Draft

NITRATE PIPELINE AND SHALANE TANK ALIGNMENT PROJECT

Initial Study/Mitigation Negative Declaration

Prepared for
East Niles Community Services District

March 2025

ESA

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East Niles Community Services District

1417 Vale Street
Bakersfield, CA 93306

March 2025

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Acronyms and Other Abbreviations

Abbreviation	Definition
BFD	Bakersfield Fire Department
Bgs	Below Ground Surface
BMPs	Best Management Practices
BPD	Bakersfield Police Department
BPS	Best Performance Standards
CARB	California Air Resources Board
CALFIRE	California Department of Forestry and Fire Protection
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CDOC	California Department of Conservation
CGS	California Geologic Survey
DOC	Department of Conservation
DPM	Diesel Particulate Matter
DTSC	Department of Toxic Substances Control
ENCSD	East Niles Community Services District
ESA	Environmental Science Associates
FEMA	Federal Emergency Management Agency
GHG	Greenhouse Gas
KCFS	Kern County Fire Services
KCOG	Kern Council of Governments
KCSD	Kern County Sheriff's Department
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
NOA	Naturally Occurring Asbestos
NPDES	National Pollutant Discharge Elimination System
SJVAB	San Joaquin Valley Air Basin
SJVAPCD	San Joaquin Valley Air Pollution Control District
SRA	State Responsibility Area
SWRCB	State Water Resources Control Board
USEPA	U.S. Environmental Project Agency
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	Vehicle Miles Traveled

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CHAPTER 1
Project Description

1.1 Introduction

The East Niles Community Services District ("ENCSD" or "District") owns and operates a water distribution system and sewage collection system serving portions of the City of Bakersfield and unincorporated areas of Kern County, California. The District, as lead agency under the California Environmental Quality Act (CEQA), is proposing to implement the Nitrate Pipeline Project and Shalane Tank Alignment Project (Project). This Initial Study/Mitigated Negative Declaration (IS/MND) evaluates the environmental effects of the proposed Project and has been prepared in accordance with relevant provisions of the CEQA of 1970 (California Public Resources Code [PRC] Section 21000 et. seq.) as amended, and the State CEQA Guidelines (California Code of Regulations [CCR] Title 14, Section 15000 et. seq., as revised).

1.2 Project Location

The Project is located in the central portion of Kern County, in unincorporated and incorporated areas of the eastern portion of the City of Bakersfield, as shown in **Figure 1,** *Regional Project Location* (ENCSD 2009). The Nitrate Pipeline Project would extend underground from the Morning Drive Reservoir located at the District's Morning Drive site which is adjacent to Walter W. Stiern Middle School to the District's Well 21 site. As shown in **Figure 2,** *Proposed Project Alignment*, the underground pipeline would travel south from the Morning Drive Reservoir to the intersection of Niles Street/Kern Canyon Road and Morning Drive, east on Kern Canyon Road and then east on Shalane Avenue (blue, red and yellow alignment). From the intersection of Shalane Avenue and Monica Street, the underground pipeline will extend south to Breckenridge Road (blue alignment). The underground pipeline would continue south from Breckenridge Road to the Edison Highway (Hwy) boundary. The underground pipeline will extend underneath Edison Hwy and Highway 58 to Redbank Road, west on Redbank Road towards a point approximately 310 feet north of the intersection of Emmy Drive and Katte Avenue. The pipeline will then travel south along the eastern edge of Assessor Parcel Number (APN) 177-171-01 until reaching Emmy Drive. From this point it will travel south on Emmy Drive to E. Wilson Road, then east on Wilson Road to the Well 21 site driveway and into the Well 21 site (purple alignment). Tie-ins to the distribution system will be installed at various pressure zones along the alignment within the road right-of-way and/or easements.

Surrounding land uses to the Project alignments (Project areas) include commercial, agricultural, residential, and industrial (Kern County 2024). Regional access to the Project is available from Highway 58, State Route 184 (SR-184), and Highway 178. Local access to the Project areas include Morning Drive, Niles Street, Kern Canyon Road (SR-184), Shalane Avenue, Monica Street, Rosewood Avenue,

Pioneer Drive, Eucalyptus Drive, Breckenridge Road, E. Brundage Lane, Kimber Avenue, Kerrnita Road, Smith Road, Vineyard Street, Redbank Road, Emory Drive, Kattie Avenue, Bengston Avenue, Big Al Avenue, and E. Wilson Road.

1.3 Project Background

The ENCSD was formed in 1954 for the purpose of operating a water system which provides both surface and groundwater production capabilities. In 1960, the District's boundary was expanded to include sewer services. The District currently serves unincorporated areas of Kern County and portions of the City of Bakersfield. The District's service area comprises approximately 6,100 acres and contains primarily residential development. The District's water system serves a population of approximately 32,500 through 8,100 water service connections as of June 2021. The District's primary facilities are comprised of 7 wells for potable water production, 14 potable water storage reservoirs with a total capacity of approximately 16.7 million gallons, 11 water booster stations to transfer water to different elevations, approximately 140 miles of water transmission and distribution mains, and related control and telemetering systems (ENCSD 2024).The District's groundwater supplies have historically complied with the State water quality requirements established in the form of maximum contaminant levels (MCLs) for various regulated contaminants. The majority of the District wells (five of the seven) convey supply to a common storage/distribution site known as the Kern Citrus Tank Facility. Thus, when various contaminants exceed an MCL at any of those five well locations, the District can mix the supplies at Kern Citrus to provide a blend that meets all State standards.

The water from Well 21 is pumped to a common storage/distribution site known as the Well 21 Facility at the southern termination of the nitrate pipeline. The water produced by Well 21 has occasionally exceeded the nitrate MCL of 10 milligrams per liter (mg/L). In order for Well 21 to continue in service for distribution, the District is proposing the Project to reduce nitrate concentration levels below the regulated MCL at Well 21 and ensure safe water for consumption.

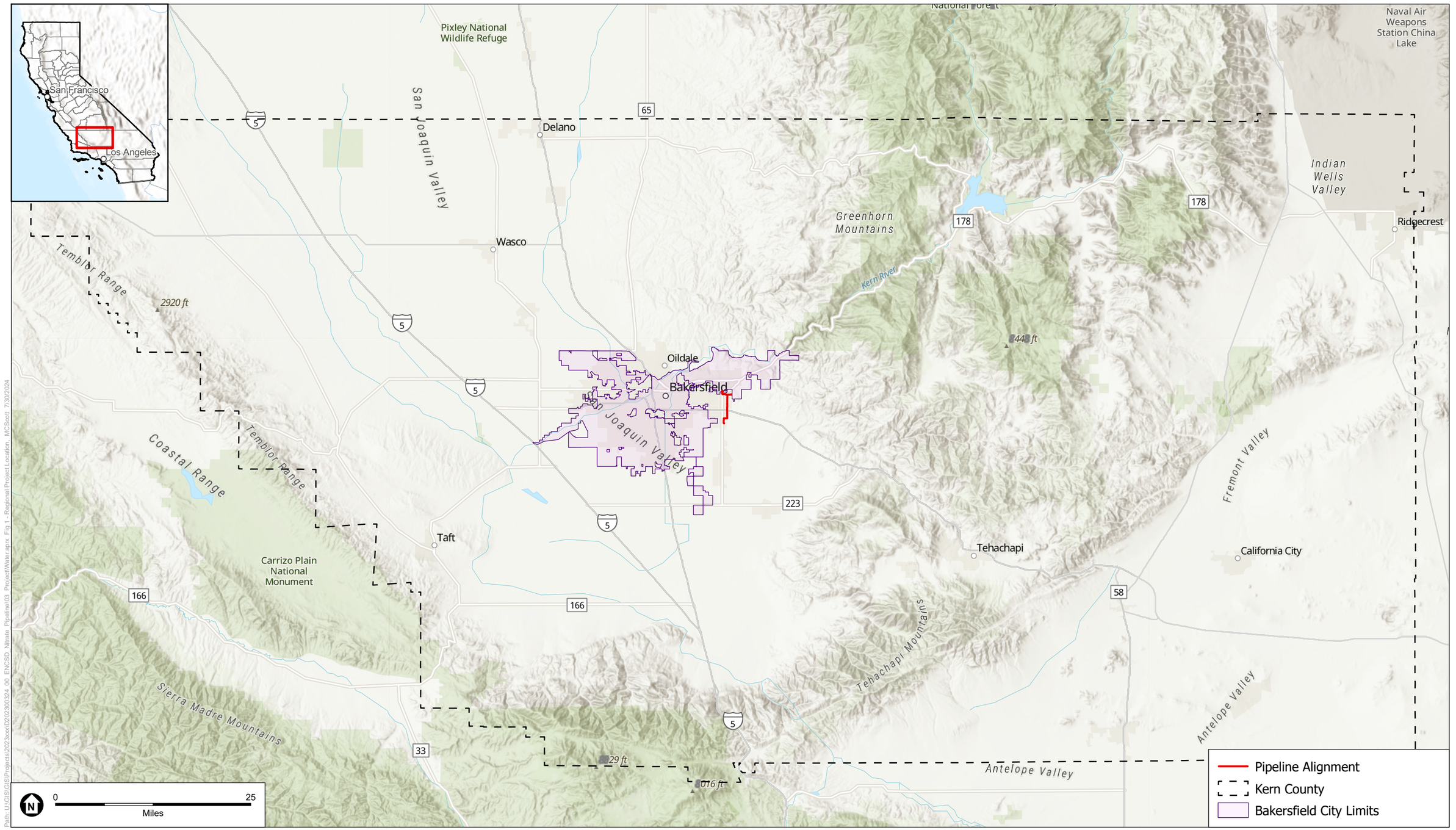
1.4 Proposed Project

1.5.1 Nitrate Pipeline Project

The Project would involve the construction and operation of underground 12-inch blending pipeline, various tie-ins to the distribution system, and additional Project area improvements that would transfer water from the municipal water storage tank located at Morning Drive to the Well 21 site. The water transferred would be blended and treated at Well 21 prior to distribution to reduce nitrate levels below the regulated MCL for safe consumption, as shown in **Figure 3**, *Project at Buildout*.

1.5.2 Shalane Tank Alignment Project

The Shalane Tank Alignment Project would involve the construction and operation of a new underground 14-inch pipeline alignment and additional Project area improvements for additional water storage within the Morning Drive Pressure Zone, as shown in Figure 3, *Project at Buildout*.

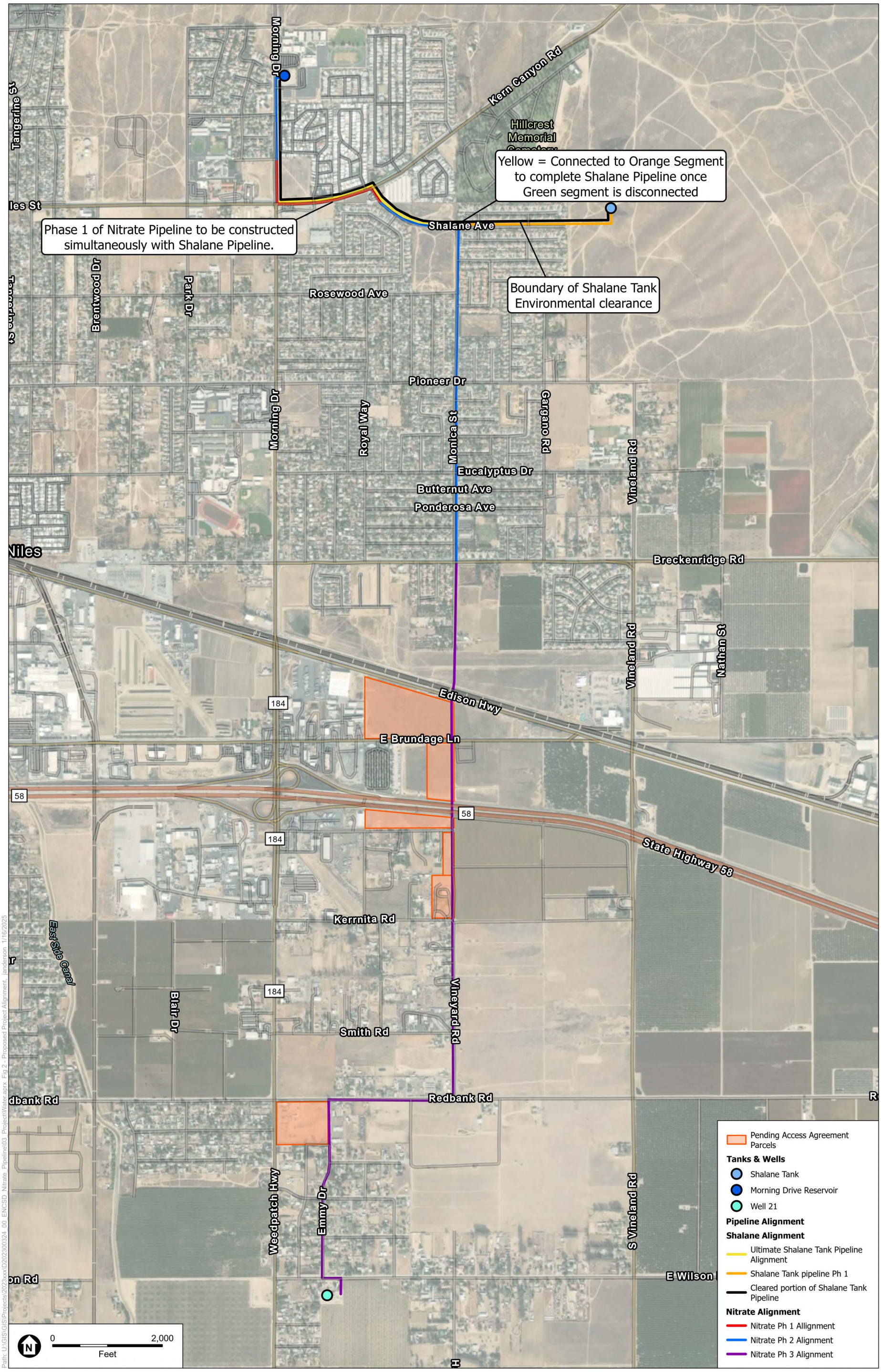


SOURCE: ESA, 2024

ENCSD Nitrate Pipeline

Figure 1
Regional Project Location

ESA



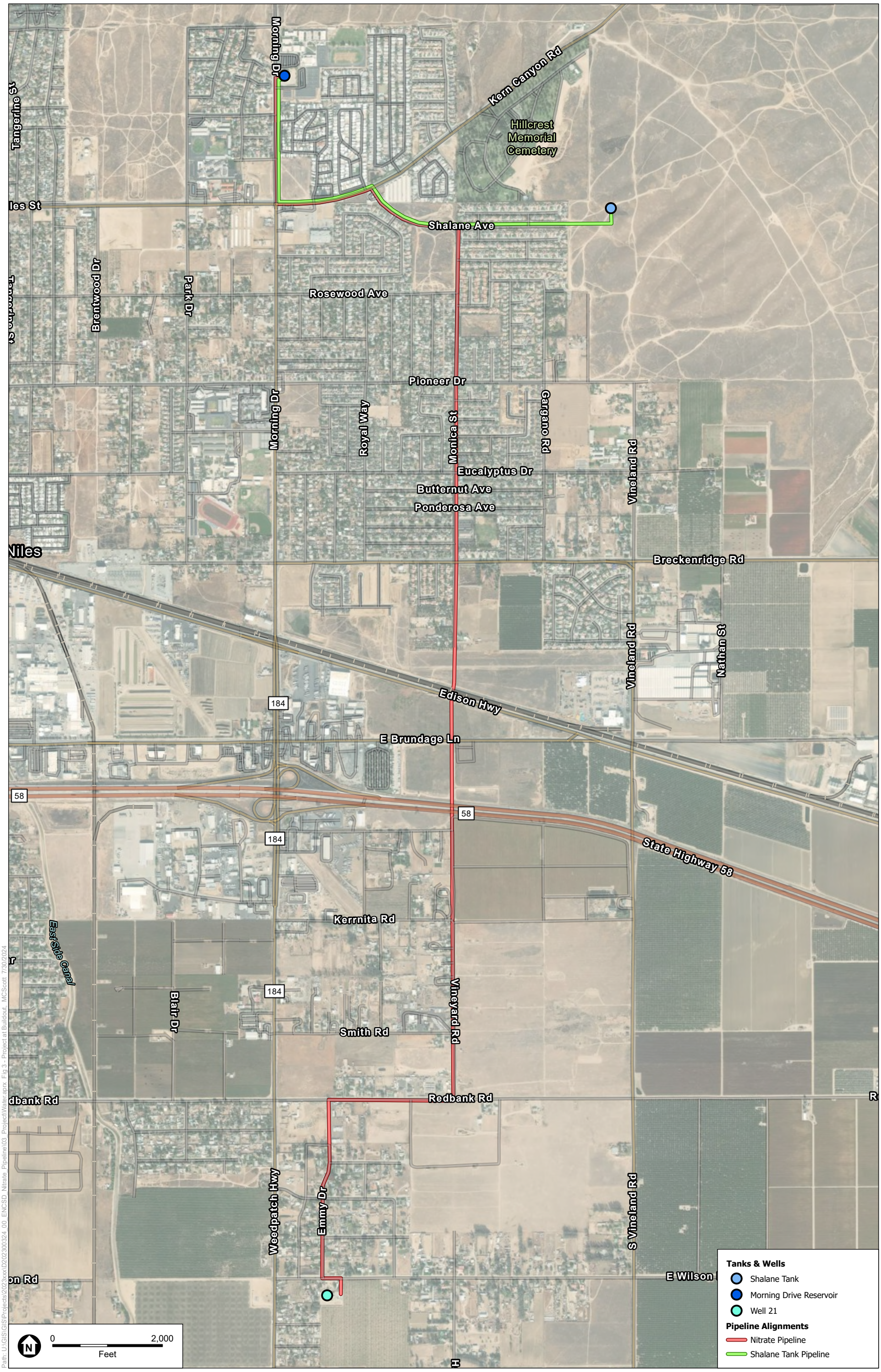
Path: U:\GIS\GIS\Projects\2023xxx\D202300324 00 ENCSD Nitrate Pipeline\03 Project\Water.aprx Fig 2 - Proposed Project Alignment, janderson 1/16/2025

SOURCE: ESA, 2024

ENCSD Nitrate Pipeline

Figure 2
Proposed Pipeline Alignment

ESA



Path: U:\GIS\GIS\Projects\2023xxx\D202300324_00_ENCSD_Nitrate_Pipeline\03_ProjectWater.aprx Fig 3 - Project at Buildout MCScott 7/30/2024

SOURCE: ESA, 2024

ENCSD Nitrate Pipeline

Figure 3
Project at Buildout

ESA

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1.5 Proposed Project Construction

1.5.1 Pipelines

The Project would primarily be installed within the rights-of-way as described above. The proposed pipelines would be installed within the road rights-of-ways and within existing easements, where feasible. In addition, the southern portion of the pipeline alignment has the potential to cross undeveloped properties. The construction equipment needed for the pipeline installation would include backhoe, excavator, loader, dump trucks, water trucks, pipe trailers, crew vehicles, shoring equipment, and plate compactor. Construction of the underground 12-inch and 14-inch pipeline alignments are anticipated to primarily involve conventional cut and cover trenching technique. On average, 100 to 500 feet of pipeline will be installed per day. The trenching activities would include saw cutting of the pavement where applicable, trench excavation, shoring, pipe installation, trench backfill and compaction, site restoration/pavement replacement, as applicable, and testing. The pipeline would require a jack and bore installation below the railroad/Edison Hwy alignment and Hwy 58. An estimated length of 400 feet for railroad/Edison Hwy crossing and 350 feet for Highway 58 crossing would be required.

The pipelines would be installed at depths between 3 and 10 feet below ground surface (bgs), with a minimum cover of 30 inches. The construction corridor would be wide enough to accommodate the trench and to allow for staging areas and vehicle access. Trenches would be temporarily closed by covering the areas with steel trench plates. Although not expected, localized trench and pipeline dewatering may be required depending on the pipeline location. Water collected from dewatering would be reused for dust control purposes during construction, as needed. Excavated soils would be reused as backfill and otherwise disposed of offsite at a local disposal facility or provided to adjacent property owners if requested.

Approximately 5 to 10 workers would be required during various phases of pipeline installation.

Work within roadways would potentially require partial or full closure of traffic lanes. Full closure of rights-of-way may be required, particularly for rights-of-way with a limited number of lanes. Traffic control would be necessary during pipeline construction within roadways. Typically, 2 to 4 workers would be required for traffic control during pipeline installation. Equipment necessary for traffic control includes changeable message signs, delineators, arrow boards, and K-Rails.

Construction staging would occur within the rights-of-way along the pipeline alignments as shown in Figure 2, *Proposed Project Alignment*.

1.5.2 Construction Schedule

Construction would begin in the second quarter of 2025 and is anticipated to be completed in the second quarter of 2027, or when sufficient funding has been secured to complete the project. The construction and installation of the Nitrate Pipeline Project and the Shalane Tank Alignment Project would occur at the same time. The pipeline alignments could be constructed concurrently with the other sequential phases of work.

1.6 Operation and Maintenance

Pipelines would be contained entirely underground with pressure zone tie-ins that are located above ground within the pipeline easement. Maintenance would include quarterly inspections of the tie-ins. No employees would need to access the facilities.

1.7 Energy Consumption

During Project construction, energy would be consumed in the form of petroleum-based fuels associated with the use of off-road construction vehicles and equipment on the Project areas, construction workers traveling to and from the Project areas, and delivery and haul trips (e.g., hauling of soils to off-site reuse and disposal facilities). Energy use associated with construction and installation of the pipeline alignments would be temporary in nature and would cease upon completion of the Project.

1.8 Proposed Action Approvals

This IS/MND has been prepared to meet all of the substantive and procedural requirements of CEQA (California Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations [CCR], Title 14, Section 15000 et seq.). **Table 1** summarizes the Project approvals and permit requirements from Responsible Agencies.

TABLE 1
APPROVALS AND DISCRETIONARY PERMITS POTENTIALLY REQUIRED

Agency	Type of Approval
Caltrans	Encroachment Permit
County of Kern	Encroachment Permit
City of Bakersfield	Encroachment Permit
RWQCB	NPDES-Dewatering Permit

1.9 References

East Niles Community Services District (ENCSD). 2009. District Boundary Map. Available at: https://eastnilescsd.org/Information/doc/ENCSD%20District%20Boundary%20Map.pdf, accessed May 2024.

ENCSD. 2024. District Profile. Available at: https://eastnilescsd.org/, accessed May 2024.

Kern County. 2024. Interactive County Map (GIS Tool). Available at: https://www.kerncounty.com/government/gis-menu/interactive-county-map-gis-tool, accessed May 2024.

CHAPTER 2
Environmental Checklist

2.1 Project Details

1.	Project Title:	Nitrate Pipeline Project and Shalane Tank Alignment Project
2.	Lead Agency Name and Address:	East Niles Community Services District 7443 Niles Street, Bakersfield, CA 93306
3.	Contact Person and Phone Number:	JJ Reichmuth (805) 329-4773
4.	Project Location:	City of Bakersfield, Unincorporated and Incorporated areas of Kern County
5.	Project Sponsor's Name and Address:	East Niles Community Services District 7443 Niles Street, Bakersfield, CA 93306
6.	General Plan Designation(s):	Several
7.	Zoning:	Several

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

The Nitrate Blending Pipeline would involve the construction and operation of underground 12-inch blending pipeline alignments, various pressure zone tie-in to the distribution system, and additional Project area improvements that would convey water from the existing Morning Drive Reservoir located at Morning Drive to the Well 21 site. The water transferred would be blended and treated at Well 21 prior to distribution to reduce nitrate levels below the regulated MCL for safe consumption.

The Shalane Tank Pipeline would involve the construction and operation of a new underground 14-inch pipeline alignment and additional Project area improvements for additional water storage within the Morning Drive Pressure Zone.

9. Surrounding Land Uses and Setting. (Briefly describe the project's surroundings.)

- Surrounding land uses to the Project alignments (Project areas) include commercial, agricultural, residential, and industrial.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

    - Caltrans, City of Bakersfield, County of Kern- Encroachment Permits
    - RWQCB – NPDES-Dewatering Permit

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

    See Section 4, XVIII. Tribal Cultural Resources

2.2 Environmental Factors Potentially Affected

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial study:

☐ 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 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (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.

Timothy Ruiz

Digitally signed by Timothy Ruiz
DN: cn=Timothy Ruiz, o=East Niles Community Services District, ou, email=truiz@eastnilescsd.org, c=US
Date: 2025.03.10 16:44:01 -07'00'

Signature	3-10-2025 Date
Signature	Date

2.3 Environmental Checklist

I. Aesthetics

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

Discussion

a) **No Impact.** There are no scenic vistas or resources with high or unique scenic value within the Project area or surrounding areas. According to the Kern County General Plan Circulation Element, the California Scenic Highways Master Plan designates Route 1 (which consists of State Route 14 and State Highway 395), Route 2 (which consists of State Route 58 between Mojave and Boron), and Route 3 (which consists of five miles of State Route 41 in northwest Kern County) as scenic route corridors (Kern County 2009). The Project area is not within the vicinity of Route 1, Route 2, and Route 3. Additionally, according to the California State Scenic Highway System Map, no officially designated county route, federal byway, or eligible highway of scenic value are located near the Project areas (Caltrans 2024). Therefore, the Project would not have a substantial adverse effect on a scenic vista, and no impacts would occur.

b) **No Impact.** As mentioned above, the Project area is not located in the vicinity of an officially designated county route, federal byway, or eligible highway of scenic value (Kern County 2009, Caltrans 2024). Therefore, the Project would not damage scenic resources within such as trees, rock outcroppings, and historic buildings within a state scenic highway, and no impacts would occur.

c) **Less than Significant Impact.** The Project area is located within an urbanized area in incorporated and unincorporated areas of Kern County. The Project includes the construction and operation of the Nitrate Pipeline Project consisting of underground 12-inch blending pipeline alignments, and additional Project area improvements that would facilitate the transfer of water from the Morning Drive Reservoir to Well 21, in efforts to reduce nitrate levels in water before consumer consumption. Additionally, the Shalane Tank Alignment Project includes the construction and operation of a new underground 14-inch pipeline alignment and additional

Project area improvements for additional water storage at the Shalane Tank. Pipelines would be contained entirely underground with pressure zone tie-ins that are located above ground within the pipeline easement. The above ground infrastructure would be approximately8 feet tall and located on a 10-foot by 20-foot pad secured by a fenced enclosure. The proposed tie ins would not substantially change or block existing views of the Project area or its surroundings. Therefore, implementation of the Project would not conflict with the existing visual character of the Project area, and impacts would be less than significant.

d) **No Impact.** While the Project construction activities would temporarily alter the visual character of the Project area through the use of construction equipment, these activities and equipment would be temporarily and would not conflict with the aesthetic/visual resources of the Project area. The Project construction activities would be limited to daytime hours Monday through Friday, and it is not anticipated to require nighttime lighting. Upon Project buildout, any temporary lighting that was required would be removed from the Project area. Therefore, the Project construction or operation activities would not create a new permanent source of substantial light or glare that would adversely affect the views of the area, and no impact would occur .

References

Kern County. 2009. Kern County General Plan, Chapter 2 Circulation Element. September 22, 2009.

Caltrans. 2024. California State Scenic Highway System Map. Available online; https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa. Accessed June 6, 2024.

II. Agriculture and Forestry Resources

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
II. 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 Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Discussion

a-e) **No Impact.** The Project site is located in an urbanized area of Kern County. According to the California Important Farmland Finder Map, the Project area is Urban and Built-Up Land, Rural Residential Land, and Other Land (DOC 2024a). The Project area is located near prime farmland and farmland of statewide importance, however; the proposed Project pipeline alignments would be constructed entirely within the right-of-way and would not affect prime farmland. Additionally, according to the Williamson Act Enrollment Finder, the Project area would not conflict with an agricultural use or a Williamson Act contract (DOC 2024b). The Project area is not zoned for forestland or timberland, and it is not adjacent to land designated as forestland or timberland production. Therefore, the Project area would not convert prime farmland, unique farmland, or farmland or statewide importance; conflict with an agricultural zone or a Williamson Act contract; conflict or cause rezoning of a forest land, timberland, or timberland zoned for Timberland Production; convert forest land to non-forest use; or the conversion of farmland to non-agricultural use, and no impacts would occur.

References

Department of Conservation (DOC). 2024a. California Important Farmland Finder. Available online; https://maps.conservation.ca.gov/dlrp/ciff/. Accessed June 6, 2024.

DOC. 2024b. California Williamson Act Enrollment Finder. Available online; https://maps.conservation.ca.gov/dlrp/WilliamsonAct/. Accessed June 6, 2024.

III. Air Quality

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY — Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Discussion

a) **Less than Significant Impact.** The proposed Project site is located in Kern County within the San Joaquin Valley Air Basin (SJVAB), which is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The SJVAB is designated as nonattainment for the federal and state ozone standards, federal and state fine particulate matter (PM2.5) standards and for the state respirable particulate matter standard (PM10) (SJVAPCD 2024a). The SJVAPCD is responsible for implementing programs and regulations required by the CAA and the California Clean Air Act within the air basin. In this capacity, SJVAPCD has prepared plans to attain federal and state ambient air quality standards for which it has been designated as non-attainment. The air quality plans include emissions inventories that identify sources of air pollutants, evaluations for feasibility of implementing potential opportunities to reduce emissions, sophisticated computer modeling to estimate future levels of pollution, and a strategy for how air pollution would be further reduced. The Project would comply with applicable SJVAPCD regulations and rules for controlling emissions including fugitive PM10 emissions pursuant to Regulation VIII (SJVAPCD 2024b). Further, the SJVAPCD's attainment plans demonstrate that Project-specific emissions below the offset thresholds would have a less-than-significant impact on air quality (SJVAPCD 2015). Therefore, projects with emissions below SJVAPCD thresholds of significance for criteria pollutants would be determined to not conflict or obstruct implementation of the SIP or the SJVAPCD's air quality plans.

The proposed Project would generate short-term air pollutant emissions due to equipment operation and vehicle travel during construction. In the interest of streamlining CEQA requirements, projects that fit in the Small Project Analysis Levels (SPAL) are deemed to have a less than significant impact on air quality and as such are excluded from quantifying criteria pollutant emissions for CEQA purposes (SJVAPCD 2020). The proposed Project would be exempt from quantifying criteria pollutant air quality emissions through the SJVAPCD's small project analysis levels because proposed Project dimensions are less than 280,000 square feet and result in fewer than 550 daily one-way trips (SJVAPCD 2020).

b) **Less than Significant Impact.** Any project-level significant impacts would be considered significant at a cumulative level. Criteria pollutant emissions would be less than significant with the implementation of required SJVAPCD regulated control measures and therefore would not contribute to significant cumulative impacts. The Project area is located in proximity to residential areas, considered sensitive receptors. However, due to the short term nature of construction of the Project, construction activities would not be by the same receptor for more than 1 to 2 days (100 to 500 feet of pipeline will be installed per day) and would neither expose sensitive receptors to substantial pollutant concentrations nor generate objectionable odors. Accordingly, no new or more severe cumulative impacts are anticipated as part of the Project. Therefore, Project impacts would be less than significant.

c) **Less than Significant Impact.** As discussed above, the Project is located in proximity to residential areas, considered sensitive receptors. The greatest potential for toxic air contaminant exposure during construction would be associated with diesel particulate matter (DPM) emissions from heavy equipment exhaust. The dose to which receptors are exposed is the primary factor used to determine health risk. Dose is a function of the concentration of a substance or substances in the environment and the duration of exposure to the substance. Dose is positively correlated with time, meaning that a longer exposure period would result in a higher exposure level for the maximally exposed individual. The risks estimated for a maximally exposed individual are higher if a fixed exposure occurs over a longer period of time. Local exposure would range from weeks to months depending on the construction phase and location. The Project would be constructed entirely within the public right-of-way, approximately 200 feet from residential areas. On average, 100 to 500 feet of pipeline will be installed per day. As a result, construction equipment, vehicle, and material movement activities and associated emissions would progress throughout the Project area and would not result in fixed exposure to any single sensitive receptor location. Additionally, the Project would comply with regulatory requirements relating to toxic air contaminants at the federal, State, and regional levels that would protect sensitive receptors and further reduce air quality impacts. Therefore, based on the Project's nature and duration of the construction period, impacts on sensitive receptors would be less than significant.

d) **Less than Significant Impact.** Construction activities have the potential to emit short-term odors from diesel equipment, paints, solvents, fugitive dust, and adhesives. Odors from construction activities would be intermittent and temporary, and would not extend beyond the construction area. Further, odors would be typical of most construction sites and would dissipate rapidly from the source with an increase in distance. The Project area is not located in an area with potential for naturally occurring asbestos (NOA) to occur and ground disturbance activities would not result in a release of NOA (California Geologic Survey [CGS] 2011). Construction contractors would employ best management practices (BMPs) (e.g., inspections, maintenance of diesel-fueled heavy-duty equipment) during construction activities and would adhere to all requirements set forth in the SJVAPCD Rules and Regulations to minimize short-term construction related odors to the extent feasible. Therefore, Project impacts would be less than significant.

References

California Geological Survey (CGS). 2011. Reported Historical Asbestos, Prospects, and Other Natural Occurrences of Asbestos in California- Pamphlet and Map. Available online; https://pubs.usgs.gov/of/2011/1188/. Accessed June 7, 2024.

IV. Biological Resources

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

Setting

Biological Assessment

Literature Review

To identify the potential biological resource constraints associated with the Project, ESA conducted a literature review and a biological reconnaissance survey to characterize existing conditions and determine the potential for sensitive biological resources to occur within the Project site, including a 500-foot buffer (Nitrate Alignment Survey Area [survey area]). The following resource inventory databases and various publications were referenced:

- California Department of Fish and Wildlife (CDFW) California Natural Diversity Data Base (CNDDB) (CDFW 2024a).
- California Native Plant Society (CNPS) Inventory of Rare and Endangered Vascular Plants of California (CNPS 2024).
- U.S. Fish and Wildlife Service (USFWS) Critical Habitat Portal (USFWS 2024a).
- USFWS Information for Planning and Consultation (USFWS 2024b).

Biological Reconnaissance Survey

The survey was conducted by ESA Biologists on June 14, 2024 and consisted of driving and walking throughout the accessible portions of the survey area to characterize existing conditions, and to determine the potential for special-status plants and wildlife to occur (see **Appendix A1**). All incidental and visual observations of flora and fauna, including signs (i.e., presence of scat) as well as any audible detections, were noted during the assessment. All native and non-native natural communities and land cover types were characterized and delineated on aerial photographs during the field survey, and then digitized on aerial maps using geographic information system software (ArcGIS). Each natural community was characterized using *A Manual of California Vegetation, Second Edition* (Sawyer et al, 2009) as a reference; however, where a particular community was not clearly defined in the publication, it was instead characterized using species dominance, or other physical descriptor.

Results

The Project site is heavily urbanized, consisting mostly of residential and commercial buildings and non-native grassland. The remainder of the survey area comprises agricultural fields, disturbed (including two flood control basins), eucalyptus grove, orchard, developed, vineyard, and wild oats and annual brome grassland Based on review of aerial imagery (Google Earth Pro, 2024) and the biological reconnaissance survey, the Project site has been regularly disturbed. Spoil piles and evidence of illegal dumping were observed throughout Project site. The Project's nitrate pipeline (Phases 1-3) is located in developed residential, disturbed, agriculture, orchard, vineyards, and wild oats and annual brome grassland (**Figure 4**).

The nitrate pipeline extends between a water storage tank near Willis Avenue in the northwest to Well 21 in East Wilson Road in the south and the existing Shalane alignment and Shalane Tank in the northwest. Two flood control basins with minimal non-native grasses and western dock (*Rumex occidentalis*) are located east of the nitrate alignment (phases 2 and 3).

Natural Communities and Land Cover Types

Agriculture

Agriculture is a land cover type describing areas that are cultivated to produce harvested crops. This land cover type is located at the southern end of the nitrate alignment.

Disturbed

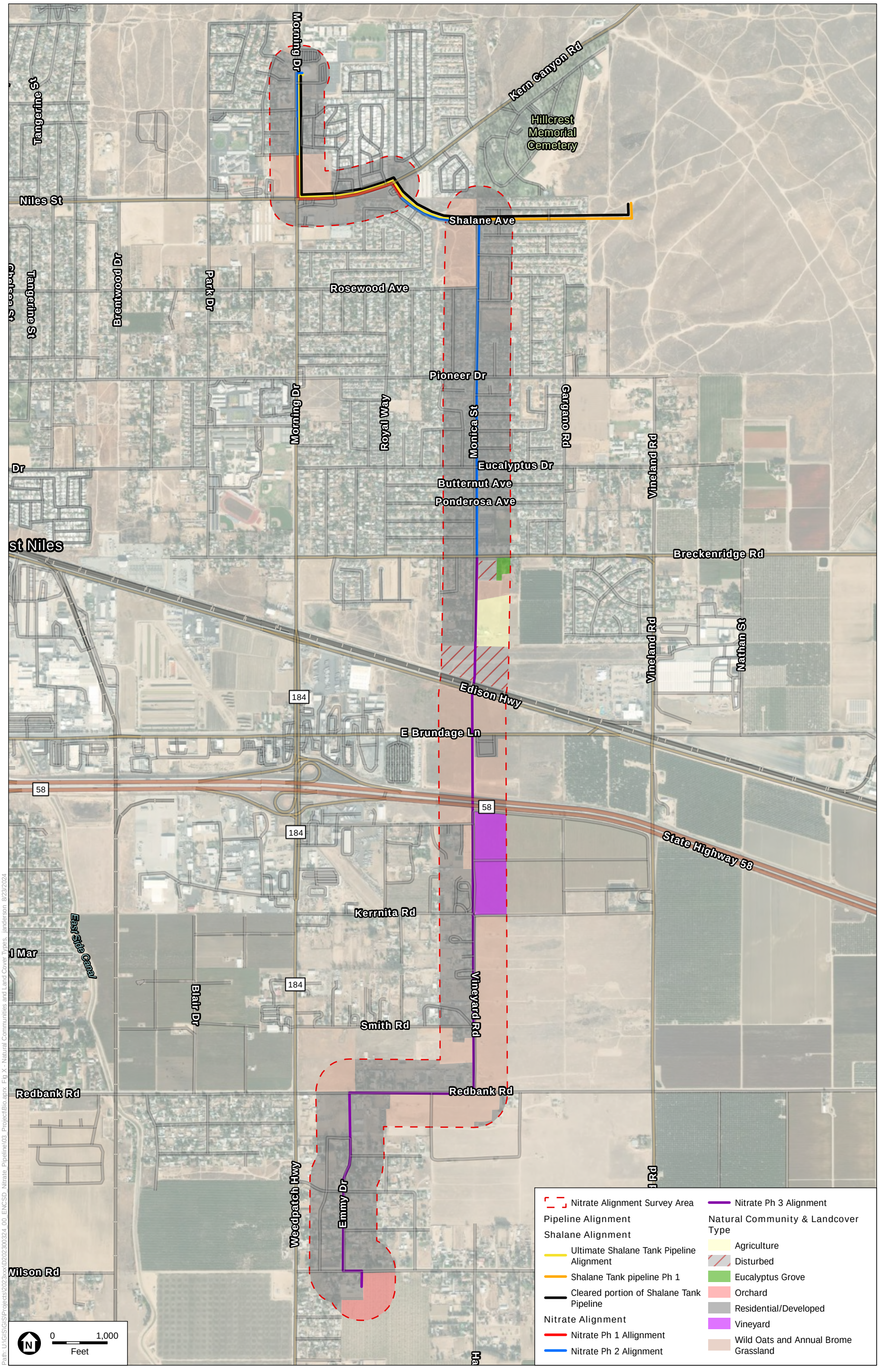
Disturbed is a land cover type that is ruderal and is largely unvegetated due to disturbance from human activities. There are a few herbaceous species, typically non-native (e.g. wild oats, bromes). This includes the flood control basins that contained non-native grasses.

Eucalyptus Grove

Eucalyptus grove is a stand of eucalyptus trees (*Eucalyptus* sp.) with minimal shrub and herbaceous layers. There is a small eucalyptus grove located south of Breckenridge Road.

Orchard

Orchard refers to a grove of trees or shrubs that is cultivated for fruit and/or nut production. The orchard at the southern end of the Project site specifically grows pistachio (*Pistacia vera*).



Path: U:\GIS\GIS\Projects\2023xxx\D2023003324_00_ENCSD_Nitrate_Pipeline\03_ProjectBio.aprx Fig X - Natural Communities and Land Cover Types, janderson 8/23/2024

SOURCE: ESA, 2024

ENCSD Shalane Tank Project

Figure 4
Natural Communities and Land Cover Types

ESA

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Residential/Developed

Residential/developed land cover refers to residential areas and other urban development. This land cover is largely unvegetated, but may contain some ornamental and landscaped species. Residential/developed land cover is present throughout the Project site: along the pipeline alignments.

Vineyard

Vineyard land cover refers to areas that are cultivated for grape (*Vitis* sp.) production. Vineyards are located south of State Highway 38, east of nitrate alignment phase 3.

Wild Oats and Annual Brome Grassland

Wild oats and annual brome grassland is a natural community that is dominated by various non-native wild oats (*Avena* sp.) and bromes (*Bromus* sp.). There is a clear lack of tree canopy and shrubs. These grasses may be accompanied by other herbaceous species like mustards. This community is located along the Project pipeline alignments and at Shalane Tank.

Bird species observed within the study area include American crow (Corvus brachyrhynchos), northern mockingbird (Mimus polyglottos), Eurasian collared-dove (Streptopelia decaocto), house sparrow (Passer domesticus), California scrub-jay (Aphelocoma californica), Cassin's kingbird (Tyrannus vociferans), mourning dove (Zenaida macroura), red-shouldered hawk (Buteo lineatus), and red-tailed hawk (Buteo jamaicensis). One stick nest was detected at the southeastern portion of the study area, within the Project site boundaries, at the top of an electrical lattice tower. No other wildlife species were detected; however, small burrows (approximately 4-6 inches) were detected within a flood control basin on the corner of Breckenridge Rd. and Monica St. These small burrows are the appropriate size for burrowing owl (Athene cunicularia); however, no pellets, white-wash, or feathers were detected. The wind row of eucalyptus trees along the same flood basin and electrical lattice towers have the potential to support nesting raptors.

Special-Status Plants and Wildlife

Special-status species are defined as those that, because of their recognized rarity or vulnerability to various forms of habitat loss or population decline, are recognized by federal, state, or other agencies as under threat from human-associated developments. Some of these species receive specific protection that is defined by federal or state endangered species legislation. Others have been designated as special-status on the basis of adopted policies and the expertise of state resource agencies or other respected organizations, or policies adopted by local governmental agencies such as counties, cities, and special districts to meet local conservation objectives. Special-status species include but are not limited to those defined below:

- Species listed or proposed for listing as threatened or endangered under the Federal Endangered Species Act (50 CFR 17.11 for listed animals and 50 CFR 17.12 for listed plants and various notices in the Federal Register for proposed species).
- Species that are candidates for possible future listing as threatened or endangered under the Federal Endangered Species Act (Federal Register, December 2, 2016).
- Species that meet the definitions of rare or endangered species under CEQA (State CEQA Guidelines, Section 15380).

- Species listed, proposed for listing, or identified as candidate species for listing by the State of California as threatened or endangered under the California Endangered Species Act (14 CCR 670.5 animals; 14 CCR 670.2 plants).
- Animal species that are fully protected in California (California Fish and Game Code [FGC], Sections 3511 [birds], 4700 [mammals], 5050 [reptiles and amphibians], and 5515 [fish]).
- Plants considered by the CNPS to be rare, threatened, or endangered (Rank 1A, 1B, 2A, and 2B plants) in California.
- Plants listed as rare under the California Native Plant Protection Act (FGC 1900 et seq.)
- Metropolitan Bakersfield Habitat Conservation Plan. Covered Plant and Wildlife Species. (Metropolitan Bakersfield Habitat Conservation Plan Steering Committee 1994).

A search of the most current CNDDB, CNPS Rare Plant Inventory (RPI), and Information for Planning and Consultation (IPaC) databases revealed that 38 special-status plant and 36 wildlife species have been previously recorded within the Lamont and surrounding eight USGS 7.5-minute quadrangle maps (see Appendix A2). Based on absence of suitable native habitat and dominance of agricultural fields and developed land cover, it was determined that 36 plant species and 30 of the wildlife species do not have a potential to occur within the study area based on a lack of suitable habitat or range restrictions and are omitted from further discussion.

A total of two plant species, California jewelflower (*Caulanthus californicus)* and Bakersfield cactus (*Opuntia treleasei*), and five wildlife species, Crotch's bumble bee (*Bombus crotchii*), Bakersfield legless lizard (*Aniella grinnellii),* and American badger (*Taxidea taxus*), burrowing owl (*Athene cunicularia*), San Joaquin kit fox (*Vulpes macrotis mutica*), and blunt-nosed leopard lizard (*Gambelia sila*), were determined to have a low potential to occur, based on a lack of suitable habitat (see Appendix A3-1 and A3-2) using the following criteria. These species are not analyzed further due to their low potential to be present in the survey area.

- **Not Expected:** There is no suitable habitat for a particular species within the study area. The habitat may not contain the proper vegetative communities, lack suitable soils or microhabitat, or be outside of the species known elevational and/or geographic range. These species have been omitted from further analysis.
- **Low Potential:** Limited habitat exists for a particular species within the study area. For example, the appropriate vegetation assemblage may be present while the substrate preferred by the species may be absent, or the preferred habitat may be present, but has undergone substantial disturbance, such that the species is not expected to occur. Alternatively, the study area lacks suitable habitat, but the species has been known to occur in the vicinity or is highly fragmented from suitable habitat in the vicinity.
- **Moderate Potential:** Marginal habitat for a particular species is present within the study area. For example, the available habitat may be somewhat disturbed and/or may not support all stages of a species' life cycle, or it may not fit all preferred habitat characteristics, however, still supports important components, such as a particular soil or community type.
- **High Potential:** Suitable, high quality habitat exists in the study area. There are known nearby observations of the species in close proximity to the study area.
- **Present:** The species was observed during biological surveys or has known historical observations within the study site.

CDFW Sensitive Natural Communities

"Sensitive" natural communities and habitats are defined by the CDFW as those natural communities that have a reduced range and/or are imperiled due to residential and commercial development, agriculture, energy production and mining, or an influx of invasive and other problematic species. Vegetation communities are evaluated using the CDFW's Vegetation Classification and Mapping Program (VegCAMP) Heritage Methodology, which is based on the knowledge of range and distribution of a specific vegetation type and the proportion of occurrences that are of good ecological integrity. Evaluation is done at both Global (natural range within and outside of California [G]) and Subnational (State level for California [S]) levels, each ranked from 1 (critically imperiled or very rare and threatened) to 5 (demonstrably secure). Natural communities and habitats with state ranks of S1-S3 are considered Sensitive Natural Communities and require review when evaluating environmental impact (CDFW 2023). Sensitive natural communities are not present within the survey area.

Critical Habitat

Under the Federal Endangered Species Act (FESA), to the extent feasible, the USFWS and National Marine Fisheries Service (NMFS) are required to designate critical habitat for endangered and threatened species. Critical habitat is defined as areas of land, water, and air space containing the physical and biological features essential for the survival and recovery of endangered and threatened species. Designated critical habitat includes sites for breeding and rearing, movement or migration, feeding, roosting, cover, and shelter. Designated critical habitats require special management and protection of existing resources, including water quality and quantity, host animals and plants, food availability, pollinators, sunlight, and specific soil types. Critical habitat delineates all suitable habitat, occupied or not, essential to the survival and recovery of the species.

The USFWS Critical Habitat Portal indicates that critical habitat does not occur within the survey area. The nearest critical habitat to the project site is for the relictual slender salamander (Batrachoseps relictus) and is located approximately 9.2 miles northeast of the project site.

Aquatic Resources

Certain aquatic resources, including some wetlands, are regulated by the CDFW, Regional Water Quality Control Board (RWQCB) and/or the United State Army Corps of Engineers (USACE). Two flood control basins are present within the survey area - one is located at the intersection of Breckenridge Road and Monica Street is considered a freshwater marsh in the National Wetlands Inventory (NWI). (USFWS 2024c). The second basin is located near the intersection of El Besito Way and Monica Street and is mapped as a freshwater pond in NWI. However, during biological surveys, these two potential wetlands were dry and dominated by non-native grasses, with some western dock present. A formal aquatic resources delineation was not conducted to determine whether these basins may be considered jurisdictional by the CDFW, RWQCB and the USACE.

Wildlife Movement

Wildlife movement corridors are features that exist as topographical or structural pinch points that, among other purposes, are utilized by wildlife for travel between one geographical area to the next. While these resources may support limited biological function and are perhaps utilized strictly for travel purposes, for example, a dry culvert under a roadway or bridge; more often, they contain natural vegetation and habitats

that support foraging, roosting, and breeding activities, as well. Very often, particularly in the case of riparian corridors, aquatic species depend entirely on these features to persist. Wildlife corridors do not occur within the survey area, which is surrounded by various agricultural fields and developed areas. Further, per CDFW's Biogeographic and Information Observation System (BIOS) Essential Connectivity Map, the survey area is not located within an essential connectivity area (CDFW 2024a). In addition, it is not located along a pinch point and is not expected to support largescale wildlife movement.

Discussion

a) **No Impact.** The survey area consists of heavily disturbed or developed land use and the proposed construction would occur entirely within existing roadways or previously developed areas. It was determined that due to the disturbed/developed nature of the project site and survey area, there is a low potential for two plant species, Bakersfield cactus and California jewelflower; and five wildlife species, American badger, Bakersfield legless lizard, blunt-nosed leopard lizard, burrowing owl, Crotch's bumble bee, San Joaquin kit fox were determined to have a low potential to occur, based on a lack of suitable habitat. Therefore, potential impacts to sensitive species habitat would be less than significant.

b) **No Impact.** The survey area does not support riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS, such as CDFW sensitive natural communities or critical habitat; therefore, no impact would occur.

c) **Less than Significant Impact**. Two flood control basins are situated within the survey area, adjacent to the Project site, and may be jurisdictional with the CDFW, RWQCB and USACE. Construction within these two features is not expected; however, direct impacts could occur during construction, including but not limited to runoff of sediment and/or other contaminants. The proposed Project is required to comply with construction-related best management practices (BMPs) within a Stormwater Pollution Protection Plan (SWPPP) by a Qualified SWPPP Developer; therefore, potential impacts to aquatic resources would be less than significant.

d) **Less than Significant with Mitigation**. The survey area is not located within an essential connectivity area, nor is it located along a pinch point and it is not expected to support largescale wildlife movement. Therefore, the proposed Project would not result in significant impacts to existing wildlife corridors.

Nesting birds and raptors protected in accordance with the Migratory Bird Treaty Act and Sections 3505, 3503.5, and 3511 of the California Fish and Game Code, however, are expected to utilize the survey area both to forage and nest. Impacts associated with Project construction may include the removal of an active nest or the disruption of breeding behavior. To avoid impacts to nesting birds, construction activities should be scheduled outside of the avian nesting season (February 15 to September 15). If this is not feasible, implementation of **Mitigation Measure BIO-1** would ensure that impacts to nesting birds and raptors would be considered less than significant.

Mitigation Measure:

BIO-1: If construction activities occur within the bird nesting season (generally defined as February 15 through September 15), a qualified biologist shall conduct a preconstruction nesting bird survey within 7 days prior to the start of construction. If an active nest is observed within 500 feet of the proposed construction, the nest shall be avoided, and a suitable buffer zone shall be delineated in the field such that no impacts shall occur until the nest has been determined to be inactive by a qualified biologist. Nest avoidance buffers are generally 300 feet for passerines and up to 500 feet for raptor species; however, avoidance buffers may be reduced at the discretion of the biologist, depending on the location of the nest and species tolerance to human presence and construction-related noise.

If construction activities must take place within an established buffer, steps should be taken to reduce indirect effects to nesting activity by actively reducing construction noise within proximity to a presumed nest location and/or installing temporary construction noise barriers. If the reduction of noise is not feasible, construction activities shall be postponed until the nest is deemed inactive and/or the breeding season has concluded.

e) **Less than Significant with Mitigation**. Kern County General Plan Land Use, Open Space, and Conservation Element (Kern County Planning Department 2009) identifies policies for the protection of sensitive biological resources. Implementation of **Mitigation Measure BIO-1** would ensure that proposed Project would not conflict with local policies or ordinances protecting biological resources (i.e. Kern County General Plan policies or county ordinances) and impacts would be reduced to a less than significant level.

f) **No Impact.** The proposed Project site is located within the Metropolitan Bakersfield Habitat Conservation Plan (MBHCP) (MBHCPSC 1994). The 408 square mile area includes the City of Bakersfield and some adjacent Kern County jurisdictions and is designed to support urban development in accordance with the Metropolitan Bakersfield 2010 General Plan while protecting endangered and sensitive species. ENCSD is not required to obtain building or grading permits for construction activities within their district boundaries (i.e., County Municipal Code 17.28.140 and County Grading Code Chapter 17.28.040; City Municipal Code Section 15.05.170 Appendix J103.2), and are therefore exempt from compliance with the MBHCP. The proposed project will not conflict with an adopted habitat conservation plan. No impact would occur.

References

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V. Cultural Resources

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
V. CULTURAL RESOURCES — Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

Discussion

Archaeological resources that are potentially historical resources according to *State CEQA Guidelines* Section 15064.5, as well as unique archaeological resources defined in PRC Section 21083.2(g), are discussed under impact b. The following evaluation is based on the findings provided in a confidential Cultural Resources Assessment Report prepared by ESA in December 2024.

Record Searches

A records search for the proposed Project was conducted on September 5, 2023, by staff from the California Historical Resources Information System, Southern San Joaquin Valley Information Center (SSJVIC). The results of the records search results that approximately 15 percent of the Project area and 25 percent of the 1-mile records search radius have been included in previous cultural resources assessments. A total of 16 cultural resources have been recorded within the 1-mile radius and include one multicomponent resource (P-15-001438); five are prehistoric isolates (P-15-011597, -011598, -011605, -011606, and -011607); and 10 are built environment resources (P-15-002050, -011720, -015800, -017243, -017304, -017582, -019110, -019115, -020549, -020596). Three resources (P-15-002050/Southern Pacific, Atchison-Topeka and Santa Fe Railroad; P-15-017304/ State Route 58; and P-15-020549/Edison Highway) cross portions of the Project area. Two other resources consisting of transmission lines (P-15-017243/ SCE Big Creek Hydroelectric System, Vincent 220kV Transmission Line and P-15-017582/ SCE Magunden-Mesa 220kV Transmission Line) also cross portions of the Project area, but overhead.

An additional record search of the built environment was conducted by ESA via the Built Environment Resource Directory (BERD), published by the California Office of Historic Preservation (OHP). The search revealed no additional built environment resources.

On-Site Survey

An intensive-level pedestrian cultural resources survey of the Project area was conducted by ESA on August 14 and 15, 2024. The survey corridor for the pipeline alignment consisted of a total of 14 meters in width, including seven meters on each side from the center of the road or a public right-of-way. Five previously recorded built environment resources (P-15-002050, -017304, -020549, -017243, and -017582) were updated on Department of Parks and Recreation (DPR) forms.

Summary of Resources Identified

P-15-002050/CA-KER-002050H

Resource P-15-002050/CA-KER-002050H consists of all recorded segments of the Southern Pacific Railway in California (SPRR). A 14-meter-long segment of the resource crosses a portion of the Project area in a southeast-to-northwest direction and just north of Edison Highway. The portion of the resource that crosses the Project area has not been previously recorded in Department of Parks and Recreation (DPR) Site forms. As many of these recordations are in remote areas, far from incorporated towns, locations are often given in reference to USGS 7.5' Topographic Quad Maps.

The first survey of this resource, a segment located northeast of Taft and southwest of Buttonwillow in an area recorded on the West Elk Hills, CA USGS 7.5' Map, both in Kern County, was given the trinomial CA-KER-002050H and recorded an abandoned railway bed near two historic trash scatters; this recordation did not include any significant evaluation of the railway (Apple & Underwood, 1985). In 1987, portions of the graded bed with no railway tracks were recorded near the same location as the 1985 recordation (Schiffman, 1987). Approximately 76-miles of Southern Pacific Railroad, beginning 12 miles south of Lone Pine in Inyo County and continuing south to Searls Junction in Kern County, constructed between 1908 and 1910 were recorded but not evaluated in 1992 (Berg et al, 1992). Portions from the original SPRR alignment near Mojave in Kern County were recorded but not evaluated in 1993 (Macko, 1993). Another portion of the original SPRR alignment within Kern County, west of Bakersfield, was documented in 1993 and also not evaluated (JRP Historical Consulting Services, 1993). A small portion of the SPRR located northeast of Mojave in Kern County was surveyed by Costello et al in 1993, along with associated archaeological artifact concentrations (Costello et al, 1993). Additional elevated railroad grades near the original 1987 recordation in Kern County, recorded on the West Elk Hills, CA 7.5' USGS map were noted by Steidl et al in 1994, again without an NR/CR evaluation (Steidl, Bruce et al, 1994).

R.E. Parr documented a segment of the Ashalto Line of the SPRR, recorded on the West Elk Hills 7.5' Topographic Map in 1995 and 1996, noting that it was not possible to evaluate the integrity of the entire resource at the time. Additional portions of the railroad grade, also located within the area depicted on the West Elk Hills, CA 7.5' USGS map, were recorded in 1998 (Hatoff et al., 1998a; Hatoff et al., 1998b).

Avina (1999) documented and evaluated a segment of the SPRR in Kern County, depicted on the Lamont, CA, Oil Center, CA, and Oildale, CA 7.5' USGS maps, and found it to be significant for its association with the expansion of the railroad network under Criterion A of the CRHR. Three other segments, located within the area depicted on the Gosford, CA 7.5' USGS map, were similarly recommended eligible under Criterion A of the CRHR (Avina 1999b, 1999c, 1999d). Caltrans received SHPO concurrence with a finding of a 18 miles of the SPRR spur to the China Lake Naval Weapons Statement, depicted on the Inyokern, CA, Ridgecrest, CA, and the Lone Butte, CA 7.5' USGS maps, as being ineligible for the NRHP due to lack of integrity (Wickstrom, 1999). A 2019 recordation of the SPRR segment located in the area depicted in the Union Wash, CA, Lone Pine, CA, and Bartlett, CA 7.5' USGS maps, which was constructed in 1874 in Kern County was recommended as eligible for listing in the NR/CR under Criterion A/1 and assigned the CRHR status code of 3S (Urbana Preservation & Planning, LLC, 2019)

Subsequent documentations of segments of P-15-002050 were found to lack significance and/or integrity (Underwood, 2000; White, 2001; Melvin, 2009; Jones, 2009; Hollins, 2009; Lawson and Calicher, 2009;

Lawson, 2013; Carey, 2016; Armstrong 2017; Madsen, 2019; Urbana Preservation & Planning, LLC, 2020a; Urbana Preservation & Planning, LLC, 2020b, Tetra Tech, Inc, 2021;). Segments were also recorded and not evaluated (Fleagle and Pruett, 2005; Wickstrom, 2007; Way et al, 2009; Millett et al, 2010; Hoffman and Covert, 2010; Neal, 2011; Bell et al, 2012; Martinez and Connolly, 2013; Merrick et al, 2019).

P-15-017243

Resource P-15-017243 consists of Southern California Edison's (SCE) Big Creek Hydroelectric System, Vincent 220kV Transmission Line constructed in 1925-1927 as the third 220,000-volt transmission line spanning between the SCE Big Creek Hydroelectric System and Eagle Rock Substation via the Gould Substation near present-day La Cañada in Los Angeles, California (Urbana Preservation & Planning, LLC., 2019a). The closest tower is approximately 8 meters west of the Project area, and the transmission line crosses the Project area, but overhead.

P-15-017304/CA-KER-009492H

Resource P-15-017304/CA-KER-009492H consists of State Route 58, an east-west route that extends for approximately 241 miles through San Luis Obispo, Kern, and San Bernardino counties. The route is a two to four-lane highway with a width that ranges between 25 to 30 feet. A 14-meter-long segment of the resource crosses a portion of the Project area (Urbana Preservation & Planning, LLC., 2020b).

P-15-017582

Resource P-15-017582 consists of SCE's Magunden-Mesa 220kV Transmission Line. The resource was installed in 1949 to supply electricity throughout the northwestern part of the Mojave Desert, the Antelope Valley, and the southern portion of the Central Valley. The line is comprised of "steel lattice towers with a circuit comprised of transmission cables, their supporting towers, and a grounding system… The towers are vertical "A" frame structures with battered legs to support the line tension. A "T" shaped cross-arm holds the transmission cables in a horizontal array across the top of the tower" (Urbana Preservation & Planning, LLC., 2019b: 1). The closest tower is approximately 75 meters east and the transmission line crosses overhead across Project area.

P-15-020549

Resource P-15-020549 consists of Edison Highway/Bena Road, which is a paved two-lane road (one lane in each direction). The road is approximately 35 feet wide and is presumed to have been constructed as an access road which follows the path of the Southern Pacific Railway (Urbana Preservation & Planning, LLC., 2019c).

1713 Weedpatch Highway, 1220 Vineyard Road, 1052 Vineyard Road

ESA architectural historians reviewed assessor parcels that border on or are adjacent to the proposed Right of Way for the Project. Utilizing information from the Kern County Office of the Assessor, ESA then compiled a list of 44 parcels with dates of construction that predate 1978, thereby meeting the 45-year cutoff to be considered potential historical resources pursuant to CEQA. Utilizing GoogleEarth and GoogleEarth Streetview, ESA performed a desktop survey to rule out properties that did not retain the required integrity from their date of construction. Following the pedestrian survey, ESA architectural historians were able to rule out all but three resources -- 1713 Weedpatch Highway (177-171-01), 1220

Vineyard Road (177-151-14), and 1052 Vineyard Road (177-151-66) – as potential historical resources. Out of an abundance of caution, ESA analyzed these three properties as potential historic resources for the purposes of analysis of indirect impacts from the Proposed project as required by CEQA.

a) **Less than Significant Impact**.

Direct Impacts

Under CEQA Guidelines Section 15064.5 (b), direct impacts will result if a Project causes a substantial adverse change that would detract from the integrity (location, design, setting, materials, workmanship, feeling, association) of the historical resource such that the historical resource's ability to convey its significance would be materially impaired to the degree that it would no longer be eligible as a historical resource pursuant to CEQA Guidelines Section 15064.5 (a).

The records search revealed a total of five previously recorded built environment resources that cross the proposed ROW (P-15-002050, P-15-017304, P-15-020549, P-15-017243, P-15-017582). Of these, three resources (P-15-017304, P-15-020549, and P-15-07582) were assigned the California Historical Resource Status Code of 6Z, meaning the resource was found to be ineligible for NR, CR, or local designation through survey evaluation. The proposed Project would have no adverse impact on P-15-017304, P-15-020549, or P-15-07582 as these are not considered historical resources pursuant to CEQA.

One resource, P-15-017243, was assigned the status code of 1D, meaning it is a contributor to a multi-component resource listed in the NR and CR. A second resource, a previously undocumented portion of P-15-002050 runs through the proposed ROW; previously recorded portions of this resource have been given a variety of status codes, including 6Z, 3S (appears eligible for NR individually through survey evaluation), and 4X (may become eligible for NR as contributor to District that has not been documented; defunct status code that is now 7N, meaning needs to be reevaluated). Direct impacts to P-15-017243 and P-15-002050 are analyzed and discussed below.

P-15-017243

P-15-017243 is comprised of 866 original lattice transmission towers which comprise six transmission line segments that run from the Big Creek Powerhouse No. 3 in Madera County to Los Angeles County, a distance of approximately 224-miles which includes unimproved, rural areas and densely developed urban areas. The proposed Project would not physically impact or materially impair any of the contributing elements of P-15-017243, nor would the project introduce a substantial new scale to the surrounding setting of the portion of P-15-017243 that crosses the proposed Project and, therefore, would not affect P-15-017243's integrity of location, design, workmanship, or materials. The proposed Project's aboveground components are temporary and will only be present during the construction of the Project. Regardless, the proposed Project would not detract from the visibility or prominence of the resource within the built environment, nor would it change the alignment or spatial relationship between the components of P-15-017243, and therefore would not affect the integrity of setting, feeling, or association of the resource. Temporary construction associated with the proposed Project would

not materially impair this resource, nor would it interrupt primary views of the resource. At the conclusion of this project, the significance and integrity of P-15-017243 would remain intact.

P-15-002050

P-15-002050 consists of all recorded segments of the Southern Pacific Railway in California (SPRR) and has been primarily recorded in Kern and Inyo Counties. Previous recordations of P-15-002050 are discussed in detail in the *Previously Recorded Cultural Resources* portion of the Archival Research chapter of this Report

During the pedestrian survey, 30-meters of an undocumented portion of P-15-002050 were observed and noted as being well-maintained due to continued and active use as a railway. Surveyors noted that the rocks and cobbles which form the side base of the rail appear to be mostly basalt and sedimentary stones that are between 2x2 inches to 2x6 inches in size, consistent with previous recordations of P-15-002050. Each railroad track is approximately 5 feet, 2 inches in width and are spaced 9 feet, 5 inches apart. The tracks are located 4.5 feet above the ground surface on a cement base that is 22.5 feet wide. This portion of the Southern Pacific Railway was constructed between October 1874 and January 1975 as the portion of the SPRR which connected the stops of Sumner and Caliente.

In November of 1974, the Southern Pacific's track building from San Francisco had reached the area near Bakersfield as part of the effort to connect Los Angeles and San Francisco by rail (SPHTS, 2024). SPRR was in the habit of connecting large, established towns via rail and when there were no towns in the vicinity of the planned route, SPRR would lay out a small town around a railway depot. This is how many of the towns throughout central California came to be. The City of Bakersfield, the largest city in Kern County since the early 1870s, was the obvious choice for an SPRR stop. However, disagreements between SPRR and the City's administration over the size of land to be given to the railroad depot led SPRR to build their tracks two miles to the east of Bakersfield. There, SPRR laid out a small town known as Sumner after a local judge.

From the July 1928 edition of the *Southern Pacific Bulletin*:

> On October 26 [1874] a combination freight and passenger train was operated through to the new station [at Sumner] and, commencing November 10, regular passenger service was inaugurated with a train arriving at 7 a.m. and leaving at 9 p.m. Grading gangs had pushed on ahead and by January 2, 1875, the road bed was ready for more than twenty miles south of Bakersfield. Shipments of rail were delayed and it was April 26 before the track was laid and trains operated to Caliente (1928, 10-11).

Subsequently, SPRR construction continued south where difficult terrain would require two years of construction to complete the engineering marvel of the Tehachapi Loop over the Tehachapi Mountains (ASCE, 2024). This segment of the SPRR, constructed in 1874, is first documented on the 1914 Caliente, CA U.S.G.S. topographic map (scale 1:125000) and maintains its alignment up until the present day.

As the proposed Project will be using jack and bore installation through the proposed ROW where P-15-002050 runs, the proposed Project would not physically impact or materially impair this segment of P-15-002050, nor would the project introduce a substantial new scale to the surrounding setting of the segment of P-15-002050, which crosses the proposed Project and therefore would not affect P-15-002050, integrity of location, design, workmanship, or materials. The proposed Project's aboveground components are temporary and will only be present during the construction of the Project. Regardless, the proposed Project would not detract from the visibility or prominence of the resource within the built environment, nor would it change the alignment or spatial relationship between the components of P-15-002050, and therefore would not affect the integrity of setting, feeling, or association of the resource. Temporary construction associated with the proposed Project would not materially impair this resource, nor would it interrupt primary views of the resource. At the conclusion of this project, the significance and integrity of P-15-002050 would remain intact.

Indirect Impacts

Indirect impacts were analyzed to determine if the proposed Project would result in a substantial material change to the integrity of historical resources located within the 0.25-mile study area of the Project Site that would detract from their ability to convey their significance. A 0.25-mile radius is a standard distance for considering nearby historic resources in a suburban, improved residential environment such as the Project Site, and is also used in the impacts analysis that follows to assess potential indirect impacts from the Project on these resources.

The pedestrian survey of the proposed Project included the following properties which appear on a 1952 aerial photograph: 1713 Weedpatch Highway (177-171-01), 1220 Vineyard Road (177-151-14), and 1052 Vineyard Road (177-151-66). A full evaluation of these resources is beyond the scope of this report, therefore, out of an abundance of caution, these three properties will be treated as historical resources for the purposes of the indirect impact analysis.

Even though it is presently impossible to know the final locations of all facilities components of the proposed Project, the level of construction required for this project has a low chance of resulting in substantial adverse indirect impacts on the properties 1713 Weedpatch Highway (177-171-01), 1220 Vineyard Road (177-151-14), or 1052 Vineyard Road (177-151-66). The built environment resources surrounding the Proposed well locations are located within a mixed-use agricultural-urban area, which has been subject to a significant amount of development over the past three decades. The properties 1713 Weedpatch Highway (177-171-01), 1220 Vineyard Road (177-151-14), and 1052 Vineyard Road (177-151-66) are separated from the public-right-of way within the Proposed well sites by various parking lots, agricultural properties and improvements, buildings, and roads.

The mixed-use neighborhood surrounding the vicinity of the Proposed well sites is a result of the transition from unimproved agricultural fields to an area that is primarily comprised of residential improvements with some remaining agricultural properties. Any temporary Project aboveground components that are located within the public right of way (i.e. within the roadway) would be separated from any built environment resources by a variety of urban improvements, including other buildings, parking lots, and roads. Therefore, these components, and any located

underground would not change the setting of 1713 Weedpatch Highway (177-171-01), 1220 Vineyard Road (177-151-14), or 1052 Vineyard Road (177-151-66). Components of the Proposed project, which are underground or within the public right-of-way, would not introduce a substantial new scale or massing to the existing built environment and would not detract from the visibility or prominence of 1713 Weedpatch Highway (177-171-01), 1220 Vineyard Road (177-151-14), or 1052 Vineyard Road (177-151-66). within the built environment and therefore would not impact the integrity of setting, feeling, or association of any these historic resources.

There would be no impact of the views either to or from 1713 Weedpatch Highway (177-171-01), 1220 Vineyard Road (177-151-14), or 1052 Vineyard Road (177-151-66) from any project components located underground or within the public right of way, and therefore the Project would not result in any substantial material changes to the integrity of any historic resources or the immediate surroundings, therefore any historic resources would continue to be able to convey their significance. Proposed components located within the public right of way will be located far enough away from any historic resources that impacts related to construction vibration would be less than significant. At the conclusion of this project, the significance and integrity of 1713 Weedpatch Highway (177-171-01), 1220 Vineyard Road (177-151-14), and 1052 Vineyard Road (177-151-66) would remain intact.

Cumulative Impacts

As the proposed Project would not have a direct or indirect impact on any historical resources, there would be no cumulative impacts due to direct or indirect impacts. As detailed in the indirect impact analysis provided above, the proposed Project's indirect effects on proximate historical integrity of setting, feeling or association. Similar to the proposed Project, the indirect effects of other related projects in the vicinity would not detract from views to these resources or adversely affect their ability to convey their significance.

Conclusions

ESA analyzed potential impacts to historical resources under the proposed Project and found the integrity of all historic resources which are within the proposed Project area would not be affected, therefore the proposed Project would have no direct impacts to historical resources on the Project Site. Furthermore, the integrity of all historic resources in the vicinity of the proposed Project would not be affected, and cumulative impacts would be less than significant.

Therefore, the proposed Project would have a less than significant impact to historical resources under CEQA.

b) **Less than Significant with Mitigation.** This section discusses archaeological resources that are potentially historical resources according to *State CEQA Guidelines* Section 15064.5, as well as unique archaeological resources defined in PRC Section 21083.2(g). As previously mentioned above under Impact V. a, the records search through the SSJVIC indicates that one multicomponent resource (P-15-001438) and five prehistoric isolates (P-15-011597, -011598, -011605, -011606, and -011607) have been recorded within the 1-mile radius of the Project area. The California Native American Heritage Commission (NAHC) conducted a Sacred Lands File search on October 19, 2023, yielding negative results. An intensive-level pedestrian cultural

resources survey of the Project area was conducted by ESA on August 14 and 15, 2024. The survey corridor for the pipeline alignment consisted of a total of 14 meters in width, including seven meters on each side from the center of the road or a public right-of-way. Generally flat areas with visible ground surface, including unimproved roadway shoulders and undeveloped land, were subject to systematic pedestrian survey with transects spaced between 5-15 meters apart (approximately 15-50 feet). Areas without access, such as the Morning Drive Reservoir and Well 21 facilities, were visually inspected from a distance. Paved areas, such as existing roads, were not surveyed. Areas with pending access agreements were not surveyed. Approximately 75 percent of the Project area was subject to a systematic pedestrian survey. The remaining 25 percent of the Project area could not be surveyed due to pending access agreements. No new archaeological resources were observed during the pedestrian survey. The potential for finding buried prehistoric archaeological deposits within the Project area was assessed based on various combinations of the following concepts: 1) proximity to known prehistoric archaeological resources; 2) proximity to permanent or semi-permanent water sources capable of supporting long-term or seasonal occupation of the area; 3) flat or gently sloped topography conducive to human habitation; and 4) age of the underlying soil contemporaneous with period of human occupation of the area. Previous research conducted elsewhere in California has indicated that the presence of buried archaeological sites is positively correlated with proximity to water, as well as flat to gently sloped landforms (Meyer et al., 2010). A total of five prehistoric isolates (flakes) and one multicomponent site (composed of a historic trash scatter and prehistoric fragments of shell) have been recorded approximately 0.50 to 1 mile away from the Project area. No archaeological resources have been recorded within the Project area or within close proximity. The SLF search through the NAHC yielded negative results. The closest bodies of water to the Project area are located approximately 0.50 miles away (Eastside Canal), 4.5 miles away (Kern River), and 7 miles away (Caliente Creek). Prior to its channelization, the Eastside Canal could have provided beneficial conditions for precontact use and occupation around the Project area, while the other bodies of water would have been too far to access. Furthermore, the pedestrian survey revealed that the majority of the Project area is located within a flat surface. The Project area is mapped as located within older Pleistocene alluvium and the Kern River Formation. These geologic units are too old to be conducive to the preservation of archaeological resources. Additionally, if any resources once existed on the surface within the Project area, these are likely to have been destroyed or removed during construction of existing roads, facilities, and adjacent residences. Based on these results, the Project area appears to have a low potential for yielding buried archaeological resources.

As a result of this assessment, no archaeological resources were identified as being present within the Project area. Additionally, the archaeological sensitivity assessment indicates that the Project area has a low potential for encountering buried archaeological resources**.** Since the Project includes ground disturbance, Mitigation Measures CUL-1 through CUL-3 are required to reduce potential impacts to previously unknown archaeological resources to less than significant levels under CEQA.

Mitigation Measures:

CUL-1: The East Niles Community Services District (District) shallretain an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archaeology (Qualified Archaeologist) to prepare a Cultural Resources Sensitivity Training to be given for construction personnel prior to Project-related ground disturbance. The training session shall be carried out by the Qualified Archaeologist and shall focus on how to identify archaeological resources that may be encountered during earthmoving activities and the procedures to be followed in such an event.

CUL-2: Prior to Project-related ground disturbance, the District shall retain a Qualified Archaeologist to prepare an updated cultural resources assessment. The updated assessment shallinclude the survey of previously unsurveyed parcels due to pending access agreements. If a resource is identified, it shall be evaluated to determine whether it qualifies as a historical resource or a unique archaeological resource pursuant to CEQA. If the resource qualifies as a historical resource or unique archaeological resource and they would be impacted by the Project, the Qualified Archaeologist shall develop and implement treatment measures to reduce impacts to the resource. A report shall be prepared and submitted to the District that discusses the methods and results of the updated assessment and any treatment measures, if appropriate. The updated assessment shall also include the recordation of any identified archaeological resources on California Department of Parks and Recreation 523 forms. The Qualified Archaeologist shall also determine whether archaeological and Native American monitoring is warranted during construction activities in the unsurveyed parcels.

CUL-3: In the event that historic or precontact archaeological resources (e.g., artifacts, cultural soils, features, etc.) are unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity of the find. The District shall immediately consult with the Qualified Archaeologist to evaluate the find. After consulting with the District, the Qualified Archeologist shall establish an appropriate buffer area in accordance with industry standards, reasonable assumptions regarding the potential for additional discoveries in the vicinity, and safety considerations for those making an evaluation and potential recovery of the discovery. This buffer area shall be established around the resource and will demarcate where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area.

If the Qualified Archaeologist determines the find to constitute a "historical resource" pursuant to CEQA Guidelines Section 15064.5(a) or a "unique archaeological resource" pursuant to Public Resources Code Section 21083.2(g), the Qualified Archaeologist may coordinate with the District to develop a reasonable and feasible treatment plan that would serve to reduce impacts to the resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. The District shall consult with appropriate Native American tribal representatives in determining treatment for precontact or Native American resources to ensure cultural values ascribed to the resources, beyond those that are scientifically important, are considered. The treatment plan shall include measures regarding the curation of the recovered resources that may include curation at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the resources, they may be donated to a local school or historical society in the area for educational purposes.

Within ninety (90) days of the discovery and treatment of any archaeological resources, the District shall engage the Qualified Archaeologist to prepare a report summarizing the description

of any archeological resources unearthed, discussion of the significance evaluation and treatment of the resources, and results of the artifact processing, analysis, and research. Appropriate California Department of Parks and Recreation 523 Forms shall be appended to the report. The Qualified Archaeologist shall submit the report to the District and the Southern San Joaquin Valley Information Center.

c) **Less than Significant Impact**. No human remains have been identified in the Project area through archival research, field surveys, or Native American consultation. The land use designations for the Project area do not include cemetery uses and no known human remains exist within the Project area. As a result, there is no substantial evidence of the presence in the Project area of any human remains, and the proposed Project is not anticipated to disturb any human remains.

However, because the proposed Project would involve ground-disturbing activities, it is possible that such actions could unearth, expose, or disturb previously unknown human remains. In the event that human remains are discovered during proposed Project construction activities, impacts on the human remains resulting from the proposed Project would be significant if those remains were disturbed or damaged. Such potentially significant impacts would be reduced to a less-than-significant level by proposed Project compliance with PRC § 21083.2(i), 5097.98, and 5097.99, California Government Code § 27460 et seq. and 27491, and California Health and Safety Code (HSC) § 7050.5. As a result, the proposed Project would result in a less-than-significant impact on human remains.

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VI. Energy

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

Discussion

a) **Less than Significant Impact.** The Project would consume energy during construction activities primarily from on- and off-road vehicle fuel consumption in the form of diesel and gasoline. Additionally, limited energy consumption may be required for temporary lighting during construction activities. Construction activities would be required to comply with diesel-idling requirements by the California Air Resources Broad (CARB), including limiting idling to five minutes or less, which would avoid unnecessary, wasteful, and inefficient energy consumption during construction. Therefore, based on the Project's nature and limited fuel consumption during construction, potential impacts associated with wasteful, inefficient, or unnecessary consumption of energy resources would be less than significant.

b) **No Impact.** As discussed above, Project construction would not result in the unnecessary, wasteful, or inefficient consumption of energy resources. No energy would be required for the operation of the pipeline alignments. Therefore, implementation of the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency and no impacts would occur.

VII. Geology and Soils

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

Discussion

a.i) **Less than Significant Impact.** Under the Alquist-Priolo Earthquake Fault Zoning Act (Alquist-Priolo Act) of 1972, an active fault is defined as a fault that has ruptured in the last 11,000 years. According to the Alquist-Priolo Site Investigation Report Application, the northern portion of the Project area (along Kern Canyon Road, Shalane Avenue, and Monica Street) is located within two Alquist-Priolo Site Investigation Reports-Local View (CGS, 2024). As concluded in the geological investigations performed in 1975, the two study areas are considered undifferentiated Tertiary-Quaternary area deposits and in the event that a fault exists in these deposits, it would not necessarily meet the definition of a "potentially active fault" and there is no evidence that faulting exists in the study areas (CGS 1975a, 1975b).

Additionally, the Project area is located approximately one mile south and west from a quaternary fault and approximately one mile west from an unnamed historical fault and earthquake fault zone (CGS 2024). The historic fault zone last slipped in 1952 and would be considered an active fault under the Alquist-Priolo Act (CDOC 2015). Nonetheless, the Project area is located within Kern

County, a seismically active region of California and may, at any time, be subject to moderate-to-severe ground shaking (Kern County 2009a). The proposed Project would be required to meet the California Building Code (CBC) requirements for constructing structures in seismically active regions. Therefore, impacts regarding rupture of a known earthquake fault would be less than significant.

a.ii) **Less than Significant Impact.** The Project area is located within Kern County, a seismically active region of California and is located approximately one mile west from an unnamed historically active fault zone, which last slipped in 1952, and would be considered an active fault under the Alquist-Priolo Act (CDOC 2015; CGS 2024). As mentioned, the Project includes the construction and operation of the Nitrate Pipeline Project consisting of underground 12-inch blending pipeline alignments, various tie-ins to the distribution system, and additional Project area improvements that would facilitate the transfer of water from the Morning Drive Reservoir to Well 21. Additionally, the Shalane Tank Alignment Project includes the construction and operation of a new underground 14-inch pipeline alignment and additional Project area improvements for additional water storage at the Shalane Tank. Since the Project includes underground pipeline alignments, the Project would not result in the risk of loss, injury, or death as a result of seismic ground shaking. Furthermore, the proposed Project would be required to meet the California Building Code (CBC) requirements for constructing structures in seismically active regions. Therefore, the Project would not result in exposure of people or structures to substantial adverse effects involving strong seismic ground shaking, and impacts would be less than significant.

a.iii) **Less than Significant Impact.** Liquefaction is the sudden loss of soil strength due to a rapid increase in soil pore water pressures resulting from ground shaking during an earthquake. Typically, low-lying areas adjacent to creeks, rivers, beaches, and estuaries underlain by unconsolidated alluvial soil are more likely to be vulnerable to liquefaction. According to the California Department of Conservation (CGS), Liquefaction Zones Map, the Project area is not located near any major surface water features and is not located within a liquefaction zone (CGS 2015, 2022). Therefore, the Project would not result in exposure of people or structures to substantial adverse effects involving seismic-related ground failure, including liquefaction, and impacts would be less than significant.

a.iv) **Less than Significant Impact.** Landslides typically occur in areas with steep slopes. Landslides and slope instability can occur as a result of wet weather, weak soils, improper grading, improper drainage, steep slopes, adverse geologic structure, earthquakes, or a combination of these factors. The Project area consists of flat to moderately sloping topography, with a low potential for landslide to occur. Additionally, according to the California Geological Survey, the Project area is not located within a landslide zone (CGS 2015). The Project proposes excavation to a maximum depth of 3-10 feet below ground surface (bgs). The proposed excavation would not include major cuts within the public right-of-way or other activities that could exacerbate the potential for landslides to occur. As mentioned, the Project includes underground pipeline alignments and does not include any habitable aboveground buildings or structures that would result in the risk of loss, injury, or death as a result of landslide. Therefore, the Project would not result in exposure to

people or structures to substantial adverse effects involving landslides, and impacts would be less than significant.

b) **Less than Significant Impact.** Project construction activities would include ground disturbance activities, which has the potential to increase short-term erosion and loss of topsoil at the Project area. However, the Project would comply with erosion control measures required by the East Niles Community Services District (ENCSD) in order to reduce the potential for short-tern increases in erosion and/or loss of topsoil to runoff from the Project area during construction. The Project would consist of excavation to a maximum depth of up to 10 bgs, installation of the pipeline alignments and tie-in distribution system, grading with existing soil on-site, and site improvements along the public right-of-way. Thus, compliance with the ENCSD erosion control measures would avoid the potential for long-term increase in erosion and/or loss of topsoil at the Project area. Therefore, the Project's potential effect in soil erosion or the loss of topsoil would be less than significant.

c) **Less than Significant Impact.** The Project would not be located on an unstable geologic unit or soil that would become unstable and result in landslides, lateral spreading, subsidence, liquefaction, or collapse. As previously discussed above, the Project area is not located in an area susceptible to liquefaction and landslide and therefore, has a low potential for landslide and liquefaction to occur (CGS 2015, 2022). Since the Project includes underground pipeline alignments, no development of aboveground habitable buildings or structures would be developed as part of the Project that would expose people or buildings to liquefaction or any other seismic-related ground failure. Furthermore, the proposed Project would be required to meet the CBC requirements for constructing structures on unstable geologic units or soils. Therefore, Project impacts would be less than significant.

d) **Less than Significant Impact.** Expansive soils typically contain clay or clay materials and have some potential for expansion. As mentioned, the Project includes underground pipeline alignments, and no development of above ground buildings or structures would be developed as part of the Project that would result in risk of life or property as a result of development on expansive soils. The proposed pipeline alignments would be constructed and designed in accordance with the CBC to adequately address potential impacts related to expansive soils; therefore, Project impacts would be less than significant.

e) **No Impact.** The Project consists of the construction and installation of underground pipeline alignments in portions of unincorporated and incorporated areas of Kern County. The Project does not propose the construction or use of septic tanks or alternative wastewater systems as no permanent occupiable structures are proposed as part of the Project. Therefore, Project impacts relating to soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems would not occur.

f) **Less than Significant Impact with Mitigation**. A Paleontological Resources Assessment was conducted for the project in October 2024 (ESA 2024). The assessment included a paleontological resources database search by the Natural History Museum of Los Angeles County (LACM), a database search of the online records through the University of California Museum of

Paleontology (UCMP), a geologic map review, literature review, and a paleontological sensitivity analysis.

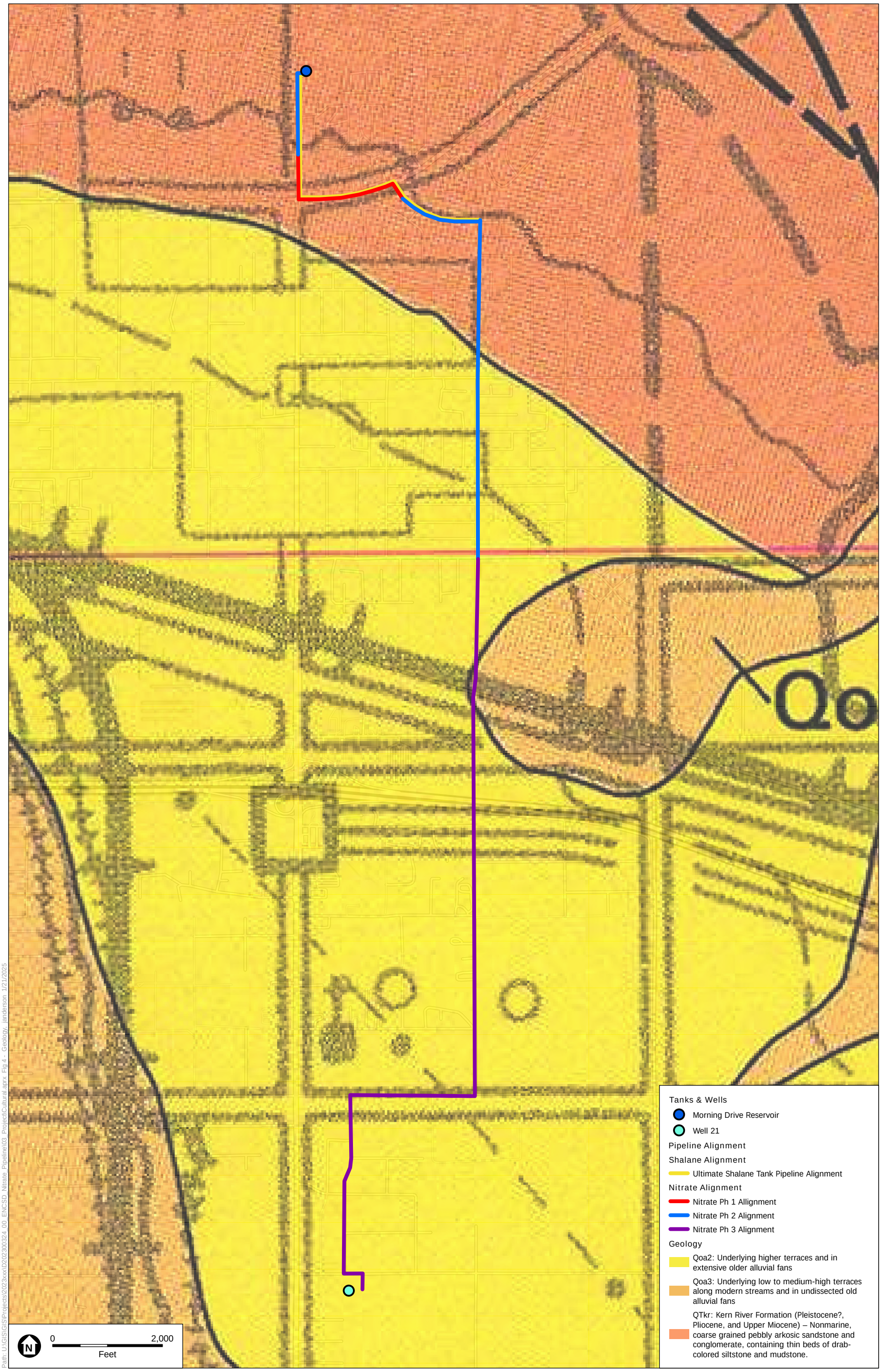
No paleontological resources were identified within the Project area as a result of the database searches. The LACM indicates that several fossil localities (LACM VP 3895, LACM VP CIT49-51, 56; and LACM VP CIT52, 53) near the Project yielded fossils from the Kern River Formation from both the surface and well borings. The fauna is quite diverse and includes mustelids, peccaries, horses, camelids, dogs, and pronghorn. The fossils were recovered from both sandstone and mudstone facies. In addition, there are over 300 vertebrate fossils from the Kern River Formation at the UCMP. The vast majority (~280) are listed as Blancan or Pliocene; the rest are Hemphillian or Miocene. There are seventeen distinct localities listed. The taxonomic list shows a rich diversity of mammals (247), reptiles (45), bony fish (4), birds (3), and amphibians (2). Within these groupings are deer mice, kangaroo rats, moles, pocket gophers, squirrels, woodrats, horses, pronghorn, fence lizards, spiny lizards, snakes, toads, and tortoises. Overall, the search of the holdings shows that the Kern River Formation yields a richly diverse terrestrial fauna that spans the Miocene-Pliocene boundary.

The geologic map review indicates that a portion of the Project (along Morning Drive and Emmy Drive) is underlain by Quaternary alluvium (Qa) based on the 1:64,000 map of Dibblee and Minch (2008), see **Figure 5.** Another portion of the Project (north of Morning Drive) is underlain by Kern River Formation/Gravel (QTkr) (Dibblee and Minch, 2008). The Kern River Gravel fan is developed atop older, tilted Miocene marine strata. The depth to the Kern River Gravel below the alluvium is not known but is likely quite shallow due to the close proximity of exposures of the QTkr in the northern portion of the Project. Additional review of the map by Bartow (1984) at a scale of 1:125,000 shows greater differentiation of the alluvium. In this map, the Project is founded atop Pleistocene age older alluvium (Qoa2 and Qoa3), and the Kern River Formation.

The literature review indicates that the Kern River Gravels or Kern River Formation is known from the literature to contain a diverse vertebrate fauna of the Hemphillian North American Land Mammal Age. The fauna includes a diverse assortment of rodents (*Copemys* sp., Peromyscus sp., *Calomys* sp., *Cupidinimus* sp., *Diprionomys* sp., and Parapliosaccomys sp.). Other mammalian taxa include lagomorphs (*Hypolagus* sp.), squirrels (*Ammospermophilus* sp., *Spermophilus* sp.), pocket gophers (*Thomomys* sp.) and cricetines.

The literature and geologic mapping review, as well as the LACM and UCMP records search results, were used to assign paleontological sensitivity (provided below) to the geologic units at surface and underlying the Project area, following the guidelines of the SVP (2010):

- **Qoa2-3:** Alluvium is found within a portion of the Project area to an unknown depth. The alluvium in the Project area is mapped as Pleistocene by Bartow (1984), thus is an age to host scientifically-significant fossils. However, the coarse nature, proximity to mountain front, and lack of a clear record of fossils from the LACM suggests that fossils are unlikely near the surface. Therefore, this unit is assigned a **Low Potential** to contain paleontological resources. However, the unit is likely underlain by older alluvium and the Kern River Formation (see below) that may contain scientifically-significant fossils, so the Qoa2-3 increases from **Low to High Potential** with depth.



SOURCE: ESA, 2024; USGS, 2024; Bartow, 1984

Nitrate Pipeline and Shalane Tank Alignment Project

Figure 5
Geologic Map

ESA

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- **QTkr:** The Kern River Formation is found within the northern portion of the Project area, but also underlies the surficial alluvium in the Project area at an unknown depth. This formation has a well-established record in the published literature as well as museum holdings to host a richly diverse assemblage of scientifically-significant terrestrial vertebrates. Therefore, the QTkr is assigned a **High Potential** to contain paleontological resources. However, the paleontological record thus far shows the fossils have largely been recovered from mudstone and sandstone near the base of the unit. More detailed potential specific to the Project area is unknown at present.

Excavation for the Project may impact paleontological resources at depth if excavation exceed the thickness of the alluvium and intersects the underlying Kern River Formation. Should paleontological resources be encountered, the Project could directly or indirectly destroy a unique paleontological resource or site. No unique geologic features are known to be present in the project area. With implementation of **Mitigation Measures GEO-1 through GEO-4**, which require retention of a qualified paleontologist, construction worker paleontological resources sensitivity training, paleontological monitoring of excavations exceeding 5 feet in Quaternary alluvium (Qa) and Kern River Formation (QTkr), procedures to follow in the event of the discovery of paleontological resources, salvage and curation of significant fossil discoveries, and final reporting, impacts would be reduced to a less than significant level.

Mitigation Measures:

Mitigation Measure GEO-1: The East Niles Community Services District (District) shall retain a paleontologist who meets the Society of Vertebrate Paleontology's (SVP, 2010) definition for a Federally-Qualified Professional Paleontologist (Qualified Paleontologist) to carry out all mitigation related to paleontological resources. Prior to the start of ground-disturbing activities, the Qualified Paleontologist or their designee should conduct construction worker paleontological resources sensitivity training for all construction personnel. Construction personnel should be informed on how to identify the types of paleontological resources that may be encountered, the proper procedures to be enacted in the event of an inadvertent discovery of paleontological resources, and safety precautions to be taken when working with paleontological monitors. The District should ensure that construction personnel are made available for and attend the training and retain documentation demonstrating attendance.

Mitigation Measure GEO-2: Paleontological monitoring shall be conducted during ground-disturbing activities that produce visible spoils or cuts for project construction below 5 feet in the alluvium (Qa) and Kern River Formation (QTkr), or at a depth otherwise deemed appropriate by the Qualified Paleontologist. Monitoring shall be conducted by a qualified paleontological monitor (SVP, 2010) working under the direct supervision of the Qualified Paleontologist. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains. The Kern River Formation is noted for its diverse collection of Hemphillian rodents so sieving for small teeth is recommended. If the Qualified Paleontologist determines that full-time monitoring is no longer warranted, based on the specific geologic conditions at the surface or at depth, the Qualified Paleontologist may recommend that monitoring be reduced to periodic spot-checking or cease entirely.

Mitigation Measure GEO-3: If a potential fossil is found, the paleontological monitor shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation of the discovery. An appropriate buffer area of 50 feet shall be established around the find where construction activities shall not be allowed to continue.

Work should be allowed to continue outside of the buffer area. At the monitor's discretion, and to reduce any construction delay, the grading and excavation contractor may assist in removing rock/sediment samples for initial processing and evaluation. If a fossil is determined to be significant, the Qualified Paleontologist should implement a paleontological salvage program to remove the resources from their location, following the guidelines of the SVP (2010). Any fossils encountered and recovered shall be prepared to the point of identification, catalogued, and curated at an accredited repository.

If construction personnel discover any potential fossils during construction while the paleontological monitor is not present, regardless of the depth of work or location, work at the discovery location should cease in a 50-foot radius of the discovery until the Qualified Paleontologist has assessed the discovery and recommended and implemented appropriate treatment as described in this measure.

Mitigation Measure GEO-4: At the conclusion of paleontological monitoring, the Qualified Paleontologist shall prepare a report summarizing the results of the monitoring and any salvage efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted to District, the Natural History Museum of Los Angeles County, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.

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VIII. Greenhouse Gas Emissions

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

Discussion

a) **Less than Significant Impact.** The San Joaquin Valley Air Pollution Control District (SJVAPCD) has established greenhouse gas (GHG) thresholds for projects subject to the California Environmental Quality Act (CEQA). For projects implementing the SJVAPCD's Best Performance Standards (BPS), quantification of project-specific GHGs is not required (SJVAPCD 2009a, 2009b). The SJVAPCD's BPS apply to projects with stationary industrial emission sources. Most of the Project's emissions would be generated from mobile sources; however, the SJVAPCD's BPS do not apply.

The SJVAPCD has not established BPS for the wide variety of land use sources that can occur within the San Joaquin Valley. Instead, the SJVAPCD recommends determining whether the GHG emissions applies to a project would result in a 29% reduction compared to business as usual.

Based on the Project nature and duration of construction activities, no GHG emissions would be generated by the Project except during short-term construction activities. Additionally, construction activities would be required to comply with diesel-idling requirements identified by the California Air Resources Board (CARB), including limiting idling to 5 minutes or less, which would further reduce GHG emissions from construction equipment and vehicle use during construction. As mentioned, the Project purpose is to transfer water from the Morning Drive Reservoir to the Shalane Tank for additional water storage and transfer water to Well 21, in efforts to reduce nitrate levels in water before consumer distribution. Therefore, the Project would not result in a considerable contribution to cumulative GHG emissions as construction activities would be short-term in duration, and impacts would be less than significant.

b) **No Impact.** There are numerous statewide regulations and initiatives related to overall GHG reductions. The SJVAPCDs BPS apply to projects within stationary industrial emission sources. The Project would not generate significant additional long-term vehicle trips or stationary or mobile-source emissions and the SJVAPCD's BPS do not apply to the proposed Project. The Project would not conflict with State and local regulations related to GHG emissions. Therefore, Project impacts related to a conflict with plans and policies adopted for the purpose of reducing GHG emissions would not occur.

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IX. Hazards and Hazardous Materials

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

Discussion

a) **Less than Significant Impact.** The Project consists of the construction and installation of underground pipeline alignments within unincorporated and incorporated areas of Kern County. The Project is anticipated to require limited quantities of hazardous substances including, but not limited to, gasoline, diesel fuel, hydraulic fluid, solvents, oils, and paints during construction activities. Use of these materials has the potential to result in an accidental release. Construction contractors would be required to comply with applicable federal and State environmental and workplace safety laws for the handling, transport, and storage of hazardous materials, including California Code of Regulations (CCR) Title 22. Following completion of construction activities, the Project would not require the routine transport, use, or disposal of hazardous substances as no operation activities would be generated from the Project. Therefore, potential Project impacts associated with routine transport, use, or disposal of hazardous materials would be less than significant.

b) **Less than Significant Impact.** As evaluated above, construction of the Project is anticipated to require use of limited quantities of hazardous substances (e.g., gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc.) and construction contractors would be required to comply with

CCR Title 22 to reduce the potential for accidental hazardous materials release during construction, including cleanup procedures in the event of accidental release. Additionally, the Project would not require the routine transport, use, or disposal of hazardous substances during operation. Based on required compliance with CCR Title 22, the Project is not anticipated to create significant hazard to the public or the environment through foreseeable upset or accident conditions involving the release of hazardous materials into the environment; therefore, impacts would be less than significant.

c) **Less than Significant Impact.** The northern portion of the Project area (along Morning Drive and Kern Canyon Road) is located within 0.25 miles of a school. The Project area is immediately adjacent to Walter W. Stiern Middle School, addressed 2551 Morning Drive, Bakersfield, and approximately 700 feet east of Hort Elementary School, addressed 2301 Park Drive, Bakersfield. Construction of the proposed pipeline alignments would require equipment that uses petroleum oil or other fuels considered hazardous materials. Construction activities would last for several day at any one location. On average, 100 to 500 feet of pipeline will be installed per day resulting in a short duration of construction at or near each school. As mentioned, the construction and installation of the pipeline alignments would occur entirely within the public right-of-way and equipment would be stored within designated staging areas overnight. Additionally, vehicle fueling would be limited to designated fueling areas outfitted with secondary containment measures in case of a spill. Furthermore, the Project would comply with all relevant and applicable federal, State, and local laws and regulations that pertain to the release of hazardous materials and hazardous waste emissions during construction activities of the Project. Therefore, due to the short duration of construction activities and compliance related to handling hazardous materials within one-quarter mile of a school, Project impacts would be less than significant.

d) **No Impact.** A records search on the Department of Toxic Substances Control (DTSC) EnviroStor database and the State Water Resources Control Board (SWRCB) Geotracker database did not identify hazardous materials sites located in or adjacent to the Project area (DTSC 2024; SWRCB, 2024). Based on this information, the Project is not located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and would not result in significant hazard to the public or the environment. Therefore, no impacts would occur.

e) **No Impact.** The nearest airport to the Project area is the Bakersfield Municipal Airport, addressed, 200 S Union Ave, Bakersfield, located approximately 5 miles west from the southern portion of the Project area. The Project area is not located within an airport land use or sphere of influence (Kern County 2024). Therefore, the Project would not be located within an airport land use plan or in close proximity to a public airport; therefore, no impacts would occur.

f) **Less than Significant Impact.** The Project consists of the construction and installation of underground pipeline alignments within unincorporated and incorporated areas of Kern County. The proposed pipeline alignments would be constructed and installed entirely within the public right-of-way; thus, the Project would require traffic controls during construction activities. However, the road would remain accessible to the public and emergency response vehicles during the duration of the construction period so as to not interfere with an adopted emergency response

plan or emergency evacuation plan. Therefore, the Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and impacts would be less than significant.

g) **Less than Significant Impact.** The Project does not propose construction of occupiable buildings or structures. Additionally, the Project area is not located in a State Responsibility Area (SRA) or a Very High Fire Hazard Severity Zone (VHFHSZ) (CAL FIRE 2023, 2024). Since the Project does not include the construction of any buildings or structures intended for human occupancy and would not expose Project occupants to pollutant concentrations from wildfire or post-fire risks, impacts would be less than significant. Further discussion regarding Wildfire is discussed in Section XX, Wildfire.

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X. Hydrology and Water Quality

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

Discussion

a) **Less than Significant Impact.** Project construction activities do not include any waste discharge that could directly affect water quality. The Project proposes the construction and installation of underground pipeline alignments in unincorporated and incorporated areas of Kern County. The Project would excavate to a maximum depth of 3-10 feet below ground surface (bgs) and would reuse the excavated soil after the construction and installation of the pipeline alignments. Since the Project would result in ground disturbance, the Project would comply with the East Niles Community Services District (ENCSD) erosion control and best management practices during construction activities. In the event of an accidental spill, the Project would comply with California Code of Regulations (CCR) Title 22 to avoid the potential for pollutants to enter waterways. Additionally, the Project construction would involve ground-disturbing activities such as soil excavation and stockpiling, drilling, and trenching. These activities have the potential to expose site soils to erosion and mobilize sediments in stormwater. Additionally, the proposed pipeline alignments would require the use of heavy equipment and construction-related chemicals, such as fuels, oils, and grease that would be stored in limited quantities on-site. In the event of an accidental spill, the Project construction activities would comply with proper controls

to further avoid accidental discharge of potentially harmful materials that could adversely affect water quality and/or result in violation of water quality standards.

Additionally, excavation activities may encounter shallow groundwater and could potentially interfere with construction activities. In the event that groundwater is encountered, dewatering is necessary during construction. Dewatering typically involves the extraction of shallow groundwater and subsequent discharge into nearby storm drains or other receiving bodies, in order to facilitate the construction of underground facilities, such as the proposed underground pipeline alignments. The Project would comply with dewatering regulations to ensure that dewatering discharges would not elevate pollutant concentrations beyond existing water quality limitations, or otherwise affect beneficial use of receiving waters. Based on the above and compliance with local, State, and federal regulations, Project impacts would be less than significant.

b) **Less than Significant Impact.** The Project proposes the construction and installation of underground pipeline alignments in unincorporated and incorporated areas of Kern County. The Project would include excavation to a maximum depth of 3-10 feet bgs. If groundwater is encountered during excavation, temporary dewatering would be required and the construction contractor would be expected to manage the groundwater/dewatering process, including any disposal of wastewater in accordance with the National Pollutant Discharge Elimination System (NPDES) Permit and requirements. Any dewatering would be temporary and cease when excavation is complete. Thus, dewatering during excavation would not affect groundwater recharge as there would be minimal net deficit in groundwater volume or lowering of the local groundwater table level.

Construction activities would include ground disturbance and removal of soils. Imported water would be used for dust control. Since the Project would comply with local, State, and federal regulations pertaining to groundwater and dewatering, the Project would not decrease groundwater for on-site dust control, which would not affect groundwater levels. The Project would not decrease groundwater supplies or interfere with groundwater recharge such that the Project would impede substantial groundwater management of the basin. Therefore, the Project would not affect groundwater recharge as there would be minimal net deficit in groundwater volume or lowering of the local groundwater table level, and impacts would be less than significant.

c.i) **Less than Significant Impact.** The Project includes the construction and installation of underground pipeline alignments within unincorporated and incorporated areas of Kern County. The proposed pipeline alignments would be constructed and installed entirely within the public right-of-way and in a highly urbanized area. There are no stream or rivers in the vicinity of the Project area and thus, the Project would not alter the course of a stream or river. Construction activities would include soil disturbance, which has the potential to increase short-term erosion and/or siltation that could runoff from the Project area. Thus, the Project would implement the ENCSD erosion control measures to further reduce potential long-term increase in erosion or siltation at the Project area that could runoff into nearby waters or drainage systems. The Project would also comply with the NPDES Permit and implement Best Management Practices (BMPs)

to manage overland runoff from the construction areas. Thus, compliance with local, State, and federal regulations and implementation of BMPs governing storm water runoff, would reduce potential Project construction impacts. Therefore, Project impacts pertaining to erosion or siltation from construction sites would be less than significant.

c.ii) **Less than Significant Impact.** Based on a review of the Federal Emergency Management Agency (FEMA), National Flood Hazard Layer, the Project area crosses through two flood hazard zones, a 1% annual chance flood along Edison Hwy and a 0.2% Annual Chance Flood Hazard Zone from Breckenridge Road to Skycrest Avenue (FEMA, 2021). As discussed, construction activities would require implementation of the District's erosion control measures to avoid polluted surface runoff. During construction, staging areas would be managed and would require dust control. Once the underground pipelines are installed, the excavated soil would be reused for compaction. Upon completion, the Project would include site improvements including road and drainage improvements along the public right-of-way. Surface runoff would be similar to existing conditions and accommodated by existing drainage systems. Therefore, Project impacts related to the increase of the rate or amount of surface runoff would be less than significant.

c.iii) **Less than Significant Impact.** The Project includes the construction and installation of underground pipeline alignments in unincorporated and incorporated areas of Kern County. Upon Project completion, the Project would involve site improvements and surface runoff would be similar to existing conditions and would be accommodated by existing stormwater drainage systems. Nonetheless, the Project would implement the District's erosion control measures and BMPs during construction activities for erosion control to minimize runoff into the stormwater drains and surrounding properties. Therefore, implementation of the Project, BMPs, and compliance with the District's erosion control measures would result in Project construction impacts to be less than significant.

c.iv) **Less than Significant Impact.** As mentioned above, the Project area crosses through two flood hazard zones, a 1% Annual Chance Flood Zone along Edison Hwy and a 0.2% Annual Chance Flood Hazard Zone from Breckenridge Road to Skycrest Avenue (FEMA, 2021). The 1% Annual Chance Flood Zone, also known as the 100-year flood zone or base flood, refers to an area that has a 1% chance of experiencing flooding equal to or exceeding a specific level in any given year (FEMA 2024). Whereas a 0.2% Annual Chance Flood Zone, also known as a 500-year floodplain, refers to an area with a 0.2 percent (1 in 500) chance of experiencing a flood in any given year (FEMA 2024). As mentioned, the Project includes underground pipeline alignments, and no aboveground habitable structures or buildings are proposed. Project construction activities would maintain areas for groundwater infiltration and existing drainage conditions would remain. After Project completion, drainage conditions would remain similar to existing conditions and the Project would not impede or redirect flood flows as no aboveground structures or buildings are proposed. Therefore, Project impacts related to impeding or redirecting of flood flows would be less than significant.

d) **Less than Significant Impact.** As mentioned above, the Project area crosses through two flood hazard zones, a 1% Annual Chance Flood Zone along Edison Hwy and a 0.2% Annual Chance

Flood Hazard Zone from Breckenridge Road to Skycrest Avenue (FEMA, 2021). Thus, the chance of flooding in the Project area is low. Additionally, the Project area is located outside a tsunami or seiche zone (CGS 2024). Since the Project includes underground pipeline alignments and does not include the development of aboveground habitable structures or buildings and is outside a tsunami or seiche zone, the Project would not be subject to inundation. Therefore, Project impacts related to risk of release of pollutants due to Project inundation would be less than significant.

e) **Less than Significant Impact.** As mentioned, the Project includes the construction and installation of underground pipeline alignments in unincorporated and incorporated areas of Kern County. The Project would not include any waste discharge into waterways and would not affect water quality or interfere with a water quality control plan. There would be no operation impacts as the Project would not require routine maintenance. Therefore, the Project would not result in a conflict with existing water quality control and groundwater management plans, and impacts would be less than significant.

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XI. Land Use and Planning

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
XI. LAND USE AND PLANNING — Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

Discussion

a) **No Impact.** The physical division of an established community typically refers to the construction of a linear feature, such as a highway or railroad, or removal of a means of access, such as a road or bridge that would impact mobility within or between existing communities. The proposed underground pipeline alignments would be constructed and installed entirely within the public right-of-way and would not permanently divide an established community. The proposed pipeline alignments and tie-in distribution system are not aboveground linear features that would create a barrier or physically divide an established community. Therefore, the Project would not physically divide an established communities and no impacts would occur.

b) **No Impact.** The Project does not include components that would conflict with current land use plans or zoning regulations as the Project would be constructed entirely within the public right-of-way (Kern County 2024). As mentioned, the Project includes the construction and operation of the Nitrate Pipeline Project consisting of underground 12-inch blending pipeline alignments, a temporary tie-in distribution system at the intersection of Monica Street and Breckenridge Road, and additional Project area improvements that would facilitate the transfer of water from the Morning Drive Reservoir to Well 21, in efforts to reduce nitrate levels in water before consumer consumption. Additionally, the Shalane Tank Alignment Project includes the construction and operation of a new underground 14-inch pipeline alignment and additional Project area improvements for additional water storage at the Shalane Tank. Based on the Project components, the Project would not conflict with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, and no impacts would occur.

References

Kern County. 2024. Kern County GIS- County Zoning. Available online; https://maps.kerncounty.com/H5/index.html?viewer=KCPublic. Accessed June 7, 2024.

XII. Mineral Resources

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

Discussion

a-b) **No Impact.** The Project area is not located on land that is zoned or designated for mineral extraction and no mineral extraction activities occur in the Project area. According to the Mineral Resource Zones for Kern County, the Project area is not located within a designated Mineral Resource Zone (Data Basin 2015). There are no known mineral resources within the Project area. Therefore, implementation of the Project would not result in the loss of availability of a known mineral resource or locally important resource that would be of value to the region and the residents of the state, and no impacts would occur.

References

Data Basin. 2015. Mineral Resource Zones for Kern County. Available online at: https://databasin.org/datasets/26c92d3ecbe541ec81451f9de4e1e0e4/. Accessed June 7, 2024.

XIII. Noise

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

Discussion

a) **Less than Significant with Mitigation.** Noise is defined as unwanted sound; however, not all unwanted sound rises to the level of a potentially significant noise impact. Construction noise would be variable, temporary, and limited in nature and duration. Equipment such as heavy trucks and machinery for grading and excavation, concrete pouring, waste disposal, and other construction activities have the potential to generate a significant amount of noise. As previously mentioned, the Project includes the construction of underground pipeline alignments in unincorporated and incorporated areas of Kern County, with close proximity to single-family residences. According to the Kern County Municipal Code Section 8.36.020, construction-related noise is allowed within 1,000 feet of noise-sensitive land uses, including residential dwelling, between the hours of 6:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. and 9:00 p.m. on weekends (Kern County 2024). The Project's construction activities would occur on weekdays only between the hours of 7:00 a.m. and 5:00 p.m. No nighttime construction is anticipated. Nevertheless, due to the Project's close proximity to noise-sensitive receptors, Project impacts would be potentially significant. However, with the implementation of **Mitigation Measure NOI-1**, limiting equipment idling and requiring noise reduction features such mufflers would reduce noise impact to less than significant. The proposed Project would not include any component that would create noise during operations. Therefore, implementation of Mitigation Measure NOI-1 would reduce Project impacts related to substantial temporary or permanent ambient noise levels to less than significant with mitigation incorporated.

Mitigation Measure:

NOI-1: To reduce noise impacts due to construction, construction contractors shall implement the following measures:

- Construction activities shall be limited to between 7 a.m. and 5 p.m. Monday through Friday to avoid noise-sensitive hours of the day, unless special circumstances require work outside these hours. Construction activities shall be prohibited on weekends and holidays.

- The contractor shall ensure that all construction equipment, fixed or mobile, are equipped with properly operating and maintained noise shielding and muffling devices, consistent with manufacturers' standards. The contractor shall use muffler systems (e.g. absorptive mufflers) that provide a minimum reduction of 5 dBA compared to the same equipment without an installed muffler system, reducing maximum construction noise levels. The contractor shall keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturers' specifications. The contractor shall also keep documentation on-site verifying compliance with this measure.
- The contractor shall limit engine idling of construction equipment not actively in use (e.g. haul trucks, loaders, etc.).
- Prior to commencement of construction activities, the East Niles Community Services District shall notify in writing adjacent residents and businesses near the various Project sites, of proposed construction activities and the tentative schedule.

b) **No Impact**. Common sources of groundborne vibrations include trains, buses on rough roads, and heavy construction activities, such as blasting, pile driving, and extensive grading and heavy earthmoving equipment. The Project would not include blasting or pile driving activities. Groundborne vibrations attenuate over 25 feet from the source and are not anticipated to reach residences within 30 feet of the Project areas. Any groundborne vibrations from construction activities would be temporary, short-term in nature, and imperceptible. Therefore, Project impacts related to excessive groundborne impacts would not occur.

c) **No Impact.** As discussed in Section IX, Hazards and Hazardous Materials, the nearest airport to the Project area is the Bakersfield Municipal Airport, addressed, 200 S Union Ave, Bakersfield, located approximately 5 miles west from the southern portion of the Project area. The Project area is not located within a public airport or public use airport (Kern County 2024). Therefore, Project impacts related to private airstrip, or an airport land use would not expose people residing or working in the Project area to excessive noise levels, and impacts would not occur.

References

Kern County, 2024. Municipal Code Section 8.36.020. Available online; https://library.municode.com/ca/kern_county/codes/code_of_ordinances?nodeId=TIT8HESA_CH8.36NOCO#:~:text=%28Ord.%20G-7577%20%C2%A7%202%2C%202007%3B%20Ord.%20G-6301%20%C2%A7,acts%20within%20the%20unincorporated%20areas%20of%20the%20county%3A. Accessed June 13, 2024.

Kern County, 2024. Interactive County Map (GIS Tool). Available online; https://maps.kerncounty.com/H5/index.html?viewer=KCPublic. Accessed June 11, 2024.

XIV. Population and Housing

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

Discussion

a) **Less than Significant Impact.** The Project includes the construction and operation of the Nitrate Pipeline Project consisting of underground 12-inch blending pipeline alignments, various tie-ins to the distribution system, and additional Project area improvements that would facilitate the transfer of water from the Morning Drive Reservoir to Well 21, in efforts to reduce nitrate levels in water before consumer consumption. Additionally, the Shalane Tank Alignment Project includes the construction and operation of a new underground 14-inch pipeline alignment and additional Project area improvements for additional water storage at the Shalane Tank. The Project would not directly induce substantial population growth in the Project area through the construction of new homes and business. The Project would require 5-10 construction workers for approximately 6 to 12 months, which would generate a temporary increase in employment within the Project area. However, construction employment within the Project area is not anticipated to generate population growth within the region, as the need for workers would be accommodated within the existing and future labor market in the Kern County region. Therefore, construction employment would not induce substantial population growth in the Project area, and construction impacts pertaining to the Project would be less than significant.

b) **Less than Significant Impact.** As discussed above, the Project consists of the construction and installation of underground pipeline alignments within unincorporated and incorporated areas of Kern County. Construction of the underground pipeline alignments would occur entirely within the public right-of-way and would not displace any existing housing or necessitate the construction of replacement housing elsewhere and would not impact existing homes or residents. Once the pipeline alignments are constructed, the Project would not result in any operation impacts related to the displacement of housing or people. Therefore, the Project would not displace substantial numbers of existing people or housing during construction and operation, and impacts would be less than significant.

XV. Public Services

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
XV. PUBLIC SERVICES —				
a) 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 other performance objectives for any of the following public services:				
i) Fire protection?	☐	☐	☒	☐
ii) Police protection?	☐	☐	☒	☐
iii) Schools?	☐	☐	☒	☐
iv) Parks?	☐	☐	☒	☐
v) Other public facilities?	☐	☐	☒	☐

Discussion

a.i-v) **Less than Significant Impact.** The Project consists of the construction and installation of underground pipeline alignments within unincorporated and incorporated areas of Kern County. The Project does not include development of new occupiable buildings or structures that would directly increase demand for protective services such as the Bakersfield Police Department (BPD), Kern County Sheriff's Department (KCSD), Bakersfield Fire Department (BFD), and Kern County Fire Services (KCFS). Additionally, the Project would not induce population growth in the area, nor would it generate an increase in school-aged children in the region or otherwise create an increase in demand for additional school capacity, parks, or other public facilities such as libraries. Construction of the Project would require 5-10 construction workers during approximately 6 to 12 months. It is assumed that the employment opportunities associated with the Project construction activities would be filled by the local workforce in the Kern County region and would not result in an increase for housing demand, which would not require additional demand for fire and police protection services from the BPD, KCDS, BFD, and KCFS. Additionally, the Project would not result in operation impacts as no new full-time employees would be required to operate the underground pipelines. Since the Project would not develop permanent housing necessitating fire, police protection, and generate a population growth in the Kern County region, Project impacts would be less than significant.

XVI. Recreation

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

Discussion

a-b) **No Impact.** The Project consists of the construction and installation of underground pipeline alignments within unincorporated and incorporated areas of Kern County. The Project does not propose construction of occupiable buildings or structures that would directly increase demand for existing parks or recreational facilities in the manner that could result in physical deterioration of the resource. Construction activities would generate 5-10 construction workers in the area for approximately 6 to 12months. While some of the construction workers may utilize local parks and recreational facilities during the work day, such use would be anticipated to be limited. Therefore, the Project would not increase the use of existing neighborhood and regional parks or other recreational facilities in the Project are vicinity, and no impacts would occur.

XVII. Transportation

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

Discussion

a) **Less than Significant Impact.** Kern County and City of Bakersfield have jointly adopted a general plan with its own Circulation Element for the Metropolitan Bakersfield Area (Kern County and City of Bakerfield 2007). The Project area is located in the eastern portion of the Metropolitan Bakersfield Planning Area, in unincorporated areas of Kern County. The Kern County General Plan Circulation Element, Metropolitan Bakersfield General Plan Circulation Element, and the Kern Council of Governments (KCOG) 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) outline goals, policies, and implementation measures intended to reduce traffic congestion, provide safe alternative travel, and improve existing circulation system issues within the Kern County region.

As mentioned, the Project includes the construction and installation of underground pipeline alignments, and no permanent occupiable structures or buildings are proposed as part of the Project. The Project would not include the development of new homes, businesses, or roadways that would be subject to transportation or land use planning strategies. Construction activities would occur entirely within the public right-of-way; however, lane closures would be required but complete road closures are not anticipated. The Project construction activities would require short-term construction-related vehicle trips for approximately 6 to 12 months and would require limited operational vehicle trips to haul construction waste and pipeline materials. Based on the above, the Project would not increase traffic congestion along the Project area or other nearby roadways in a manner that would be inconsistent with the goals and policies of the Kern County General Plan Circulation Element, Metropolitan Bakersfield General Plan Circulation Element, and the KCOG 2022 RTP/SCS. Therefore, Project impacts related to a conflict with a program plan, ordinance or policy addressing the circulation system would be less than significant.

b) **Less than Significant Impact.** CEQA Guidelines Section 15064.3, subdivision (b) includes criteria for determining the significance of transportation impacts that would primarily focus on Projects within transit priority areas and shifts the focus from driver delay to reduce of greenhouse gas emissions (GHG) emissions, creation of multimodal networks, and promotion of

a mix of land uses. Vehicle miles traveled (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.

As mentioned above, the Project would not result in the generation of regular vehicle trips or permanent long-term changes in traffic or circulation as no permanent structures or buildings nor permanent population growth is anticipated to occur as a result of the Project. Short-term vehicle trips are anticipated to occur as a result of construction activities; however, construction activities would occur for approximately 6 to 12 months and would not generate a substantial increase in traffic trips. The Project does not anticipate any long-term maintenance activities or vehicle trips as the pipeline alignments would not require routine maintenance during operation. Therefore, the Project would not conflict with or be inconsistent with the State CEQA Guidelines criteria for evaluating transportation impacts, and impacts would be less than significant.

c) **Less than Significant with Mitigation.** The Project does not include design features that would introduce new hazards in the Project area. The Project includes the construction and installation of underground pipeline alignments, and no aboveground structures or buildings are proposed as part of the Project. Since the proposed underground pipeline alignments would be constructed and installed entirely within the public right-of-way requiring lane closures but not road closures. As a result, the implementation of **Mitigation Measure TRAF-1** requiring traffic controls during construction activities would reduce impacts to less than significant. Road site improvements would be subject to engineering standards to allow for adequate emergency and to reduce potential traffic or circulation hazards. Therefore, the Project with mitigation would not introduce roadway hazards or result in incompatible uses along the Project area or other nearby roadways, and impacts would be less than significant with mitigation.

Mitigation Measure:

TRAF-1: East Niles Community Services District shall require that contractors prepare a construction Traffic Control Plan that includes the following elements:

- Show all signage, striping, delineated detours, flagging operations, and any other devices that will be used during project construction to guide motorists, bicyclists, and pedestrians safely through the construction area and allow for adequate access and circulation.
- Develop circulation and detour plans if necessary to minimize impacts to local street circulation. For roadways requiring lane closures that would result in a single open lane, maintain alternate one-way traffic flow and utilize flagger-controls.
- The Traffic Control Plan shall be prepared to ensure that emergency access will not be restricted. East Niles Community Services District's consultant or contractor shall also notify local emergency responders of any planned partial or full lane closures required for Project construction. Emergency responders include fire departments, police departments, and ambulances that have jurisdiction within the Project area. Written notification and disclosure of lane closure location must be provided at least 30 days prior to the planned closure to allow emergency response providers adequate time to prepare for lane closures.

d) **Less than Significant with Mitigation.** As mentioned, the Project would implement Mitigation Measure TRAF-1 requiring traffic controls along the Project area during construction activities. However, the road would remain accessible to the public during the duration of the construction

period. Once construction activities cease, the Project underground pipelines would not result in new aboveground features along the Project area that could permanently impede access to the Project area or surrounding land uses. Construction activities would accommodate access by emergency vehicles, including fire engines, in the event of an emergency. Additionally, the Project would not conflict with an emergency response plan. Based on the above, Project impacts related to inadequate emergency access would result in less than significant with mitigation.

References

Kern County and City of Bakersfield, 2007. Metropolitan Bakersfield General Plan (Unincorporated Planning Area). Adopted December 11, 2007. Available online; https://psbweb.kerncounty.com/planning/pdfs/mbgp/mbgp_complete.pdf. Accessed June 12, 2024.

Kern County, 2009. General Plan Circulation Element. Adopted September 22, 2009. Available online; https://psbweb.kerncounty.com/planning/pdfs/kcgp/KCGP_Complete.pdf. Accessed June 12, 2024.

Kern Council of Governments (KCOG), 2022. 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). Available online; https://www.kerncog.org/wp-content/uploads/2022/12/2022_RTP.pdf. Accessed June 12, 2024.

XVIII. Tribal Cultural Resources

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
XVIII. TRIBAL CULTURAL RESOURCES —				
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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

Discussion

The SCCIC records search and a pedestrian survey did not identify potential tribal cultural resources within the Project area. The Native American Heritage Commission (NAHC) Sacred Lands File (SLF) search returned negative results. The District conducted consultation with California Native American tribes pursuant to AB 52 to identify tribal cultural resources in or near the Project Site.

On December 20, 2024, the District sent notification letters via certified mail to the designated representatives of nine California Native American tribes (**Table 2/ Appendix B**). The letters provide brief descriptions of the Project and its location, with maps, the lead agency's contact information, and a notification that the tribe has 30 days to request consultation pursuant to Public Resources Code section 21080.3.1. As of the completion of this document, one response was received by the Tejon Indian Tribe confirming that there are no concerns, and that the Project area has "low sensitivity" for Tribal Cultural Resources.

a.i) **No Impact**. No tribal cultural resources were identified as a result of the outreach letters, and SLF search. Therefore, no tribal cultural resources that are listed in or eligible for listing in the California Register, or in a local register of historical resources as defined in PRC Section 5020.1(k) would be impacted by the Project and no mitigation is required. No impact would occur.

a.ii) **No Impact**. No tribal cultural resources were identified as a result of the outreach letters, and SLF search. Therefore, no tribal cultural resources that have been 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 PRC Section 5024.1, would be impacted by the Project and no mitigation is required. No impact would occur.

TABLE 2
SUMMARY OF AB 52 OUTREACH EFFORT

Tribe	Contact/Title	Date Letter Sent	Response
Tubatulabals of Kern Valley	Robert Gomez, Chairperson	12/20/24	No Response
Coastal Band of the Chumash Nation	Gabe Frausto, Chairma	12/20/24	No Response
Chumash Council of Bakersfield	Julio Quair, Chairperson	12/20/24	No Response
Tule River Indian Tribe	Joey Garfield, Tribal Archaeologist	12/20/24	No Response
Tejon Indian Tribe	Candice Garza, CRM Scheduler	12/20/24	The Project site is in an area of low sensitivity
Kern Valley Indian Community	Robert Robinson, Chairperson	12/20/24	No Response
Santa Ynez Band of Chumash Indians	Wendy Teeter, Cultural Resources Archaeologist	12/20/24	No Response
Kitanemuk & Yowlumne Tejon Indians	Delia Dominguez, Chairperson	12/20/24	No Response
Santa Ynez Band of Chumash Indians	Nakia Zavalla, Tribal Historic Preservation Officer	12/20/24	No Response

XIX. Utilities and Service Systems

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

Discussion

a) **Less than Significant Impact.** The Project includes the construction and installation of underground pipeline alignments in unincorporated and incorporated areas of Kern County. The Project does not propose aboveground structures or buildings, and thus no wastewater treatment, natural gas, electrical, or telecommunication facilities are proposed as part of the Project, nor would the Project require the construction or expansion of identified facilities. The Project includes construction of new water pipeline alignments for the transfer of water to Shalane Tank and Well 21. The Project construction would not result in significant environmental effects with respect to the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects. There would be no operation impacts as the Project would not require routine maintenance of underground pipelines. Therefore, Project impacts would be less than significant.

b) **No Impact.** The Project would not result in changes to the existing water supply as no permanent occupiable buildings or structures are proposed as part of the Project. The Project would not increase demand on water supply, rather it would transfer water from the Morning Drive Reservoir to Well 21, in efforts to reduce nitrate levels in water before consumer distribution. Thus, the Project would not affect existing water supplies and disruptions in the area. Therefore, Project impacts related to water supply would not occur.

c) **No Impact.** The Project does not propose permanently occupiable buildings or structures that would require wastewater services. Thus, the Project would not increase demand for existing wastewater treatment facilities, nor would it affect existing wastewater capacity services. Therefore, Project impacts related to wastewater treatment provider services and capacity would not occur.

d) **Less than Significant Impact.** Upon Project buildout, the Project operation would not generate solid waste. Construction activities would result in the generation of solid waste materials and would be hauled off-site to an approved facility. The nearest landfill to the Project area is Bena Landfill, addressed 2951 Neumarkel Road, approximately 7.8 miles east of the Project area. Bena Landfill accepts construction and demolition waste pursuant to the acceptance and handling criteria outlined by Kern County Public Works (Kern County Public Works 2022). Therefore, Project impacts related to solid waste generation would be less than significant.

e) **Less than Significant Impact.** As discussed above, the Project would not generate solid waste during operation. During construction, any solid waste generated would be taken to Bena Landfill in accordance with the appropriate acceptance and handling criteria (Kern County Public Works 2024). Therefore, Project impacts related to a conflict with federal, State, and local management, statutes, and regulations would be less than significant.

References

Kern County Public Works, 2024. Acceptance and Handling Criteria. Available online; https://www.kernpublicworks.com/services/solid-waste/acceptance-and-handling-criteria. Accessed June 12, 2024.

XX. Wildfire

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
XX. WILDFIRE — If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

Discussion

a-d) **No Impact.** The Project consists of the construction and installation of underground pipeline alignments within unincorporated and incorporated areas of Kern County. The Project does not propose construction of occupiable buildings or structures. The proposed pipeline alignments would be constructed and installed entirely within the Project area and served by the Bakersfield Fire Department (BFD) and Kern County Fire Services (KCFS). Additionally, the Project area is not located in a State Responsibility Area (SRA) or a Very High Fire Hazard Severity Zone (VHFHSZ) (CAL FIRE 2023, 2024). Since the proposed pipeline alignments would be constructed and installed entirely within the public right-of-way, the Project would require traffic controls during construction activities. However, the road would remain accessible to the public and emergency response vehicles during the duration of the construction period. Since the Project would not construct occupiable structures, is not located within a VHFHSZ, and is Outside a State Responsibility Area, Project impacts would be less than significant.

References

California Department of Forestry and Fire Protection (CAL FIRE), 2023. Kern County State Responsibility Area Fire Hazard Severity Zones. September 29, 2023. Available online; https://34c031f8-c9fd-4018-8c5a-4159cdff6b0d-cdn-endpoint.azureedge.net/-/media/osfm-website/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones/fire-hazard-severity-zones-map-2022/fire-hazard-severity-zones-maps-2022-files/fhsz_county_sra_11x17_2022_kern_3.pdf?rev=6a1762dc936a43e3b6cd8a89691aad56&hash=87FB25D33BA10F1DE36F26C5B998B421. Accessed June 7, 2024.

CAL FIRE, 2024. Fire Hazard Severity Zones in State Responsibility Area. Available online; https://calfire-forestry.maps.arcgis.com/apps/webappviewer/index.html?id=988d431a42b242b29d89597ab693d008. Accessed June 7, 2024.

XXI. Mandatory Findings of Significance

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
XXI. MANDATORY FINDINGS OF SIGNIFICANCE —				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☒	☐	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Discussion

a) **Less than Significant with Mitigation** The construction of the proposed Project does not have the potential to affect state and federally special–status species; however, it does have the potential to affect nesting and foraging activities for common avian species protected under the Migratory Bird Treaty Act. However, implementation of Mitigation Measures BIO-1 would ensure that impacts to biological resources are mitigated to a less than significant level.

As a result of the Cultural Resources Assessment, A total of 16 cultural resources have been recorded within the 1-mile radius and include one multicomponent resource; five are prehistoric isolates; and 10 are built environment resources. Three resources cross portions of the Project area. Two other resources consisting of transmission lines also cross portions of the Project area, but overhead.

The evaluation of potential impacts to historical resources under the proposed Project found the integrity of all historic resources which are within the proposed Project area would not be affected by the Project; therefore, the proposed Project would have no direct impacts to historical resources on the Project site. Furthermore, the integrity of all historic resources in the vicinity of the proposed Project would not be affected, and cumulative impacts would be less than significant.

In addition, no archaeological resources were identified as being present within the Project Site. Additionally, the archaeological sensitivity assessment indicates that the Project Site has a low potential for encountering buried archaeological resources. However, since the Project includes ground disturbance up to 10 feet in depth, there remains the possibility that unknown archaeological resources potentially qualifying as historical resources as defined in §15064.5

could be encountered. Therefore, Mitigation Measures CUL-1 through CUL-3 shall be implemented in order to reduce potential impacts to unknown archaeological resources qualifying as historical resources to a less than significant level.

Further, excavation for the Project may impact paleontological resources at depth if excavation exceed the thickness of the Kern River Formation. Excavation during construction has the potential to impact unknown resources. However, implementation of Mitigation Measures GEO-1 through GEO-4 would reduce any potential impacts to paleontological resources to less than significant.

Mitigation Measures:

Implement Mitigation Measures BIO-1, CUL-1 through CUL-3 and GEO-1 through GEO-4

b) **Less than Significant with Mitigation**. A cumulative impact could occur if the proposed Project would result in an incrementally considerable contribution to a significant cumulative impact in consideration of past, present, and reasonably foreseeable future projects for each resource area. No direct significant impacts were identified for the proposed Project that could not be mitigated to a less than significant level. However, when combined with other projects within the vicinity, the proposed Project may contribute to a cumulative impact. However, the Project's contribution would not be cumulatively considerable since the construction efforts would be short term, and the proposed Project would be compatible with surrounding land uses and would not add significant traffic, air emissions, or noise to the area.

The proposed Project would involve the construction of new conveyance pipeline. The Project is located in the central portion of Kern County, in unincorporated and incorporated areas of the eastern portion of the City of Bakersfield. There are no projects currently planned to be constructed concurrently with the Project in the immediate vicinity; however, any project that would be constructed concurrently with the pipeline would be required to mitigate any potential impacts. As a result, implementation of mitigation measures during construction of future concurrent projects are expected to reduce impacts to non-significant levels and therefore, would not be cumulatively considerable.

Mitigation Measures:

Implement Mitigation Measures BIO-1, CUL-1 through CUL-3, GEO-1 through GEO-4, NOI-1 and TRAF-1

c) **Less than Significant with Mitigation**. Based on the analysis of the Project's impacts in the Responses I thru XXI, there is no indication that this Project could result in substantial adverse effects on human beings. While there would be a variety of effects during construction related to biological resources, cultural and paleontological resources, these impacts would be less than significant based on compliance with applicable regulatory requirements and mitigation measures, where applicable. The Project would not have any long-term impacts. With implementation of mitigation measures included in this IS/MND, the proposed Project would not result in substantial adverse effects to humans, either directly or indirectly.

Mitigation Measures:

Implement Mitigation Measures BIO-1, CUL-1 through CUL-3, GEO-1 through GEO-4, NOI-1 and TRAF-1

Appendix A

Biological Resources Support Documentation

A1 Representative Photographs

Photo 1 (S). Photograph depicts northern area of project site, west of Monica Street and Shalane Ave., facing south.

Photo 2 (W). Photograph depicts non-native grassland west of Monica Street, facing west.

Photo 3 (SE). Photograph depicts flood control basin east of Monica Street, facing southeast.

Photo 4 (N). Photograph depcits south end of Monica Street at the dead end, facing north.

Photo 5 (S). Photograph depicts south end of Monica Street at the dead end, facing south.

Photo 6 (NE). Photograph depicts flood control basin, facing northeast.

Photo 7 (SE). Photograph depicts private grassland next to the flood control basin off Monica Street, facing southeast.

Photo 8 (N). Photograph depicts non-native, disturbed grassland north of Brundage Lane, facing north.

Photo 9 (NE). Photograph depicts oil field south of Kernita Road, facing northeast.

Photo 10 (NE). Photograph depicts vineyards at Kernita Rd and Vineyard Rd., facing northeast.

Photo 11 (S). Photograph depicts Cattle pasture south of Redbank Rd near the southern end of the project site, facing south.

A2 Literature Review

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Lamont (3511838) OR Arvin (3511827) OR Oildale (3511941) OR Oil Center (3511848) OR Weed Patch (3511828) OR Conner (3511921) OR Edison (3511837) OR Gosford (3511931) OR Rio Bravo Ranch (3511847))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Agelaius tricolor tricolored blackbird	ABPBXB0020	None	Threatened	G1G2	S2	SSC
Ammospermophilus nelsoni Nelson's (=San Joaquin) antelope squirrel	AMAFB04040	None	Threatened	G2G3	S3	
Andrena macswaini An andrenid bee	IIHYM35130	None	None	G2	S2	
Anniella grinnelli Bakersfield legless lizard	ARACC01050	None	None	G2G3	S2S3	SSC
Anniella spp. California legless lizard	ARACC01070	None	None	G3G4	S3S4	SSC
Antrozous pallidus pallid bat	AMACC10010	None	None	G4	S3	SSC
Ardea alba great egret	ABNGA04040	None	None	G5	S4	
Arizona elegans occidentalis California glossy snake	ARADB01017	None	None	G5T2	S2	SSC
Asio otus long-eared owl	ABNSB13010	None	None	G5	S3?	SSC
Astragalus hornii var. hornii Horn's milk-vetch	PDFAB0F421	None	None	GUT1	S1	1B.1
Athene cunicularia burrowing owl	ABNSB10010	None	None	G4	S2	SSC
Atriplex cordulata var. cordulata heartscale	PDCHE040B0	None	None	G3T2	S2	1B.2
Atriplex coronata var. vallicola Lost Hills crownscale	PDCHE04371	None	None	G4T3	S3	1B.2
Atriplex tularensis Bakersfield smallscale	PDCHE04240	None	Endangered	GX	SX	1A
Batrachoseps relictus relictual slender salamander	AAAAD02070	Proposed Endangered	None	G1	S1	SSC
Bombus crotchii Crotch's bumble bee	IIHYM24480	None	Candidate Endangered	G2	S2	
Buteo swainsoni Swainson's hawk	ABNKC19070	None	Threatened	G5	S4	
Calochortus palmeri var. palmeri Palmer's mariposa-lily	PMLIL0D122	None	None	G3T2	S2	1B.2
Calochortus striatus alkali mariposa-lily	PMLIL0D190	None	None	G3	S2S3	1B.2

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Caulanthus californicus California jewelflower	PDBRA31010	Endangered	Endangered	G1	S1	1B.1
Chloropyron molle ssp. hispidum hispid salty bird's-beak	PDSCR0J0D1	None	None	G2T1	S1	1B.1
Clarkia tembloriensis ssp. calientensis Vasek's clarkia	PDONA05141	None	None	G3T1	S1	1B.1
Danaus plexippus plexippus pop. 1 monarch - California overwintering population	IILEPP2012	Candidate	None	G4T1T2Q	S2	
Delphinium purpusii rose-flowered larkspur	PDRAN0B1G0	None	None	G3	S3	1B.3
Delphinium recurvatum recurved larkspur	PDRAN0B1J0	None	None	G2?	S2	1B.2
Desmocerus californicus dimorphus valley elderberry longhorn beetle	IICOL48011	Threatened	None	G3T3	S3	
Diplacus pictus calico monkeyflower	PDSCR1B240	None	None	G2	S2	1B.2
Dipodomys nitratoides nitratoides Tipton kangaroo rat	AMAFD03152	Endangered	Endangered	G3T1T2	S2	
Egretta thula snowy egret	ABNGA06030	None	None	G5	S4	
Emys marmorata western pond turtle	ARAAD02030	Proposed Threatened	None	G3G4	S3	SSC
Eremalche parryi ssp. kernensis Kern mallow	PDMAL0C031	Endangered	None	G3G4T3	S3	1B.2
Eriastrum hooveri Hoover's eriastrum	PDPLM03070	Delisted	None	G3	S3	4.2
Eriastrum tracyi Tracy's eriastrum	PDPLM030C0	None	Rare	G3Q	S3	3.2
Eschscholzia lemmonii ssp. kernensis Tejon poppy	PDPAP0A071	None	None	G5T2	S2	1B.1
Eumops perotis californicus western mastiff bat	AMACD02011	None	None	G4G5T4	S3S4	SSC
Fritillaria striata striped adobe-lily	PMLIL0V0K0	None	Threatened	G1	S1	1B.1
Gambelia sila blunt-nosed leopard lizard	ARACF07010	Endangered	Endangered	G1	S2	FP
Gonidea angulata western ridged mussel	IMBIV19010	None	None	G3	S2	
Great Valley Cottonwood Riparian Forest Great Valley Cottonwood Riparian Forest	CTT61410CA	None	None	G2	S2.1	
Helminthoglypta callistoderma Kern shoulderband	IMGASC2080	None	None	G1	S1	

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Heterotheca shevockii Shevock's golden-aster	PDAST4V0T0	None	None	G2	S2	1B.3
Imperata brevifolia California satintail	PMPOA3D020	None	None	G3	S3	2B.1
Lasiurus cinereus hoary bat	AMACC05032	None	None	G3G4	S4	
Layia leucopappa Comanche Point layia	PDAST5N0A0	None	None	G1	S1	1B.1
Layia munzii Munz's tidy-tips	PDAST5N0B0	None	None	G2	S2	1B.2
Lytta moesta moestan blister beetle	IICOL4C020	None	None	G2	S2	
Lytta morrisoni Morrison's blister beetle	IICOL4C040	None	None	G1G2	S2	
Monardella linoides ssp. anemonoides southern Sierra monardella	PDLAM180D7	None	None	G5T2	S2	1B.3
Monolopia congdonii San Joaquin woollythreads	PDASTA8010	Endangered	None	G2	S2	1B.2
Navarretia setiloba Piute Mountains navarretia	PDPLM0C0S0	None	None	G2	S2	1B.1
Onychomys torridus tularensis Tulare grasshopper mouse	AMAFF06021	None	None	G5T1T2	S1S2	SSC
Opuntia basilaris var. treleasei Bakersfield cactus	PDCAC0D055	Endangered	Endangered	G5T1	S1	1B.1
Perognathus inornatus San Joaquin pocket mouse	AMAFD01060	None	None	G2G3	S2S3	
Pseudobahia peirsonii San Joaquin adobe sunburst	PDAST7P030	Threatened	Endangered	G1	S1	1B.1
Puccinellia simplex California alkali grass	PMPOA53110	None	None	G2	S2	1B.2
Rhaphiomidas trochilus San Joaquin Valley giant flower-loving fly	IIDIP05010	None	None	G1	S1	
Spea hammondii western spadefoot	AAABF02020	Proposed Threatened	None	G2G3	S3S4	SSC
Stabilized Interior Dunes Stabilized Interior Dunes	CTT23100CA	None	None	G1	S1.1	
Stylocline citroleum oil neststraw	PDAST8Y070	None	None	G3	S3	1B.1
Taxidea taxus American badger	AMAJF04010	None	None	G5	S3	SSC
Tortula californica California screw moss	NBMUS7L090	None	None	G2G3	S2?	1B.2

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Valley Saltbush Scrub	CTT36220CA	None	None	G2	S2.1	
Valley Saltbush Scrub						
Vireo bellii pusillus	ABPBW01114	Endangered	Endangered	G5T2	S3	
least Bell's vireo						
Vulpes macrotis mutica	AMAJA03041	Endangered	Threatened	G4T2	S3	
San Joaquin kit fox						
Xantusia vigilis sierrae	ARACK01032	None	None	G5T1	S1	SSC
Sierra night lizard						

Record Count: 65

CALIFORNIA NATIVE PLANT SOCIETY

CNPS Rare Plant Inventory

Search Results

38 matches found. Click on scientific name for details

Search Criteria: 9-Quad include [3511847:3511837:3511838:3511931:3511848:3511941:3511827:3511828:3511921]

▲ SCIENTIFIC NAME	COMMON NAME	FAMILY	LIFEFORM	BLOOMING PERIOD	FED LIST	STATE LIST	GLOBAL RANK	STATE RANK	CA RARE PLANT RANK	CA ENDEMIC	DATE ADDED	PHOTO
Allium howellii var. *howellii*	Howell's onion	Alliaceae	perennial bulbiferous herb	Mar-Apr	None	None	G3G4T3	S3	4.3	Yes	2017-04-04	 © 2013 Neal Kramer
Astragalus hornii var. *hornii*	Horn's milk-vetch	Fabaceae	annual herb	May-Oct	None	None	GUT1	S1	1B.1		2006-12-01	No Photo Available
Atriplex cordulata var. *cordulata*	heartscale	Chenopodiaceae	annual herb	Apr-Oct	None	None	G3T2	S2	1B.2	Yes	1988-01-01	 © 1994 Robert E. Preston, Ph.D.
Atriplex coronata var. *vallicola*	Lost Hills crownscale	Chenopodiaceae	annual herb	Apr-Sep	None	None	G4T3	S3	1B.2	Yes	1974-01-01	No Photo Available
Atriplex tularensis	Bakersfield smallscale	Chenopodiaceae	annual herb	Jun-Oct	None	CE	GX	SX	1A	Yes	1974-01-01	No Photo Available
Azolla microphylla	Mexican mosquito fern	Azollaceae	annual/perennial herb	Aug	None	None	G5	S4	4.2		1994-01-01	No Photo Available
Calochortus palmeri var. *palmeri*	Palmer's mariposa-lily	Liliaceae	perennial bulbiferous herb	Apr-Jul	None	None	G3T2	S2	1B.2	Yes	1994-01-01	No Photo Available
Calochortus striatus	alkali mariposa-lily	Liliaceae	perennial bulbiferous herb	Apr-Jun	None	None	G3	S2S3	1B.2		1974-01-01	No Photo Available
Caulanthus californicus	California jewelflower	Brassicaceae	annual herb	Feb-May	FE	CE	G1	S1	1B.1	Yes	1984-01-01	No Photo Available

Chloropyron molle ssp. *hispidum*	hispid salty bird's-beak	Orobanchaceae	annual herb (hemiparasitic)	Jun-Sep	None	None	G2T1	S1	1B.1	Yes	1974-01-01	No Photo Available
Clarkia exilis	slender clarkia	Onagraceae	annual herb	Apr-May	None	None	G3	S3	4.3	Yes	1974-01-01	No Photo Available
Clarkia tembloriensis ssp. *calientensis*	Vasek's clarkia	Onagraceae	annual herb	Apr	None	None	G3T1	S1	1B.1	Yes	1980-01-01	No Photo Available
Delphinium purpusii	rose-flowered larkspur	Ranunculaceae	perennial herb	(Mar)Apr-May	None	None	G3	S3	1B.3	Yes	1980-01-01	No Photo Available
Delphinium recurvatum	recurved larkspur	Ranunculaceae	perennial herb	Mar-Jun	None	None	G2?	S2	1B.2	Yes	1988-01-01	No Photo Available
Diplacus pictus	calico monkeyflower	Phrymaceae	annual herb	Mar-May	None	None	G2	S2	1B.2	Yes	1974-01-01	 © 2020 Matt C. Berger
Eremalche parryi ssp. *kernensis*	Kern mallow	Malvaceae	annual herb	Jan(Feb)Mar-May	FE	None	G3G4T3	S3	1B.2	Yes	1974-01-01	No Photo Available
Eriastrum hooveri	Hoover's eriastrum	Polemoniaceae	annual herb	Mar-Jul	FD	None	G3	S3	4.2	Yes	1974-01-01	 © 2011 Chris Winchell
Eriastrum tracyi	Tracy's eriastrum	Polemoniaceae	annual herb	May-Jul	None	CR	G3Q	S3	3.2	Yes	1974-01-01	 © 2012 Neal Kramer
Eriogonum gossypinum	cottony buckwheat	Polygonaceae	annual herb	Mar-Sep	None	None	G3G4	S3S4	4.2	Yes	1974-01-01	No Photo Available
Eriogonum nudum var. *indictum*	protruding buckwheat	Polygonaceae	perennial herb	(Apr)May-Oct(Dec)	None	None	G5T4	S4	4.2	Yes	1994-01-01	No Photo Available
Eschscholzia lemmonii ssp. *kernensis*	Tejon poppy	Papaveraceae	annual herb	(Feb)Mar-May	None	None	G5T2	S2	1B.1	Yes	1994-01-01	No Photo Available
Fritillaria striata	striped adobe-lily	Liliaceae	perennial bulbiferous herb	Feb-Apr	None	CT	G1	S1	1B.1	Yes	1974-01-01	 © 2013 Aaron Schusteff

Heterotheca shevockii	Shevock's golden-aster	Asteraceae	perennial herb	Aug-Nov	None	None	G2	S2	1B.3	Yes	1994-01-01  © 2017 Chris Winchell
Imperata brevifolia	California satintail	Poaceae	perennial rhizomatous herb	Sep-May	None	None	G3	S3	2B.1		2006-12-26  © 2020 Matt C. Berger
Lasthenia ferrisiae	Ferris' goldfields	Asteraceae	annual herb	Feb-May	None	None	G3	S3	4.2	Yes	2001-01-01  © 2009 Zoya Akulova
Layia leucopappa	Comanche Point layia	Asteraceae	annual herb	Mar-Apr	None	None	G1	S1	1B.1	Yes	1974-01-01  © 2013 Neal Kramer
Layia munzii	Munz's tidy-tips	Asteraceae	annual herb	Mar-Apr	None	None	G2	S2	1B.2	Yes	1988-01-01  © 2017 Neal Kramer
Leptosiphon grandiflorus	large-flowered leptosiphon	Polemoniaceae	annual herb	Apr-Aug	None	None	G3G4	S3S4	4.2	Yes	1994-01-01  © 2003 Doreen L. Smith
Microseris sylvatica	sylvan microseris	Asteraceae	perennial herb	Mar-Jun	None	None	G4	S4	4.2	Yes	2001-01-01 No Photo Available
Monardella linoides ssp. *anemonoides*	southern Sierra monardella	Lamiaceae	perennial herb	Jun-Aug	None	None	G5T2	S2	1B.3	Yes	2021-05-28 No Photo Available
Monolopia congdonii	San Joaquin woollythreads	Asteraceae	annual herb	Feb-May	FE	None	G2	S2	1B.2	Yes	1988-01-01 No Photo Available
Navarretia setiloba	Piute Mountains navarretia	Polemoniaceae	annual herb	Apr-Jul	None	None	G2	S2	1B.1	Yes	1974-01-01 No Photo Available
Opuntia basilaris var. *treleasei*	Bakersfield cactus	Cactaceae	perennial stem	Apr-May	FE	CE	G5T1	S1	1B.1	Yes	1974-01-01 No Photo Available
Pseudobahia peirsonii	San Joaquin adobe sunburst	Asteraceae	annual herb	Feb-Apr	FT	CE	G1	S1	1B.1	Yes	1974-01-01 No Photo Available

Puccinellia simplex	California alkali grass	Poaceae	annual herb	Mar-May	None	None	G2	S2	1B.2		2015-10-15	 © 2017 Chris Winchell
Stylocline citroleum	oil neststraw	Asteraceae	annual herb	Mar-Apr	None	None	G3	S3	1B.1	Yes	1994-01-01	No Photo Available
Tortula californica	California screw moss	Pottiaceae	moss		None	None	G2G3	S2?	1B.2	Yes	2001-01-01	No Photo Available
Trichostema ovatum	San Joaquin bluecurls	Lamiaceae	annual herb	(Apr-Jun)Jul-Oct	None	None	G3	S3	4.2	Yes	1974-01-01	No Photo Available

Showing 1 to 38 of 38 entries

Suggested Citation:
California Native Plant Society, Rare Plant Program. 2024. Rare Plant Inventory (online edition, v9.5). Website https://www.rareplants.cnps.org [accessed 27 June 2024].

IPaC **U.S. Fish & Wildlife Service**

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Kern County, California

Local office

Sacramento Fish And Wildlife Office

(916) 414-6600
(916) 414-6713

Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species[1] and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries[2]).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.

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1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information. IPaC only shows species that are regulated by USFWS (see FAQ).

2. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
Buena Vista Lake Ornate Shrew Sorex ornatus relictus Wherever found There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/1610	Endangered
San Joaquin Kit Fox Vulpes macrotis mutica Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/2873	Endangered
Tipton Kangaroo Rat Dipodomys nitratoides nitratoides Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/7247	Endangered

Birds

NAME	STATUS
California Condor Gymnogyps californianus There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/8193	Endangered

Reptiles

NAME	STATUS
Blunt-nosed Leopard Lizard Gambelia silus Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/625	Endangered

Northwestern Pond Turtle Actinemys marmorata — Proposed Threatened
Wherever found
No critical habitat has been designated for this species.
https://ecos.fws.gov/ecp/species/1111

Amphibians

NAME	STATUS
Western Spadefoot Spea hammondii	Proposed Threatened

Wherever found
No critical habitat has been designated for this species.
https://ecos.fws.gov/ecp/species/5425

Insects

NAME	STATUS
Monarch Butterfly Danaus plexippus	Candidate

Wherever found
No critical habitat has been designated for this species.
https://ecos.fws.gov/ecp/species/9743

Crustaceans

NAME	STATUS
Vernal Pool Fairy Shrimp Branchinecta lynchi	Threatened

Wherever found
There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
https://ecos.fws.gov/ecp/species/498

Flowering Plants

NAME	STATUS
Bakersfield Cactus Opuntia treleasei	Endangered

Wherever found
No critical habitat has been designated for this species.
https://ecos.fws.gov/ecp/species/7799

California Jewelflower Caulanthus californicus — Endangered
Wherever found
No critical habitat has been designated for this species.
https://ecos.fws.gov/ecp/species/4599

San Joaquin Wooly-threads Monolopia (=Lembertia) congdonii — Endangered

Wherever found

No critical habitat has been designated for this species.
https://ecos.fws.gov/ecp/species/3746

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act[1] and the Migratory Bird Treaty Act[2].

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats[3], should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "Supplemental Information on Migratory Birds and Eagles".

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide conservation measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to Bald Eagle Nesting and Sensitivity to Human Activity

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle Haliaeetus leucocephalus This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Jan 1 to Aug 31

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental Information on Migratory Birds and Eagles", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12

(0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

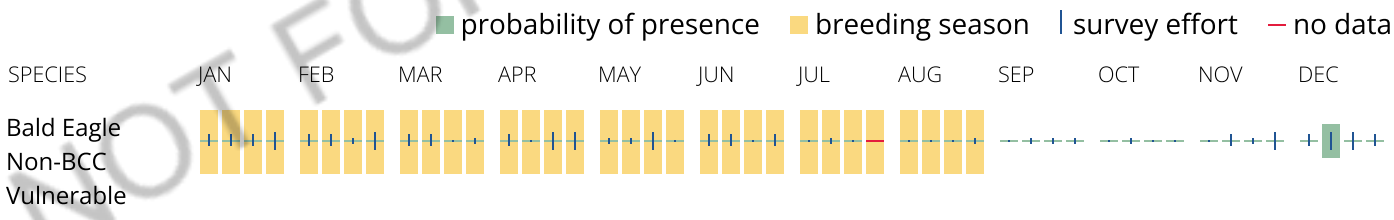
Breeding Season (▪)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply). To see a list of all birds potentially present in your project area, please visit the Rapid Avian Information Locator (RAIL) Tool.

What does IPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?

The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the Rapid Avian Information Locator (RAIL) Tool.

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats[3] should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "Supplemental Information on Migratory Birds and Eagles".

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide conservation measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle Haliaeetus leucocephalus This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Jan 1 to Aug 31
Belding's Savannah Sparrow Passerculus sandwichensis beldingi This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/8	Breeds Apr 1 to Aug 15
Bullock's Oriole Icterus bullockii This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds Mar 21 to Jul 25
California Gull Larus californicus This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 1 to Jul 31
Clark's Grebe Aechmophorus clarkii This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Jun 1 to Aug 31

Lawrence's Goldfinch Spinus lawrencei — Breeds Mar 20 to Sep 20
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9464

Marbled Godwit Limosa fedoa — Breeds elsewhere
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9481

Northern Harrier Circus hudsonius — Breeds Apr 1 to Sep 15
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA
https://ecos.fws.gov/ecp/species/8350

Santa Barbara Song Sparrow Melospiza melodia graminea — Breeds Mar 1 to Sep 5
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA
https://ecos.fws.gov/ecp/species/5513

Tricolored Blackbird Agelaius tricolor — Breeds Mar 15 to Aug 10
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/3910

Western Grebe aechmophorus occidentalis — Breeds Jun 1 to Aug 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/6743

Willet Tringa semipalmata — Breeds elsewhere
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental Information on Migratory Birds and Eagles", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (▪)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

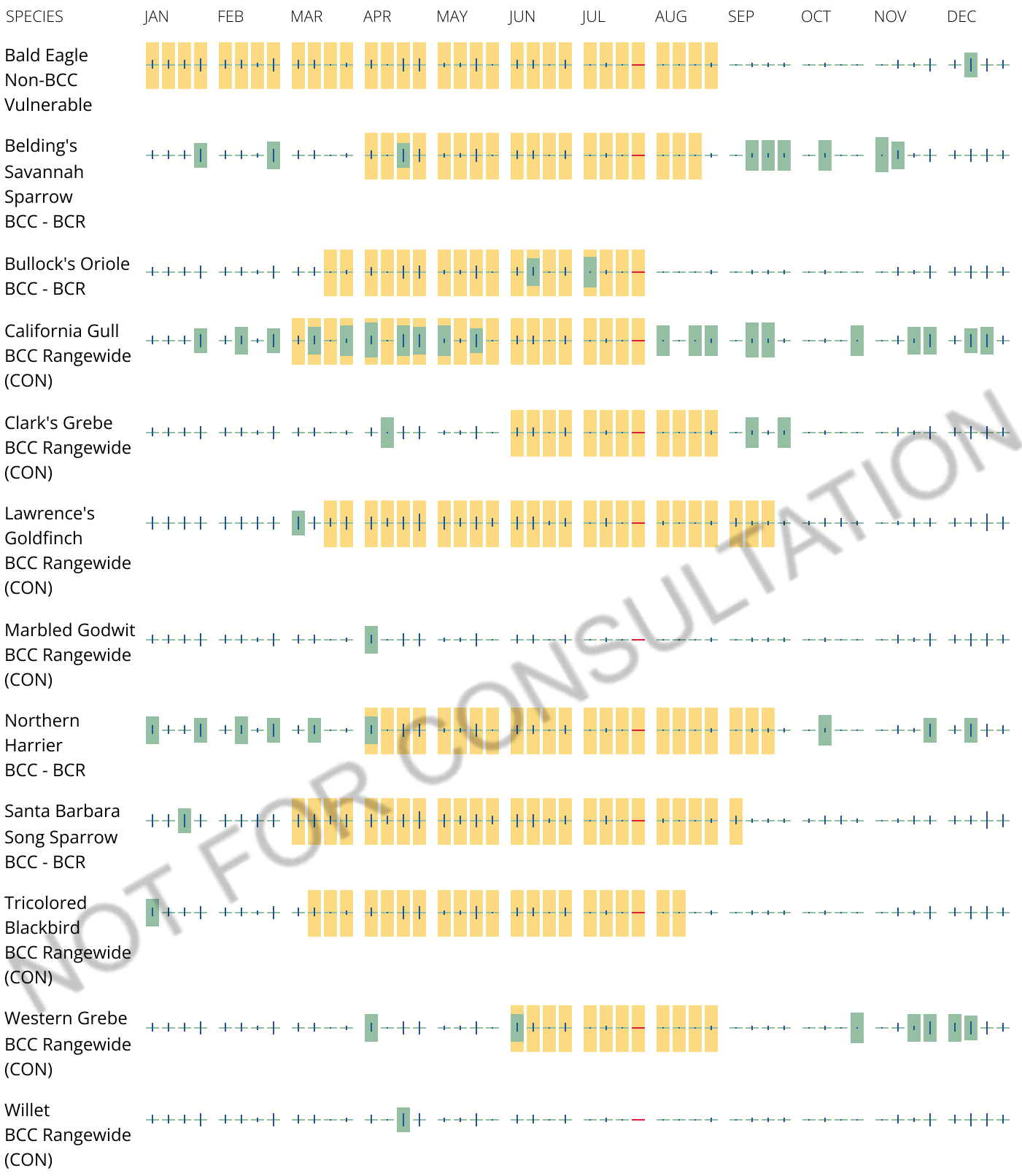
Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

▪ probability of presence ▪ breeding season | survey effort – no data



Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure.

To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the Rapid Avian Information Locator (RAIL) Tool.

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets.

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the RAIL Tool and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Eagle Act requirements (for eagles) or (for non-eagles) potential susceptibilities in

offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the Diving Bird Study and the nanotag studies or contact Caleb Spiegel or Pam Loring.

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

FRESHWATER EMERGENT WETLAND

PEM1Kx

FRESHWATER POND

PUSKx

PUSAx

A full description for each wetland code can be found at the National Wetlands Inventory website

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

A3-1 Special-Status Plants Potential to Occur

SPECIAL-STATUS PLANTS POTENTIAL TO OCCUR

Scientific Name	Common Name	Flowering Period	CNPS	State	Federal	Preferred Habitat	Potential to Occur
Angiosperms (Dicotyledons)							
Caulanthus californicus	California jewelflower	Feb–May	1B.1	SE	FE	Previously undisturbed sandy soils in chenopod scrub, Pinyon and juniper woodland, Valley and foothill grassland. Elevation Range: 200–3,280 feet.	**Low**. Undisturbed sandy soil habitat is not present within the study area, but the species has been found within the study area historically.
Opuntia basilaris var. *treleasei*	Bakersfield cactus	Apr-May	1B.1	SE	FE	Shadscale scrub and valley grassland. Elevation range: 390-480 feet.	**Low.** The species lacks suitable shadscale scrub and valley grassland habitat but has been known to occur within 1 mile of the project site.

SOURCE: CDFW. 2024a. RareFind 5. California Natural Diversity Database. Database was queried for special status species records in the Lamont USGS 7.5-minute quadrangle and eight surrounding quadrangles including Oildale, Oil Center, Rio Bravo Ranch, Gosford, Edison, Conner, Weed Patch, and Arvin.

KEY TO SPECIES LISTING STATUS CODES

FE Federally Endangered
FT Federally Threatened
FC Federal Candidate
FPE Federally Proposed as Endangered
FPT Federally Proposed as Threatened
FPD Federally Proposed for Delisting
FD Federally Delisted
SE State Listed as Endangered
ST State Listed as Threatened
SCE State Candidate for Endangered
SCT State Candidate for Threatened
SFP State Fully Protected

California Native Plant Society (CNPS)
Rank 1A: Presumed extirpated in California and either Rare or Extinct elsewhere.
Rank 1B: Rare, threatened, or endangered throughout their range.
Rank 2A: Presumed extirpated in California, but more common elsewhere.
Rank 2B: Rare, threatened, or endangered in California, but more common in other states.
Rank 3: Plant species for which additional information is needed before rarity can be determined.
Rank 4: Species of limited distribution in California (i.e., naturally rare in the wild), but whose existence does not appear to be susceptible to threat.

CR State Listed as Rare

New Threat Code extensions and their meanings:
1 Seriously endangered in California (over 80% of occurrences threatened / high degree and immediacy of threat)
2 Fairly endangered in California (20-80% occurrences threatened
3 Not very endangered in California (<20% of occurrences threatened or no current threats known)

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A3-2 Special-Status Wildlife Potential to Occur

SPECIAL-STATUS WILDLIFE POTENTIAL TO OCCUR

Common Name Scientific Name	Sensitivity Status	Preferred Habitat/Known Elevational Range	Presence/Potential to Occur within Biological Study Area
Insects			
Crotch's bumble bee *Bombus crotchii*	---/SCE	Open grassland and scrub habitats that support potential nectar sources such as plants within the Fabaceae, Apocynaceae, Asteraceae, Lamiaceae, and Boraginaceae families.	**Low.** The disturbed and non-native grass and forb vegetation present within the study area provides little opportunity for this species forage and/or build nests. Additionally, this species has not been documented within 5 miles of the study area.
Reptiles			
Bakersfield legless lizard *Anniella grinnellii*	--/SSC	Warm, moist and friable soils in sparsely vegetated areas (e.g. scrub) for burrowing.	**Low.** Suitable scrub habitat does not exist within the study area and this species is known to occur within 5 miles of the study area.
blunt-nosed leopard lizard *Gambelia sila*	FE/SE, FP, SSC	Scattered in undeveloped lands of the San Joaquin Valley and Coast Range foothills. This species prefers to inhabit open, sparsely vegetated areas of low relief on the San Joaquin Valley floor. The most important aspect of any potential habitat is sparse vegetation. Found in association with other burrowing animals. Known to occur in valley and foothill grassland, chenopod scrub, iodine bush grassland and flats.	**Low**. The study area is situated within and surrounded by residential development, apart from, fragmented patches of disturbed grass and forb vegetation and/or various forms of commercial agriculture isolated from contiguous habitat. The species was observed in 2006 within non-native grassland within 1 mile of the study area; however, this observation was made within contiguous habitat, not available within the study area.
Birds			
burrowing owl *Athene cunicularia*	BCC/SSC	Inhabits coastal prairie, coastal scrub, Great Basin scrub, Mojavean desert scrub, Sonoran desert scrub, annual and perennial grasslands, bare ground, and disturbed habitats characterized by low-growing vegetation. A subterranean nester dependent upon burrowing mammals, particularly the California ground squirrel.	**Low.** The study area is situated within and surrounded by residential development, apart from small, fragmented patches of disturbed grass and forb vegetation and/or various forms of commercial agriculture isolated from contiguous habitat. Small fossorial mammal burrows of the appropriate size were observed at one location in the study area, but this area was inspected and no sign of usage by burrowing owls, such as pellets, feathers, or white wash, was detected.
Mammals			
American badger *Taxidea taxus*	--/SSC	Found in a variety of habitats, including alkali marsh, desert wash, Great Basin scrub, marsh and swamp, meadow and seep, Mojavean desert scrub, riparian scrub, riparian woodland, valley and foothill grassland. Most abundant in drier open stages of moist shrub, forest, and herbaceous habitats, with friable soils. Needs sufficient food, friable soils, and open, uncultivated ground to dig burrows. Preys on burrowing rodents.	**Low.** The study area is situated within and surrounded by residential development, apart from small, fragmented patches of disturbed grass and forb vegetation and/or various forms of commercial agriculture isolated from contiguous habitat. Small fossorial mammal burrows were observed at one location in the study area, but they did not exhibit the appropriate morphology to support badger. No burrows were observed elsewhere within the study area.
San Joaquin kit fox *Vulpes macrotis mutica*	FE/ST	San Joaquin kit foxes occur in several San Joaquin Valley native plant communities. In the southernmost portion of the range, these communities include valley sink scrub, valley saltbush scrub, upper Sonoran subshrub scrub, and annual grassland.	**Low.** The study area is situated within and surrounded by residential development, apart from small, fragmented patches of disturbed grass and forb vegetation and/or various forms of commercial agriculture isolated from contiguous habitat. Small fossorial mammal burrows were observed at one location in the study area, but they did not exhibit the appropriate morphology to support kit fox. No burrows were observed elsewhere within the study area.

Common Name Scientific Name	Sensitivity Status	Preferred Habitat/Known Elevational Range	Presence/Potential to Occur within Biological Study Area

SOURCE: California Department of Fish and Wildlife. RareFind 5. California Natural Diversity Database. Database was queried for special status species records in the Lamont USGS 7.5-minute quadrangle and eight surrounding quadrangles including Oildale, Oil Center, Rio Bravo Ranch, Gosford, Edison, Conner, Weed Patch, and Arvin.

KEY:
Federal Listings
FE = Listed as endangered under the FESA
FT = Listed as threatened under the FESA
FCE = Candidate for endangered listing under the FESA
BCC = Birds of Conservation Concern (USFWS)
State Listings
SE = Listed as endangered under the CESA
ST= Listed as threatened under the CESA
SCE = Candidate for endangered listing under the CESASSC = Species of Special Concern (CDFW)
WL = Watch List (CDFW)
FP = Fully Protected (CDFW)
CNDDB Element Rankings
S1 = Less than 6 element occurrences (EOs) or 1,000 individuals or less than 2,000 acres (S1.1 very threatened, S1.2 threatened, S1.3 no current threats known)
S2 = 6-20 EOs or 1,000-3,000 individuals or 2,000-10,000 acres (S2.1 very threatened, S2.2 threatened, S2.3 no current threats known)
S3 = 21-100 EOs or 3,000-10,000 individuals or 10,000-50,000 acres (S3.1 very threatened, S3.2 threatened, S3.3 no current threats known)
S4 = Apparently secure; this rank is clearly lower than S3 but factors exist to cause some concerns; i.e., there is some threat, or somewhat narrow habitat.
? = indicates some uncertainty.
SA = CDFW Special Animal

Appendix B
AB 52 Consultation Letters

East Niles Community Services District

1417 Vale Street, Bakersfield, CA 93306
P.O. Box 6038, Bakersfield, CA 93386
Phone: (661) 871-2011
Fax: (661) 871-2356

December 20, 2024

Julio Quair, Chairperson
Chumash Council of Bakersfield
729 Texas Street
Bakersfield, CA, 93307
chumashtribe@sbcglobal.net

Subject: **East Niles Community Service District Nitrate Pipeline and Shalane Tank Alignment Project, Kern County, California, Tribal Cultural Resources under the California Environmental Quality Act, AB 52 Formal Notification of Decision to Undertake a Project and Notification of Consultation Opportunity Pursuant to Public Resources Code Section 21080.3.1**

Dear Chairperson Julio Quair,

As the Lead Agency under the California Environmental Quality Act Review (CEQA), the East Niles Community Services District (ENCSD) has decided to undertake the proposed East Niles Community Service District Nitrate Pipeline and Shalane Tank Alignment Project (Project). Please find below a description of the proposed Project and the name of our Project point of contact, pursuant to Public Resources Code 21080.3.1 (d). Figures showing the proposed Project vicinity and location (Figures 1) and Area of Potential Effect (Figure 2) are attached.

Project Description

The ENCSD was formed in 1954 to provide water treatment and distribution to unincorporated areas of Kern County and portions of the City of Bakersfield. The District currently operates a water system that uses surface and groundwater to provide potable water for approximately 32,500 people. The water from Well 21 has occasionally exceeded the nitrate MCL of 10 milligrams per liter (mg/L). The District seeks to blend water from Well 21 with water from its Morning Drive tank to reduce the overall nitrate concentration below the regulated MCL. The project proposes to install a 12-inch underground pipeline between its Morning Drive tank site and its Well 21 site to facilitate blending. The project will also install segments of the Shalane Tank pipeline for future connection between the District's Morning Drive tank and future Shalane tank.

A search of the Native American Heritage Commission (NAHC) Sacred Land Files (SLF) was completed in October of 2023, and the results were negative for the project area. However, the absence of specific site information does not indicate the absence of tribal cultural resources in the project area. The District is contacting you to determine if the Chumash Council of Bakersfield has any knowledge of tribal cultural resources in the project area or wishes a request a consultation with ENCSD regarding this project.

Project Contact Information and to Request Consultation

Pursuant to California Public Resources Code Section 21080.3, you have 30 days from the receipt of this letter to request, in writing, a consultation with ENCSD. Should the Chumash Council of Bakersfield ask for a consultation, ENCSD will begin the process within 30 days of receiving your request.

To request consultation under AB 52 for the proposed Project, please submit your letter to:

Timothy P. Ruiz, PE
General Manager
East Niles Community Services District
P.O. Box 6038
Bakersfield, CA 93386
truiz@eastnilescsd.org

We understand that consultation is a private and ongoing process; we would appreciate any input the Chumash Council of Bakersfield may have on the proposed Project.

Very Respectfully,

Timothy P. Ruiz, PE
General Manager
East Niles Community Services District

Attachment: Figures 1 – 2

East Niles Community Services District

1417 Vale Street, Bakersfield, CA 93306
P.O. Box 6038, Bakersfield, CA 93386
Phone: (661) 871-2011
Fax: (661) 871-2356

December 20, 2024

Gabe Frausto, Chairman
Coastal Band of the Chumash Nation
P.O. Box 40653
Santa Barbara, CA, 93140
fraustogabriel28@gmail.com

Subject: **East Niles Community Service District Nitrate Pipeline and Shalane Tank Alignment Project, Kern County, California, Tribal Cultural Resources under the California Environmental Quality Act, AB 52 Formal Notification of Decision to Undertake a Project and Notification of Consultation Opportunity Pursuant to Public Resources Code Section 21080.3.1**

Dear Chairman Gabe Frausto,

As the Lead Agency under the California Environmental Quality Act Review (CEQA), the East Niles Community Services District (ENCSD) has decided to undertake the proposed East Niles Community Service District Nitrate Pipeline and Shalane Tank Alignment Project (Project). Please find below a description of the proposed Project and the name of our Project point of contact, pursuant to Public Resources Code 21080.3.1 (d). Figures showing the proposed Project vicinity and location (Figures 1) and Area of Potential Effect (Figure 2) are attached.

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A search of the Native American Heritage Commission (NAHC) Sacred Land Files (SLF) was completed in October of 2023, and the results were negative for the project area. However, the absence of specific site information does not indicate the absence of tribal cultural resources in the project area. The District is contacting you to determine if the Coastal Band of the Chumash Nation has any knowledge of tribal cultural resources in the project area or wishes a request a consultation with ENCSD regarding this project.

Project Contact Information and to Request Consultation

Pursuant to California Public Resources Code Section 21080.3, you have 30 days from the receipt of this letter to request, in writing, a consultation with ENCSD. Should the Coastal Band of the Chumash Nation ask for a consultation, ENCSD will begin the process within 30 days of receiving your request.

To request consultation under AB 52 for the proposed Project, please submit your letter to:

Timothy P. Ruiz, PE
General Manager
East Niles Community Services District
P.O. Box 6038
Bakersfield, CA 93386
truiz@eastnilescsd.org

We understand that consultation is a private and ongoing process; we would appreciate any input the Coastal Band of the Chumash Nation may have on the proposed Project.

Very Respectfully,

Timothy P. Ruiz, PE
General Manager
East Niles Community Services District

Attachment: Figures 1 – 2

East Niles Community Services District

1417 Vale Street, Bakersfield, CA 93306
P.O. Box 6038, Bakersfield, CA 93386
Phone: (661) 871-2011
Fax: (661) 871-2356

December 20, 2024

Robert Robinson, Chairperson
Kern Valley Indian Community
P.O. Box 1010
Lake Isabella, CA, 93240
bbutterbredt@gmail.com

Subject: **East Niles Community Service District Nitrate Pipeline and Shalane Tank Alignment Project, Kern County, California, Tribal Cultural Resources under the California Environmental Quality Act, AB 52 Formal Notification of Decision to Undertake a Project and Notification of Consultation Opportunity Pursuant to Public Resources Code Section 21080.3.1**

Dear Chairperson Robert Robinson,

As the Lead Agency under the California Environmental Quality Act Review (CEQA), the East Niles Community Services District (ENCSD) has decided to undertake the proposed East Niles Community Service District Nitrate Pipeline and Shalane Tank Alignment Project (Project). Please find below a description of the proposed Project and the name of our Project point of contact, pursuant to Public Resources Code 21080.3.1 (d). Figures showing the proposed Project vicinity and location (Figures 1) and Area of Potential Effect (Figure 2) are attached.

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A search of the Native American Heritage Commission (NAHC) Sacred Land Files (SLF) was completed in October of 2023, and the results were negative for the project area. However, the absence of specific site information does not indicate the absence of tribal cultural resources in the project area. The District is contacting you to determine if the Kern Valley Indian Community has any knowledge of tribal cultural resources in the project area or wishes a request a consultation with ENCSD regarding this project.

Project Contact Information and to Request Consultation

Pursuant to California Public Resources Code Section 21080.3, you have 30 days from the receipt of this letter to request, in writing, a consultation with ENCSD. Should the Kern Valley Indian Community ask for a consultation, ENCSD will begin the process within 30 days of receiving your request.

To request consultation under AB 52 for the proposed Project, please submit your letter to:

Timothy P. Ruiz, PE
General Manager
East Niles Community Services District
P.O. Box 6038
Bakersfield, CA 93386
truiz@eastnilescsd.org

We understand that consultation is a private and ongoing process; we would appreciate any input the Kern Valley Indian Community may have on the proposed Project.

Very Respectfully,

Timothy P. Ruiz, PE
General Manager
East Niles Community Services District

Attachment: Figures 1 – 2

East Niles Community Services District

1417 Vale Street, Bakersfield, CA 93306
P.O. Box 6038, Bakersfield, CA 93386
Phone: (661) 871-2011
Fax: (661) 871-2356

December 20, 2024

Delia Dominguez, Chairperson
Kitanemuk & Yowlumne Tejon Indians
115 Radio Street
Bakersfield, CA, 93305
fraustogabriel28@gmail.com

Subject: **East Niles Community Service District Nitrate Pipeline and Shalane Tank Alignment Project, Kern County, California, Tribal Cultural Resources under the California Environmental Quality Act, AB 52 Formal Notification of Decision to Undertake a Project and Notification of Consultation Opportunity Pursuant to Public Resources Code Section 21080.3.1**

Dear Chairman Delia Dominguez,

As the Lead Agency under the California Environmental Quality Act Review (CEQA), the East Niles Community Services District (ENCSD) has decided to undertake the proposed East Niles Community Service District Nitrate Pipeline and Shalane Tank Alignment Project (Project). Please find below a description of the proposed Project and the name of our Project point of contact, pursuant to Public Resources Code 21080.3.1 (d). Figures showing the proposed Project vicinity and location (Figures 1) and Area of Potential Effect (Figure 2) are attached.

Project Description

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A search of the Native American Heritage Commission (NAHC) Sacred Land Files (SLF) was completed in October of 2023, and the results were negative for the project area. However, the absence of specific site information does not indicate the absence of tribal cultural resources in the project area. The District is contacting you to determine if the Kitanemuk & Yowlumne Tejon Indians has any knowledge of tribal cultural resources in the project area or wishes a request a consultation with ENCSD regarding this project.

Project Contact Information and to Request Consultation

Pursuant to California Public Resources Code Section 21080.3, you have 30 days from the receipt of this letter to request, in writing, a consultation with ENCSD. Should the Kitanemuk & Yowlumne Tejon Indians ask for a consultation, ENCSD will begin the process within 30 days of receiving your request.

To request consultation under AB 52 for the proposed Project, please submit your letter to:

Timothy P. Ruiz, PE
General Manager
East Niles Community Services District
P.O. Box 6038
Bakersfield, CA 93386
truiz@eastnilescsd.org

We understand that consultation is a private and ongoing process; we would appreciate any input the Kitanemuk & Yowlumne Tejon Indians may have on the proposed Project.

Very Respectfully,

Timothy P. Ruiz, PE
General Manager
East Niles Community Services District

Attachment: Figures 1 – 2

East Niles Community Services District

1417 Vale Street, Bakersfield, CA 93306
P.O. Box 6038, Bakersfield, CA 93386
Phone: (661) 871-2011
Fax: (661) 871-2356

December 20, 2024

Wendy Teeter, Cultural Resources Archaeologist
Santa Ynez Band of Chumash Indians
100 Via Juana Road
Santa Ynez, CA, 93460
wteeter@chumash.gov

Subject: **East Niles Community Service District Nitrate Pipeline and Shalane Tank Alignment Project, Kern County, California, Tribal Cultural Resources under the California Environmental Quality Act, AB 52 Formal Notification of Decision to Undertake a Project and Notification of Consultation Opportunity Pursuant to Public Resources Code Section 21080.3.1**

Dear Cultural Resources Archaeologist Wendy Teeter,

As the Lead Agency under the California Environmental Quality Act Review (CEQA), the East Niles Community Services District (ENCSD) has decided to undertake the proposed East Niles Community Service District Nitrate Pipeline and Shalane Tank Alignment Project (Project). Please find below a description of the proposed Project and the name of our Project point of contact, pursuant to Public Resources Code 21080.3.1 (d). Figures showing the proposed Project vicinity and location (Figures 1) and Area of Potential Effect (Figure 2) are attached.

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A search of the Native American Heritage Commission (NAHC) Sacred Land Files (SLF) was completed in October of 2023, and the results were negative for the project area. However, the absence of specific site information does not indicate the absence of tribal cultural resources in the project area. The District is contacting you to determine if the Santa Ynez Band of Chumash Indians has any knowledge of tribal cultural resources in the project area or wishes a request a consultation with ENCSD regarding this project.

Project Contact Information and to Request Consultation

Pursuant to California Public Resources Code Section 21080.3, you have 30 days from the receipt of this letter to request, in writing, a consultation with ENCSD. Should the Santa Ynez Band of Chumash Indians ask for a consultation, ENCSD will begin the process within 30 days of receiving your request.

To request consultation under AB 52 for the proposed Project, please submit your letter to:

Timothy P. Ruiz, PE
General Manager
East Niles Community Services District
P.O. Box 6038
Bakersfield, CA 93386
truiz@eastnilescsd.org

We understand that consultation is a private and ongoing process; we would appreciate any input the Santa Ynez Band of Chumash Indians may have on the proposed Project.

Very Respectfully,

Timothy P. Ruiz, PE
General Manager
East Niles Community Services District

Attachment: Figures 1 – 2

East Niles Community Services District

1417 Vale Street, Bakersfield, CA 93306
P.O. Box 6038, Bakersfield, CA 93386
Phone: (661) 871-2011
Fax: (661) 871-2356

December 20, 2024

Nakia Zavalla, Tribal Historic Preservation Officer
Santa Ynez Band of Chumash Indians
100 Via Juana Road
Santa Ynez, CA, 93460
nzavalla@chumash.gov

Subject: **East Niles Community Service District Nitrate Pipeline and Shalane Tank Alignment Project, Kern County, California, Tribal Cultural Resources under the California Environmental Quality Act, AB 52 Formal Notification of Decision to Undertake a Project and Notification of Consultation Opportunity Pursuant to Public Resources Code Section 21080.3.1**

Dear Tribal Historic Preservation Officer Nakia Zavalla,

As the Lead Agency under the California Environmental Quality Act Review (CEQA), the East Niles Community Services District (ENCSD) has decided to undertake the proposed East Niles Community Service District Nitrate Pipeline and Shalane Tank Alignment Project (Project). Please find below a description of the proposed Project and the name of our Project point of contact, pursuant to Public Resources Code 21080.3.1 (d). Figures showing the proposed Project vicinity and location (Figures 1) and Area of Potential Effect (Figure 2) are attached.

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Timothy P. Ruiz, PE
General Manager
East Niles Community Services District
P.O. Box 6038
Bakersfield, CA 93386
truiz@eastnilescsd.org

We understand that consultation is a private and ongoing process; we would appreciate any input the Santa Ynez Band of Chumash Indians may have on the proposed Project.

Very Respectfully,

Timothy P. Ruiz, PE
General Manager
East Niles Community Services District

Attachment: Figures 1 – 2

East Niles Community Services District

1417 Vale Street, Bakersfield, CA 93306
P.O. Box 6038, Bakersfield, CA 93386
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Fax: (661) 871-2356

December 20, 2024

Candice Garza, CRM Scheduler
Tejon Indian Tribe
4941 David Road
Bakersfield, CA, 93307
cgarza@tejonindiantribe-nsn.gov

Subject: **East Niles Community Service District Nitrate Pipeline and Shalane Tank Alignment Project, Kern County, California, Tribal Cultural Resources under the California Environmental Quality Act, AB 52 Formal Notification of Decision to Undertake a Project and Notification of Consultation Opportunity Pursuant to Public Resources Code Section 21080.3.1**

Dear CRM Scheduler Candice Garza,

As the Lead Agency under the California Environmental Quality Act Review (CEQA), the East Niles Community Services District (ENCSD) has decided to undertake the proposed East Niles Community Service District Nitrate Pipeline and Shalane Tank Alignment Project (Project). Please find below a description of the proposed Project and the name of our Project point of contact, pursuant to Public Resources Code 21080.3.1 (d). Figures showing the proposed Project vicinity and location (Figures 1) and Area of Potential Effect (Figure 2) are attached.

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Project Contact Information and to Request Consultation

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Timothy P. Ruiz, PE
General Manager
East Niles Community Services District
P.O. Box 6038
Bakersfield, CA 93386
truiz@eastnilescsd.org

We understand that consultation is a private and ongoing process; we would appreciate any input the Tejon Indian Tribe may have on the proposed Project.

Very Respectfully,

Timothy P. Ruiz, PE
General Manager
East Niles Community Services District

Attachment: Figures 1 – 2

East Niles Community Services District

1417 Vale Street, Bakersfield, CA 93306
P.O. Box 6038, Bakersfield, CA 93386
Phone: (661) 871-2011
Fax: (661) 871-2356

January 10, 2025

Robert Gomez, Chairperson
Tubatulabals of Kern Valley
P.O. Box 833
Weldon, CA, 93283

Subject: **East Niles Community Service District Nitrate Pipeline and Shalane Tank Alignment Project, Kern County, California, Tribal Cultural Resources under the California Environmental Quality Act, AB 52 Formal Notification of Decision to Undertake a Project and Notification of Consultation Opportunity Pursuant to Public Resources Code Section 21080.3.1**

Dear Chairperson Robert Gomez,

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Project Contact Information and to Request Consultation

Pursuant to California Public Resources Code Section 21080.3, you have 30 days from the receipt of this letter to request, in writing, a consultation with ENCSD. Should the Tubatulabals of Kern Valley ask for a consultation, ENCSD will begin the process within 30 days of receiving your request.

To request consultation under AB 52 for the proposed Project, please submit your letter to:

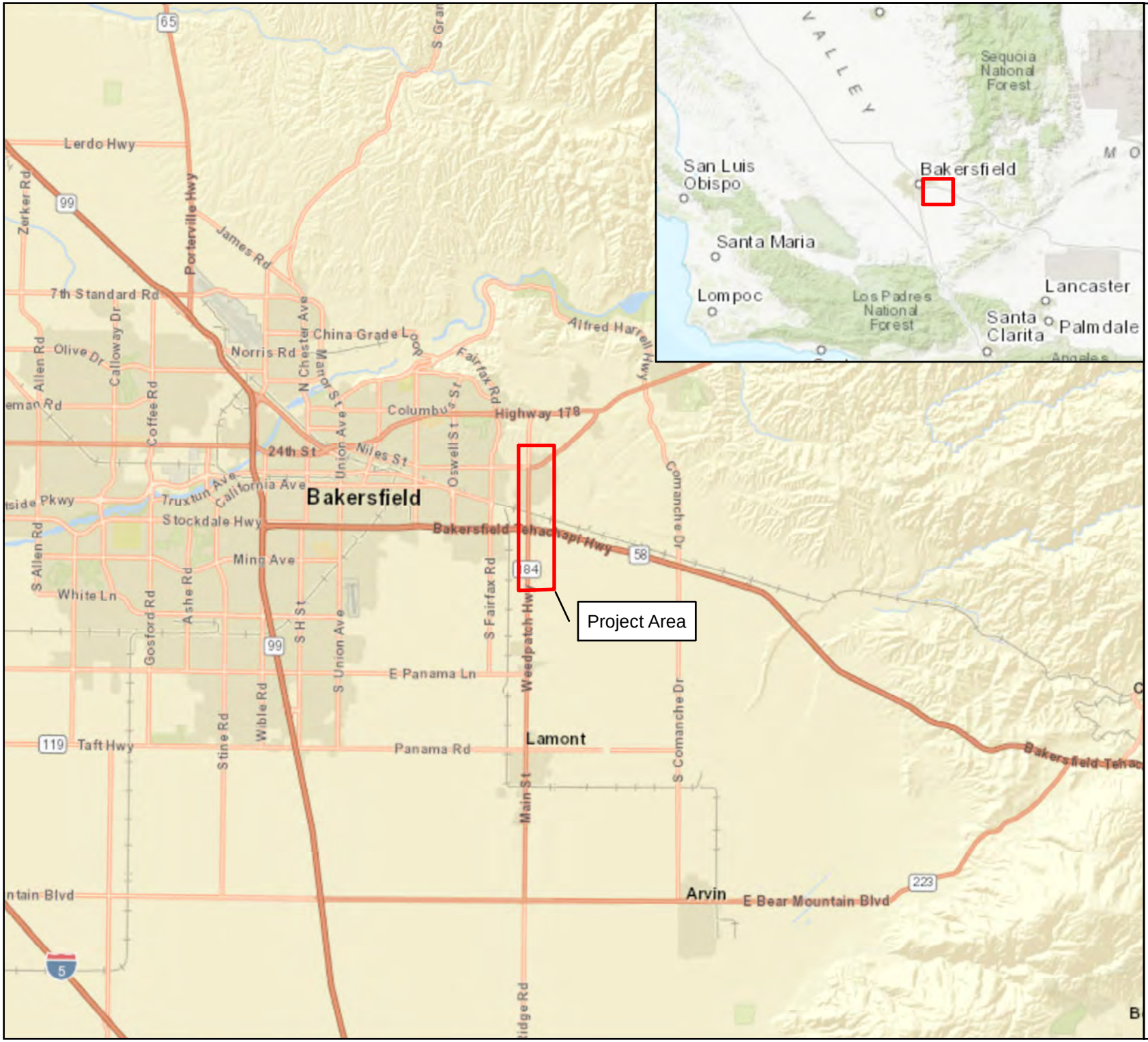
Timothy P. Ruiz, PE
General Manager
East Niles Community Services District
P.O. Box 6038
Bakersfield, CA 93386
truiz@eastnilescsd.org

We understand that consultation is a private and ongoing process; we would appreciate any input the Tubatulabals of Kern Valley may have on the proposed Project.

Very Respectfully,

Timothy P. Ruiz, PE
General Manager
East Niles Community Services District

Attachment: Figures 1 – 2



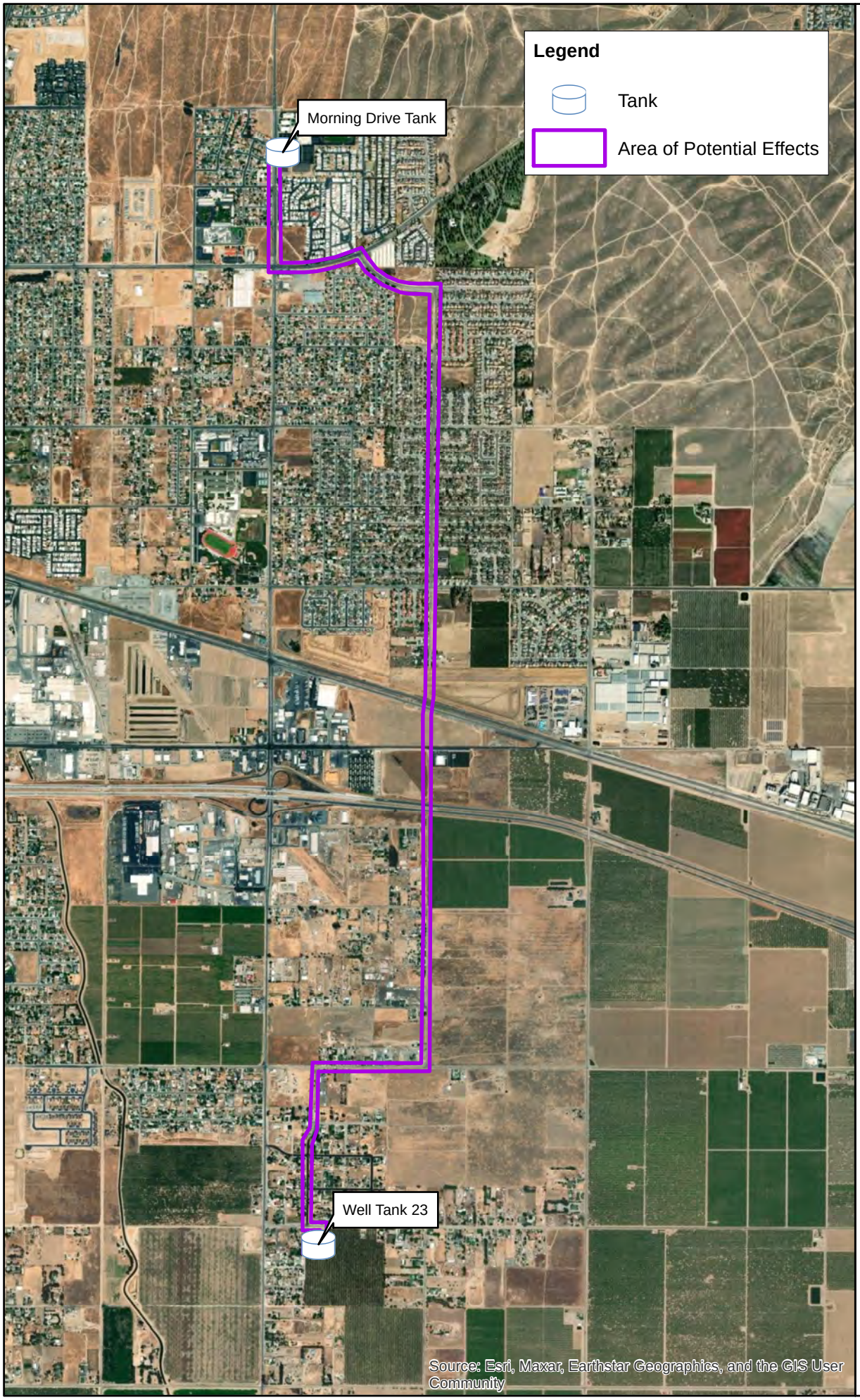
East Niles Community Services District

Nitrate Pipeline Project and Shalane Tank Alignment Project

Figure 1:

Project Location

Scale: NTS



East Niles Community Services District

Nitrate Pipeline Project and Shalane Tank Alignment Project

Figure 2:

Potential Area of Effect

Scale: NTS

East Niles Community Services District

1417 Vale Street, Bakersfield, CA 93306
P.O. Box 6038, Bakersfield, CA 93386
Phone: (661) 871-2011
Fax: (661) 871-2356

December 20, 2024

Joey Garfield, Tribal Archaeologist
Tule River Indian Tribe
P.O. Box 589
Porterville, CA, 93258
joey.garfield@tulerivertribe-nsn.gov

Subject: **East Niles Community Service District Nitrate Pipeline and Shalane Tank Alignment Project, Kern County, California, Tribal Cultural Resources under the California Environmental Quality Act, AB 52 Formal Notification of Decision to Undertake a Project and Notification of Consultation Opportunity Pursuant to Public Resources Code Section 21080.3.1**

Dear Tribal Archaeologist Joey Garfield,

As the Lead Agency under the California Environmental Quality Act Review (CEQA), the East Niles Community Services District (ENCSD) has decided to undertake the proposed East Niles Community Service District Nitrate Pipeline and Shalane Tank Alignment Project (Project). Please find below a description of the proposed Project and the name of our Project point of contact, pursuant to Public Resources Code 21080.3.1 (d). Figures showing the proposed Project vicinity and location (Figures 1) and Area of Potential Effect (Figure 2) are attached.

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Project Contact Information and to Request Consultation

Pursuant to California Public Resources Code Section 21080.3, you have 30 days from the receipt of this letter to request, in writing, a consultation with ENCSD. Should the Tule River Indian Tribe ask for a consultation, ENCSD will begin the process within 30 days of receiving your request.

To request consultation under AB 52 for the proposed Project, please submit your letter to:

Timothy P. Ruiz, PE
General Manager
East Niles Community Services District
P.O. Box 6038
Bakersfield, CA 93386
truiz@eastnilescsd.org

We understand that consultation is a private and ongoing process; we would appreciate any input the Tule River Indian Tribe may have on the proposed Project.

Very Respectfully,

Timothy P. Ruiz, PE
General Manager
East Niles Community Services District

Attachment: Figures 1 – 2