:** The following avoidance and minimization measures shall be implemented during all phases of the Project to reduce the potential for impact from the Project. They are modified from the *U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered SJKF Prior to or During Ground Disturbance* (USFWS 2011, Appendix F).

- a. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from the construction of the Project site.
- b. Construction-related vehicle traffic shall be restricted to established roads and predetermined ingress and egress corridors, staging, and parking areas. Vehicle speeds shall not exceed 20 miles per hour (mph) within the Project site.
- c. To prevent inadvertent entrapment of kit fox or other animals during construction, the contractor shall cover all excavated, steep-walled holes or trenches more than two feet deep at the close of each workday with plywood or similar materials. If holes or trenches cannot be covered, one or more escape ramps constructed of earthen fill or wooden planks shall be installed in the trench. Before such holes or trenches are filled, the contractor shall thoroughly inspect them for entrapped animals. All construction-related pipes, culverts, or similar structures with a diameter of four inches or greater that are stored on the Project site shall be thoroughly inspected for wildlife before the pipe is subsequently buried, capped, or otherwise used or moved

in any way. If at any time an entrapped or injured kit fox is discovered, work in the immediate area shall be temporarily halted, and USFWS and CDFW shall be consulted.

- d. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the USFWS and CDFW have been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity until the fox has escaped.
- e. No pets, such as dogs or cats, shall be permitted on the Project sites to prevent harassment, mortality of kit foxes, destruction of dens.
- f. Use of anti-coagulant rodenticides and herbicides in project sites shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe labels and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and federal legislation, as well as additional Project-related restrictions deemed necessary by the USFWS and CDFW. If rodent control must be conducted, zinc phosphide shall be used because of the proven lower risk to kit foxes.
- g. A representative shall be appointed by the Project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured, or entrapped kit fox. The representative shall be identified during the employee education program, and their name and telephone number shall be provided to the USFWS.
- h. The Sacramento Fish and Wildlife Office of USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to a SJKF during Project-related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species at the addresses and telephone numbers below. The CDFW contact can be reached at (559) 243-4014 and [R4CESA@wildlifeca.gov](mailto:R4CESA@wildlifeca.gov).
- i. All sightings of the SJKF shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to the Service at the address below.
- j. Any Project-related information required by the USFWS or questions concerning the above conditions or their implementation may be directed in writing to the U.S. Fish

and Wildlife Service at: Endangered Species Division, 2800 Cottage Way, Suite W 2605, Sacramento, California 95825-1846, phone: (916) 414-6620 or (916) 414-6600.

- k. New sightings of SJKF should be reported to the CNDDDB.

**MM BIO-3:** Within 14 days prior to the start of Project ground-disturbing activities, a pre-activity survey with a 500-foot buffer shall be conducted by a qualified biologist knowledgeable in the identification of these species and approved by the CDFW. If dens/burrows that could support any of these species are discovered during the pre-activity survey conducted under MM BIO-1, the avoidance buffers outlined below should be established. No work would occur within these buffers unless the biologist approves and monitors the activity.

**San Joaquin Kit Fox**

- Potential or Atypical den – 50 feet
- Known den – 100 feet
- Natal or pupping den – 500 feet, unless otherwise specified by CDFW

**MM BIO-4:** If construction is planned outside the nesting period for raptors (other than burrowing owl) and migratory birds (February 15 to August 31), no mitigation shall be required. If construction is planned during the nesting season for migratory birds and raptors, a pre-construction survey to identify active bird nests shall be conducted by a qualified biologist to evaluate the site and a 250-foot buffer for migratory birds and a 500-foot buffer for raptors. If nesting birds are identified during the survey, active raptor nests shall be avoided by 500 feet and all other migratory bird nests shall be avoided by 250 feet. Avoidance buffers may be reduced if a qualified on-site monitor determines that encroachment into the buffer area is not affecting nest building, the rearing of young, or otherwise affecting the breeding behaviors of the resident birds. Because nesting birds can establish new nests or produce a second or even third clutch at any time during the nesting season, nesting bird surveys shall be repeated every 30 days as construction activities are occurring throughout the nesting season.

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

**MM BIO-5:** A qualified biologist shall conduct a pre-construction survey on the project site and within 500 feet of its perimeter, where feasible, to identify the presence of the western burrowing owl. The survey shall be conducted between 14 and 30 days prior to the start of construction activities. If any burrowing owl burrows are observed during the pre-construction survey, avoidance measures shall be consistent with those included in the CDFW Staff Report on Burrowing Owl Mitigation (CDFG 2012). If occupied burrowing owl

burrows are observed outside of the breeding season (September 1 through January 31) and within 250 feet of proposed construction activities, a passive relocation effort may be instituted in accordance with the guidelines established by the California Burrowing Owl Consortium (1993) and the California Department of Fish and Wildlife (2012). During the breeding season (February 1 through August 31), a 500-foot (minimum) buffer zone shall be maintained unless a qualified biologist verifies through non-invasive methods that either the birds have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

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

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

**MM BIO-6:** Prior to ground-disturbance activities, or within one week of being deployed at the Project site for newly hired workers, all construction workers at the Project site shall attend a Construction Worker Environmental Awareness Training and Education Program developed and presented by a qualified biologist.

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

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

acknowledgment forms, shall be maintained on-site for the duration of construction activities.

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

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

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

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

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

**MM GEO-3:** The upper 10 feet of soil in the building areas shall be replaced with engineered fill to reduce potential settlement as recommended in the prepared Geological Hazard Study.

**MM GEO-4:** During any ground-disturbance activities, if paleontological resources are encountered, all work within 25 feet of the find shall halt until a qualified paleontologist, as

defined by the Society of Vertebrate Paleontology *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources* (2010), can evaluate the find and make recommendations regarding treatment. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. The qualified paleontologist shall contact the Natural History Museum of Los Angeles County or another appropriate facility regarding any discoveries of paleontological resources.

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

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

## **SECTION 1 - INTRODUCTION**

### **1.1 - Overview**

The District is proposing a new elementary school on a portion of a vacant site located southwest of the intersection of S. Taft Highway and Stine Road in the City of Bakersfield, California. The new elementary school campus is to serve the surrounding student population. Figure 1-1 is a map of the regional location, Figure 1-2 shows the aerial location of the Project site, and Figure 1-3 shows the potential hazards.

### **1.2 - California Environmental Quality Act**

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

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

### **1.3 - California Department of Education, Siting Requirements**

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

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

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

In considering the construction of Site #26 Elementary School, the Panama-Buena Vista Union School District considered the factors that apply to new school sites. Figure 1-3 illustrates the location and/or proximity of known hazards using the factors listed above for school site selection and lists the distances to each of the identified hazards from the school. The site is approximately two miles away from the nearest railroad and over five miles away from the nearest airport. The site is approximately 600 feet south of SR 119 (also known as Taft Highway) (see Figure 1-3).

In general, the school siting criteria provides that hazards should be located greater than 1,500 feet from any new school. Data indicates that the nearest high-pressure gas line is greater than 1,500 feet from the Project site. Another identified hazard includes an inactive Chevron crude oil pipeline located directly east of the site. No leaks have been reported from this idle pipeline, and it is not considered an environmental threat to the site.

A visual site reconnaissance and discussions with PG&E personnel indicate that no power lines are present within 350 feet of the site boundaries that carry >50 Kilovolt (kV) power overhead or underground. No underground power lines are known to be present within or along the borders of the site. No setbacks from power lines are required at this site.

A review of available databases indicates no naturally occurring asbestos (NOA) is known to be present within 10 miles of the subject site area. There are also no facilities with current or historical hazardous waste activities present within a quarter mile of the site that would be an environmental concern.

### ***1.4 - Impact Terminology***

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

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

### ***1.5 - Document and Contents***

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

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

## **1.6 - Incorporated by Reference**

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

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

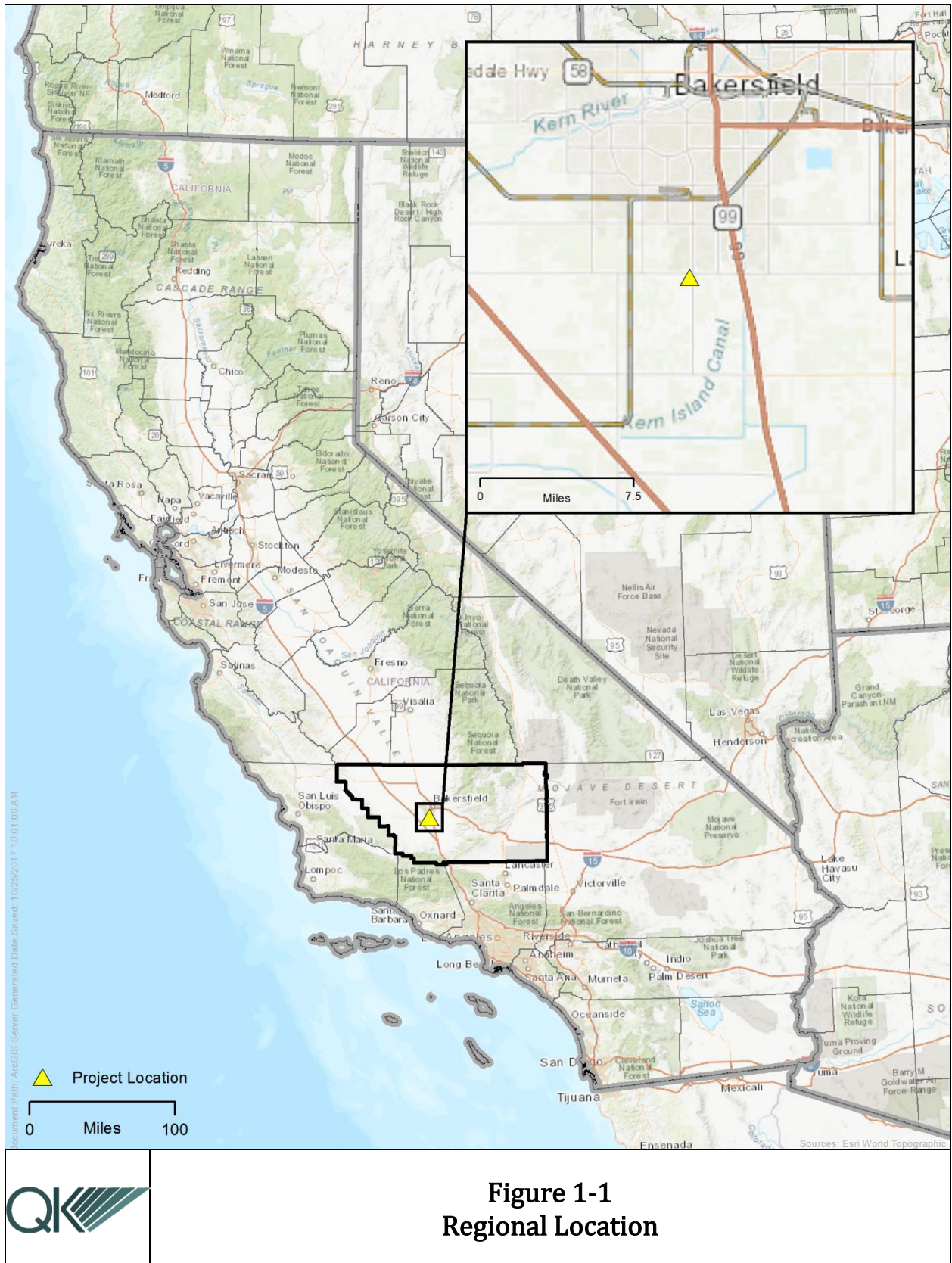




**Figure 1-2**  
**Project Site**

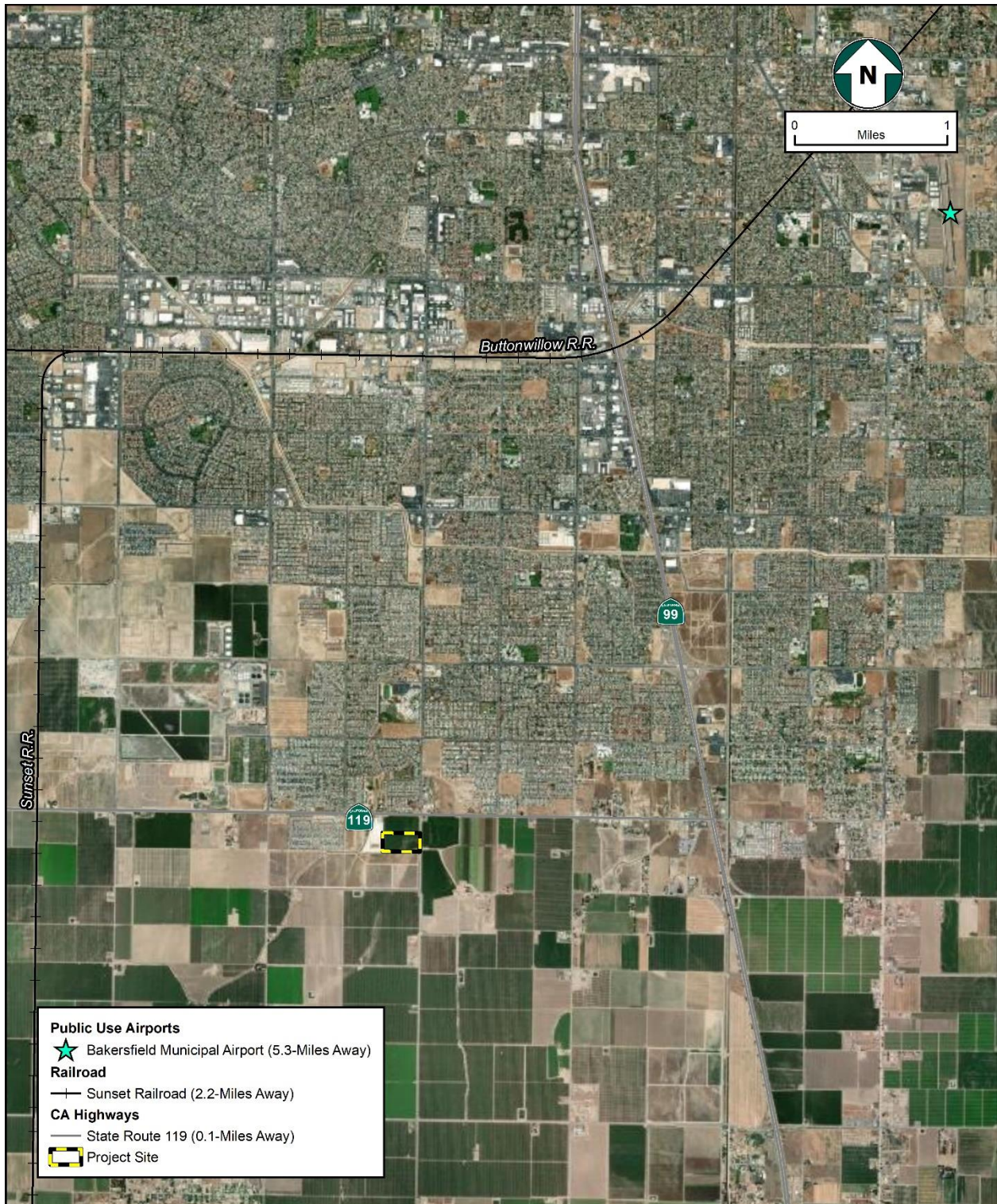


**Figure 1-3**  
**Potential Hazards**

## **SECTION 2 - PROJECT DESCRIPTION**

### ***2.1 - Introduction***

The District is proposing a new elementary school campus to serve the surrounding student population. Figure 1-1 is a map of the regional location, and Figure 1-2 shows the aerial location of the Project site.

### ***2.2 - Project Location***

The Project site is located within Section 3, Township 31 South, Range 27 East, Mount Diablo Base and Meridian (MDB&M), within the Gosford U.S. Geological Survey (USGS) 7.5-minute topographic quadrangle. The site encompasses an approximately 20-acre parcel (APN 184-220-09). The Project site is located at the southwest corner of the intersection of Taft Highway and Stine Road in the City of Bakersfield, California.

### ***2.3 - Project Environment***

The site has been used as an agricultural field since the 1930s. Adjacent properties include agricultural lands to the north, undeveloped lands to the south, an irrigation canal and Stine Road to the east, and a mini storage facility to the west.

### ***2.4 - Proposed Project***

The Panama-Buena Vista Union School District (District), as Lead Agency, is proposing a new elementary school.

The Project will be approximately 101,000 square feet which will include classrooms, administration offices, parking, and play areas. Solar panels will be installed on building rooftops and/or used to create covered parking for staff and visitors. The new school will serve the surrounding community and will serve approximately 1,200 students and 80 teachers at full build-out. The hours of operation are expected to be between 7:30 a.m. and 5:30 p.m., Monday through Friday.

## **SECTION 3 - INITIAL STUDY**

### **3.1 - Environmental Checklist**

**1. Project Title:**

Site #26 Elementary School Project

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

Panama-Buena Vista Union School District  
4200 Ashe Road  
Bakersfield, CA 93313

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

Paul Johnson, Director of Facilities, Planning, and Construction  
(661) 831-8331 ext. 6280

**4. Project Location:**

Southwest corner of the intersection of Taft Highway (SR 119) and Stine Road in the City of Bakersfield, California. The site is within Section 3, Township 31 South, Range 27 East, Mount Diablo Base and Meridian. Access to the site will be from Stine Road.

**5. General Plan Designation:**

Rural Residential (RR) – 2.5 Gross Acres/Dwelling Unit

**6. Zoning:**

Residential Suburban (R-S-20A) – 20 Acre Minimum

**7. Description of Project:**

The Panama-Buena Vista Union School District (District), as Lead Agency, is proposing a new elementary school on a 20-acre undeveloped site (APN 184-220-09).

The new elementary school campus will be approximately 101,000 square feet which will include classrooms, administration offices, parking, and play areas. The new school will serve the surrounding community and will serve approximately 1,200 students and 80 teachers at full build-out. The hours of operation are expected to be between 7:30 a.m. and 5:30 p.m., Monday through Friday. Solar panels will be installed on building rooftops and/or used to create covered parking for staff and visitors.

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

General Commercial to the north and west, rural residential to the east, and low-density residential to the south.

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

- California Department of Education
- California Department of Toxic Substances Control
- California Division of the State Architect
- Central Valley Regional Water Quality Control Board
- Kern County Local Agency Formation Commission
- City of Bakersfield
- San Joaquin Valley Air Pollution Control District

### 3.2 - Environmental Factors Potentially Affected

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

- |                                                        |                                                             |                                                             |
|--------------------------------------------------------|-------------------------------------------------------------|-------------------------------------------------------------|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Energy                             |
| <input type="checkbox"/> Geology and Soils             | <input type="checkbox"/> Greenhouse Gas Emissions           | <input type="checkbox"/> Hazards and Hazardous Materials    |
| <input type="checkbox"/> Hydrology and Water Quality   | <input type="checkbox"/> Land Use and Planning              | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Noise                         | <input type="checkbox"/> Population and Housing             | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Recreation                    | <input type="checkbox"/> Transportation                     | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Wildfire                           | <input type="checkbox"/> Mandatory Findings of Significance |

### 3.3 - Determination

On the basis of this initial evaluation:

- ☐ I find that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed Project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENT IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- ☐ I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

*Paul M. Johnson*

*June 26, 2023*

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Signature

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Date

Paul M. Johnson

Panama-Buena Vista Union  
School District

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Printed Name

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For

### **3.4 - Evaluation of Environmental Impacts**

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a Lead Agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the Lead Agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less-Than-Significant Impact.” The Lead Agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a

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

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
  - a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any, to reduce the impact to less than significant.

|  | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less-than-<br>Significant<br>Impact | No<br>Impact |
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|

### 3.4.1 - AESTHETICS

Except as provided in Public Resources Code Section 21099, would the Project:

|    |                                                                                                                                                                                                                                                                                                                                                                          |                          |                          |                                     |                                     |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. | Have a substantial adverse effect on a scenic vista?                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b. | Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?                                                                                                                                                                                                                    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c. | In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d. | Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?                                                                                                                                                                                                                                                        | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

### Discussion

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

The Metropolitan Bakersfield General Plan identified several scenic viewsheds, recreational areas, and vantage points within the Metropolitan Bakersfield area. Exhibit 4.2-2 of the General Plan mapped out the identified scenic vistas which provide viewsheds of Lake Ming and Kern River (City of Bakersfield/County of Kern, 2016). The Project site is not located on, near, or would substantially affect an identified scenic vista.

The proposed Project site is located in an area characterized by flat, undeveloped land that has been historically used for agricultural production. The site is not within or in the vicinity of a city, county, or State identified scenic vistas. No known aesthetic resources exist on the site. There would be no impact related to a scenic vista.

#### MITIGATION MEASURE(S)

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

There would be *no impact*.

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

The Project does not lie near or within a State Designated or Eligible State Scenic Highway (California Department of Transportation, 2023). Furthermore, the development of the Project would not block or preclude views to any area containing important or what would be considered visually appealing landforms. Finally, the proposed Project does not include the removal of trees determined to be scenic or of scenic value, the destruction of rock outcroppings, or the degradation of any historic building. Therefore, no scenic resources will be affected. The Project will not result in development that is substantially different from surrounding land uses, and impacts would be less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

There would be *no impact*.

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

The Project is in an area that is a mix of agricultural land and urban development, with commercial land use to the west, vacant and residential land use to the north, and agricultural uses to the south and east. The proposed Project campus and associated structures will be set back from the roadway but will remain visible to traveling motorists. However, changes to the visual quality and character of the Project site will be similar in nature to the nearby residential development and an existing elementary school 0.2 miles to the northeast. The proposed Project would also include landscaping that would soften the visual impact of the school. The Project's appearance would not substantially degrade the visual character of the site. Therefore, the Project would result in a less-than-significant impact to the visual quality of the area.

See also discussion of Impacts #3.4.1a-b above.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

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

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

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

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

| Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less-than-<br>Significant<br>Impact | No<br>Impact |
|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|
|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|

### 3.4.2 - AGRICULTURE AND FORESTRY RESOURCES

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

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

### Discussion

**Impact #3.4.2a – Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

CEQA uses the California Department of Conservation Division of Land Resource Protection's Farmland Mapping and Monitoring Program (FMMP) categories of "Prime Farmland," "Farmland of Statewide Importance," and "Unique Farmland" to define "agricultural land" for the purposes of assessing environmental impacts (PRC Section 21060.1[a]). The Project site is designated as Prime Farmland and Farmland of Statewide Importance (California Department of Conservation, 2016).

The City of Bakersfield General Plan designates the subject parcel for Rural Residential (RR) use and is zoned R-S-20A (Residential Suburban, 20-acre minimum). Surrounding parcels to the north, west, and south are within the City of Bakersfield Planning Area and are planned for or already have been developed with non-agricultural uses. As noted, the subject parcel is anticipated for urban development based on its General Plan designation and zoning. Although the parcel is designated as Prime Farmland and Farmland of Statewide Importance, the conversion of 20 acres of farmland to a non-agricultural use would not result in significant impacts as the site and surrounding areas to the north, west, and south are designated for urban development under the adopted General Plan. The conversion received consideration and was allowed to be designated for urban development. Therefore, the proposed Project would have a less-than-significant impact.

#### ***MITIGATION MEASURE(S)***

No mitigation is required.

#### ***LEVEL OF SIGNIFICANCE***

Impacts would be *less than significant*.

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

The parcel is not subject to a Williamson Act land use contract. The Project site has historically been used for agricultural purposes, although the parcel has a Rural Residential (RR) land use designation and an R-S-20A (Residential Suburban, 20-acre minimum) zone classification. Conflicts with existing zoning for agricultural use and/or Williamson Act contracts that could potentially be caused by the Project would be limited to indirect impacts. Although properties to the south and west of the Project site are currently zoned for agriculture, indirect impacts related to the pressure to convert these adjacent properties to non-agricultural uses has already occurred. The properties to the south and west that are still zoned A (Agriculture) are remnants of what were previously primarily agricultural lands. As the City has grown, these pockets of agricultural lands are slowly converted to more urban land uses for residential and commercial development. Therefore, the Project's impacts related to conflicts with existing zoning for agricultural use and/or Williamson Act contracts would be less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

There would be *no impact*.

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

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

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

There would be *no impact*.

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

See discussion of Impact #3.4.2c above.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

There would be *no impact*.

**Impact #3.4.2e – Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?**

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

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

|  | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less-than-<br>Significant<br>Impact | No<br>Impact |
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|

### 3.4.3 - AIR QUALITY

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

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

### Discussion

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

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

The Project is within the San Joaquin Valley Air Basin (SJVAB) and under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). Using project type and size categories, the SJVAPCD has pre-quantified emissions and determined a size below which it is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants. This Project was determined to qualify under the Small Project Analysis Level (SPAL). Table 3.4.3-1 below summarizes the parameters to determine whether a project qualifies as a “small project.” A project is typically found to be less than the established parameters and has no possibility of exceeding criteria pollutant emissions thresholds.

**Table 3.4.3-1**  
**Small Project Analysis Level in Units for Educational**

| Land Use Category - Educational | Project Size (square feet) | Unit        | ADT One-Way for all Fleet Types (except HHDT) | ADT One-Way for HHDT Trips Only |
|---------------------------------|----------------------------|-------------|-----------------------------------------------|---------------------------------|
| Elementary School               | 1,880                      | Student     | 1,000                                         | 15                              |
| Elementary School               | 156,000                    | Square Feet | 1,000                                         | 15                              |
| Junior High School              | 1,440                      | Student     | 1,000                                         | 15                              |
| Junior High School              | 168,800                    | Square Feet | 1,000                                         | 15                              |
| High School                     | 1,160                      | Student     | 1,000                                         | 15                              |
| High School                     | 153,600                    | Square Feet | 1,000                                         | 15                              |
| Junior College (2 year)         | 1,720                      | Student     | 1,000                                         | 15                              |
| Junior College (2 year)         | 74,400                     | Square Feet | 1,000                                         | 15                              |
| University/College (4 year)     | 1,120                      | Student     | 1,000                                         | 15                              |
| Library                         | 38,400                     | Square Feet | 1,000                                         | 15                              |
| Place of Worship                | 141,000                    | Square Feet | 1,000                                         | 15                              |
| Day Care Center                 | 40,000                     | Square Feet | 1,500                                         | 25                              |

Source: Appendix A

The Project would construct a new elementary school approximately 101,000 square feet in size and would service approximately 1,200 students. As indicated in the SJVAPCD *Guide to Mitigating and Assessing Air Quality Impacts* (GAMAQI), projects that fall within the SPAL analysis levels are “deemed to have a less-than-significant impact on air quality due to criteria pollutant emissions and, as such, are excluded from quantifying criteria pollutant emissions for CEQA purposes. However, to meet the standards of adequacy for disclosure of potential environmental impacts and mitigation, the SJVAPCD recommends that the Lead Agency’s environmental document include a narrative that identifies the sources of emissions and sufficient discussion of SPAL values to support the conclusion that criteria pollutant emissions from the project would have a less-than-significant impact on air quality.” SJVAPCD air quality thresholds of significance for criteria pollutants are shown in Table 3.4.3-2 below.

**Table 3.4.3-2**  
**SJVAPCD Air Quality Thresholds of Significance – Criteria Pollutants**

| Pollutant/Precursor | Construction Emissions | Operational Emissions                    |                                              |
|---------------------|------------------------|------------------------------------------|----------------------------------------------|
|                     | Emissions (tpy)        | Permitted Equipment and Activities (tpy) | Non-Permitted Equipment and Activities (tpy) |
| CO                  | 100                    | 100                                      | 100                                          |
| NO <sub>x</sub>     | 10                     | 10                                       | 10                                           |
| ROG                 | 10                     | 10                                       | 10                                           |
| Sox                 | 27                     | 27                                       | 27                                           |
| PM <sub>10</sub>    | 15                     | 15                                       | 15                                           |
| PM <sub>2.5</sub>   | 15                     | 15                                       | 15                                           |

Source: Appendix A

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

- 2008 Extreme Ozone Attainment Demonstration Plan (EOADP) for attainment of the 1-hour ozone standard.
- 2007 Ozone Plan for attainment of the 8-hour ozone standard.
- 2007 PM<sub>10</sub> Maintenance Plan and Request for Redesignation.
- 2008 PM<sub>2.5</sub> Plan.

Because of the region's federal non-attainment status for ozone and PM<sub>2.5</sub>, and State non-attainment status for ozone, PM<sub>2.5</sub>, and PM<sub>10</sub>, if the Project-generated emissions of either the ozone precursor pollutants (reactive organic gases [ROG] or oxides of nitrogen [NO<sub>x</sub>]), PM<sub>10</sub>, or PM<sub>2.5</sub> were to exceed the SJVAPCD's significance thresholds, then the Project uses would be considered to conflict with the attainment plans. In addition, if the Project uses were to result in a change in land use and corresponding increases in vehicle miles traveled, they may result in an increase in vehicle miles traveled that is unaccounted for in regional emissions inventories contained in regional air quality control plans.

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

### ***Project's Contribution to Air Quality Violations***

As discussed in Impact #3.4.3b, predicted construction and operational emissions would not exceed the SJVAPCD's significance thresholds for ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. As a result, the Project would not conflict with emissions inventories contained in regional AQAPs and would not result in a significant contribution to the region's air quality non-attainment status.

### ***Consistency with Assumptions in Air Quality Attainment Plans***

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

As required by California law, city and county general plans contain a land use element that details the types and quantities of land uses that the city or county estimates will be needed

for future growth and that designates locations for land uses to regulate growth. The Kern County Council of Governments uses the growth projections and land use information in adopted general plans to estimate future average daily trips and then vehicle miles traveled (VMT), which are then provided to SJVAPCD to estimate future emissions in the AQAPs. Existing and future pollutant emissions computed in the AQAP are based on land uses from area general plans. AQAPs detail the control measures and emission reductions required for reaching attainment of the air standards.

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

### **Control Measures**

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

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

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

- Rule 4102 – Nuisance.
- Regulation VIII – Fugitive PM10 Prohibitions.
- Rule 8011 – General Requirements.
- Rule 8021 – Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities.
- Rule 8041 – Carryout and Trackout.
- Rule 8051 – Open Areas.

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

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

### **MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

**Impact #3.4.3b – Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or State ambient air quality standard?**

Emissions associated with the construction of the Project would be temporary in nature and are not anticipated to result in the generation of a substantial amount of hazardous air pollutants. Table 3.4.3-3 shows the emission levels for the construction of the Project, which are minimal and well below the adopted thresholds.

**Table 3.4.3-3  
Construction Emissions**

| Emission Source                           | ROG   | NOx   | CO    | Pollutant          | PM <sub>10</sub> | PM <sub>2.5</sub> |
|-------------------------------------------|-------|-------|-------|--------------------|------------------|-------------------|
|                                           |       |       |       | SOx<br>(tons/year) |                  |                   |
| 2023 Construction Emissions               | 0.196 | 1.732 | 1.953 | 0.004              | 0.175            | 0.107             |
| 2024 Construction Emissions               | 0.589 | 0.268 | 0.355 | 0.001              | 0.022            | 0.015             |
| SJCAPCD Construction Emissions Thresholds | 10    | 10    | 100   | 27                 | 15               | 15                |
| Is Threshold Exceeded?                    | No    | No    | No    | No                 | No               | No                |

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

Table 3.4.3-4 shows the Project's long-term operational emissions generated from energy and area sources emissions.

**Table 3.4.3-4  
Total Project Operational Emissions**

| Emission Source                           | ROG   | NOx   | CO    | Pollutant          | PM <sub>10</sub> | PM <sub>2.5</sub> |
|-------------------------------------------|-------|-------|-------|--------------------|------------------|-------------------|
|                                           |       |       |       | SOx<br>(tons/year) |                  |                   |
| Operational Emissions                     | 1.277 | 1.770 | 7.885 | 0.019              | 1.652            | 0.460             |
| SJCAPCD Construction Emissions Thresholds | 10    | 10    | 100   | 27                 | 15               | 15                |
| Is Threshold Exceeded?                    | No    | No    | No    | No                 | No               | No                |

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

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

### ***Cumulative Impacts***

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

### ***MITIGATION MEASURE(S)***

No mitigation is required.

### ***LEVEL OF SIGNIFICANCE***

Impacts would be *less than significant*.

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

Sensitive receptors are defined as areas where young children, chronically ill individuals, the elderly, or people who are more sensitive than the general population reside. The closest sensitive receptors are the Panama Elementary School, approximately 0.16 miles north of the Project; Lesley's Family Child Care, approximately 0.44 miles northwest of the Project; Candiland Child Care approximately, 0.60 miles northwest of the Project; Ridgeview High School, approximately 0.71 miles north of the Project; and Ridgeview Christian Preschool, approximately 0.87 miles north of the Project.

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

### ***Hazardous Pollutants or Odors***

The GAMAQI guidelines introduce two types of projects that should be assessed when considering hazardous air pollutants (HAPs), which include: (1) placing a toxic land use in

an area where it may have an adverse health impact on an existing sensitive land use and (2) placing a sensitive land use in an area where an adverse health impact may occur from an existing toxic land use. Some examples of projects that may include HAPs are:

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

The proposed Project is located on a site that is currently undeveloped land. The Project includes the construction of 101,000 square feet of new building construction and a new parking lot. Solar panels may be installed on building rooftops and/or used to create covered parking for staff and visitors. During the construction period, some odors could result from vehicles and equipment using diesel fuels. However, vehicles and equipment using diesel fuels at the proposed Project site would have to comply with the California Air Resources Board (CARB) guidelines, which limit idling time to five minutes with the Airborne Toxic Control Measure (ATCM). Although construction activities are anticipated to generate fugitive dust, the Project would minimize the generation of fugitive dust by complying with the SJVAPCD's Regulation VIII. Dust-disturbing activities would be limited in scope and duration.

### ***Toxic Air Contaminants (TAC) and Health Risk Impacts***

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

As part of the prepared SPAL, an assessment of potential toxic air contaminants (TAC) was completed to determine potential health risks to the population attributable to emissions of diesel particulate matter from the proposed Project. The carcinogenic risk and the health hazard index (HI) for chronic non-cancer risk at the point of maximum impact (PMI) do not exceed the significance levels of 20 in one million (20E-06) and 1.0, respectively for the proposed Project. The PMIs, are identified by receptor location and risk and are provided in Table 3.4.3-5.

**Table 3.4.3-5  
Potential Maximum Health Risk Impacts**

|                      | <b>Value</b> |
|----------------------|--------------|
| Excess Cancer Risk   | 2.36E-06     |
| Chronic Hazard Index | 2.66E-03     |

Source: Appendix A

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

1. Potential carcinogenic risk from the proposed Project is below the significance level of 20 in a million at each of the modeled receptors.
2. The hazard index for the potential chronic non-cancer risk from the proposed Project is below the significance level of 1.0 at each of the modeled receptors.
3. The hazard index for the potential acute non-cancer risk was not calculated since there is no acute risk associated with DPM emission; therefore, the proposed Project is considered below the significance level.

As shown above, the maximum predicted cancer risk for the proposed Project is 2.36E-06, and the maximum chronic non-cancer hazard index is 2.66E-03. Since the health risk impacts remained below the significance threshold for cancer and chronic risk, the Project would not have an adverse effect to any of the surrounding communities, and impacts are considered less than significant.

#### **MITIGATION MEASURE(S)**

No mitigation is required.

#### **LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

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

See discussion of Impacts #3.4.3 a-c above.

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

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

| Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less-than-<br>Significant<br>Impact | No<br>Impact |
|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|
|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|

### 3.4.4 - BIOLOGICAL

Would the Project:

- |    |                                                                                                                                                                                                                                                                                                                  |                          |                                     |                                     |                                     |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a. | Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| b. | Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?                                                             | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c. | Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?                                                                                        | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d. | Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?                                                                                 | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e. | Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?                                                                                                                                                                                 | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f. | Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan?                                                                                                                                | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Discussion

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

A review of the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDB) (CDFW, 2022a), CDFW's special animals list (CDFW, 2022b) California Native Plant Society, the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation project planning tool (U.S. Fish and Wildlife Service, 2023a), and the United States Fish and Wildlife Service Endangered Species List (U.S. Fish and Wildlife Service, 2023b) was conducted to identify special-status plant and wildlife species with the potential to occur within the Project site and vicinity (the surrounding nine USGS 7.5-minute quadrangles and a 10-mile radius). Information on the potential presence of wetlands and waters was obtained from the National Wetlands Inventory (NWI), National Hydrography Database (NHD), and Federal Emergency Management Agency (FEMA). Information regarding the presence of Critical Habitat in the Project vicinity was obtained from the United States Fish and Wildlife Service's Critical Habitat Mapper database. The results of the database inquiries were subsequently reviewed to evaluate the potential for the occurrence of special-status species and other sensitive biological resources known to occur on or near the Project site prior to conducting the biological survey.

A biological survey of the entire Project site and a 50-foot buffer area (Biological Survey Area BSA), where feasible, was conducted on November 16, 2022, by a qualified biologist. The purpose of the survey was to determine the locations and extent of sensitive-plant communities and habitats, determine the potential for the occurrence of special-status plant and animal species, and identify other sensitive biological resources within the BSA. Meandering pedestrian transects were walked through all habitat types present on the site. Protocol surveys for specific special-status wildlife species were not conducted due to the disturbed condition of the Project site and, therefore, deemed not to be warranted. Photographs were taken to document the existing landscape of the Project site and adjacent land uses. Detailed notes on observed plant and wildlife species and site conditions were taken.

### **General Site Conditions**

The entire Project site has had historical disturbance from agricultural production and disking. Wildlife and plant species inhabiting the BSA include those typically found in moderate to heavily disturbed habitats associated with agricultural development zones in Kern County and the southern San Joaquin Valley (Table 3.4.4-1). There was no wetland, riparian, or other sensitive habitat recorded during the time of the survey. One potential San Joaquin kit fox (*Vulpes macrotis mutica*) den, a State and federally-listed species, was observed on the southern portion of the Project site (see Figure 3.4.4-1).

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

| Scientific name               | Common name          |
|-------------------------------|----------------------|
| <b>Plants</b>                 |                      |
| <i>Cyperus rotundus</i>       | purple nutsedge      |
| <i>Portulaca oleracea</i>     | common purslane      |
| <i>Zea mays</i>               | corn                 |
| <b>Wildlife</b>               |                      |
| <i>Canis latrans</i>          | coyote*              |
| <i>Corvus corax</i>           | common raven         |
| <i>Vulpes macrotis mutica</i> | San Joaquin kit fox* |

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

**Impact #3.4.4a – Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?**

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

### **Sensitive Natural Communities and Special-Status Species**

#### **SENSITIVE NATURAL COMMUNITIES AND SPECIAL-STATUS PLANTS**

According to CNDDDB, there are four sensitive natural communities and 16 plant species with records occurring within a 10-mile buffer of the Project site. These plant species include alkali mariposa lily (*Calochortus striatus*), Bakersfield cactus (*Opuntia basilaris* var. *treleasei*), Bakersfield smallscale (*Atriplex tularensis*), California alkali grass (*Puccinellia simplex*), California jewelflower (*Caulanthus californicus*), California satintail (*Imperata brevifolia*), Coulter's goldfields (*Lasthenia glabrata* ssp. *coulteri*), Comanche point layia (*Layia leucopappa*), heartscale (*Atriplex cordulata*), Horn's milk-vetch (*Astragalus hornii* var. *hornii*), Hoover's eriastrum (*Eriastrum hooveri*), hispid salty bird's-beak (*Chloropyron mole* subsp. *hispidum*), Kern mallow (*Eremalche kernensis*), Lost Hills crownscale (*Atriplex coronate* var. *vallicola*), recurved larkspur (*Delphinium recurvatum*), and San Joaquin woollythreads (*Monolopia congdonii*). The Project site and vicinity has been highly disturbed for decades by agricultural uses and nearby residential development, and it does not provide habitat for any sensitive natural community or special-status plant species. No

sensitive natural habitat and no special-status plant species were identified during the site survey.

### **SPECIAL-STATUS WILDLIFE**

According to CNDDDB, there are 24 special-status wildlife species found within a 10-mile radius of the Project site. Of the 24 species, 21 were eliminated from occurring on the site because of a lack of suitable habitat that would support the species. The remaining three species have the potential to occur within the Project site and vicinity. These three species are discussed below.

#### *Western Burrowing owl*

There are 24 recorded CNDDDB occurrences of the western burrowing owl within 10 miles of the Project. The nearest occurrence (EONDX 66205) was recorded in 2006, approximately 1.0 miles southwest of the Project site. There is potential for the burrowing owl to reside or forage on the Project site and in open fields in the vicinity of the Project site. No burrowing owl or their sign (i.e., burrows, whitewash) were observed during the survey. Burrowing owls are winter and summer residents in the San Joaquin Valley, and it is possible that the species could be present on the site at any time.

#### *San Joaquin Kit Fox*

There are 37 recorded CNDDDB occurrences of the San Joaquin kit fox within 10 miles of the Project. This nearest occurrence (EONDX 53951) was recorded in 2006, approximately 0.6 miles north of the Project site. One potential den, with three entrances, was observed on the south side of the Project site (see Figure 3.4.4-1). No active sign (i.e., fresh kick out, scat, or prey remains) were observed during the site survey. It is possible for the San Joaquin kit fox to reside or forage on the Project site and in open fields in the vicinity of the Project. The San Joaquin kit fox could potentially inhabit the site at any time, or individuals could potentially be present from time to time as transient foragers.

#### *American Badger*

The only CNDDDB record occurrence (EONDX 57313) of American badger was recorded in 1900. This record is approximately 2.3 miles northeast of the Project site and encompasses most of the City of Bakersfield. Suitable foraging and denning habitat are limited and are unlikely to be present. No potential dens or sign were observed during the site survey. The American badger has potential to occur in the vicinity of the Project site and could be present from time to time as a transient forager.

#### *Nesting Migratory Birds and Nesting Raptors.*

Nesting migratory birds and nesting raptors could be present on the site and within the buffer surrounding the site at any time during the nesting season (generally accepted as being from February 1 through September 15). Appropriate nesting substrates are minimal due to the lack of trees and large shrubs on site, although there are some ground-nesting

species that could nest anywhere on the site. Any activity on the site immediately prior to or during the nesting season could reduce the potential for ground nesting species to occur.

### **CONCLUSION**

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

There is potential for three special-status wildlife species to be present and subject to impact by Project activities. There is also potential for nesting migratory birds and nesting and foraging raptors to be present on and near the Project site. Compliance with Mitigation Measures MM BIO-1 through MM BIO-5 would protect, avoid, and minimize impacts to special-status wildlife species and nesting migratory birds and nesting and foraging raptors. When implemented, these measures would reduce impacts to these species to below significant levels.

### **MITIGATION MEASURE(S)**

**MM BIO-1:** Prior to ground-disturbing activities, a qualified wildlife biologist shall conduct a biological clearance survey between 14 and 30 days prior to the onset of construction.

The clearance survey shall include walking transects to identify presence of San Joaquin kit fox, burrowing owl, nesting birds, and other special-status species. The pre-construction survey shall be walked by no greater than 30-foot transects for 100 percent coverage of the Project and a 50-foot buffer, where feasible. If no evidence of special-status species is detected, no further action is required except MM BIO-4 and BIO-6 shall be implemented.

**MM BIO-2:** The following avoidance and minimization measures shall be implemented during all phases of the Project to reduce the potential for impact from the Project. They are modified from the *U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered SJKF Prior to or During Ground Disturbance* (USFWS 2011, Appendix F).

- a. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from the construction of the Project site.
- b. Construction-related vehicle traffic shall be restricted to established roads and predetermined ingress and egress corridors, staging, and parking areas. Vehicle speeds shall not exceed 20 miles per hour (mph) within the Project site.
- c. To prevent inadvertent entrapment of kit fox or other animals during construction, the contractor shall cover all excavated, steep-walled holes or trenches more than

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

- d. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the USFWS and CDFW have been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity until the fox has escaped.
- e. No pets, such as dogs or cats, shall be permitted on the Project sites to prevent harassment, mortality of kit foxes, destruction of dens.
- f. Use of anti-coagulant rodenticides and herbicides in project sites shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe labels and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and federal legislation, as well as additional Project-related restrictions deemed necessary by the USFWS and CDFW. If rodent control must be conducted, zinc phosphide shall be used because of the proven lower risk to kit foxes.
- g. A representative shall be appointed by the Project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured, or entrapped kit fox. The representative shall be identified during the employee education program, and their name and telephone number shall be provided to the USFWS.
- h. The Sacramento Fish and Wildlife Office of USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to a SJKF during Project-related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species at

the addresses and telephone numbers below. The CDFW contact can be reached at (559) 243-4014 and [R4CESA@wildlifeca.gov](mailto:R4CESA@wildlifeca.gov).

- i. All sightings of the SJKF shall be reported to the California Natural Diversity Database (CNDDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to the Service at the address below.
- j. Any Project-related information required by the USFWS or questions concerning the above conditions or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at: Endangered Species Division, 2800 Cottage Way, Suite W 2605, Sacramento, California 95825-1846, phone: (916) 414-6620 or (916) 414-6600.
- k. New sightings of SJKF should be reported to the CNDDDB.

**MM BIO-3:** Within 14 days prior to the start of Project ground-disturbing activities, a pre-activity survey with a 500-foot buffer shall be conducted by a qualified biologist knowledgeable in the identification of these species and approved by the CDFW. If dens/burrows that could support any of these species are discovered during the pre-activity survey conducted under MM BIO-1, the avoidance buffers outlined below should be established. No work would occur within these buffers unless the biologist approves and monitors the activity.

#### San Joaquin Kit Fox

- Potential or Atypical den – 50 feet
- Known den – 100 feet
- Natal or pupping den – 500 feet, unless otherwise specified by CDFW

**MM BIO-4:** If construction is planned outside the nesting period for raptors (other than burrowing owl) and migratory birds (February 15 to August 31), no mitigation shall be required. If construction is planned during the nesting season for migratory birds and raptors, a pre-construction survey to identify active bird nests shall be conducted by a qualified biologist to evaluate the site and a 250-foot buffer for migratory birds and a 500-foot buffer for raptors. If nesting birds are identified during the survey, active raptor nests shall be avoided by 500 feet and all other migratory bird nests shall be avoided by 250 feet. Avoidance buffers may be reduced if a qualified on-site monitor determines that encroachment into the buffer area is not affecting nest building, the rearing of young, or otherwise affecting the breeding behaviors of the resident birds. Because nesting birds can establish new nests or produce a second or even third clutch at any time during the nesting season, nesting bird surveys shall be repeated every 30 days as construction activities are occurring throughout the nesting season.

No construction or earth-moving activity shall occur within a non-disturbance buffer until it is determined by a qualified biologist that the young have fledged (left the nest) and have attained sufficient flight skills to avoid project construction areas. Once the migratory birds

or raptors have completed nesting and young have fledged, disturbance buffers will no longer be needed and may be removed, and monitoring may cease.

**MM BIO-5:** A qualified biologist shall conduct a pre-construction survey on the project site and within 500 feet of its perimeter, where feasible, to identify the presence of the western burrowing owl. The survey shall be conducted between 14 and 30 days prior to the start of construction activities. If any burrowing owl burrows are observed during the pre-construction survey, avoidance measures shall be consistent with those included in the CDFW Staff Report on Burrowing Owl Mitigation (CDFG 2012). If occupied burrowing owl burrows are observed outside of the breeding season (September 1 through January 31) and within 250 feet of proposed construction activities, a passive relocation effort may be instituted in accordance with the guidelines established by the California Burrowing Owl Consortium (1993) and the California Department of Fish and Wildlife (2012). During the breeding season (February 1 through August 31), a 500-foot (minimum) buffer zone shall be maintained unless a qualified biologist verifies through non-invasive methods that either the birds have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

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

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

**MM BIO-6:** Prior to ground-disturbance activities, or within one week of being deployed at the Project site for newly hired workers, all construction workers at the Project site shall attend a Construction Worker Environmental Awareness Training and Education Program developed and presented by a qualified biologist.

The Construction Worker Environmental Awareness Training and Education Program shall be presented by the biologist and shall include information on the life histories of special-status wildlife and plant species that may be encountered during construction activities, their legal protections, the definition of “take” under the Endangered Species Act, measures the project operator is implementing to protect the species, reporting requirements, specific measures that each worker must employ to avoid take of the species, and penalties for

violation of the Act. Identification and information regarding special status or other sensitive species with the potential to occur on the Project site shall also be provided to construction personnel. The program shall include:

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

#### **LEVEL OF SIGNIFICANCE**

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

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

The Project site is highly disturbed and does not contain any sensitive natural community. The Project would not result in impacts to any sensitive natural community. The Project site has been used for agricultural production and is surrounded by disturbed cultivated land, and commercial, industrial, and residential development.

Riparian habitat is defined as lands that are influenced by a river, specifically the land area that encompasses the river channel and its current or potential floodplain. The Project is not located within a river or an area that encompasses a river or potential floodplain. The proposed Project would have no impact to riparian habitat.

#### **MITIGATION MEASURE(S)**

No mitigation is required.

#### **LEVEL OF SIGNIFICANCE**

There would be *no impact*.

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

The United States Army Corps of Engineers (USACE) has regulatory authority over the Clean Water Act (CWA), as provided for by the US EPA. The USACE has established specific criteria for the determination of wetlands based on the presence of wetland hydrology, hydric soils, and hydrophilic vegetation. Wetlands, streams, reservoirs, sloughs, and ponds typically meet the criteria for federal jurisdiction under Section 404 of the CWA and State regulatory

authority under the Porter-Cologne Water Quality Control Act. Streams and ponds typically meet the criteria for State regulatory authority under Section 1602 of the California Fish and Game Code.

There are no water features on the Project site that would meet the criteria for either federal jurisdiction or State regulatory authority to protect wetlands, vernal pools, or waters. There would be no impact to federally protected wetlands or waterways or State wetlands or waters.

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

There would be *no impact*.

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

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

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

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

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

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

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

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

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

There would be *no impact*.

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

The Project is not located within any Natural Community Conservation Plan, Habitat Conservation Plan, or any other local, regional, or State Conservation Plan. The proposed Project would have no impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

There would be *no impact*.

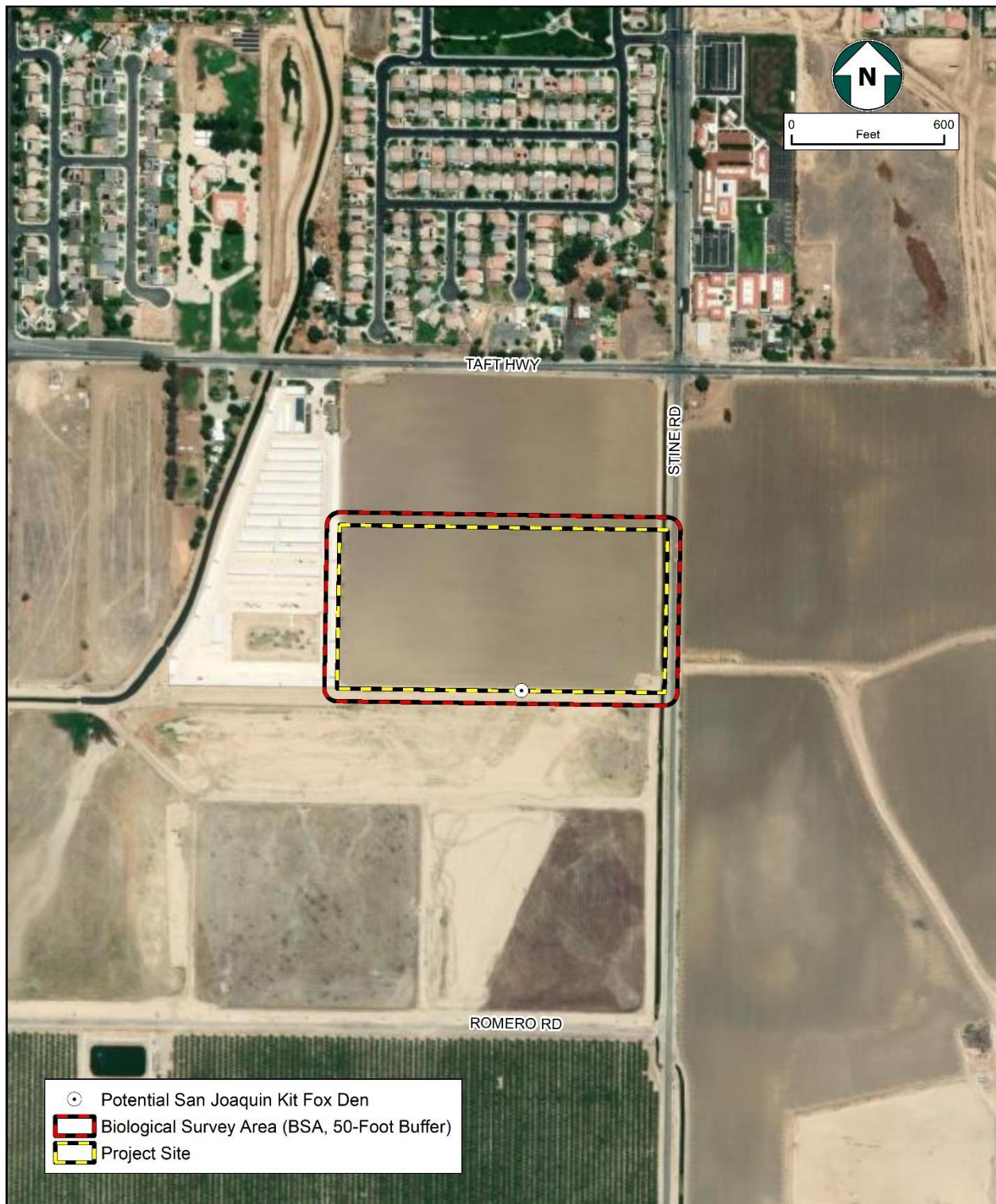


**Figure 3.4.4-1**  
**Biological Survey Area, Bakersfield, Kern County, California**

|  | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less-than-<br>Significant<br>Impact | No<br>Impact |
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|

### 3.4.5 - CULTURAL RESOURCES

Would the Project:

- |    |                                                                                                                                   |                          |                                     |                          |                          |
|----|-----------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a. | Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?      | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. | Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. | Disturb any human remains, including those interred outside of formal cemeteries?                                                 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

### Discussion

This section is based on a cultural resource record search (RS # 22-451) conducted at the Southern San Joaquin Valley Information Center of the California Historical Resources Information System at the California State University, Bakersfield, and the technical memo is included in this document as Appendix B (QK, 2022). The purpose of the search was to determine whether any known cultural resources or previously conducted cultural resource surveys were located on or near the Project.

The Native American Heritage Commission (NAHC) was contacted, and a Sacred Lands File search was conducted; the results were negative. A copy of the NAHC response and the list of local tribal groups and the consultation letter that was included is also included in Appendix B of this document.

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

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

- A resource listed in or determined to be eligible by the State Historical Resources Commission for listing in the California Register of Historical Resources (Public Resource Code Section 5024.1, Title 14 California Code of Regulations, Section 4850 et seq.).
- A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code, or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public

agencies must treat any such resource as significant unless the preponderance of the evidence demonstrates that it is not historically or culturally significant.

- Any object, building, structure, site, area, place, record, or manuscript which a Lead Agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, may be considered to be a historical resource, provided the Lead Agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the Lead Agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Public Resources Code Section 5024.1, Title 14 CCR, Section 4852), including the following:
  - Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
  - Is associated with the lives of persons important in our past;
  - Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
  - Has yielded, or may be likely to yield, information important in prehistory or history.

The records search covered an area within one-half mile of the subject property and included a review of the *National Register of Historic Places*, *California Points of Historical Interest*, *California Registry of Historic Resources*, *Historical Landmarks*, *California State Historic Resources Inventory*, and a review of cultural resource reports on file.

The records search indicated that about five acres at the western end of the Project had been surveyed previously as part of a larger project; however, the rest of the property has never been surveyed for cultural resources, and it is not known if any exist on it. Seven additional cultural resource studies have been conducted within a half mile of the Project site. Five cultural resources have been recorded within a half mile of the Project. All are late historic period residences (i.e., at least 45 years old at the time of recording). However, the Project will not impact these cultural resources.

Grading and trenching, as well as other ground-disturbing actions, have the potential to damage or destroy these previously unidentified and potentially significant cultural resources within the Project area, including historical resources. It would be an unlikely event the disturbance of any deposits that have the potential to provide significant cultural data would be considered a significant impact under CEQA. However, implementation of MM CUL-1 would reduce potential impacts to cultural resources to less-than-significant levels.

#### **MITIGATION MEASURE(S)**

**MM CUL-1:** If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and

debris, shell, bone, ceramics, and fire-affected rock, as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from Project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.

#### **LEVEL OF SIGNIFICANCE**

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

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

On December 21, 2022, letters were mailed to each of the Native American tribes within the geographic area as identified by the NAHC (see Appendix B). The letters included a Project description and location maps. To date, no response has been received.

See also discussion of Impact #3.4.5a above.

#### **MITIGATION MEASURE(S)**

Implementation of Mitigation Measures MM CUL-1.

#### **LEVEL OF SIGNIFICANCE**

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

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

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

**MITIGATION MEASURE(S)**

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

**LEVEL OF SIGNIFICANCE**

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

|  | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less-than-<br>Significant<br>Impact | No<br>Impact |
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|

### 3.4.6 - ENERGY

Would the Project:

- |                                                                                                                                                                                   |                          |                          |                                     |                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?                                                                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### Discussion

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

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

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

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

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

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

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

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

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

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

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

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

| Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less-than-<br>Significant<br>Impact | No<br>Impact |
|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|
|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|

### 3.4.7 - GEOLOGY AND SOILS

Would the Project:

- a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
  - ii. Strong seismic ground shaking?
  - iii. Seismic-related ground failure, including liquefaction?
  - iv. Landslides?
- b. Result in substantial soil erosion or the loss of topsoil?
- c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?
- d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?
- e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?
- f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

|                          |                                     |                                     |                          |
|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |

## ***Discussion***

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

**Impact #3.4.7a(i) – Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?**

The proposed construction and operation of the Project would increase the potential exposure of persons working on the Project site to seismic events, including risk of loss, injury, and death related to earthquakes and related hazards.

The nearest active fault is the White Wolf Fault, approximately 17.2 kilometers to the southeast; the Kern Front Fault, approximately 19.0 kilometers to the north; the Pleito Thrust Fault, approximately 28.6 kilometers to the south-southeast; the San Andreas Fault, approximately 46.4 kilometers to the southwest; the Bug Pine Fault, approximately 49.5 kilometers to the south-southwest; the Garlock (West) Fault, approximately 49.9 kilometers to the south; the San Gabriel, approximately 63.5 kilometers to the south-southeast; and the Santa Ynez (East), approximately 76.6 kilometers to the south, southwest (Soils Engineering Inc., 2023).

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

### ***MITIGATION MEASURE(S)***

No mitigation is required.

### ***LEVEL OF SIGNIFICANCE***

Impacts would be *less than significant*.

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

The analysis estimates that a maximum peak ground acceleration of 0.3514g would be felt at the site as a result of a maximum earthquake of magnitude 7.3 on the White Wolf Fault, approximately 17.2 kilometers away (Soils Engineering Inc., 2023).

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

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

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

Ground rupture may occur along a fault trace in a major earthquake. It is unlikely that ground rupture could occur at this site since it is not located within 500 feet of a suspected active fault. Based on the predicted maximum horizontal accelerations at the site and the soil types of the site, ground failure is highly unlikely to occur (Soils Engineering Inc., 2023).

Groundwater was encountered in recent geotechnical borings conducted on-site to depths as great as 51 feet below ground surface. Site-specific information indicated that the overall liquefaction potential at this site appears to be low to moderate (Soils Engineering Inc., 2023).

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

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

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

The site is located in an area with <0.5 percent slopes across the site. No bedrock outcroppings were present within a half mile of the site and no evidence of historic landslides or creep was observed (Soils Engineering Inc., 2023). The site and surrounding area are flat with no significant topological features. There is no potential for rock falls and landslides to impact the site in the event of a major earthquake, as the area has no dramatic elevation changes.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

There would be *no impact*.

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

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

In the long term and after construction activities have been completed on the Project site, the ground surface will have impermeable surfaces as well as permeable surfaces. The impermeable surfaces would include roadways, driveways, parking lots, and building sites. The permeable surfaces would include the playground and landscape areas that would stabilize the permeable areas. Overall, the development of the Project would not result in conditions where substantial surface soils would be exposed to wind and water erosion. Mitigation Measure MM GEO-2 requires the District to limit grading to the minimum area necessary for the construction of the Project.

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

**MITIGATION MEASURE(S)**

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

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

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

**LEVEL OF SIGNIFICANCE**

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

**Impact #3.4.7c – Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?**

Near-surface soils within the zone of influence of future development consist of interbedded clayey silt, clayey sand, clay, and silty sand layers overlying bedrock, which is located several thousand feet below ground surface (Soils Engineering Inc., 2023).

As discussed above, the Project site is not susceptible to landslide hazards, liquefaction, or ground failure. Based on the encountered soils, the estimated amount of differential settlement is 3.19 inches over a span of 460 feet or approximately 0.123 inches over a span of 30 feet. The Project is recommended to replace the upper 10 feet of soil in the building areas with engineered fill (9 feet of removal and scarify bottom 12 inches) to lower the estimated differential settlement to an estimated 1.89 inches over a span of 460 feet or approximately 0.123 inches over a span of 30 feet. The settlement values would become acceptable for the proposed development (Soils Engineering Inc., 2023). Therefore, to further reduce potential settlement resulting from Project development, MM GEO-3 requires the replacement of the upper 10 feet of soil in building areas with engineered fill.

As indicated in previous responses, the site and surrounding area is flat, which does not provide the conditions required for significant on-site land sliding. Additionally, the site is not located near any areas with sufficient slope that could result in off-site landslides. Moreover, the Project will be designed by an engineer to resist spreading, subsidence, liquefaction, or collapse. Therefore, with implementation of the mitigation measure as

recommended in the prepared Geological Hazard Report, the Project would result in a less-than-significant impact.

**MITIGATION MEASURE(S)**

**MM GEO-3:** The upper 10 feet of soil in the building areas shall be replaced with engineered fill to reduce potential settlement as recommended in the prepared Geological Hazard Study.

**LEVEL OF SIGNIFICANCE**

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

**Impact #3.4.7d – Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?**

Based on soils encountered in the top 10 feet of soil borings, it appears unlikely that highly expansive surface soils are present on the site. Expansion Index testing indicated very low expansion potential (Soils Engineering Inc., 2023).

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

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

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

The proposed Project will not use a septic system; sewer services will be provided by the City of Bakersfield Department of Public Works, Wastewater Division. Therefore, the Project would have a less-than-significant impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

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**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

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

The Project does not intend to use undisturbed land; the property has been historically farmed and is highly disturbed. The Metropolitan Bakersfield General Plan Update EIR identifies Sharktooth Hill as the most important paleontological resource in the Metropolitan Bakersfield Planning Area (City of Bakersfield/County of Kern, 2002). It is further stated that geological records of the region indicate that the Planning Area is underlain by recent alluvial deposits that are too young to contain significant fossil remains and can consider the Planning Area to have a very low potential of containing paleontological resources. Sharktooth Hill is located approximately 14 miles northeast of the Project site and would not be impacted as a result of the Project.

However, there remains the possibility for previously unknown, buried paleontological resources or unique geological sites to be uncovered during subsurface construction activities. Implementation of MM GEO-3 requires that if unknown paleontological resources are discovered during construction activities, work within a 25-foot buffer would cease until a qualified paleontologist determines the appropriate course of action. With implementation of MM GEO-4, the Project will have a less-than-significant impact.

**MITIGATION MEASURE(S)**

**MM GEO-4:** During any ground-disturbance activities, if paleontological resources are encountered, all work within 25 feet of the find shall halt until a qualified paleontologist, as defined by the Society of Vertebrate Paleontology *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources* (2010), can evaluate the find and make recommendations regarding treatment. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. The qualified paleontologist shall contact the Natural History Museum of Los Angeles County or another appropriate facility regarding any discoveries of paleontological resources.

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

|  | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less-than-<br>Significant<br>Impact | No<br>Impact |
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|

### 3.4.8 - GREENHOUSE GAS EMISSIONS

Would the Project:

- |                                                                                                                                    |                          |                          |                                     |                          |
|------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?        | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### Discussion

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

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

The Project's greenhouse gas (GHG) emissions are primarily from mobile source activities. Not all GHGs exhibit the same ability to induce climate change; as a result, GHG contributions are commonly quantified as carbon dioxide equivalents (CO<sub>2</sub>e) (see Appendix A). The proposed Project's operational CO<sub>2</sub>e emissions were estimated using CalEEMod. These emissions are summarized in Table 3.4.8-1 (Trinity Consultants, 2023).

**Table 3.4.8-1  
Estimated Annual Greenhouse Gas Emissions**

|                         | CO <sub>2</sub> Emissions<br>metric tons | CH <sub>4</sub> Emissions<br>metric tons | N <sub>2</sub> O Emissions<br>metric tons | CO <sub>2</sub> e Emissions<br>metric tons |
|-------------------------|------------------------------------------|------------------------------------------|-------------------------------------------|--------------------------------------------|
| 2024 Project Operations | 1,905.77                                 | 2.828                                    | 0.112                                     | 2009.90                                    |

The Project's largest contributors to GHG emissions are from electricity and exhaust from transportation fuels. Electricity and transportation fuels are, in effect, regulated by requiring providers and importers of electricity and fuel to participate in the GHG Cap-and-Trade Program and other programs. Each such sector-wide program exists within the framework of AB 32 and its descendant laws, the purpose of which is to achieve GHG emissions reductions consistent with the AB 32 Scoping Plan.

The Project would generate GHGs from electricity use and combustion of gasoline/diesel fuels, each of which is regulated near the top of the supply chain. As such, each citizen of California (including those creating emissions of this Project) will have no choice but to purchase electricity and fuels produced in a way that is acceptable to the California market. Thus, consumers of electricity and transportation fuels are, in effect, regulated by higher-level emissions restrictions on the producers of these energy sources. However, the Project may include the installation of rooftop solar and/or solar panels used as covered parking, which would reduce the emissions of GHGs and also help in the furtherance of the goals of the California Renewable Energy Portfolio Standard and other similar renewable programs in the State.

Therefore, the Project would have a less-than-significant impact on applicable GHG reduction plans, and the Project's contribution to cumulative global climate change impacts would not be cumulatively considerable.

See also Impact #3.4.3a.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

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

See the discussion of Impact #3.4.8 above.

In the decade after SJVAPCD adopted their Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA, several new laws and executive orders were adopted that require additional reductions in years after 2020. For instance, Senate Bill 32 requires that GHG emissions be 40 percent less than 1990 levels by 2030. More drastic still, Senate Bill 100 requires 100 percent zero-carbon electricity by 2045. The Governor also signed Executive Order B-55-18, which commits California to total, economy-wide carbon neutrality by 2045. Clearly, the 2009 Guidance may be somewhat inadequate in producing a meaningful comparison by today's standards which propose a grand vision that, if achieved, would fundamentally change how business is conducted and citizens live in the State. Thus, as discussed in the most recent updates to the Scoping Plan, the objectives of the Scoping Plan affect entire sectors of the economy, and it no longer makes sense to evaluate GHG emissions on a project level.

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

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

| Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less-than-<br>Significant<br>Impact | No<br>Impact |
|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|
|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|

### 3.4.9 - HAZARDS AND HAZARDOUS MATERIALS

Would the Project:

- |                                                                                                                                                                                                                                                                                     |                          |                                     |                                     |                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?                                                                                                                                             | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?                                                                                     | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| c. Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?                                                                                                           | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| d. Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?                                                       | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e. For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the Project area? | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?                                                                                                                                                         | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?                                                                                                                                            | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

### Discussion

This section is based on the *Supplemental Site Investigation (SSI) Completion Report* (Soils Engineering Inc., 2022), the *Update for Enhanced Phase 1 Environmental Site Assessment (ESA)* (Soils Engineering, Inc., 2020a), a *Hazardous Waste Landfills, Potential Hazardous*

*Sites and Naturally Occurring Asbestos* Memo (Soils Engineering Inc., 2023a), *Power Line Information* Memo (Soils Engineering Inc., 2023b), and *Pipeline Risk Analysis* (Soils Engineering, Inc., 2020b) prepared for the Project. These studies are included in Appendix C of this document.

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

Kern County Public Health Services Department, Environmental Health Division is the Certified Unified Program Agency (CUPA) for the County. The CUPA unifies and consolidates the various requirements for businesses handling hazardous materials, and generating or treating hazardous wastes.

**Construction**

Hazardous and non-hazardous wastes would likely be transported to and from the Project site during the construction phase of the proposed Project. Construction would involve the use of some hazardous materials, such as diesel fuel, hydraulic oil, grease, solvents, adhesives, paints, and other petroleum-based products, although these materials are commonly used during construction activities and would not be disposed of on the Project site. Any hazardous waste or debris that is generated during the construction of the proposed Project would be collected and transported away from the site and disposed of at an approved off-site landfill or other such facility. In addition, sanitary waste generated during construction would be managed through the use of portable toilets, which would be located at reasonably accessible on-site locations.

Construction of the Project would involve the transport and use of minor quantities of hazardous materials such as fuels, oils, lubricants, hydraulic fluids, paints, and solvents. The types and quantities of hazardous materials to be used and stored on-site would not be of a significant amount to create a reasonably foreseeable upset or accident condition. The handling and transport of all hazardous materials on-site would be performed in accordance with all applicable federal, State, and local laws and regulations.

**Operations**

During Project operation, minor amounts of custodial chemicals would be used for cleaning purposes. The presence of such materials could present a risk if not managed properly. The presence and use of these materials, which can be classified as hazardous materials, create the potential for accidental spillage and exposure of workers to these substances. The District has procedures in place for the transport, use, and storage of hazardous materials that comply with CDE Title 5.

Per the California Health and Safety Code and CCR, a business is required to provide a Hazardous Materials Business Plan (HMBP) to the California Environmental Reporting System (CERS) if they handle a listed hazardous material above a certain threshold. Specific hazardous chemicals reported to the CERS and CUPA and procedures specified in the SPCC would provide a system of addressing hazardous materials handled by the Project. The

material threshold for this program is 55 gallons of liquid, 500 pounds of solid, 200 cubic feet of compressed gas, and/or applicable State/federal threshold quantity for extremely hazardous material.

A HMBP consists of the following items: business activities, business owner/operator identification, hazardous materials inventory stored and/or generated, facility site map, emergency response/contingency plan for procedures in the event of a release or threatened release of a hazardous material/waste, employee training plan, which includes hazardous communications/safety data sheets (SDS), annual training refresher courses, and safety procedures in the event of a release or threatened release of a hazardous material/waste, etc.

The Project would be required to prepare and submit a revised Hazardous Materials Business Plan to include the new school site to the appropriate regulatory agency. Therefore, with implementation of Mitigation Measure MM HAZ-1, no significant hazard to the public or to the environment through the routine transport, use, or disposal of hazardous waste during the construction or operation of the new school campus would occur.

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

#### ***MITIGATION MEASURE(S)***

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

#### ***LEVEL OF SIGNIFICANCE***

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

**Impact #3.4.9b – Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

See Impact #3.4.8a above.

Soil sampling was conducted at the site per the Department of Toxic Substance Control's (DTSC) *Agricultural Guidance* (3<sup>rd</sup> Addition) to evaluate the levels of organochlorine pesticides (OCPs) and arsenic in the near-surface soils (Soils Engineering, Inc., 2020a). Additional soil samples were also collected within the former water well, structure, and yard areas, with selected soil samples analyzed for OCPs, arsenic, lead, or total petroleum hydrocarbons (TPH). No elevated concentrations of OCPs, arsenic, lead, or TPH were reported in these soil samples. It was also found that historical oilfield activities have been conducted within a half mile of the site location but not on or directly adjacent to the Project site. It was determined in the ESA that it is highly unlikely that petroleum hydrocarbon vapors would be present in the subsurface soil at levels of potential concern for vapor migration.

It was found that the Project site is located more than 1,500 feet from an active PG&E natural gas line and approximately 50 feet from an idle Chevron crude oil pipeline (Soils Engineering, Inc., 2020b). The prepared *Pipeline Risk Analysis* determined that individual risk indicators associated with potential releases from the identified pipelines are insignificant. The Chevron petroleum pipeline is currently idle and is not planned for reactivation.

As discussed above, the implementation of MM HAZ-1 requires the school to prepare and receive approval of a HMBP. The HMBP includes procedures to follow in case of accidental release of hazardous materials. Therefore, the identified conditions of the Project site would not result in the upset and accident conditions involving the release of hazardous materials into the environment, and with implementation of MM HAZ-1, preparation and implementation of a HMBP would reduce any potential accidents from producing a significant impact.

#### ***MITIGATION MEASURE(S)***

Implementation of Mitigation Measure MM HAZ-1.

#### ***LEVEL OF SIGNIFICANCE***

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

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

See Impact #3.4.8a above.

#### ***MITIGATION MEASURE(S)***

Implementation of Mitigation Measure MM HAZ-1.

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**LEVEL OF SIGNIFICANCE**

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

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

The prepared ESA determined that no current activities were found within a one-mile radius of the site, that process, store, or transport hazardous materials in sufficient quantity or in a mode, which might have a measurable effect on the environmental integrity of the subject site. No sites were listed in the search of available or “reasonably ascertainable” State or federal government records within the ASTM E-1527-13 search radius around the subject property. No sites appear to have current environmental problems that may affect the site, as reported by the Kern County Environmental Services Department, the Bakersfield Fire Department, and GeoTracker.

Per the California Department of Toxic Substances Control (DTSC) Envirostor Database, the Project site does not contain and is not in the vicinity of a permitted hazardous material/waste facility or a hazardous waste cleanup site (California Department of Toxic Substances Control, 2023) and would not create a significant hazard to the public or the environment. The Project site is not within the immediate vicinity of a hazardous materials site and would not impact a listed site. Literature review of available federal, State, and local database information systems was performed for the purpose of identifying known recognized environmental conditions present on the site and the nearby properties that have the potential to adversely impact the site. There is no data identifying any facilities within one-quarter mile of the site that might reasonably be anticipated to emit hazardous air emissions or handle hazardous materials, substances, or wastes that might affect the proposed school expansion.

The SSI found the highest OCPs, TPH, and volatile organic compounds (VOCs) reported in the soil and soil gas samples were determined to result in a total cumulative risk of  $2.2 \times 10^{-7}$  and a total cumulative hazard of 0.164 for all pathways. These results are less than the cumulative risk level ( $1 \times 10^{-6}$ ) and cumulative hazard level of 1.0 by potential pathways (Soils Engineering Inc., 2022). These results indicate that there is not an apparent elevated risk or hazard to future occupants at the site from the site soil and soil gas.

Therefore, the site is not located on a known hazardous materials site and does not contain factors that could create significant hazards to the public or the environment.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

**Impact #3.4.9e – Would the Project be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the Project area?**

The proposed Project is located approximately five miles southwest of the Bakersfield Municipal Airport and is not within the boundary of an identified Kern County Airport Land Use Compatibility (ALUCP) hazards zone (County of Kern, 2012). There are no public airports within two miles of the Project site. Therefore, the Project would not result in a safety hazard as a result of proximity to a public-use airport and would have no impact.

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

Impacts would be *no impact*.

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

The proposed Project is required to adhere to the standards set forth in the Uniform Fire Code, which identifies the design standards for emergency access during both the Project's construction and operational phases. The Project would also comply with the appropriate local and State requirements, such as Title 5 regarding emergency response plans and emergency access. The proposed Project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. The proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, the Project would have a less-than-significant impact.

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

Impacts would be *less than significant*.

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

The proposed Project is surrounded by a mix of agricultural and residential land uses and would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, as there are no wildlands in the vicinity. The Project site is not located within a hazard zone classified as Very High, High, or Moderate for wildland fires (Cal Fire, 2023).

Construction and operation of the Project is not expected to increase the risk of wildfires on or adjacent to the Project site. The Project will also be required to comply with all applicable standards as required by the State Fire Marshall, CDE Title 5 and Title 24 regulations, as well as local fire codes.

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

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

Impacts would be *less than significant*.

|  | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less-than-<br>Significant<br>Impact | No<br>Impact |
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|

### 3.4.10 - HYDROLOGY AND WATER QUALITY

Would the Project:

- |      |                                                                                                                                                                                                                     |                          |                                     |                                     |                                     |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a.   | Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?                                                                              | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| b.   | Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?                                  | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c.   | Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would? | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            |
| i.   | Result in substantial erosion or siltation on- or off-site;                                                                                                                                                         | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| ii.  | Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;                                                                                             | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| iii. | Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or                               | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| iv.  | Impede or redirect flood flows?                                                                                                                                                                                     | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| d.   | In flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation?                                                                                                                    | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e.   | Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?                                                                                                | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

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

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

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

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

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

Once constructed, it is unlikely that operational activities would impact surface water quality. The Project site will be graded in compliance with CDE requirements, and impacts to water quality would be considered less than significant.

In order to reduce potential soil erosion that might be an impact to water quality during construction, Mitigation Measures MM GEO-1, MM GEO-2, and MM HAZ-1 would be required. With mitigation, the proposed Project would not violate any water quality standards or waste discharge requirements. Therefore, the Project would have a less-than-significant impact with incorporation of mitigation.

**MITIGATION MEASURE(S)**

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

**LEVEL OF SIGNIFICANCE**

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

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

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

The Project anticipates the use of the City of Bakersfield's domestic water system for water service. The primary source of the City's domestic water system is groundwater and recharged surface water supplies pumped from City-owned wells. These supplies are supplemented by water from surface water treatment plants owned by Cal Water and Kern County Water Agency Improvement District No. 4. In 2020, the City's domestic water system consisted of 48,140 municipal connections and supplied a volume of 45,649 acre-feet of water (City of Bakersfield, 2021). The City of Bakersfield's 2020 Urban Water Management Plan (UWMP) indicates a 2020 actual water use of 252 gallons per capita per day (GPCD) and complied with their compliance target of 253 GPCD. The actual 2020 water use for public facilities, which includes schools, is at 3,527 acre-feet (City of Bakersfield, 2021).

The average water demand for educational facilities can be assumed at 1,630 gallons per day per acre. Total buildout of the school would include approximately 101,000 square feet of building space. Based on the average water demand, the operation of the school site would result in approximately 3,779.38 gallons per day or 1,379,473 gallons per year (4.23 acre-feet per year). This becomes a conservative assumption as the calculation assumes the school would utilize the average water demand every day of the year, where in reality, the school would have varying water use levels during operational days and nonoperational days (school vacation periods). The use of fixtures such as low-flow toilets, faucets, and drip irrigation, where feasible, will help reduce water usage and overall demand. The Project is not anticipated to substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level and would comply with the applicable GSP and UWMP. Therefore, impacts would be less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

**Impact #3.4.10c(i) – Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?**

The rate and amount of surface runoff is determined by multiple factors, including the following: topography, the amount and intensity of precipitation, the amount of evaporation that occurs in the watershed, and the amount of precipitation and water that infiltrates to the groundwater. The proposed Project would alter the existing drainage pattern of the site, which would have the potential to result in erosion, siltation, or flooding on- or off-site. The disturbance of soils on-site during construction could cause erosion, resulting in temporary construction impacts. In addition, the placement of permanent structures on-site could affect drainage in the long term. Impacts from construction and operation are discussed below.

As discussed in Impact #3.4.10a above, potential impacts on water quality arising from erosion and sedimentation are expected to be localized and temporary during construction. Construction-related erosion and sedimentation impacts, as a result of soil disturbance, would be less than significant after implementation of Mitigation Measure MM GEO-1, which requires approval of a SWPPP and BMPs required by the NPDES, as well as MM GEO-2 that requires minimizing grading during construction. No drainages or other water bodies are present on the Project site, and therefore, the proposed Project would not change the course of any such drainages. Additionally, as noted in Section 3.4.9, *Hazards and Hazardous Materials*, Mitigation Measure MM HAZ-1 requires that all hazardous wastes be stored and properly managed in accordance with the revision of the approved HMBM.

Once constructed, there would be areas of impervious surface that might cause stormwater runoff during rain events. However, the site will be graded in compliance with CDE and City requirements as the connection to existing City stormwater drainage infrastructure is anticipated, and impacts from stormwater would be considered less than significant.

With mitigation, the Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site. Therefore, the Project would have a less-than-significant impact with incorporation of mitigation.

**MITIGATION MEASURE(S)**

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

**LEVEL OF SIGNIFICANCE**

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

**Impact #3.4.10c(ii) – Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?**

See also Impact #3.4.9c(i) above.

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

Mitigation Measure MM HAZ-1 would require the Project proponent to revise their Hazardous Materials Business Plan, which would minimize this impact by ensuring the safe handling of hazardous materials on-site and provide for cleanup in the event of an accidental release. Further, MM GEO-1 and MM GEO-2 require the development of a SWPPP and the use of BMPs and limit the amount of grading where feasible to reduce impacts to water quality during construction, respectively. Once constructed, the Project will handle stormwater as required by City. The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial drainage patterns or cause substantial surface runoff that would result in flooding on- or off-site. Therefore, the Project would have a less-than-significant impact with the incorporation of mitigation.

**MITIGATION MEASURE(S)**

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

**LEVEL OF SIGNIFICANCE**

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

**Impact #3.4.10c(iii) – Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

Please see response #3.4.10a through c(ii) above. The Project would comply with all applicable State and City codes and regulations for stormwater drainage design. The Project

would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. The Project is anticipated to connect to existing City of Bakersfield stormwater drainage infrastructure and is expected to comply with City development standards. Impacts would be less than significant.

No streams or rivers exist within the Project's vicinity that would result in substantial erosion or siltation on- or off-site. With implementation of MM HAZ-1, MM GEO-1, and MM GEO-2 as noted above, the Project would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site, contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, nor provide additional sources of polluted runoff.

#### **MITIGATION MEASURE(S)**

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

#### **LEVEL OF SIGNIFICANCE**

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

**Impact #3.4.10c(iv) – Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?**

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

Construction of the Project would include soil-disturbing activities that could result in erosion and siltation, as well as the use of harmful and potentially hazardous materials required to operate vehicles and equipment. The transport of disturbed soils or the accidental release of potentially hazardous materials could result in water quality degradation. The District would be required to request coverage under the NPDES Construction General Permit. A SWPPP would be prepared to specify BMPs to prevent construction pollutants as required by MM GEO-1. Mitigation Measure MM GEO-2 requires the District to limit grading to the minimum area necessary for the construction and operation of the Project. Additionally, as noted in Section 3.4.9, *Hazards and Hazardous Materials*, Mitigation Measure MM HAZ-1 requires that all hazardous wastes be stored and properly managed in accordance with the approved Hazardous Materials Business Plan. The proposed Project would not otherwise substantially degrade water quality. Therefore, the Project will have a less-than-significant impact.

**MITIGATION MEASURE(S)**

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

**LEVEL OF SIGNIFICANCE**

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

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

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

As shown by Federal Emergency Management Agency (FEMA), the school property is not located within a 100-year flood zone (see Figure 3.4.10-1). The proposed Project site is located within a FEMA Flood Hazard Zone X: Area of Minimal Flood Hazard. The Project site is located in the Lake Isabella Dam Flood Plain and Dam Inundation Area Map. It would take approximately 10-12 hours for a foot of water to be at the site, with peak inundation depth predicated to be five to 10 feet if the dam fails (Soils Engineering Inc., 2023). Repair and improvement to the Lake Isabella Dam by the Army Corps of Engineers further lessen the potential for a major dam release, and the amount of water stored is restricted until repairs are completed. The school is required to have a detailed emergency response plan which includes protocols for response to earthquakes, flooding, fire, and other hazards. Therefore, although the site is located in a potential dam inundation area, impacts would be considered less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

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

The Kern River Groundwater Sustainability Agency's (KRGSA) Groundwater Sustainability Plan (GSP) includes measurable thresholds to ensure groundwater management goals are met in adherence with the Sustainable Groundwater Management Act (SGMA).

As discussed in Impact #3.4.10b, the water demand from this Project would not result in a significant impact due to depleted groundwater resources or interference with groundwater recharge. The Project would not expand water demand beyond a reasonable amount

supplied to similar-sized elementary school facilities, and in fact, will implement reduction of water use by installing more efficient appliances such as low-flow toilets, and faucets, and use drip irrigation and drought-tolerant plants for landscaping, as is feasible.

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

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

Impacts would be *less than significant*.

|                                                                                     |                                                                     |
|-------------------------------------------------------------------------------------|---------------------------------------------------------------------|
|  | <p align="center"><b>Figure 3.4.10-2<br/>FEMA Flood Hazards</b></p> |
|-------------------------------------------------------------------------------------|---------------------------------------------------------------------|

|  | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less-than-<br>Significant<br>Impact | No<br>Impact |
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|

### 3.4.11 - LAND USE AND PLANNING

Would the Project:

- |    |                                                                                                                                                                                    |                          |                          |                          |                                     |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. | Physically divide an established community?                                                                                                                                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. | Cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

### Discussion

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

The proposed Project site is presently undeveloped land and is surrounded by agricultural, commercial, industrial, and residential uses. The Project would not create a division between any established communities and would not physically divide an established community. Therefore, the Project will have no impact.

#### MITIGATION MEASURE(S)

No mitigation is required.

#### LEVEL OF SIGNIFICANCE

There would be *no impact*.

#### Impact #3.4.11b – Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

As a project proposed by a special district, the Project does not fall under the jurisdiction of the City of Bakersfield Zoning Ordinance or the MBGP and therefore is not subject to local land use regulations. Additionally, Government Code Section 53091 does not require a school district to comply with county land use designations, and therefore, the District is not seeking a General Plan Amendment or zone change for the subject site.

The Project is proposed to reduce current student/teacher ratios at existing nearby schools and will allow the District to proactively address anticipated student population growth due to ongoing residential development occurring in this area of the City. The Project is not

anticipated to result in substantial direct or indirect population growth. The proposed Project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to, the General Plan, Specific Plan, local coastal program, or Zoning Ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, the Project would have no impact.

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

There would be *no impact*.

|  | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less-than-<br>Significant<br>Impact | No<br>Impact |
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|

### 3.4.12 - MINERAL RESOURCES

Would the Project:

- |    |                                                                                                                                                                     |                          |                          |                                     |                                     |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. | Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. | Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Discussion

#### Impact #3.4.12a – Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?

No current mineral extraction activities exist on the Project site, nor are any mineral extraction activities included in the Project design. The Project is also identified as being in a Mineral Resources Zone 3 (MRZ-3). MRZ-3 is defined as areas containing mineral deposits, the significance of which cannot be evaluated from available data (Department of Conservation, California Geological Survey, 2009). Additionally, the Project is not sited within a known oil/gas field and does not contain a mineral or gas exploration/extraction operation (California Department of Conservation, Geologic Energy Management Division, 2023).

The proposed Project would not result in the loss of availability of mineral resources as the Project does not propose the extraction of mineral resources. The proposed Project would not restrict the ability of mineral rights holders, as required by State law, to exercise their legal rights to access surrounding sites for the exploration and/or extraction of underlying oil or other natural resources. However, the City of Bakersfield and Kern County zoning deters to implementation of mineral exploration and extraction operations in close proximity to established and planned sensitive receptors such as schools. The development standards for mineral resource exploration and extraction would be implemented by the City, should a mineral resources exploration and extraction use be proposed. These include the use of zoning and mapping of known areas that contain producing or potentially productive mineral or petroleum deposits, the use of a discretionary land use application process to determine if a proposed extraction use is compatible with surrounding uses, and other landscaping and development standards to help reduce noise, dust, and visual impacts to adjacent sensitive receptors.

With consideration of the site's MRZ classification and known mineral and gas resources within the Metropolitan Bakersfield Area, known mineral resources and their extraction directly from the site would not occur; however, the mapping and data suggest that exploration and extraction of the known mineral resource can still occur throughout the area through compliance with City and County land use and development standards.

The proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State. Due to the Project site's location within a designated MRZ-3 area and consideration of the Project site and surrounding area's land use and zoning designations, the Project would result in a less-than-significant impact.

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

Impacts would be *less than significant*.

**Impact #3.4.12b – Would the Project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?**

As noted in Section 3.4.12a, the proposed Project is designated as MRZ-3 by the California Geological Survey (CGS) (Department of Conservation, California Geological Survey, 2009). As defined by CGS, MRZ-3 designation are areas containing mineral deposits, the significance of which cannot be evaluated from available data. The Project is not located in the vicinity of known mineral resources zone delineated by CGS and would not impact existing mineral resource recovery sites and operations. Additionally, as found in CalGEM's Well Finder web application, the Project site is not located on or near a known oil/gas field. The Project would not alter any existing plans that protect mineral resources. As a result, the proposed Project would not interfere with mining operations and would not result in the loss of land designated for mineral and petroleum.

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

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

There would be *no impact*.

|  | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less-than-<br>Significant<br>Impact | No<br>Impact |
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|

### 3.4.13 - NOISE

Would the Project result in:

- |    |                                                                                                                                                                                                                                                                                                        |                          |                          |                                     |                          |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. | Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?                                                         | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. | Generation of excessive groundborne vibration or groundborne noise levels?                                                                                                                                                                                                                             | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. | For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### Discussion

**Impact #3.4.13a – Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

The Metropolitan Bakersfield General Plan contains noise policies within the Noise Element (City of Bakersfield/County of Kern, 2016). It discusses the noise environment in the Metropolitan Planning Area and establishes policies regarding land uses that may generate noise and sensitive land uses that may be affected by noise generated elsewhere. Schools are identified as a sensitive land use. The primary function of the Noise Element is to incorporate noise considerations into the land use decision-making process.

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

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

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

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

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

Impacts would be *less than significant*.

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

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

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

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

**Table 3.4.13-1  
Typical Vibration Levels for Construction Equipment**

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

Notes:

1 – Federal Transit Administration, Transit Noise and Vibration Impact Assessment Guidelines, May 2006. Table 12-2.

2 – Calculated using the following formula:

$$PPV_{\text{equip}} = PPV_{\text{ref}} \times (25/D)^{1.5}$$

where: PPV (equip) = the peak particle velocity in in/sec of the equipment adjusted for the distance PPV (ref) = the reference vibration level in in/sec from Table 12-2 of the FTA Transit Noise and Vibration Impact Assessment Guidelines  
D = the distance from the equipment to the receiver

### **MITIGATION MEASURE(S)**

No mitigation is required.

### **LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

**Impact #3.4.13c – For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?**

See Impact #3.4.9e.

The proposed Project is not located within the vicinity of an identified hazard zone by the ALUCP or within two miles of a public airport. The nearest active airport is the Bakersfield Municipal Airport, located approximately five miles northeast of the Project site. The proposed Project would not expose people residing in or working in the proposed Project area to excessive noise levels related to public airports. There would be no impact associated with the proposed Project relating to excessive noise from a public or private airport. Therefore, the proposed Project would have less-than-significant impacts.

### **MITIGATION MEASURE(S)**

No mitigation is required.

### **LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

|  | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less-than-<br>Significant<br>Impact | No<br>Impact |
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|

### 3.4.14 - POPULATION AND HOUSING

Would the Project:

- a. Induce substantial population unplanned growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

|                          |                          |                                     |                                     |
|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Discussion

**Impact #3.4.14a – Would the Project induce substantial population unplanned growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

The Project includes the construction of a new elementary school campus to alleviate overcrowding at nearby schools and to proactively address the growing population within the District's boundaries. The Project is proposed to support 1,200 students and 80 faculty at full buildout.

The proposed Project would not induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). The District is building the new elementary school to support the anticipated urbanization and the growing population within its boundaries. Therefore, impacts of the Project would be less than significant.

### MITIGATION MEASURE(S)

No mitigation is required.

### LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

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

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

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

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

There would be *no impact*.

| Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less-than-<br>Significant<br>Impact | No<br>Impact |
|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|
|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|

### 3.4.15 - PUBLIC SERVICES

Would the Project:

- a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services:

|                             |                          |                          |                                     |                          |
|-----------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| i. Fire protection?         | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii. Police protection?      | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii. Schools?               | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv. Parks?                  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| v. Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### Discussion

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

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

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

nearest station is Bakersfield Fire Station No. 13, located approximately 1.8 miles north of the Project site.

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

Fire hydrants would also be located and installed per the County of Fresno standards. The District would install the required infrastructure to meet water supply demands for municipal fire protection services. These design standards, coupled with existing fire protection infrastructure, would provide for proper fire suppression services on-site. By meeting these standards and incorporating needed design features in the Project design, no additional fire protection services would be required. Therefore, the Project would not increase the need for such services beyond the baseline condition.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

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

Police protection services will be provided by the City of Bakersfield Police Department. However, the City of Bakersfield and the County of Kern have an existing Joint Powers Agreement to provide for emergency services within all boundaries of the Metropolitan Bakersfield General Plan Area. Therefore, should an emergency occur that requires police protection services, the nearest available City or County police/sheriff station would be the Bakersfield Police Department, approximately 4.8 miles northeast of the site, and would respond.

The Project will not directly cause an increase in the student or faculty population that would require more police protection services. However, the District would continue to implement current security measures used throughout their school sites. Therefore, impacts to police protection services are considered less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

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

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

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

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

The nearest community park facility is Weston Park, located approximately 0.38 miles north, and the Kaiser Permanente Sports Village Soccer Complex, approximately 0.85 miles west of the proposed Project site. The proposed Project includes an on-site playground and recreational areas as appropriate for the students and will provide increased recreational opportunities to the neighboring community. It is not anticipated to result in significantly greater usage of the parks in the Project vicinity. Therefore, impacts would be less than significant.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

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

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

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

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

|  | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less-than-<br>Significant<br>Impact | No<br>Impact |
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|

### 3.4.16 - RECREATION

Would the Project:

- |                                                                                                                                                                                              |                          |                          |                          |                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

### Discussion

**Impact #3.4.16a – Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

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

### MITIGATION MEASURE(S)

No mitigation is required.

### LEVEL OF SIGNIFICANCE

There would be *no impact*.

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

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

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

There would be *no impact*.

|  | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less-than-<br>Significant<br>Impact | No<br>Impact |
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|

### 3.4.17 - TRANSPORTATION

Would the Project:

- |    |                                                                                                                                                               |                          |                          |                                     |                          |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. | Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?           | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. | Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?                                                                            | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. | Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. | Result in inadequate emergency access?                                                                                                                        | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### Discussion

This section is based on the *Traffic Study* (Ruettggers and Schuler, 2023) prepared for the Project. This study is included in Appendix D of this document.

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

The prepared Traffic Study evaluated the potential traffic impacts of the proposed elementary school to be located southwest of the intersection of Stine Road and Taft Highway (SR 119) in the City of Bakersfield. The scope of the study included nine intersections (five signalized, four unsignalized) and the adjoining roadways.

### Transit

The Project site and surrounding area is zoned for residential, commercial, and agricultural uses. The General Plan does not include transit stops in the Project area. The closest bus stop is located north of the Project site at the Stine Road and Hosking Avenue intersection (City of Bakersfield, 2023). The proposed Project would not conflict with the existing transit system.

## Bike

The General Plan plans for future bike lanes along Taft Highway and indicates that there are Class 2 bike lanes north of Taft Highway along Stine Road near the Project area (City of Bakersfield/County of Kern, 2016).

## Roadways

The proposed Project does not require or propose the construction of a new street and will be served by the existing street system.

The Project trip generation was estimated using the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11<sup>th</sup> Edition. Trip rates and peak hour directional splits for ITE Land Use Code 520 (Elementary School) were used to estimate Project trips for weekday peak hour of adjacent street traffic based on the Project description and is shown in Table 3.4.17-1.

**Table 3.4.17-1  
Project Trip Generation**

| Land Use<br>ITE<br>Code | Development<br>Type  | Variable          | Daily Trips |             | AM Peak Hour<br>Trips<br>Rate | AM Peak Hour Trips   |                       | PM Peak Hour<br>Trips<br>Rate | PM Peak Hour Trips   |                       |
|-------------------------|----------------------|-------------------|-------------|-------------|-------------------------------|----------------------|-----------------------|-------------------------------|----------------------|-----------------------|
|                         |                      |                   | ADT         | ADT<br>Rate |                               | IN<br>Split<br>Trips | Out<br>Split<br>Trips |                               | IN<br>Split<br>Trips | Out<br>Split<br>Trips |
| 520                     | Elementary<br>School | 1,200<br>Students | 2.27        | 2,724       | 0.74                          | 54%<br>480           | 46%<br>408            | 0.45                          | 46%<br>248           | 54%<br>292            |

Source: Appendix D

The City of Bakersfield and the California Department of Transportation (Caltrans) have set an intersection level of service (LOS) standard of LOS C or better. Intersection delay (seconds per vehicle) is shown in parentheses for intersections operating below LOS C. Tables 3.4.17-2 and 3.14.17-3 show the weekday AM and PM peak hour intersection level of service.

**Table 3.4.17-2**  
**Intersection Level of Service Weekday AM Peak Hour**

| <b>Intersection</b>                        | <b>Control</b> | <b>2023</b> | <b>2023+Project</b> | <b>2043</b>  | <b>2043+Project</b> | <b>2043+Project<br/>w/Mitigation</b> |
|--------------------------------------------|----------------|-------------|---------------------|--------------|---------------------|--------------------------------------|
| Stine Road and Hosking Avenue              | Signal         | C           | C                   | F<br>(225.5) | F<br>(228.2)        | C                                    |
| Stine Road and McKee Road                  | Signal         | C           | C                   | D<br>(50.4)  | D<br>(54.9)         | C                                    |
| Ashe Road and Taft Hwy (SR 119)            | Signal         | C           | C                   | D<br>(37.1)  | D<br>(39.1)         | C                                    |
| Mountain Ridge Drive and Taft Hwy (SR 119) | NB             | F<br>(80.4) | F<br>(90.6)         | F<br>(>300)  | F<br>(>300)         | -                                    |
|                                            | SB             | D<br>(25.2) | D<br>(27.5)         | F<br>(69.2)  | F<br>(63.3)         | -                                    |
|                                            | Signal         | -           | -                   | -            | -                   | C                                    |
| Stine Road and Taft Hwy (SR 119)           | Signal         | B           | C                   | D<br>(50.6)  | D<br>(53.1)         | C                                    |
| Akers Road and Taft Hwy (SR 119)           | NB             | -           | -                   | B            | B                   | -                                    |
|                                            | SB             | C           | C                   | C            | E<br>(37.6)         | -                                    |
|                                            | Signal         | -           | -                   | -            | -                   | C                                    |
| Wible Road and Romero Road                 | Signal         | B           | B                   | D<br>(45.4)  | D<br>(46.6)         | B                                    |
| Stine Road and Romero Road                 | EB             | A           | A                   | -            | -                   | -                                    |
|                                            | AWSC           | -           | -                   | B            | B                   | -                                    |
| Stine Road and Engle Road                  | EB             | A           | A                   | -            | -                   | -                                    |
|                                            | AWSC           | -           | -                   | B            | B                   | -                                    |

Source: Appendix D

**Table 3.4.17-3**  
**Intersection Level of Service Weekday PM Peak Hour**

| Intersection                               | Control | 2023        | 2023+Project | 2043         | 2043+Project | 2043+Project<br>w/Mitigation |
|--------------------------------------------|---------|-------------|--------------|--------------|--------------|------------------------------|
| Stine Road and Hosking Avenue              | Signal  | C           | C            | F<br>(>300)  | F<br>(>300)  | C                            |
| Stine Road and McKee Road                  | Signal  | C           | C            | D<br>(37.8)  | D<br>(38.5)  | C                            |
| Ashe Road and Taft Hwy (SR 119)            | Signal  | C           | C            | F<br>(104.4) | F<br>(>300)  | C                            |
| Mountain Ridge Drive and Taft Hwy (SR 119) | NB      | D<br>(27.8) | D<br>(31.6)  | F<br>(>300)  | F<br>(>300)  | -                            |
|                                            | SB      | D<br>(26.0) | E<br>(41.1)  | F<br>(214.2) | F<br>(283.3) | -                            |
|                                            | Signal  | -           | -            | -            | -            | C                            |
| Stine Road and Taft Hwy (SR 119)           | Signal  | B           | C            | F<br>(80.4)  | F<br>(137)   | C                            |
| Akers Road and Taft Hwy (SR 119)           | NB      | -           | -            | B            | B            | -                            |
|                                            | SB      | C           | C            | C            | D<br>(25.9)  | -                            |
|                                            | Signal  | -           | -            | -            | -            | C                            |
| Wible Road and Taft Hwy (SR 119)           | Signal  | C           | C            | F<br>(143.2) | F<br>(153.6) | C                            |
| Stine Road and Romero Road                 | EB      | A           | A            | -            | -            | -                            |
|                                            | AWSC    | -           | -            | C            | C            | -                            |
| Stine Road and Engle Road                  | EB      | A           | A            | -            | -            | -                            |
|                                            | AWSC    | A           | A            | B            | B            | -                            |

Source: Appendix D

Mountain Ridge Drive and Taft Highway (SR 119) were found to operate below LOS C during peak hours in the years 2023 and 2043, both without Project traffic (Ruettgers and Schuler, 2023). Five additional study intersections were shown to operate below LOS C in the year 2043 only, both with and without Project traffic: Stine Road/Hosking Avenue, Stine Road/McKee Road, Ashe Road/Taft Highway (SR 119), Stine Road/Taft Highway (SR 119), and Wible Road/Taft Highway (SR 119). A seventh intersection was found to drop below LOS C with the addition of Project peak hour traffic in the year 2043: Akers Road/Taft Highway (SR 119). Intersection and roadway improvements needed by the year 2043 to

maintain or improve the operational level of service of the street systems in the vicinity of the Project would include signalizations at certain intersections or the improvement of existing roadways through the addition of turn lanes and through lanes. The Project would be required to pay impact fees through the Regional Traffic Impact Fee (RTIF). Under the RTIF program, fees are collected from developers and are used to fund transportation improvements needed to accommodate future growth.

Therefore, the proposed Project will pay impact fees associated with the development and operation of the Project. With participation in the RTIF program and payment fees, the Project would provide its share of funding to improve impacted intersections affected by future development. Therefore, the Project will not conflict with a program, plan, ordinance, or policy addressing the circulation system. Therefore, the proposed Project would have a less-than-significant impact.

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

Impacts would be *less than significant*.

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

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

Guidelines for assessing Project VMT as part of a transportation impact analysis under CEQA Office of Planning and Research (OPR) contain recommendations regarding VMT assessment, significance thresholds, and mitigation measures. Many lead agencies conduct VMT analyses for land development projects pursuant to the Office of Planning and Research (OPR) Technical Advisory (OPR TA) or have adopted their own VMT analysis methodologies based on the advisory recommendations. To date, the City has not yet formally adopted its transportation significance thresholds or its transportation impact analysis procedures.

The OPR TA contains “screening thresholds” for identifying whether a land use project should be expected to result in a less-than-significant transportation impact. Projects meeting one or more of these screening criteria are presumed to have a less-than-significant transportation impact and, therefore, would not be required to undergo a detailed VMT analysis. One screening threshold pertains to commercial land uses with stores no larger than 50,000 square feet of building space. These “local-serving” retail developments are presumed to create a less than significant VMT impact since such projects typically provide

more proximate shopping destinations resulting in shorter trip lengths. Much like locally serving retail developments, a new public elementary school would likely result in shorter trip lengths since public schools are typically located in areas to serve the surrounding population. In addition, OPR TA includes increased access to schools as a potential VMT reduction measure for development projects. For these reasons, it is presumed that the Project would result in less-than-significant VMT impacts (Ruetters and Schuler, 2023).

As discussed, the development of a new public elementary school would result in a less-than-significant transportation impact since the Project would be located in an area to serve the surrounding population thereby increasing public school access and reducing VMT by shortening trip lengths.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

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

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

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

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

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

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

The State Fire Marshall and local city fire codes and regulations establish standards by which emergency access may be determined. The proposed Project would have to provide adequate unobstructed space for fire trucks to turn around. The proposed Project site would have adequate internal circulation capacity, including entrance and exit routes, to provide adequate unobstructed space for the fire trucks and other emergency vehicles to gain access and to turn around.

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

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

Impacts would be *less than significant*.

| Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less-than-<br>Significant<br>Impact | No<br>Impact |
|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|
|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|

### 3.4.18 - TRIBAL CULTURAL RESOURCES

Would the Project:

- a. Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
- i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or
  - ii. A resource determined by the Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe.

|                          |                                     |                          |                          |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

### Discussion

**Impact #3.4.18a(i) – Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?**

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

The Native American Heritage Commission (NAHC) conducted a search of its Sacred Lands File to identify previously recorded sacred sites or cultural resources of special importance to tribes and provide contact information for local Native American representatives who may have information about the Project area. The NAHC responded on January 30, 2023, with negative findings and attached a list of Native American tribes and individuals culturally affiliated with the Project area. On December 21, 2022, letters were mailed to each of the Native American tribes within the geographic area. The letters included a brief Project description and location maps. To date, no responses have been received.

A cultural resources records search was conducted at the Southern San Joaquin Valley Information Center, CSU Bakersfield to determine whether any known cultural resources were located on or near the proposed Project that might be impacted by Project development and/or activities. The records search covered an area within one-half mile of the Project and included a review of the *National Register of Historic Places* (NRHP), *California Points of Historical Interest*, *California Registry of Historic Resources*, *California Historical Landmarks*, *California State Historic Resources Inventory*, and a review of cultural resource reports on file.

The records search indicated that about five acres at the western end of the Project had been surveyed previously as part of a larger project; however, the rest of the property has never been surveyed for cultural resources, and it is not known if any exist on it (QK, 2022). Seven additional cultural resource studies have been conducted within a half mile of the Project. Five cultural resources have been recorded within one-half mile of the Project. All are historic period residences (i.e., at least 45 years old at the time of recording).

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

#### **MITIGATION MEASURE(S)**

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

#### **LEVEL OF SIGNIFICANCE**

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

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

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

***MITIGATION MEASURE(S)***

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

***LEVEL OF SIGNIFICANCE***

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

|  | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less-than-<br>Significant<br>Impact | No<br>Impact |
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|

### 3.4.19 - UTILITIES AND SERVICE SYSTEMS

Would the Project:

- |                                                                                                                                                                                                                                                                                     |                          |                          |                                     |                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which would cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?                                                                                                                           | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Result in a determination by the wastewater treatment provider that serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?                                                    | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?                                                                                             | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?                                                                                                                                                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### Discussion

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

The Project is within the City of Bakersfield Planning Area and would supply potable water to this area for residential and commercial. The City of Bakersfield's water supply comes from both surface water and groundwater. There are currently two surface water treatment plants; one is owned and operated by the Kern County Water Agency Improvement District 4 with a peak capacity of 37.5 million gallons per day (mgd), and a 1.5 mgd water treatment plant is owned and operated by the California Water Service Company (City of

Bakersfield/County of Kern, 2002). Groundwater resources for Metropolitan Bakersfield are obtained through the water-bearing aquifers which underlie the area. These water-bearing aquifers are part of the larger groundwater basin called the Southern San Joaquin Groundwater Basin. As discussed in Section 3.4.10b, groundwater is regulated under SGMA with the KRGSA and its adopted GSP as the local authority. The water purveyor for the Project will be the City of Bakersfield's domestic water system.

The proposed Project will connect to the existing sewer infrastructure serving the surrounding area. Electric power will be supplied by Pacific Gas and Electricity (PG&E). In addition, the school will include the installation of roof-mount photovoltaic (PV) solar panels and/or will have solar panels that create covered parking for staff and visitors. The use of PV solar panels that generate renewable energy will offset operational electricity demand and will reduce the need for electrical energy generated by fossil fuel-driven power plants. The Project will also use energy-efficient appliances, lighting, low-flow toilets, faucets, dual pane windows, ceiling fans, etc., which would also help reduce energy consumption and water demand.

No new telecommunication lines or facilities are proposed to be built within the Project. Sanitation/garbage collection will continue to be provided by the City of Bakersfield, Sanitation Division, and contracted private haulers.

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

#### ***MITIGATION MEASURE(S)***

No mitigation is required.

#### ***LEVEL OF SIGNIFICANCE***

Impacts would be *less than significant*.

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

See also Impact #3.4.10b and #3.4.19a.

The water purveyor for the Project will be the City of Bakersfield. The proposed Project anticipates a connection to existing water services infrastructure. The average water demand for educational facilities can be assumed at 1,630 gallons per day per acre. Total buildout of the school would include approximately 101,000 square feet of building space. Based on the average water demand, operation of the school site would result in approximately 3,779.38 gallons per day or 1,379,473 gallons per year (4.236.54 acre-feet per year). This becomes a conservative assumption as the calculation assumes the school

would utilize the average water demand every day of the year, where in reality, the school would operate and have varying water use levels during operational days and nonoperational days (school vacation periods). The use of fixtures such as low-flow toilets, faucets, and drip irrigation, where feasible, will help reduce water usage and overall demand. The Project is not anticipated to substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level and would comply with the applicable GSP and UWMP. This is a conservative estimate as this assumes the proposed school would be in continuous operation for the full 365 days of the year and does not take into account decreased water use when the school is out on holiday or not in session.

The City of Bakersfield found that 2020 water use for institutional/governmental facilities that include schools amounted to 3,527 acre-feet. The projected 2025 water use will increase to 4,015 acre-feet (City of Bakersfield, 2021).

As discussed, the existing water service is supplied by the City of Bakersfield and utilizes a mixture of groundwater wells and surface water treatment to supply potable water. The estimated water use resulting from the proposed Project is within the anticipated range of water use projected in the City of Bakersfield 2020 UWMP for the year 2025. Water conservation measures outlined in the adopted GSP, Water Conservation portion of the Metropolitan Bakersfield General Plan, and implementation of California Building Code for installation of water conserving appliances and fixtures would further ensure sustainable water supplies and would result in a less-than-significant impact on water supplies.

#### ***MITIGATION MEASURE(S)***

No mitigation is required.

#### ***LEVEL OF SIGNIFICANCE***

Impacts would be *less than significant*.

**Impact #3.4.19c – Would the Project result in a determination by the wastewater treatment provider that serves or may serve the Project that it has adequate capacity to serve the Project’s projected demand in addition to the provider’s existing commitments?**

See Impact #3.4.19a above.

The Project anticipates connection to the existing City of Bakersfield wastewater treatment network, which consists of the existing sewer system and two wastewater treatment plants. The total system capacity can accommodate up to 57 million gallons per day (mgd) with an average daily flow of 13.7 mgd at Wastewater Treatment Plant Number 2 and 17.3 mgd at Wastewater Treatment Plant No. 3 (City of Bakersfield, 2023). The Project will be subject to adopted City of Bakersfield design standards for connection into the sewer system. The Project is not anticipated to exceed the wastewater treatment capacity of the City of Bakersfield and would have a less-than-significant impact.

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

**Impact #3.4.19d – Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

Implementation of the proposed Project would result in the generation of solid waste on the Project site, which would increase the demand for solid waste disposal. Solid waste removed from the site would be transported to the Bena landfill, located approximately 17 miles northeast of the proposed Project site. The Bena landfill has approximately 32,800,000 tons of remaining capacity and therefore has sufficient capacity to accommodate the proposed Project (CalRecycle, 2022).

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

**MITIGATION MEASURE(S)**

No mitigation is required.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

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

See discussion for Impact #3.4.19d above.

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

As stated above, the Bena landfill has the available capacity to accommodate solid waste generated by the proposed Project. Therefore, the proposed Project would not be expected to significantly impact Kern County landfills. The proposed Project would be required to

comply with all federal, State, and local statutes and regulations related to solid waste. Therefore, implementation of the proposed Project would result in less-than-significant impacts in this regard.

***MITIGATION MEASURE(S)***

No mitigation is required.

***LEVEL OF SIGNIFICANCE***

Impacts would be *less than significant*.

|  | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less-than-<br>Significant<br>Impact | No<br>Impact |
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|

### 3.4.20 - WILDFIRE

Would the Project:

- |    |                                                                                                                                                                                                                                                                 |                          |                                     |                                     |                          |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a. | Substantially impair an adopted emergency response plan or emergency evacuation plan?                                                                                                                                                                           | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. | Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose Project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?                                                       | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. | Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. | Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?                                                                            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |

### Discussion

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

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

#### MITIGATION MEASURE(S)

No mitigation is needed.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

**Impact #3.4.20b – Would the Project due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose Project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

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

**MITIGATION MEASURE(S)**

No mitigation is needed.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

**Impact #3.4.20c – Would the Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

See Impacts #3.4.9a and g, #3.4.20a and b. As previously discussed, the proposed Project site is not located in or near State Responsibility Areas or lands classified as very high hazard severity zones. Additionally, the Project would not require the installation or maintenance of infrastructure that would exacerbate fire risk or result in environmental impacts. Therefore, impacts would be less than significant.

**MITIGATION MEASURE(S)**

No mitigation is needed.

**LEVEL OF SIGNIFICANCE**

Impacts would be *less than significant*.

**Impact #3.4.20d – Would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

See Impacts # 3.4.9a and g, #3.4.20a, b, and c above. The topography of the site is relatively flat, and the Project is not within a FEMA-designated floodplain. Additionally, MM GEO-1 requires the preparation of a SWPPP to mitigate the site drainage changes during the construction of the proposed Project. Therefore, no flooding is anticipated as a result of

runoff, post-fire slope instability, or drainage changes, and impacts would be less than significant.

***MITIGATION MEASURE(S)***

Implementation of MM GEO-1.

***LEVEL OF SIGNIFICANCE***

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

|  | Potentially<br>Significant<br>Impact | Less than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less-than-<br>Significant<br>Impact | No<br>Impact |
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|
|--|--------------------------------------|----------------------------------------------------------------|-------------------------------------|--------------|

### 3.4.21 - MANDATORY FINDINGS OF SIGNIFICANCE

- |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                          |                                     |                          |                          |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a. | Does the Project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. | Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)                                                                                                                                         | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. | Does the Project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?                                                                                                                                                                                                                                                                                                                                           | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

### Discussion

**Impact #3.4.21a – Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?**

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

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

**MITIGATION MEASURE(S)**

Implementation of Mitigation Measures MM BIO-1 through MM BIO-6; MM CUL-1 and MM CUL-2; and MM GEO-1 through GEO-4.

**LEVEL OF SIGNIFICANCE**

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

**Impact #3.4.21b - Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a Project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)?**

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

**MITIGATION MEASURE(S)**

Implementation of Mitigation Measures MM BIO-1 through MM BIO-6; MM CUL-1 and MM CUL-2; MM GEO 1-4; and MM HAZ-1.

**LEVEL OF SIGNIFICANCE**

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

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

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

**MITIGATION MEASURE(S)**

Implementation of Mitigation Measures MM BIO-1 through MM BIO-6; MM CUL-1 and MM CUL-2, MM GEO-1 through MM GEO-4 and MM HAZ-1.

**LEVEL OF SIGNIFICANCE**

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

## **SECTION 4 - LIST OF PREPARERS**

### ***Lead Agency – Panama-Buena Vista Union School District***

Paul Johnson- Director of Facilities

### ***Consultant – QK***

Jaymie Brauer – Project Manager, QA/QC

Thomas Kobayashi – Lead Author

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## **SECTION 6 - MITIGATION MONITORING AND REPORTING PROGRAM**

| Mitigation Monitoring Program |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                              |      |          |
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| Impact                        | Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Time Frame for Implementation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Responsible Monitoring Agency                                                                                                                | Date | Initials |
|                               | <b>Aesthetics</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                              |      |          |
|                               | No Mitigation required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                              |      |          |
|                               | <b>Agriculture and Forest Resources</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                              |      |          |
|                               | No Mitigation required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                              |      |          |
|                               | <b>Air Quality</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                              |      |          |
|                               | No Mitigation required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                              |      |          |
|                               | <b>Biological Resources</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                              |      |          |
| #1                            | <b>BIO-1:</b> Prior to ground disturbing activities, a qualified wildlife biologist shall conduct a biological clearance survey between 14 and 30 days prior to the onset of construction.<br><br>The clearance survey shall include walking transects to identify presence of San Joaquin kit fox, burrowing owl, nesting birds and other special-status species. The pre-construction survey shall be walked by no greater than 30-foot transects for 100 percent coverage of the project and a 50-foot buffer, where feasible. If no evidence of special-status species is detected, no further action is required except MM BIO-4 and BIO-6 shall be implemented. | Within 14 days prior to any construction-related activities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Lead Agency, Qualified Biologist; U.S. Fish and Wildlife Service, if necessary; and California Department of Fish and Wildlife if necessary. |      |          |
|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>Steps to Compliance:</b><br>A. A qualified biologist shall be responsible for a preconstruction survey.<br>B. If necessary, the qualified biologist shall contact CDFW and USFWS to determine next steps.<br>C. If necessary, the qualified biologist shall implement next steps in consultation with the wildlife agencies.<br>D. The qualified biologist shall prepare a brief report to be submitted to the wildlife agencies within 5 days of completion of the preconstruction survey.<br>E. Lead Agency shall verify compliance. |                                                                                                                                              |      |          |
| #2                            | <b>BIO-2:</b> The following avoidance and minimization measures shall be implemented during all phases of the project to reduce the potential for impact from the project. They are modified from the U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the <i>Endangered SJKF Prior to or During Ground Disturbance</i> (USFWS 2011, Appendix F).                                                                                                                                                                                                                                                                                        | All phases                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Lead Agency, Project operators, contractors, qualified biologist                                                                             |      |          |
|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>Steps to Compliance:</b><br>A. The measures listed are to be followed while Project is implemented.                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                              |      |          |

| Mitigation Monitoring Program |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                               |                               |      |          |
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| Impact                        | Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Time Frame for Implementation | Responsible Monitoring Agency | Date | Initials |
|                               | <p>a. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers. All food-related trash items such as wrappers, can, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from the construction of project site.</p> <p>b. Construction-related vehicle traffic shall be restricted to established roads and predetermined ingress and egress corridors, staging, and parking areas. Vehicle speeds shall not exceed 20 miles per hour (mph) within the project site.</p> <p>c. To prevent inadvertent entrapment of kit fox or other animals during construction, the contractor shall cover all excavated, steep-walled holes or trenches more than two feet deep at the close of each workday with plywood or similar materials. If holes or trenches cannot be covered, one or more escape ramps constructed of earthen fill or wooden planks shall be installed in the trench. Before such holes or trenches are filled, the contractor shall thoroughly inspect them for entrapped animals. All construction-related pipes, culverts, or similar structures with a diameter of four inches or greater that are stored on the project site shall be thoroughly inspected for wildlife before the pipe is subsequently buried, capped, or otherwise used or moved in anyway. If at any time an entrapped or injured kit fox is discovered, work in the immediate area shall be temporarily halted and USFWS and CDFW shall be consulted.</p> <p>d. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be</p> |                               |                               |      |          |

| Mitigation Monitoring Program |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                               |                               |      |          |
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| Impact                        | Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Time Frame for Implementation | Responsible Monitoring Agency | Date | Initials |
|                               | <p>thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the USFWS and CDFW have been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.</p> <p>e. No pets, such as dogs or cats, shall be permitted on the project sites to prevent harassment, mortality of kit foxes, destruction of dens.</p> <p>f. Use of anti-coagulant rodenticides and herbicides in project sites shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the USFWS and CDFW. If rodent control must be conducted, zinc phosphide shall be used because of the proven lower risk to kit foxes.</p> <p>g. A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative shall be identified during the employee education program and their name and telephone number shall be provided to the USFWS.</p> <p>h. The Sacramento Fish and Wildlife Office of USFWS and CDFW shall be notified in writing within three working days of the</p> |                               |                               |      |          |

| Mitigation Monitoring Program |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                              |                                                                                                                                                                                                                             |      |          |
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| Impact                        | Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Time Frame for Implementation                                | Responsible Monitoring Agency                                                                                                                                                                                               | Date | Initials |
|                               | <p>accidental death or injury to a SJKF during project-related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact can be reached at (559) 243-4014 and R4CESA@wildlifeca.gov.</p> <p>i. All sightings of the SJKF shall be reported to the California Natural Diversity Database (CNDDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to the Service at the address below.</p> <p>j. Any project-related information required by the USFWS or questions concerning the above conditions, or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at: Endangered Species Division, 2800 Cottage Way, Suite W 2605, Sacramento, California 95825-1846, phone: (916) 414-6620 or (916) 414-6600.</p> <p>k. New sightings of SJKF should be reported to the CNDDDB</p> |                                                              |                                                                                                                                                                                                                             |      |          |
| #3                            | <p><b>BIO-3:</b> Within 14 days prior to the start of project ground-disturbing activities, a pre-activity survey with a 500-foot buffer shall be conducted by a qualified biologist knowledgeable in the identification of these species and approved by the CDFW. If dens/burrows that could support any of these species are discovered during the pre-activity survey conducted under MM BIO-1, the avoidance buffers outlined below should be established. No work would occur within these buffers unless the biologist approves and monitors the activity.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Within 14 days prior to any construction-related activities. | <p>Lead Agency, Qualified Biologist; U.S. Fish and Wildlife Service, if necessary; and California Department of Fish and Wildlife if necessary.</p> <p>Lead Agency, Project operators, contractors, qualified biologist</p> |      |          |

| Mitigation Monitoring Program |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                        |      |          |
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| Impact                        | Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Time Frame for Implementation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Responsible Monitoring Agency          | Date | Initials |
|                               | San Joaquin Kit Fox <ul style="list-style-type: none"> <li>Potential or Atypical den – 50 feet</li> <li>Known den – 100 feet</li> <li>Natal or pupping den – 500 feet, unless otherwise specified by CDFW</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Steps to Compliance:</b> <ul style="list-style-type: none"> <li>A. The measures listed are to be followed while Project is implemented.</li> <li>B. A pre-construction survey shall be sent to the Lead Agency.</li> </ul>                                                                                                                                                                                                                                                                                                                                  |                                        |      |          |
| #4                            | <b>BIO-4:</b> If construction is planned outside the nesting period for raptors (other than burrowing owl) and migratory birds (February 15 to August 31), no mitigation shall be required. If construction is planned during the nesting season for migratory birds and raptors, a preconstruction survey to identify active bird nests shall be conducted by a qualified biologist to evaluate the site and a 250-foot buffer for migratory birds and a 500-foot buffer for raptors. If nesting birds are identified during the survey, active raptor nests shall be avoided by 500 feet and all other migratory bird nests shall be avoided by 250 feet. Avoidance buffers may be reduced if a qualified on-site monitor determines that encroachment into the buffer area is not affecting nest building, the rearing of young, or otherwise affecting the breeding behaviors of the resident birds. Because nesting birds can establish new nests or produce a second or even third clutch at any time during the nesting season, nesting bird surveys shall be repeated every 30 days as construction activities are occurring throughout the nesting season.<br><br>No construction or earth-moving activity shall occur within a non-disturbance buffer until it is determined by a qualified biologist that the young have fledged (left the nest) and have attained sufficient flight skills to avoid project construction areas. Once the migratory birds or raptors have completed nesting and young have fledged, disturbance buffers will no longer be needed and may be removed, and monitoring may cease | Before construction if initiated during nesting season (February 1 to September 15)                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Project proponent, qualified biologist |      |          |
|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>Steps to Compliance:</b> <ul style="list-style-type: none"> <li>A. A preconstruction nesting bird survey shall be conducted within 14 days prior to the start of construction.</li> <li>B. If active nests are found during the survey or at any time during construction of the Project, an avoidance buffer ranging from 250 feet to 500 feet may be required, with the avoidance buffer from any specific nest being determined by a qualified biologist.</li> <li>C. Work is to continue under approval and guidance of qualified biologist.</li> </ul> |                                        |      |          |

| Mitigation Monitoring Program |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                 |          |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                        |      |          |     |      |               |                  |       |       |       |  |  |  |  |  |
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| Impact                        | Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                 |          |              | Time Frame for Implementation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Responsible Monitoring Agency          | Date | Initials |     |      |               |                  |       |       |       |  |  |  |  |  |
| #5                            | <p><b>BIO-5:</b> A qualified biologist shall conduct a pre-construction survey on the project site and within 500 feet of its perimeter, where feasible, to identify the presence of the western burrowing owl. The survey shall be conducted between 14 and 30 days prior to the start of construction activities. If any burrowing owl burrows are observed during the preconstruction survey, avoidance measures shall be consistent with those included in the CDFW Staff Report on Burrowing Owl Mitigation (CDFG 2012). If occupied burrowing owl burrows are observed outside of the breeding season (September 1 through January 31) and within 250 feet of proposed construction activities, a passive relocation effort may be instituted in accordance with the guidelines established by the California Burrowing Owl Consortium (1993) and the California Department of Fish and Wildlife (2012). During the breeding season (February 1 through August 31), a 500-foot (minimum) buffer zone shall be maintained unless a qualified biologist verifies through noninvasive methods that either the birds have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent survival.</p> <p>In addition, impacts to occupied burrowing owl burrows shall be avoided in accordance with the following table unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.</p> |                                                                                                                                                                                                                                                                                 |          |              | Before construction                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Project proponent, qualified biologist |      |          |     |      |               |                  |       |       |       |  |  |  |  |  |
|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                 |          |              | <p><b>Steps to Compliance:</b></p> <p>A. A preconstruction nesting bird survey shall be conducted within 14 days prior to the start of construction.</p> <p>B. If active nests are found during the survey or at any time during construction of the Project, an avoidance buffer ranging from 250 feet to 500 feet may be required, with the avoidance buffer from any specific nest being determined by a qualified biologist.</p> <p>C. Work is to continue under approval and guidance of qualified biologist.</p> |                                        |      |          |     |      |               |                  |       |       |       |  |  |  |  |  |
|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <table><tr><th rowspan="2">Location</th><th rowspan="2">Time of Year</th><th colspan="3">Level of Disturbance</th></tr><tr><th>Low</th><th>Med</th><th>High</th></tr><tr><td>Nesting Sites</td><td>April 1 – Aug 15</td><td>200 m</td><td>500 m</td><td>500 m</td></tr></table> | Location | Time of Year | Level of Disturbance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                        |      | Low      | Med | High | Nesting Sites | April 1 – Aug 15 | 200 m | 500 m | 500 m |  |  |  |  |  |
| Location                      | Time of Year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Level of Disturbance                                                                                                                                                                                                                                                            |          |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                        |      |          |     |      |               |                  |       |       |       |  |  |  |  |  |
|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Low                                                                                                                                                                                                                                                                             | Med      | High         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                        |      |          |     |      |               |                  |       |       |       |  |  |  |  |  |
| Nesting Sites                 | April 1 – Aug 15                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 200 m                                                                                                                                                                                                                                                                           | 500 m    | 500 m        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                        |      |          |     |      |               |                  |       |       |       |  |  |  |  |  |

| Mitigation Monitoring Program |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                 |       |       |       |                                                                                                                                                                                                                     |                                |      |          |
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| Impact                        | Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                 |       |       |       | Time Frame for Implementation                                                                                                                                                                                       | Responsible Monitoring Agency  | Date | Initials |
|                               | Nesting Sites                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Aug 16 – Oct 15 | 200 m | 200 m | 500 m |                                                                                                                                                                                                                     |                                |      |          |
|                               | Nesting Sites                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Oct 16 – Mar 31 | 50 m  | 100 m | 500 m |                                                                                                                                                                                                                     |                                |      |          |
|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                 |       |       |       |                                                                                                                                                                                                                     |                                |      |          |
| #6                            | <p><b>BIO-6:</b> Prior to ground disturbance activities, or within one week of being deployed at the project site for newly hired workers, all construction workers at the project site shall attend a Construction Worker Environmental Awareness Training and Education Program, developed and presented by a qualified biologist.</p> <p>The Construction Worker Environmental Awareness Training and Education Program shall be presented by the biologist and shall include information on the life histories of special-status wildlife and plant species that may be encountered during construction activities, their legal protections, the definition of “take” under the Endangered Species Act, measures the project operator is implementing to protect the species, reporting requirements, specific measures that each worker must employ to avoid take of the species, and penalties for violation of the Act. Identification and information regarding special-status or other sensitive species with the potential to occur on the project site shall also be provided to construction personnel. The program shall include:</p> <ul style="list-style-type: none"><li>• An acknowledgement form signed by each worker indicating that environmental training has been completed.</li><li>• A copy of the training transcript and/or training video/CD, as well as a list of the names of all personnel who attended the training and copies of the signed</li></ul> |                 |       |       |       | Prior to construction                                                                                                                                                                                               | Project Proponent, Lead Agency |      |          |
|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                 |       |       |       | <p><b>Steps to Compliance:</b></p> <p>A. The Project proponent shall ensure all construction workers complete the Worker Environmental Awareness Training program, which shall be viewed prior to construction.</p> |                                |      |          |

| Mitigation Monitoring Program                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                               |                                                  |      |          |
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| Impact                                                                                                                                                                                                                                                                                                                                                                                                                              | Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Time Frame for Implementation | Responsible Monitoring Agency                    | Date | Initials |
|                                                                                                                                                                                                                                                                                                                                                                                                                                     | acknowledgement forms shall be maintained on site for the duration of construction activities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                               |                                                  |      |          |
| <b>Cultural Resources</b>                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                               |                                                  |      |          |
| #7                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>CUL-1:</b> If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from Project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation. | During construction           | Project operator, Project proponent, Lead Agency |      |          |
| <b>Steps to Compliance:</b> <ul style="list-style-type: none"> <li>A. If necessary, work shall cease and the project proponent shall retain a qualified archaeologist and/or paleontologist to assess finds and recommended procedures.</li> <li>B. The qualified cultural resources specialist shall assess the significance of the find and determine next steps.</li> <li>C. The Lead Agency shall verify compliance.</li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                               |                                                  |      |          |

| Mitigation Monitoring Program |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                        |                                |      |          |
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| Impact                        | Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Time Frame for Implementation                                                                                                                                                                                                                                                                                                                                          | Responsible Monitoring Agency  | Date | Initials |
| #8                            | MM CUL-2: If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the county coroner.                                                                                        | During construction and operational activities                                                                                                                                                                                                                                                                                                                         | Project Operator, Lead Agency  |      |          |
|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Steps to Compliance:<br><div>A. If necessary, work shall cease and the project proponent shall retain a qualified archaeologist to assess finds and recommended procedures.</div> <div>B. The qualified cultural resources specialist shall assess the significance of the find and determine next steps.</div> <div>C. The Lead Agency shall verify compliance.</div> |                                |      |          |
| Energy                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                        |                                |      |          |
|                               | No Mitigation required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                        |                                |      |          |
| Geology and Soils             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                        |                                |      |          |
| #8                            | GEO-1: Prior to construction, the District shall submit: (1) the approved Stormwater Pollution Prevention Plan (SWPPP) and (2) the Notice of Intent (NOI) to comply with the General National Pollutant Discharge Elimination System (NPDES) from the Central Valley Regional Water Quality Control Board. The requirements of the SWPPP and NPDES shall be incorporated into design specifications and construction contracts. Recommended best management practices for the construction phase may include the following: <ul style="list-style-type: none"><li>Stockpiling and disposing of demolition debris, concrete, and soil properly;</li><li>Protecting existing storm drain inlets and stabilizing disturbed areas;</li><li>Implementing erosion controls;</li><li>Properly managing construction materials; and</li></ul> | Prior to construction                                                                                                                                                                                                                                                                                                                                                  | Project Proponent, Lead Agency |      |          |
|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Steps to Compliance:<br><div>A. The Project proponent shall prepare, submit, and receive approval of a SWPPP from the Central Valley Regional Water Quality Control Board.</div> <div>B. The Lead Agency shall verify compliance.</div>                                                                                                                                |                                |      |          |

| Mitigation Monitoring Program |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                |      |          |
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| Impact                        | Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Time Frame for Implementation                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Responsible Monitoring Agency  | Date | Initials |
|                               | <ul style="list-style-type: none"> <li>Managing waste, aggressively controlling litter, and implementing sediment controls.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                |      |          |
| #9                            | <b>GEO-2:</b> The District shall limit grading to the minimum area necessary for construction and operation of the Project. Final grading plans shall include best management practices to limit onsite and offsite erosion                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | During construction                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Project operator, Lead Agency  |      |          |
|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Steps to Compliance:</b> <ul style="list-style-type: none"> <li>A. The Project proponent and construction personnel shall ensure compliance.</li> <li>B. The Lead Agency shall verify compliance with the mitigation measure.</li> </ul>                                                                                                                                                                                                                                                    |                                |      |          |
| #10                           | <b>GEO-3:</b> The upper 10 feet of soil in the building areas shall be replaced with engineered fill to reduce potential settlement as recommended in the prepared Geological Hazard Study.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | During construction                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Project proponent, Lead Agency |      |          |
|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Steps to Compliance:</b> <ul style="list-style-type: none"> <li>A. The Project proponent and construction personnel shall ensure compliance.</li> <li>B. The Lead Agency shall verify compliance with the mitigation measure.</li> </ul>                                                                                                                                                                                                                                                    |                                |      |          |
| #11                           | <b>GEO-4:</b> The Project operator shall avoid and minimize impacts to paleontological resources. If a potentially significant paleontological resource is encountered during ground disturbance activities, all construction within a 100-foot radius of the find shall immediately cease until a qualified paleontologist determines whether the resources require further study. The operator shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The paleontologist shall notify the Lead Agency and the Project operator of the procedures that must be followed before construction is allowed to resume at | During ground disturbance activities                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Project operator, Lead Agency  |      |          |
|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Steps to Compliance:</b> <ul style="list-style-type: none"> <li>A. In the event that paleontological resources are encountered during ground disturbance activities, all work within 100 feet shall halt.</li> <li>B. If required, the project proponent shall contact the qualified paleontologist to assess the find.</li> <li>C. The operator shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement.</li> </ul> |                                |      |          |

| Mitigation Monitoring Program |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                    |                                |      |          |
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| Impact                        | Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Time Frame for Implementation                                                                                                                                                                                                                      | Responsible Monitoring Agency  | Date | Initials |
|                               | the location of the find. The Bureau of Land Management shall also be informed for those wells on Split Estate property.<br><br>If the find is determined to be significant and the Lead Agency determines avoidance is not feasible, the paleontologist shall design and implement a data recovery plan consistent with the applicable standards. The plan shall be submitted to the Lead Agency for review and approval. Upon approval, the plan shall be incorporated into the Project. | D. The Lead Agency shall verify compliance with the mitigation measure.                                                                                                                                                                            |                                |      |          |
|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                    |                                |      |          |
|                               | Greenhouse Gas Emissions                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                    |                                |      |          |
|                               | No Mitigation required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                    |                                |      |          |
|                               | Hazardous Materials                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                    |                                |      |          |
| #12                           | HAZ-1: Prior to operation of the Project, the Project proponent shall prepare a Hazardous Materials Business Plan that identifies the new location of the new school campus and submit it to the appropriate regulatory agency for review and approval. The Project proponent shall provide the Hazardous Materials Business Plan to all contractors working on the Project and shall ensure that one copy is available at the Project site at all times.                                  | Prior to operation                                                                                                                                                                                                                                 | Project operation, Lead Agency |      |          |
|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Steps to Compliance:<br>Steps to Compliance:<br>A. The Project proponent shall prepare, submit, and receive approval of a Hazardous Materials Business Plan from the appropriate regulatory agency.<br>B. The Lead Agency shall verify compliance. |                                |      |          |
|                               | Hydrology and Water Quality                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                    |                                |      |          |
|                               | No Mitigation required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                    |                                |      |          |
|                               | Land Use and Planning                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                    |                                |      |          |
|                               | No Mitigation required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                    |                                |      |          |
|                               | Mineral Resources                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                    |                                |      |          |
|                               | No Mitigation required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                    |                                |      |          |

| Mitigation Monitoring Program |                                                      |                               |                               |      |          |
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| Impact                        | Mitigation Measure                                   | Time Frame for Implementation | Responsible Monitoring Agency | Date | Initials |
|                               | <b>Noise</b>                                         |                               |                               |      |          |
|                               | No Mitigation required.                              |                               |                               |      |          |
|                               | <b>Population and Housing</b>                        |                               |                               |      |          |
|                               | No Mitigation required.                              |                               |                               |      |          |
|                               | <b>Public Services</b>                               |                               |                               |      |          |
|                               | No Mitigation required.                              |                               |                               |      |          |
|                               | <b>Recreation</b>                                    |                               |                               |      |          |
|                               | No Mitigation required.                              |                               |                               |      |          |
|                               | <b>Traffic and Transportation</b>                    |                               |                               |      |          |
|                               | No Mitigation required.                              |                               |                               |      |          |
|                               | <b>Tribal Cultural Resources</b>                     |                               |                               |      |          |
|                               | Implement Mitigation Measures MM CUL-1 and MM CUL-2. |                               |                               |      |          |
|                               | <b>Utilities and Service Systems</b>                 |                               |                               |      |          |
|                               | No Mitigation required.                              |                               |                               |      |          |
|                               | <b>Wildfire</b>                                      |                               |                               |      |          |
|                               | No Mitigation required.                              |                               |                               |      |          |

**APPENDIX A**  
**SMALL PROJECT ANALYSIS LEVEL**

**APPENDIX B**  
**CULTURAL RESOURCE MEMO**

**APPENDIX C**  
**GEOTECHNICAL, HAZARDS AND SOILS STUDIES**

**APPENDIX D**  
**TRAFFIC STUDY**