



May 15, 2025

CITY OF SHAFTER, CALIFORNIA

## **Mitigated Negative Declaration**

### **General Plan Amendment No. 23-39 & Zone Change No. 23-72 (Cesar Chavez Multi-Family)**

City of Shafter  
336 Pacific Avenue  
Shafter, CA 93263

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## CITY OF SHAFTER

# MITIGATED NEGATIVE DECLARATION

The City of Shafter (City) has completed an initial study (attached) of the possible environmental effects of the following-described project and has determined that a Mitigated Negative Declaration is appropriate. It has been found that the proposed project, as described and proposed to be mitigated (if required), would not have a significant effect on the environment. This determination has been made according to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines.

Project Title: General Plan Amendment 23-39 & Zone Change 23-72 (Cesar Chavez Multi-Family)

Comment Period Begins: May 15, 2025

Comment Period Ends: June 17, 2025

### Mitigation Measures

Mitigation Measures (included in the proposed project to avoid potentially significant effects) are as follows:

#### Air Quality Impact Mitigation Measures

1. Prior to grading plan approval, the applicant/developer shall submit documentation to the Planning Department that they will/have met all air quality control measures, design features, and rules required by the San Joaquin Valley Air Pollution Control District, including but not limited to the following:

To minimize Fugitive Dust during construction, the applicant will comply with the following:

- Apply water to unpaved surfaces and areas.
- Use non-toxic chemical or organic dust suppressants on unpaved roads and traffic areas.
- Limit or reduce vehicle speed on unpaved roads and traffic areas.
- Maintain areas in a stabilized condition by restricting vehicle access.
- Install wind barriers.
- During high winds, cease outdoor activities that disturb the soil.
- Keep bulk materials sufficiently wet when handling.
- Store and handle materials in a three-sided structure.

- When storing bulk materials, apply water to the surface or cover the storage pile with a tarp.
- Don't overload haul trucks. Overloaded trucks are likely to spill bulk materials.
- Cover haul trucks with a tarp or other suitable cover. Or, wet the top of the load enough to limit visible dust emissions.
- Clean the interior of cargo compartments on emptied haul trucks prior to leaving a site.
- Prevent trackout by installing trackout control devices at all project access points.
- Clean up trackout at least once a day. If along a busy road or highway, clean up trackout immediately.
- Monitor dust-generating activities and implement appropriate measures for maximum dust control.

Diesel Particulate Matter: during construction, the applicant will comply with the following design features:

- Construction equipment should be maintained in proper tune.
  - All construction vehicles should be prohibited from excessive idling. Excessive idling is defined as five (5) minutes or longer.
  - Minimize the simultaneous operation of multiple construction equipment units, to the maximum extent feasible.
  - Establish an electricity supply to the construction site and use electric powered equipment instead of diesel-powered equipment or generators, where feasible.
  - Establish staging areas for the construction equipment that are as far from adjacent residential homes, as feasible.
  - Use haul trucks with on-road engines instead of off-road engines for on-site hauling.
2. Prior to grading plan approval, the applicant/developer shall submit proof to the Planning Department that the project has complied with the San Joaquin Valley Air Pollution Control District's Indirect Source Rule (Rule 9510).

### Biological Resources Impact Mitigation Measures

3. San Joaquin Kit Fox (*Vulpes macrotis mutica*)
- Prior to ground disturbance, a pre-construction survey must be conducted 14 - 30 days within the Project Area and a 500-foot buffer to identify active or potential San Joaquin kit fox dens.
    - If potential kit fox dens are observed within the Project Area, a 50-foot avoidance buffer should be implemented. If construction activities require the destruction of a potential den, then den monitoring shall be conducted by a qualified biologist for a minimum of 4 consecutive nights following the protocols set forth in the U.S.

*Fish and Wildlife Service Standardized Recommendations for the Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance* (USFWS 2011). Known dens shall require an avoidance buffer of at least 100 feet. If a known den cannot be avoided, it shall be left undisturbed, and the monitoring biologist shall be contacted immediately. Natal dens found within the Project Area or within a 500-foot buffer surrounding the Project Area should be avoided and the USFWS and CDFW shall be contacted.

- To prevent the entrapment of a San Joaquin kit fox or other wildlife, all steep walled, open trenches greater than 2 feet in depth should be covered at the end of each day. If covering an open excavation is not feasible, escape ramps made of earthen material or wooden planks at a 1:1- slope (45-degree angle) should be implemented. Trenches should be inspected in the morning prior to commencing work activities and prior to backfilling. If a San Joaquin kit fox or any other special-status species is found within the excavation, the monitoring biologist shall be contacted immediately. At no time should any personnel attempt to handle, corral, remove, or otherwise interact with the animal.

#### 4. Swainson's Hawk (*Buteo swainsoni*)

- If construction activities are to take place during the nesting season (February - August), a preconstruction survey will be conducted 14 - 30 days prior to ground disturbing activities within the Project Area and a 500-foot buffer to identify individual Swainson's hawk's and active nests. This survey can be conducted concurrently with the San Joaquin kit fox pre-construction survey described above, depending on the timing of the pre-construction survey.
  - If any active Swainson's hawk nest is found during the pre-construction survey, a qualified biologist will prescribe an appropriate buffer zone surrounding the nest and a plan to be implemented to prevent disruption of nesting activities. If nest disruption is not possible, CDFW should be contacted for guidance.

#### 5. Tricolored blackbird (*Agelaius tricolor*)

- If construction activities are to take place during the nesting season for tricolored blackbird (February - May), a pre-construction survey will be conducted 14 - 30 days prior to ground disturbing activities within the Project Area and a 500-foot buffer to identify individual tricolored blackbirds and active nests. This survey can be conducted concurrently with the San Joaquin kit fox pre-construction survey described above, depending on the timing of the preconstruction survey.
  - If any active tricolored blackbird nest sites are found during the pre-construction survey, a qualified biologist will prescribe an appropriate buffer zone surrounding

the nest site and a plan to be implemented to prevent disruption of nesting activities.

#### 6. Other Migratory Birds

- Other migratory birds may use the proposed Project Site or surrounding lands for feeding, nesting, and roosting. In compliance with Sections 3503 and 3503.5 of the California Fish and Game Code and the Migratory Bird Treaty Act, if construction activities are to occur during the nesting and breeding season (February 1 through August 31), a qualified biologist shall determine the presence of any native bird and raptor nests prior to construction activities. If any nests are identified, appropriate buffer zones will be established around any identified nests to prevent disruption of nesting. If an adequate buffer zone cannot be established around any active nest, CDFW and USFWS will be contacted for guidance.

#### 7. General Wildlife Avoidance Measures

- To further ensure no special-status species are impacted by the project, the project will comply with the following general wildlife avoidance measures during the construction period.
  - All vehicles should implement a maximum 10mph speed limit within the Project Area or adhere to the posted speed limit.
  - To avoid the entrapment of any animal, all excavations greater than 2 feet should be backfilled by the end of day. If backfilling by the end of day is not possible, excavations should be covered in a way to prevent wildlife species from entering the excavation. If excavations cannot be covered, an earthen escape ramp or a ramp constructed of wooden planks should be implemented inside the excavation at a 1:1 slope (45 degrees). If any wildlife is found entrapped inside an open excavation, the biologist should be contacted immediately. All pipes, culverts, or similar structures staged onsite should be capped in a way to prevent the entry of wildlife. Such structures should be checked prior to moving to ensure no wildlife is entrapped inside.
  - All food-related trash items including wrappers, cans, bottles, and scraps should be disposed of in a securely closed container and removed from the site at the end of each day.
  - No firearms or pets should be allowed onsite.
  - Any protected wildlife species that may venture onsite should be allowed to leave the site of their own accord. No attempt to handle or otherwise engage with the animal should be made. If after a reasonable amount of time the animal does not leave the Project Site, the biologist should be contacted.

### Cultural Resources Impact Mitigation Measures

8. If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.
9. If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the county coroner.

### Geology and Soils Impact Mitigation Measures

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

### Greenhouse Gas Emissions Impact Mitigation Measures

11. Prior to the issuance of building permits, the project will provide proof to the Planning Department that the project scores a minimum of 29 points using the San Joaquin Valley Air Pollution Control District (SJVAPCD) GHG Emission Reduction Best Performance Standard (BPS) Measures for Development Projects.

# INITIAL STUDY CHECKLIST (CEQA APPENDIX G: ENVIRONMENTAL CHECKLIST FORM)

1. Project title: General Plan Amendment 23-39 & Zone Change 23-72 (Cesar Chavez Multi-Family)
2. Lead agency name and address: City of Shafter  
336 Pacific Avenue  
Shafter, CA 93263
3. Contact person and phone number: Steve Esselman  
Planning Director  
661-746-5002
4. Project location: Northeast Corner of Birch Street and East Los Angeles Street (Attachment B, Figure 1: Project Location, Figure 2: Aerial Overview)
5. Project sponsor's name and address: Cesar Chavez Foundation  
555 N. Broadway Avenue, Unit B103  
Los Angeles, CA 90012
6. General plan designation: LDR (Low Density Residential) (Attachment B, Figure 3: General Plan Land Use)
7. Zoning: R-1 (Low Density Residential) (Attachment B, Figure 4: Zoning)
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):

This project consists of a request for a General Plan Amendment (GPA) and a Zone Change (ZC) to allow the development of 174 multi-family units at 30%, 40%, 50%, and 60% Area Medium Income (AMI) distributed across three (3) three-story buildings on an approximately 7.85-acre site totaling 342,160 square-feet at the northeast corner of Birch Street and East Los Angeles Street (APN 028-180-57) (Attachment B, Figure 5: Site Plan, Figure 6: Elevations). The development would be constructed in three (3) phases, Phase I and Phase II will mirror each other, Phase I includes 62 units (130,299 square-feet) with 124 on-site parking spaces, Phase II includes 62 units (130,299 square-feet) with 124 on-site parking spaces, and Phase III includes 50 units (81,560 square-feet) with 100 on-site parking spaces, pertaining a total

of 174 units and 348 on-site parking spaces (Figure 5, Site Plan). The project will include two (2) full-access driveways along Birch Street, two (2) full-access driveways along South Mannel Avenue, and four (4) full-access driveways along East Los Angeles Avenue.

The project site is located within Section 15, Township 28 South, Range 25 East, Mount Diablo Base & Meridian. The project site lies within the Rio Bravo USGS 7.5-minute topographic quadrangle.

### **Breakdown of Phases I, II, and III**

Phases I and II will consist of two (2) three-story residential buildings with 60 family units and two (2) manager units at 30%, 40%, 50%, and 60% AMI levels. The three-story residential building will consist of 48 one-bedroom units (575 square-feet), 32 two-bedroom units (778 square-feet), 32 three-bedroom units (1,079 square-feet), and four (4) three-bedroom manager units. Phases I and II will mirror each other totaling 124 units and include 248 on-site parking spaces.

Phase III will consist of one (1) three-story residential building with 22 one-bedroom units (575 square-feet), 13 two-bedroom units (778 square-feet), and 14 three-bedroom units (1,079 square-feet) at 30%, 40%, 50%, and 60% AMI and one (1) three-bedroom manager unit. Phase III includes a total of 50 units and 100 on-site parking spaces.

After completion of all three (3) phases, there will be a total of 174 units with 348 on-site parking spaces. Additionally, the project will be constructed and maintained in accordance with the 2010 ADA Standards for Accessible Design and will meet all the requirements of the California Building Code Title 24.

The City reviewed the Shafter Municipal Code Title 17 (Zoning Ordinance) and determined that the closest similar use to what is being proposed is “multi-family attached dwelling units with enhanced amenities (common open space and recreation areas).” This use is allowed within the Medium High Residential (R-3) zone and therefore, a GPA and ZC is required. The parcel is also currently zoned Low Density Residential (R-1) and the land use is designated as Low Density Residential. Proposed projects within the R-3 zone must also adhere to maximum allowable density of twenty (20) dwelling units per net acre to ensure compatibility with the Zoning Ordinance and General Plan.

The project site is going to be developed to City of Shafter development standards which include onsite and offsite improvements. Onsite improvements include, but not limited to, the following:

- Paved and Covered parking areas
- Landscaping
- Security fence
- Security lighting

The offsite improvements consist of the following:

- Sidewalk Improvements along Birch Street, South Mannel Avenue, and East Los Angeles Avenue
- Connection to existing water line in East Los Angeles Avenue
- Connection to the existing dry sewer line of East Los Angeles and ending the connection at the east of Birch Street and west of South Mannel Avenue to the northern property line

9. Surrounding land uses and setting:

The site is surrounded by residential and agricultural uses to the north, east, south and west as further described:

- North: Casa Amelia Cadena (a multi-family complex), zoned medium-density residential
- East: South Mannel Avenue, single-family residential, zoned low-density residential
- South: East Los Angeles Avenue, vacant land, zoned low-density residential
- West: Birch Street, scattered residential uses, zoned low-density residential

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

- City of Shafter—Mitigated Negative Declaration consideration and adoption
- City of Shafter—Grading permit
- City of Shafter—Building permit
- City of Shafter—Site Plan Review
- City of Shafter—Potable water and sewer will-serve letters
- San Joaquin Valley Air Pollution Control District—Indirect Source Rule compliance
- State Water Resources Control Board—National Pollutant Discharge Elimination System General 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.?

No, California Native American tribes traditionally and culturally affiliated with the project area have not requested consultation.

# 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 in the following pages:

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

## Determination

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION would be prepared.
- I find that although the proposed project could have a significant effect on the environment, there would 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 would 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 has been 1) adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) addressed by mitigation measures based on the earlier analysis as described on the 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 legal 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.



\_\_\_\_\_  
Steve Esselman, Planning Director

\_\_\_\_\_  
May 7, 2025

Date

## EVALUATION OF ENVIRONMENTAL IMPACTS

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

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
  - a) the significance criteria or threshold, if any, used to evaluate each question; and
  - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

# ENVIRONMENTAL ISSUE

## Aesthetics

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of project 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 the applicable zoning or other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Evaluation of Environmental Effects

- a) Less than significant impact. The proposed project consists of a total of 174 multi-family units and 378 on-site parking spaces on an approximately 7.85-acre site. The site is located on undeveloped land with a low-density residential (LDR) land use designation and low-density residential (R-1) zoning classification. The project is requesting a GPA and ZC, which would allow for the proposed project. There are residential uses to the north, east, southwest, and west and agricultural uses to the southeast of the project site.

According to the City of Shafter General Plan, the site is not within or in the vicinity of an identified scenic vista, and no known aesthetic resources exist on or near the site. The project does not lie near or within a State Designated or Eligible State Scenic Highway (Caltrans 2025). Furthermore, development of the project would not block or preclude views to any area containing important or what would be considered visually appealing landforms. The project does not include the removal of trees determined to be scenic or of scenic value, the destruction of rock outcroppings or degradation of any historic building(s). Therefore, the project would not have a substantial adverse effect on a scenic vista.

- b) No impact. Please see response to a. above. Therefore, the project would not substantially damage scenic resources, including, but not limited to, trees, rock outcrops, and historic buildings within a state scenic highway.

- c) Less than significant impact. The project is surrounded by residential uses to the north, east, southwest, and west and agricultural uses to the southeast. The project would be visible from passing motorists and the surrounding residences. The proposed project includes a request for a GPA and ZC to develop three (3) three-story residential buildings consisting of 174 units which is consistent with the surrounding land use designations. The parcel located to the north of the project site is Medium High Residential, therefore, changes to the visual quality and character of the project site would be compatible with the existing residential uses and adhere to similar residential uses in the surrounding areas. Given that the project is requesting a GPA and ZC, the project would not substantially degrade the existing visual character or quality of the site and its surroundings in a non-urban area or conflict with the applicable zoning or other regulations governing scenic quality in an urban area.
- d) Less than significant impact. The project will be developed in three (3) phases. Phases I and II would begin construction in December 2026 and Phase III would begin construction in March 2029. Construction of the proposed project would generally occur during daytime hours, typically from 7:00 a.m. to 7:00 p.m. All lighting would be directed downward and shielded to focus illumination on the desired work areas only and prevent light spillage onto adjacent properties. Because lighting used to illuminate work areas would be shielded, focused downward, and turned off by 7:00 p.m., the potential for lighting to affect any residents adversely is minimal. Increased truck traffic and the transport of construction materials to the project site would temporarily increase glare conditions during construction. However, this increase in glare would be minimal. Construction activity would focus on specific areas on the sites, and any sources of glare would not be stationary for a prolonged period.

During operations, all lighting would be directed downward and shielded to focus illumination on the site only and prevent light spillage onto off-site properties. Furthermore, the project would be designed and improved with all applicable policies and regulations along with appropriate setbacks, landscaping, and screening to minimize light and glare impacts.

Therefore, the project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

## 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 nonagricultural 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 forestland 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 the conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

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

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

### Evaluation of Environmental Effects

- a) No impact. The 7.85-acre vacant site currently has a low-density residential land use designation (LDR) and a low-density residential zoning classification (R-1). The project is requesting a GPA and ZC, which would allow for the proposed project. The project site is surrounded by residential uses to the north, east, southwest, and west and agricultural uses to the southeast.

CEQA uses the California Department of Conservation Division of Land Resource Protection's Farmland Mapping project (FMMP) categories of "Prime Farmland," "Farmland of Statewide Importance," and "Unique Farmland" to define "agricultural land" for the purposes of assessing environmental impacts (PRC Section 21060.1[a]). The project site is designated as "Grazing Land" (DOC 2022).

The project site is not designated as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance. Additionally, much of the project and surrounding areas are currently zoned for nonagricultural uses except a parcel located southeast of the project site. Therefore, the project would not significantly convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use.

- b) No impact. The project is surrounded by residential uses to the north, east, southwest, and west and agricultural uses to the southeast. The proposed project includes a request for a GPA and ZC to develop three (3) three-story residential buildings consisting of 174 units which is consistent with the surrounding land use designations.

Neither the project site nor the parcels adjacent to its boundary are subject to Williamson Act contracts. Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract.

- c) No impact. The Public Resources Code Section 12220 (g) and Section 4526 defines "forest land" as land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. There are no forest lands identified on the project site or within its vicinity. Therefore, the project would not conflict with existing zoning for, or cause rezoning of forest land or timberland, or timberland zoned Timberland Production.
- d) No impact. Please see response to c. above. Therefore, the project would not result in the loss of forestland or conversion of forest land to non-forest.
- e) No impact. Please see responses to a. through d. above. Therefore, the project would not 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.

## Air Quality

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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:</p>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial amount of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Evaluation of Environmental Effects

Air Quality and Greenhouse Gas Impact Study was prepared for the NEC Birch Street and E. Los Angeles Street Residential Project, Cesar Chavez Foundation, prepared by RK Engineering Group, Inc., April 2025, included as Appendix A.

a) Less than significant impact. The project is located within the San Joaquin Valley Air Pollution Control District jurisdiction, in the San Joaquin Valley Air Basin (SJVAB). Emission sources because of the project would include both on-site and off-site construction-related work. The project’s annual construction emissions are compared with the SJVAPCD criteria pollutant thresholds of significance and the daily construction emissions are compared with the District’s Ambient Air Quality Analysis Screening Levels. As shown in the tables below, the project did not exceed the SJVAPCD nor the ambient air quality analysis screening thresholds. Therefore, the project would not conflict with or obstruct implementation of the applicable air quality plan.

As shown in the table below, the SJVAPCD has established specific criteria pollutants thresholds of significance which are the six air pollutants analyzed for this project.

SJVAPCD Air Quality Significance Thresholds for Criteria Pollutants	
Air Pollutant	Tons/Year
Carbon Monoxide (CO)	100
Oxides of Nitrogen (NO <sub>x</sub> )	10
Volatile Organic Compounds (VOC)	10
Sulfur Oxides (SO <sub>x</sub> )	27
Particulate Matter (PM <sub>10</sub> )	15
Particulate Matter (PM <sub>2.5</sub> )	15

RK Engineering Group, Inc 2023.

Construction of the project would result in air pollutant emissions. Emissions from construction would result from fuel combustion and exhaust from equipment as well as vehicle traffic, grading, and the use of toxic materials (e.g., lubricants). The following table provides the estimated annual construction emissions because of the project.

Annual Construction Air Quality Emissions						
Maximum Annual Emissions (tons/year)						
Year	VOC	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
2026	0.22	1.60	2.60	0.00	0.33	0.14
2027	0.57	0.08	0.13	0.00	0.01	0.00
<b>Maximum<sup>1</sup></b>	<b>0.57</b>	<b>1.60</b>	<b>2.60</b>	<b>0.00</b>	<b>0.33</b>	<b>0.14</b>
SJVUAPCD Threshold	10	10	100	27	15	15
<b>Exceeds Threshold (?)</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

RK Engineering Group, Inc 2023.

<sup>1</sup> Maximum annual emission includes both on-site and off-site emissions

As shown in the above table, the project's annual construction emissions will be below the applicable SJVUAPCD criteria air pollutant significance thresholds levels.

Construction Emissions Ambient Air Quality Screening						
Maximum Annual Emissions (lbs/day)						
	VOC	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Site Preparation	3.21	29.24	29.64	0.05	9.12	5.13
Grading	1.75	18.20	18.81	0.04	4.34	2.21
Building Construction	1.63	11.14	21.87	0.03	2.08	0.76
Paving	1.23	7.19	10.65	0.01	0.50	0.34
Architectural Coating	55.94	0.94	2.22	0.00	0.33	0.09
<b>Maximum<sup>1</sup></b>	<b>55.94</b>	<b>29.24</b>	<b>29.64</b>	<b>0.05</b>	<b>9.12</b>	<b>5.13</b>
SJVUAPCD Screening Threshold	100	100	100	100	100	100
<b>Exceeds Threshold (?)</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

RK Engineering Group, Inc 2023.

<sup>1</sup> Maximum annual emission includes both on-site and off-site emissions

The table above shows that the project's daily construction emissions will be below the applicable ambient air quality analysis screening thresholds.

The project would also result in long-term emissions including both on-site and off-site emissions. The proposed project’s long-term operations emissions are generated from mobile, energy, and area sources as well as from water use and waste generation emissions. Most of these emissions impacts are from mobile sources traveling to and from the project area.

The following tables show the project’s estimated annual and daily long-term operation emissions.

<b>Annual Operational Air Quality Emissions (tons/year)</b>						
<b>Source</b>	<b>VOC</b>	<b>NOx</b>	<b>CO</b>	<b>SO<sub>2</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>
Mobile Sources	0.59	0.74	6.31	0.02	1.64	0.43
Energy Sources	0.01	0.21	0.09	0.00	0.02	0.02
Area Sources	0.99	0.09	2.52	0.01	0.24	0.23
<b>Total</b>	<b>1.59</b>	<b>1.04</b>	<b>8.92</b>	<b>0.03</b>	<b>1.90</b>	<b>0.68</b>
SJVAPCD Threshold	10	10	100	27	15	15
<b>Exceeds Threshold (?)</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

RK Engineering Group, Inc 2023.

<b>Operational Emissions Ambient Air Quality</b>						
<b>Source</b>	<b>VOC</b>	<b>NOx</b>	<b>CO</b>	<b>SO<sub>2</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>
Mobile Sources	3.52	4.33	43.13	0.10	9.10	2.5
Energy Sources	0.07	1.14	0.48	0.01	0.09	0.09
Area Sources	9.28	2.18	49.75	0.14	5.73	5.52
<b>Total</b>	<b>12.87</b>	<b>7.65</b>	<b>93.36</b>	<b>0.25</b>	<b>14.92</b>	<b>7.96</b>
SJVAPCD Threshold	100	100	100	100	100	100
<b>Exceeds Threshold (?)</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

RK Engineering Group, Inc 2023.

As shown in the above tables, the annual and daily long-term operational emissions are also not predicted to exceed SJVAPCD significance thresholds levels. Given that the project’s short-term construction impact on regional air resources will not exceed SJVAPCD significance thresholds levels, the project would not conflict with or obstruct implementation of the applicable air quality plan. Therefore, the project’s long-term operation impact on regional air resources will be less than significant.

- b) Less than significant impact with mitigation incorporated. Under Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI) (SJVAPCD 2015), any project that would have individually significant air quality impacts would also be considered to have significant cumulative air quality impacts. Impacts of local pollutants are cumulatively significant when the combined emissions from the project and other planned projects exceed air quality standards. The following table shows the project’s contribution to cumulative emissions calculated for both Kern County and the greater SJVAB.

Cumulative Emissions						
	ROG	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Kern County – 2015	22,484	20,842	33,872	511	13,688	3,833
SJVAB – 2015	112,931	96,105	199,509	2,738	95,667	21,681
Proposed project	1.59	1.04	8.92	0.03	1.90	0.68
Proposed project's % of Kern	0.007%	0.004%	0.02%	0.005%	0.013%	0.017%

Reference: RK Engineering Group, Inc. 2023. SJVAB 2015.

As shown in the above table, the project does not pose a significant increase to estimated cumulative emissions for criteria pollutants in nonattainment within Kern County and the greater SJVAB. The project's regional contribution to cumulative impacts would be negligible (well less than 1% for all pollutants under consideration) and therefore, the project's contribution is not cumulatively considerable.

Additionally, the GAMAQI, citing California Code of Regulations (CCR) Section 15064(h)(3), states on page 66 that “[a] Lead Agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program, including, but not limited to an air quality attainment or maintenance plan that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located” (SJVAPCD 2015).

SJVAPCD Rule 2010 requires any person constructing, altering, replacing or operating any source operation which emits, may emit, or may reduce emissions to obtain an Authority to Construct or a Permit to Operate from the SJVAPCD Air Pollution Control Officer (APCO). The project will comply with this rule by obtaining authorization from APCO prior to commencing construction on the project.

SJVAPCD Rule 2201 requires review and offset of stationary sources of air pollution and no net increase in emissions above specified thresholds from new and modified stationary sources of all nonattainment pollutants and their precursors. This is achieved through the use of mechanisms as approved by the SJVAPCD, such as emission trade-offs by which a permit to construct or operate any source pollution is granted. The project will comply with this rule by demonstrating compliance when obtaining authorization from APCO under Rule 2010. For example, compliance with Rule 2201 may include using Best Available Control Technology and providing emission offsets.

SJVAPCD Rule 4102 protects the health and safety of the public by prohibiting discharge from any source whatsoever of air contaminants that cause injury, detriment, nuisance, or other annoyance to any considerable number of people. The project will comply with this rule by not discharging air contaminants or other materials, which cause injury, detriment, nuisance, or other annoyance to any considerable number of people.

SJVAPCD Rule 4601 regulates VOC emissions from architectural coatings by regulating architectural coating storage, cleanup, and labeling requirements. This rule is applicable to any person who supplies, markets, sells, offers for sale, applies, or solicits the application of any architectural coating, or who manufactures, blends, or repackages any architectural coating for use within the SJVAPD. The project will comply with this rule by appropriately storing and disposing of paints and solvents used for architectural coating.

SJVAPCD Rule 9510 requires the reduction of emissions of nitrogen oxides (NO<sub>x</sub>) and particulate matter smaller than ten microns in aerodynamic diameter (PM<sub>10</sub>) associated with construction and operational activities of development projects occurring within the San Joaquin Valley. Rule 9510 applies to new development projects that would equal or exceed specific size limits called applicability thresholds (e.g., developing more than 2,000 square feet of commercial space, 25,000 square feet of light industrial space, 10,000 square feet of heavy industrial space, or 50 residential units). The project is subject to SJVAPCD Rule 9510 because it exceeds the applicability threshold of 50 residential or dwelling units. Accordingly, the project must reduce the portion of the emissions occurring during construction and operational phases through on-site measures or pay off-site mitigation fees. The objective of this rule is to reduce construction NO<sub>x</sub> and PM<sub>10</sub> emissions by 20% and 45%, respectively, as well as to reduce operational NO<sub>x</sub> and PM<sub>10</sub> emissions by 33.3% and 50%, respectively, when compared to unmitigated projects. The SJVAPCD uses CalEEMod (California Emission Estimator Model) to estimate emissions of NO<sub>x</sub> and PM<sub>10</sub> for potential land uses. Examples of measures that may be implemented to reduce emissions pursuant to this rule include, but are not limited to, incorporating energy efficiency beyond Title 24 requirements, providing bicycle lanes throughout a project, using cleaner fleet construction vehicles, providing employee incentives for using alternative transportation, and building in proximity to existing or planned bus stops. When a development project cannot reduce its NO<sub>x</sub> and PM<sub>10</sub> emissions to the level required by Rule 9510, then the difference must be mitigated through the payment of an offsite emissions reduction fee. One hundred percent (100%) of all off-site mitigation fees are used by the SJVAPCD to fund emission reduction projects through its Incentives Programs, achieving emission reductions on behalf of the project.

SJVAPCD Regulation VIII- Fugitive PM<sub>10</sub> Prohibition requires the project to comply with standard fugitive dust control measures during construction to regulate concentrations PM<sub>10</sub>. Regulation VIII requires receipt of a District-approved Dust Control Plan or Construction Notification form before the issuance of the first grading permit. The project will comply with this regulation by implementing mitigation measures as listed above.

The Guidance Manual for Preparation of Health Risk Assessments (HRA Guidelines) adopted by the California Office of Environmental Health Hazard Assessment (OEHHA) provides procedures for the use in the Air Toxic Hot Spots Program or for permitting existing, new, or modified stationary sources (RK Engineering Group, Inc. 2023). The HRA Guidelines provide risk factors based on exposure to toxic substances over a 30-year life span. The project's construction is not expected to be a long-term source of toxic air contaminant emissions and short-term risks factors have not been developed. Due to the reduced risk from short-term

exposure, SJVAPCD does not require the evaluation of long-term cancer risk or chronic health impacts for construction activities due to the project. Therefore, the project will comply with SJVAPCD and HRA Guidelines as the project has implemented mitigated measures to reduce diesel particulate matter during construction activities without the need for a HRA evaluation (RK Engineering Group, Inc. 2023).

Due to the fact that 1) the air quality modeling indicates that the project's regional contribution to cumulative impacts would be negligible and 2) the project would comply with the requirements of the SJVAPCD attainment plans and rules and mitigation measures which require the applicant to provide proof of such compliance, the project would not 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) Less than significant impact with mitigation incorporated. Sensitive receptors are defined as locations where young children, chronically ill individuals, the elderly, or people who are more sensitive than the general population reside, such as schools, parks, playgrounds, hospitals, nursing homes, daycare centers, and residential dwelling units. The nearest sensitive receptors to the project site include existing residential dwelling units, single-family residential dwellings, Amelia Cadena Apartments, and medical offices. The closest school is Grow Academy School located approximately 0.9 miles to the west of the project site. The closest hospital is Omni Family Health Walk-in Clinic approximately 0.9 miles to the east, and the closest daycare facility is Shafter Child Development Center approximately 0.9 miles to the west. The project applicant will incorporate mitigation to establish staging areas for the construction equipment that are as distant as possible from adjacent sensitive receptors (residential land uses). By incorporating mitigation, the project's predicted operational emissions is not expected to affect any on-site sensitive receptors and are not expected to have any adverse impact on any known sensitive receptors.
- d) Less than significant impact. The SJVAPCD's GAMAQI states "An analysis of potential odor impacts should be conducted for both of the following two situations:
1. Generators – projects that would potentially generate odorous emissions proposed to locate near existing sensitive receptors or other land uses where people may congregate and
  2. Receivers – residential or other sensitive receptor projects or other projects built for the intent of attracting people locating near existing odor sources.

The proposed project is a residential project located near other residential uses. Expected uses are not known to be a source of nuisance odors and are not listed in Table 6 of the SJVAPCD GAMAQI. Therefore, the project is anticipated to have a less-than-significant odor impact. Therefore, the project would not create objectionable odors affecting a substantial number of people.

## Biological Resources

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

### Evaluation of Environmental Effects

Biological Resources Evaluation prepared for Shafter Family Apartments, Cesar Chavez Foundation prepared by South Valley Biology Consulting, LLC, March 2025, included as Appendix B.

- a) Less than significant with mitigation incorporated. A search of the California Natural Diversity Data Base (CNDDDB) and biological field survey consisting of a reconnaissance-level site survey were conducted to identify reported historical occurrences of special-status plants, wildlife species, and sensitive habitats within the project and surrounding areas. The CNDDDB identified a total of five special-status wildlife species to occur within a 5-mile radius of the project site. Of the five special-status wildlife species only three were labeled as “possible” to having potential to occur or have been observed in the project and surrounding area. The

three identified special-status wildlife species include the San Joaquin kit fox (*Vulpes macrotis mutica*), Swainson's Hawk (*Buteo swainsoni*), and tricolored blackbird (*Agelaius tricolor*).

Given the possible presence of the San Joaquin kit fox, Swainson's Hawk, tricolored blackbird, and migratory birds on the project site or surrounding areas, direct and/or indirect impacts could result in impacts to transient species and therefore, mitigation measures have been implemented for these species. Additionally, general wildlife avoidance mitigation measures have been implemented.

With implementation of mitigation, the project would not 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 CDFW or USFWS.

- b) No impact. The CNDDDB identified three special-status plant species to occur within 5-miles of the project site, which include the Kern mallow (*Eremalche kernensis*), San Joaquin woollythreads (*Monolopia congdonii*), and Hoover's eriastrum (*Eriastrum hooveri*). Due to the possible presence of the special-status plant species, a reconnaissance level survey within the entirety of the project site was performed on March 4, 2025, which focused on identifying any sensitive wildlife. The reconnaissance level survey confirmed that the project site consists entirely of non-native ruderal, weedy vegetation apart from a patch of California mustard (*Caulanthus lasiophyllus*) and Foxtail barley (*Hordeum murinum*). No special-status plant species listed as either Threatened or Endangered under the Federal Endangered Species Act (FESA) and/or California Endangered Species Act (CESA) were observed within the project site. Additionally, the project does not overlap with any federally designated critical habitats. The project does not support any riparian or other sensitive natural communities, nor does it overlap with any designated critical habitat. Therefore, the project would have no impact on any riparian habitat or other sensitive natural community.
- c) No impact. There are no jurisdictional waterways or wetlands present within the project area as identified in the National Hydrography Dataset (NHD) and confirmed during the field survey.

There are no wetlands or water features on or in the vicinity of the project. The project would have no impact on jurisdictional aquatic resources and no mitigation measures are warranted. Therefore, the project would have no impact on federally protected wetlands.

- d) Less than significant impact. Wildlife movement corridors, also referred to as dispersal corridors or landscape linkages, are generally defined as linear features along which animals can travel from one habitat or resource area to another. Wildlife movement corridors can be large tracts of land that connect regionally important habitats that support wildlife in general, such as stop-over habitat that supports migrating birds or large contiguous natural habitats that support animals with very large home ranges [e.g., coyotes (*Canis latrans*), mule deer

(*Odocoileus hemionus californicus*)]. They can also be small scale movement corridors, such as riparian zones, that provide connectivity and cover to support movement at a local scale.

The project is not located within any identified wildlife linkages or corridors identified by the California Essential Habitat Connectivity project. No potential wildlife corridors occur within the project area.

The project is not located within a mapped wildlife movement corridor or linkage, and none were observed during the survey (CDFW 2025). The project would not have any impacts to wildlife movement corridors. Therefore, the project would not 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) No impact. The project does not conflict with the adopted 2005 City of Shafter General Plan Update and is not subject to any local ordinances. Therefore, the project would not conflict with any local policies or ordinances protecting biological resources.
- f) No impact. The project is within the range of the PG&E San Joaquin Valley Operations and Maintenance Habitat Conservation Plan, but this Plan applies only to PG&E operations and maintenance projects and does not apply to this project. Therefore, the project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

## Cultural Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Evaluation of Environmental Effects

- a) No impact. The site is vacant and therefore, it has been verified in the field that no structures, including potentially historic structures, are located at the project site. Therefore, the project would not cause a substantial adverse change in the significance of a historical resource.
- b) Less than significant with mitigation incorporated. There are no known archaeological resources at the site. However, there is still the potential to unearth previously unknown archeological resources at the site as grading and other ground-disturbing activities have the potential to damage or destroy such resources. Mitigation requires if prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required, and these additional studies may include avoidance, testing, and evaluation or data recovery excavation.
- c) Less than significant with mitigation incorporated. No human remains have been discovered at the project site, and no burials or cemeteries are known to occur within the area of the site. However, construction would involve earth-disturbing activities, and it is still possible that human remains may be discovered, possibly in association with archaeological sites. Implementation of mitigation that included immediately ceasing work and contacting the County coroner and Native American tribal representatives, if needed, would ensure that the proposed project would not directly or indirectly destroy previously unknown human remains. With mitigation, the project would not disturb any human remains, including those interred outside of dedicated cemeteries.

## Energy

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Evaluation of Environmental Effects

- a) Less than significant impact. Project construction would require temporary energy demands typical of other residential construction projects that occur throughout the state and this development's construction would not result in inefficient or unnecessary consumption of energy resources beyond typical residential construction. All new construction within the City of Shafter must adhere to modern building standards, including California Code of Regulations Title 24, which outlines energy efficiency standards for new residential and nonresidential buildings to ensure that new buildings do not wastefully, inefficiently, or unnecessarily consume energy. Therefore, the project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation and the impacts are less than significant.
- b) Less than significant impact. There is no adopted plan by the City of Shafter for renewable energy or energy efficiency. As discussed in response to a. above, all new development projects within the City are required to adhere to modern building standards related to energy efficiency. Additionally, the City encourages applicants and developers to go beyond the required standards and make their developments even more efficient through programs such as LEED, or Leadership in Energy and Environmental Design, which is a green building rating system that provides a framework to create healthy, highly efficient, and cost-saving green buildings. Other encouraged programs available to applicants and developers are Title 20 appliance energy efficiency standards and 2005 building energy efficiency standards. Therefore, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency and impacts are less than significant.

## Geology and Soils

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial 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 & Geology Special Publication No. 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Evaluation of Environmental Effects

- a) The following discusses the potential for the project to expose people or structures to substantial adverse effects because of various geologic hazards. Potential seismic hazards in the planning area involve strong ground shaking, fault rupture, liquefaction, and landslides.
- i. No impact. The City of Shafter is subject to moderate to severe ground shaking because of the alluvial soils that underlie the area and its proximity to active faults. Additionally, the thick sedimentary deposits in the City create the likelihood that a strong earthquake or other disturbance in the area could cause ground subsidence (typically a gradual settling or sinking of the ground surface with little or no horizontal movement). The General Plan policy 7.1.1. requires that all new developments comply with the most recent Uniform Building Code's seismic design standards.

The project site is not located within an Alquist-Priolo Earthquake Fault Zone. Per the Department of Conservation, California Geologic Survey Regulatory Maps (DOC 2022), the nearest fault line is the North of Oildale fault, which lies approximately 7 miles east of the project site. The greatest potential for substantial geologic adverse effects in the City is posed by the San Andres Fault, which is located approximately 4 miles west of the Kings County boundary line within Monterey County. The distance from the nearest active faults precludes the possibility of fault rupture on the project site. Although the project area could potentially experience ground shaking, the magnitude of the hazard would not be severe as indicated by the General Plan and project construction will comply with the applicable local and State requirements. Therefore, the project would not directly or indirectly cause potential substantial effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault.

- ii. Less than significant impact. See response to a. above. The City is surrounded on three sides by active fault systems, several of which are less than 10 miles from the City boundaries. In addition, there are faults outside the San Joaquin Valley, but close enough that a major earthquake could affect Shafter. The General Plan policy 7.1.1. requires that all new developments comply with the most recent Uniform Building Code's seismic design standards.

The project site lies within the vicinity of five earthquake fault lines – North of Oildale, Oildale, Pond, Oil Center, and Rio Bravo Ranch (DOC 2025). Given the high seismicity of the southern San Joaquin Valley region, moderate to severe ground shaking associated with earthquakes on the nearby faults can be expected within the project area and throughout Kern County. In the event of an earthquake on one of the nearby faults, it is likely that the project would experience ground shaking.

While such seismic shaking would be less severe from an earthquake that originates at a greater distance from the project site, the side effects could potentially be damaging to people or structures. The project is required to design structures and infrastructure to withstand substantial ground shaking in accordance with all applicable State law and applicable codes included in the California Building Code Title 24 for earthquake construction standards and building standards code including those relating to soil characteristics. The project shall adhere to all applicable local and State regulations to reduce any potentially significant impacts to structures resulting from strong seismic ground shaking at the project site. Therefore, the project would not directly or indirectly cause potential substantial effects, including the risk of loss, injury, or death involving strong seismic ground shaking.

- iii. Less than significant impact. Liquefaction is defined as a phenomenon where earthquake-induced ground vibrations increase the pore pressure in saturated, granular soils until it is equal to the confining, overburden pressure. When this occurs, the soil can completely lose its shear strength and enter a liquefied state. The

possibility of liquefaction is dependent upon grain size, relative density, confining pressure, saturation of the soils, and intensity and duration of ground shaking. For liquefaction to occur, three criteria must be met: “low density,” coarse-grained (sandy) soils, a groundwater depth of less than about 50 feet, and a potential for seismic shaking from nearby large magnitude earthquake.

The USDA-NRCS Web Soil Survey shows that the project site contains Wasco sandy loam at a 0 to 2 percent slope (South Valley Biology Consulting, LLC 2025). The project is relatively flat and level with no major changes in grade. Additionally, the possibility of flooding is rare as the site is in an area of minimal rainfall. Because the project site contains well drained sandy soils, there is a negligible risk of liquefaction occurring at the project site during a seismic event.

Structures constructed as part of the project would be required by State law to be constructed in accordance with all applicable California Building Code and Title 24 construction standards. Therefore, the project would not expose people or structures to potential substantial adverse effects involving seismic-related ground failure, including liquefaction.

- iv. No impact. The project site is located on the floor of the San Joaquin Valley, west of the Sierra Nevada foothills. The topography is flat, with an elevation of approximately 250 to 3,700 feet above mean sea level, and no significant topological features. As such, there is no potential for rock fall and landslides to impact the project in the event of a major earthquake, as the area has no significant elevation changes. Based on the predicted maximum horizontal accelerations at the project site and the soil types, minor subsurface settlement may occur onsite during a major earthquake, and this is considered less than significant. The site is flat and there is a low potential for landslides. Therefore, the project would not expose people or structures to potential substantial adverse effects involving landslides.
- b) Less than significant impact. The project site contains Wasco sandy loams. Due to the characteristics of the on-site soil types, the relatively flat terrain, and low precipitation (about 4 to 7 inches/annually), implementation of the project would not result in significant erosion, displacement of soils or soil expansion problems. The project would be subject to City ordinances and standards relative to soils and geology. Standard compliance requirements include detailed site-specific soil analysis prior to issuance of building permits and adherence to applicable building codes in accordance with the Uniform Building Code.

Construction of the site would temporarily disturb soils, which could loosen soil, and the removal of vegetation could contribute to future soil loss and erosion by wind and storm water runoff. The project would have to request coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activities (No. 2012-0006-DWQ) (General Permit) because the project would result in one or more acres of ground disturbance. To conform to the requirements of

the General Permit, a Storm Water Pollution Prevention Plan (SWPPP) would need to be prepared that specifies best management practices (BMPs) to prevent construction pollutants, including eroded soils (such as topsoil), from moving offsite. Implementation of the General Permit and BMPs requirements would mitigate erosion of soil during construction activities.

During operation, the soils would be sufficiently compacted to required engineered specifications, revegetated in compliance with City requirements, or paved over with impervious surfaces such that the soils at the site would not be particularly susceptible to soil erosion. Therefore, the project would not result in substantial soil erosion or the loss of topsoil.

- c) Less than significant impact. See Geology and Soils responses above. As indicated in previous responses, the site is flat and does not have slopes. Additionally, the site is not located near any area with sufficient slope that could result in off-site landslides. Moreover, the project will be designed by an engineer to resist potential side-effects of spreading, subsidence, liquefaction, or collapse. Therefore, the project would not be located on a geologic unit or soil that is unstable, or that would become unstable because of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.
- d) Less than significant impact. See Geology and Soils responses above. Expansive clay soils are subject to shrinking and swelling due to changes in moisture content over the seasons. These changes can cause damage or failure of foundations, utilities, and pavements. During periods of high moisture content, expansive soils under foundations can heave and result in structures lifting. In dry periods, the same soils can collapse and result in settlement of structures. According to Physical and Chemical Properties of the Soils in the USDA Kern County Soil Survey, the upper five feet of the onsite soil (Wasco sandy loam) is considered to have low shrink-swell or expansion potential. In addition, the site is not located in an area of expansive soil. Compliance with applicable City of Shafter General Plan policies, Municipal Code, and the California Building Code, would reduce potential site-specific impacts to less-than-significant levels. Therefore, the project would not be located on expansive soil creating substantial risks to life or property.
- e) No impact. The project would not require the use of a septic system because the project would connect to the existing City sewer services. Therefore, the project would not result in soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.
- f) Less than significant with mitigation incorporated. The General Plan confirms that the City of Shafter has received sediments from the Coast Ranges to the west, the Sierra Nevada to the east, and to a lesser degree from activity on the San Andreas Fault system. These sediments contain different species of fossils, reflecting the different periods of deposition. General Plan policy 6.6.3. includes a standard condition of approval for new development projects. The policy requires that if cultural or paleontological resources are encountered during grading,

alteration of earth materials in the vicinity of the find be halted until a qualified expert has evaluated the find and recorded identified cultural resources. With implementation of mitigation, the project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

## Greenhouse Gas Emissions

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Evaluation of Environmental Effects

Air Quality and Greenhouse Gas Impact Study was prepared for the NEC Birch Street and E. Los Angeles Street Residential Project, Cesar Chavez Foundation, prepared by RK Engineering Group, Inc., April 2025, included as Appendix A.

- a) Less than significant impact with mitigation incorporated. The project would generate an incremental contribution and, when combined with the cumulative increase of all other sources of greenhouse gases (GHG), could contribute to global climate change impacts. Although the project is expected to emit GHG, the emission of GHG by a single project into the atmosphere is not necessarily an adverse environmental effect. Rather, it is the increased accumulation of GHG from more than one project and many sources in the atmosphere that may result in global climate change. The resultant consequences of climate change can cause adverse environmental effects. A project’s GHG emissions typically would be relatively very small in comparison to state or global GHG emissions and, consequently, they would, in isolation, have no significant direct impact on climate change. Therefore, a project’s GHG emissions and the resulting significance of potential impacts are more properly assessed on a cumulative basis.

According to SJVAPCD’s *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*, a proposed project may utilize Best Performance Standards (BPS) to achieve a less than significant impact from GHG emissions. The BPS have been developed to enforce specific reduction strategies as part of the CEQA process for development projects. Projects that garner at least 29 points are presumed to be consistent with SJVAPCD guidelines. Consistent with CEQA and SJVUAPCD guidelines, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions.

The project will implement mitigation measures that include quantified measures and nine (9) unquantified BPS measures, for which the SJVUAPCD has not assigned specific point values. These measures include actions like installing electric stoves in residences and

increasing land use density beyond nine units per acre. Based on the CAPCOA *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity*, December 2021, installing only electric stoves could result in up to a 15% reduction in GHG emissions associated with electricity, while increasing land use density above nine units per acre could result in up to a 30% reduction in GHG emissions associated with Vehicle Miles Traveled (VMT) (RK Engineering Group, Inc 2025).

For those reasons, the project’s annual construction and operational GHG emissions shown in the tables below are primarily for disclosure purposes.

<b>Annual Construction Greenhouse Gas Emissions (MT/year)<sup>1</sup></b>				
<b>Year</b>	<b>CO<sub>2</sub></b>	<b>CH<sub>4</sub></b>	<b>N<sub>2</sub>O</b>	<b>CO<sub>2</sub>e</b>
2026	546.81	0.02	0.02	553.91
2027	18.66	0.00	0.00	18.76
<b>Total</b>	<b>565.47</b>	<b>0.02</b>	<b>0.02</b>	<b>572.67</b>
Amortized over 30 years	18.85	0.00	0.00	19.09

RK Engineering Group, Inc 2023.

<sup>1</sup> MT/year = metric tons per year

As shown in the table above, the estimated total GHG emissions during construction will be approximately 572.67 MTCO<sub>2</sub>e per year, or 19.09 MTCO<sub>2</sub>e per year when amortized over 30 years. The construction of the project would be temporary; therefore, the project would not consist of a lasting, ongoing source of GHG emissions.

Additionally, GHG emissions are estimated for on-site and off-site operational activity using CalEEMod. The table below shows the project’s estimated generation and usage of GHG emissions from mobile, energy, area, water, waste, and refrigerant sources.

<b>Annual Operational Greenhouse Gas Emissions (MT/year)<sup>1</sup></b>				
<b>Emission Source</b>	<b>CO<sub>2</sub></b>	<b>CH<sub>4</sub></b>	<b>N<sub>2</sub>O</b>	<b>CO<sub>2</sub>e</b>
Mobile	1,641.13	0.05	0.06	1,663.77
Energy	329.10	0.04	0.00	330.66
Area	105.46	0.17	0.00	109.65
Water	5.19	0.23	0.01	12.58
Waste	11.47	1.15	0.00	40.15
Refrigerant	--	--	--	0.20
30-year Construction Amortization	18.85	0.00	0.00	19.09
<b>Total</b>	<b>2,111.21</b>	<b>1.63</b>	<b>0.07</b>	<b>2,176.10</b>

RK Engineering Group, Inc 2023.

<sup>1</sup> MT/year = metric tons per year

As shown in the table above, the estimated annual operational GHG emissions will be 2,176.02 MTCO<sub>2</sub>e per year, including operational emissions and amortized construction.

By complying with the implemented mitigation measures, mandatory requirements of the latest 2022 California Building Code, including Title 24, Part 11, CALGreen, and Title 24, Part 6, Energy Code, the project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.

- b) Less than significant impact with mitigation incorporated. See response to a. above. The project will be required to comply with the mandatory requirements of the latest 2022 California Building Code, including Title 24, Part 11, CALGreen, and Title 24, Part 6, Energy Code. The purpose of the building standards is to reduce negative environmental impacts through planning and design, energy, efficiency, water efficiency and conservation, and material and resource conservation. As the California Building Standards were developed to help meet the requirements of the Global Warming Solutions Act (AB 32), which was adopted to reduce California's GHG emissions by achieving the maximum technologically feasible and cost-effective GHG emission reductions. Therefore, by complying with the California Building Standards Code and implemented mitigations, the project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHG.

## Hazards and Hazardous Materials

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

### Evaluation of Environmental Effects

- a) Less than significant impact. The project proposes to develop 174 multi-family units and would not involve the routine transport, use, or disposal of hazardous materials as defined by the Hazardous Materials Transportation Uniform Safety Act. However, construction activities would require transport, storage, use, and/or disposal of hazardous materials such as fuels and grease for the fueling/servicing of construction equipment, and there is the potential for upset and accident conditions that could release such material into the environment. Such substances would be stored in temporary storage tanks/sheds that would be located at the site. Although these types of materials are not acutely hazardous, they are classified as hazardous materials and create the potential for accidental spillage, which could expose construction workers. All transport, storage, use, and disposal of hazardous materials used in the construction of the project would be in strict accordance with federal and state laws and regulations. During construction of the project, Material Safety Data Sheets (MSDS)

for all applicable materials present at the site would be made readily available to onsite personnel. During construction, non-hazardous construction debris would be generated and disposed of at approved facilities for handling such waste. Also, during construction, waste disposal would be managed using portable toilets located at reasonably accessible onsite locations.

Although the project operation will require day-to-day maintenance activities, it would not involve the routine transport, use, or disposal of hazardous materials as defined by the Hazardous Materials Transportation Uniform Safety Act. Maintenance of the residential buildings would require the transport, storage, use, and/or disposal of household hazardous materials such as paints, cleaners, oils, batteries, and pesticides. Building tenants are required to follow any instructions for use and storage provided on product labels carefully to prevent any accidents in the living space. Users should also read product labels for disposal directions to reduce the risk of products exploding, igniting, leaking, mixing with other chemicals, or posing other hazards on the way to a disposal facility. Therefore, the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

- b) Less than significant impact. Please refer to response a. above. Therefore, the project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous material into the environment.
- c) No impact. The closest schools to the project site are Golden Oak Elementary and Grow Academy located approximately 1.5 miles west of the site. Given the distance and the intervening uses, there is very limited potential for the project to affect the schools in the vicinity. Therefore, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 miles of an existing or proposed school.
- d) No impact. According to the EnviroStor and Cortese lists pursuant to Government Code (GC) Section 65962.5, no portion of the project site is identified on either list, which provides the location of known hazardous waste concerns (EnviroStor 2025). Therefore, the project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to GC Section 65962.5 and, as a result, create a significant hazard to the public or the environment.
- e) No impact. The project is not located within the adopted Airport Land Use Plan for Minter Airport (Shafter 2005). The closest airport is Minter Airport located approximately 6 miles east of the project site. Therefore, the project would not result in a safety hazard for people residing or working in the project area because of a public airport or public use airport.
- f) Less than significant impact. The City maintains an emergency plan for response to disasters, including but not limited to earthquakes, floods, fires, hazardous spills or leaks, major

industrial accidents, major transportation accidents, major storms, airplane crashes, civil unrest, and national security emergencies. In a disaster, the City could experience significant casualties, property damage, and utility service interruptions, potentially exceeding the response capabilities of both the City and the County. The plan outlines the general authority, organization, and response actions for City staff to undertake, in compliance with existing law, when disasters happen. The objectives of the plan are to reduce loss of life, injury, and property losses through effective management of emergency forces (Shafter 2005). The emergency plan includes objectives and policies that would prevent new development from interfering with emergency response of evacuation plans. The project will comply with all local regulations related to the construction of new development that is consistent with the emergency plan. The project would also comply with the appropriate local and State requirements regarding emergency response plans and access. The proposed project would not inhibit the ability of local roadways to accommodate emergency response and evacuation activities. Therefore, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

- g) Less than significant impact. According to the Fire Hazard Severity Zone Viewer, the project is located outside the State Responsibility Area severity zones (Cal Fire 2024). Additionally, the City maintains an emergency plan for response to disasters, including fires. The objectives of the plan are to reduce loss of life, injury, and property losses through effective management of emergency forces (Shafter 2005). The emergency plan includes objectives and policies that would prevent new development from interfering with emergency response of evacuation plans. The project will comply with all local regulations related to the construction of new development that is consistent with the emergency plan. The project would also comply with the appropriate local and State requirements regarding emergency response plans and access. The proposed project would not inhibit the ability of local roadways to accommodate emergency response and evacuation activities. Therefore, the project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.

## Hydrology and Water Quality

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

### Evaluation of Environmental Effects

- a) Less than significant impact. As discussed in Geology and Soils above, the project site's soil type has a low-to-medium susceptibility to sheet and rill erosion by rainfall and a low susceptibility to wind erosion at the ground surface. Disturbance of onsite soils during construction could result in soil erosion and siltation, and subsequent water quality degradation through increased turbidity and sediment deposition during storm events to offsite locations. Additionally, disturbed soils have an increased potential for fugitive dust to be released into the air and carried offsite. As described in Geology and Soils, the project would be required to comply with the General Permit. To conform to the requirements of the General Permit, a SWPPP would need to be prepared that specifies BMPs to prevent construction pollutants from moving offsite. The project is required to comply with the General Permit because project-related construction activities would disturb at least 1 acre

of soil. The City owns and maintains a municipal separate storm sewer system (MS4). The project's operational urban storm water discharges are covered under the Central Valley Water Resources Quality Control Board (CVRWQCB) National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements General Permit for Discharges from Municipal Separate Storm Sewer Systems (Order No. R5-2016-0040-018; NPDES No. CAS0085324) (MS4 Permit) (CVRWQCB 2024). The MS4 Permit mandates the implementation of a storm water management framework to ensure that water quality is maintained within the City because of operational storm water discharges throughout the City, including the project site. By complying with the General Permit and MS4 Permit, the project would not violate any water quality standards or waste discharge requirements. Therefore, the project would violate any water quality standards or waste discharge requirements.

- b) Less than significant impact. A large groundwater basin covering over 1.7 million acres underlies most of the southern San Joaquin Valley, including the City, and has been providing water for the area since the early 1900s. This basin is replenished by the natural runoff from the Sierra Nevada, as well as through percolation from the many irrigation canals that import water into the area from other regions of the State. The City's drinking water is derived from the aquifers within the basin and is pumped to the surface by a system of groundwater wells operated by the City. The City owns and operates its own public water system, including groundwater wells, above-ground water storage tanks with booster stations, an above-ground tank and booster plant, and water distribution lines (City of Shafter 2005).

Under the Urban Water Management Planning Act, every urban water supplier that provides water for municipal purposes to more than 3,000 customers or supplies more than 3,000 acre-feet of water annually is required to prepare and adopt an Urban Water Management Plan (UWMP) every five years (Shafter 2021). The UWMP serves as a foundational document and source of information for Water Supply Assessments (Senate Bill 610) and Written Verifications of Water Supply (Senate Bill 221), as it includes a 25-year projection of water demand and supply under both wet and dry year scenarios.

Given that the project is a residential development and may result in population growth, the City's 2020 UWMP has incorporated the project's anticipated population increase into its demand projections. Based on these projections, it was concluded that the City has sufficient existing water supply capacity to serve the proposed development. By State law, current UWMP do not need to address the Sustainable Groundwater Management Act (SGMA) or sustainable groundwater management currently. Prior to obtaining a building permit, the applicant will have to obtain a water will-serve letter. As a result, the project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

- c) The following discusses whether the project would 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.

- i. Less than significant impact. The project site does not contain any blue-line streams or other surface water features and therefore, the project would not alter the course of a river or stream. The project site would be graded and, as a result, the internal drainage pattern at the site would be altered from the baseline condition. Additionally, the project would result in increased impervious surfaces (i.e., building pads, sidewalks, asphalt parking area, etc.) at the site, which would reduce percolation to ground and result in greater amounts of storm water runoff concentrations at the site. If uncontrolled, differences in drainage patterns and increased impervious surfaces could result in substantial erosion or siltation on- or off-site. However, the project would be required to comply with the General Permit during construction and MS4 permit during operation. To comply with the MS4 Permit, the City requires compliance with adopted building codes, including complying with an approved drainage plan, which avoids on- and offsite flooding, erosion, and siltation problems. Therefore, the project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or offsite.
- ii. Less than significant impact. Refer to response c.i above. Therefore, the project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site.
- iii. Less than significant impact. Refer to response c.i. above. Therefore, the project would not create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.
- iv. Less than significant impact. Construction activities could potentially degrade water quality through the occurrence of erosion or siltation at the project site.

Construction of the project would include soil-disturbing activities that could result in erosion and siltation, as well as the use of harmful and potentially hazardous materials required to operate vehicles and equipment. The transport of disturbed soil or the accidental release of potentially hazardous materials could result in water quality degradation. The project would be required to comply with the NPDES Construction General Permit. Additionally, a SWPPP would be prepared to specify BMPs to prevent construction pollutants. The project would not otherwise substantially degrade water quality.

The project site is located outside the 500-year floodplain and is not located within a 100-year flood hazard area (FEMA 2024). Therefore, the project would not impede or redirect flood flows.

- d) No impact. As noted above, the project site is not within a FEMA flood hazard zone, nor is it located near the ocean or a steep topographic feature (i.e., mountain, hill, bluff, etc.). Tsunamis are waves generated in oceans from seismic activity. Due to the inland location of the site, tsunamis are not considered a hazard for the site. Therefore, there is no potential for the site to be inundated by tsunami or mudflow.

A seiche is a wave generated by the periodic oscillation of a body of water whose period is a function of the resonant characteristics of the containing basin as controlled by its physical dimensions. There is no body of water within the vicinity of the project site. There is no potential for inundation of the project site by seiche.

There are no nearby levees that would be susceptible to failure or flooding of the site. Therefore, the project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding because of the failure of a levee.

- e) Less than significant impact. Refer to a. through d. responses above. The Project would not conflict with or obstruct the implementation of any water quality control plan. The Project would be subject to the requirements of the NPDES Stormwater Program and would be required to comply with a SWPPP. The SWPPP would identify all potential sources of pollution that could affect stormwater discharges from the project site and specify BMPs to prevent significant impacts related to stormwater runoff. Moreover, the project is within the jurisdiction of the Kern County Subbasin Groundwater Sustainability Agency (GSA). The Groundwater Sustainability Plan (GSP) was adopted by the Kern County Subbasin GSA in December 2024 (Kern County GSP 2024). The project would not conflict with or obstruct the implementation of this GSP. Therefore, the project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

## Land Use and Planning

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating and environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Evaluation of Environmental Effects

- a) No impact. The project does not include the construction of roads or any other physical barrier. The project includes the development of 174 multi-family units and is adjacent to existing multi-family development. The project is a continuation of the existing urban development pattern of the City, therefore, the project would not physically divide an established community.
- b) Less than significant impact. The proposed project requires a GPA and ZC to be consistent with the General Plan land use designation and the zoning classification. The GPA would change the land use designation and zoning classification from low-density residential to medium high-density residential to allow the development of 174 multi-family units. If a GPA and ZC are approved by the City, the project would be consistent with the General Plan land use designation and the zoning classification. Therefore, the project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

## Mineral Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site that is delineated in a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Evaluation of Environmental Effects

- a) No impact. The California Department of Conservation, Geological Survey classifies lands into Aggregate and Mineral Resource Zones (MRZs) based on guidelines adopted by the California State Mining and Geology Board, as mandated by the Surface Mining and Reclamation Act of 1974. These MRZs identify whether known or inferred significant mineral resources are present in areas. Lead agencies are required to incorporate identified MRZs resource areas delineated by the State into their General Plans. The principal mineral resources within the City are oil and natural gas. The southern portion of Kern County is a major oil producing region, with oil fields extending into the southern portion of Shafter’s Planning Area (Shafter 2005).

No oil or gas resources have been identified in or extracted from the project site. According to the California Geologic Energy Management Division (CalGEM) [formerly called Division of Oil, Gas and Geothermal Resources (DOGGR)], the project site is not located in an identified oilfield and there are no known wells located on the site (CalGEM 2025). The proposed project would not result in the loss of availability of mineral resources as the project does not propose the extraction of mineral resources. Additionally, the proposed project would not restrict the ability of mineral rights’ holders in the area to exercise their legal rights to access surrounding sites for the exploration and/or extraction of underlying oil research or other natural resources. Therefore, the project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

- b) No impact. As noted above, the project is not designated as a mineral recovery area. The project would not alter any existing plans that protect mineral resources. As a result, the proposed project would not interfere with known mining operations and would not result in the loss of land designated for mineral and petroleum. Therefore, the project would not result in the loss of availability of a locally important mineral resource recovery site that is delineated in a local general plan, specific plan or other land use plan.

## Noise

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Evaluation of Environmental Effects

Noise Impact Study prepared for the NEC Birch Street and E. Los Angeles Street Residential Project, Cesar Chavez Foundation, prepared by RK Engineering Group, Inc., October 2023, included as Appendix C.

- a) Less than significant impact. The project’s construction would generate temporary increases in noise levels. The General Plan Section 7.7 requires exterior noise levels in residential zones to be maintained at 60 to 65 decibels utilizing site and architectural design features to mitigate noise impacts when feasible (Shafter 2005). Therefore, a roadway noise impact analysis was performed to determine if a significant impact would occur if noise levels exceed the applicable noise standards and the project results in an increase of 3.0 dBA or more above “Without Project” conditions. It is assumed that all homes in the vicinity of the project site are equipped with fresh air supply or air conditioning systems and thus a windows closed condition is applicable. Additionally, a change of 3 dBA is considered barely perceptible by the average health human ear (RK Engineering Group, Inc 2023). As a result, the project will not cause a significant permanent increase in roadway noise levels along adjacent roadways. The project would not generate 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) Less than significant impact. The project is expected to create temporary ground-borne noise and vibration because of the construction activities (during site preparation and grading). Ground-borne noise is due to construction equipment used during the phases of construction, including site preparation, grading, building, construction, paving, and architectural coating. Noise levels are calculated based on the average distance of equipment

over a 1-hour period to the nearest adjacent property (RK Engineering Group, Inc. 2023). The project’s estimated construction noise levels have been calculated using the Federal Highway Administration Roadway Construction Noise Model Version 1.1. The table below shows the noise level impacts from the center of the nearest plot to the nearest sensitive receptor property line.

<b>Project Construction Noise Levels at 360 Feet</b>				
<b>Phase</b>	<b>Equipment</b>	<b>Quantity</b>	<b>Equipment Noise Level at 360 feet (Dba Leq)</b>	<b>Combined Noise Level Dba Leq)</b>
Site Preparation	Tractors/Loaders/Backhoes	2	66.9	69.9
Grading	Graders	1	67.9	70.4
	Tractors/Loaders/Backhoes	1	66.9	
Building Construction	Tractors/Loaders/Backhoes	2	66.9	69.9
Paving	Rollers	2	67.9	70.9
Architectural Coating	Air Compressors	1	60.6	60.7
Worst Case Construction Phase Noise Level Criteria (Dba Leq)				70.9
<b>FTA Daytime General Assessment Construction Noise Criteria (dBA Leq)</b>				<b>90.0</b>
Noise level exceed FTA criteria?				No

As shown in the table above, the project is expected to generate a maximum noise level of 70.9 dBA. Therefore, the project’s construction noise levels will not exceed the Federal Transit Administration General Assessment Construction Noise Criteria threshold (RK Engineering Group, Inc. 2023).

Additionally, the project also performed a construction vibration assessment, which utilized the vibration levels and methodology determined by the 2018 Transit Noise and Vibration Impact Assessment Manual, Federal Transit Administration (FTA 2018). The table below shows the Federal Transit Administration referenced vibration levels (RK Engineering Group, Inc 2023).

Typical Construction Vibration Levels		
Equipment	Peak Particle Velocity (PPV) (inches/second) at 25 feet	Approximate Vibration Level at 25 feet
Piledriver (impact), upper range	1.518	112
Piledriver (impact), typical	0.644	104
Piledriver (sonic), upper range	0.734	105
Piledriver (sonic), typical	0.170	93
Clam shovel drop (slurry wall)	0.202	94
Hydro mill	0.008	66
(slurry wall)	0.017	75
Vibratory Roller	0.210	94
Hoe Ram	0.089	87
Large bulldozer	0.089	87
Caisson drill	0.089	87
Loaded trucks	0.076	86
Jackhammer	0.035	79
Small bulldozer	0.003	58

The following table shows the project's construction related vibration at the nearest structures to the project area. The distance between the construction area to the nearest structure is 58 feet.

Construction Vibration Impact Analysis		
Construction Activity	Calculated Vibration Level – PPV (in/sec)	Annoyance Criteria Level
Large Bulldozer	0.035	Barely Perceptible
Vibratory Roller	0.083	Barely Perceptible
Loaded Trucks	0.030	Barely Perceptible
*Distance to Nearest Structure 58 feet		

Based on the tables above, the project related construction activity is not expected to cause any potential damage to the nearest structures (RK Engineering Group, Inc 2023). Therefore, the project would not expose persons to or generation of excessive ground-borne vibration or ground-borne noise levels.

- c) No impact. As noted in the Hazards and Hazardous Materials section, the project is not located within the adopted Airport Land Use Plan for Minter Airport (Shafter 2005). The nearest airport to the project site is the Minter Field Airport Districted located approximately 4 miles east from the project site. Therefore, the project would not expose people residing or working in the project area to excessive noise levels for a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport.

## Population and Housing

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Evaluation of Environmental Effects

- a) Less than significant impact. The project includes the development of new housing to accommodate the housing demand and provide housing to farmworker families, as stated the project does not include any new roads. According to the California Department of Finance the City’s reported population on January 2023 was 21,309 and on January 2024 was 22,226, which showed a population increase of 4.3 percent (DOF 2024). If this positive trend continues, the population in the City will continue to increase and will require more housing. As stated, the project would assist with the need for housing in the City and would not induce substantial unplanned population growth in the area, either directly or indirectly.
- b) No impact. The project site is undeveloped and will not involve demolition of existing housing and will not require the construction of replacement housing elsewhere. Therefore, the project would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

## Public Services

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Evaluation of Environmental Effects

a) The following discusses whether the project would result in substantial adverse physical impacts to public services. The need for additional public service is generally directly correlated to population growth and the resultant additional population's need for services beyond what is currently available.

- i. Less than significant impact. The construction and operation of the project would result in an increase in demand for fire protection services leading to the construction of new or physically altered facilities. Under contract with the City of Shafter, fire suppression support is provided by the Kern County Fire Department located at 325 Sunset Avenue.

The City of Shafter will ensure that construction activities are conducted in accordance with local and State fire codes. Services are adequately planned for within the City's General Plan through policies to ensure the City maintains the fire department's performance and response standards by allocating the appropriate resources. As stated, the project applicant is responsible for the development impact fees and constructing any infrastructure needed to serve the project. Therefore, the project would not 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, to maintain acceptable service ratios, response times or other performance objectives for fire protection.

- ii. Less than significant impact. Law enforcement and public protection are provided by the City of Shafter Police Department. The City's police station is located at 201 Central Valley Hwy. The project would increase demand for public safety protection as the project is a residential development. However, the project applicant is responsible for the development impact fees and constructing any infrastructure needed to serve the project. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for police protection.
- iii. Less than significant impact. The project would impact on school facilities as the project is a residential development. However, the project would accommodate population growth and provide affordable housing to local families. Additionally, the project applicant is responsible for the school impact fees and constructing any infrastructure needed to serve the project. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for schools.
- iv. Less than significant impact. The project would impact on parks and recreation facilities. However, the project applicant is required to pay recreation impact fees. Therefore, the project would not 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, to maintain acceptable service ratios, response times or other performance objectives for parks.
- v. Less than significant impact. The project would impact on other public facilities such as libraries, hospitals, or emergency medical facilities. However, the project applicant is responsible for development impact fees and constructing any infrastructure needed to serve the project. The proposed project would comply with the objectives and policies of the General Plan. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for other public facilities.

## Recreation

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Evaluation of Environmental Effects

- a) Less than significant impact. The project could potentially increase the use of existing neighborhood and regional parks; however, the project applicant is required to pay development impact fees, which allows the City to upgrade, expand, or upkeep existing neighborhood and regional parks. Therefore, the project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would not occur or be accelerated.
- b) No impact. As discussed in this MND, with mitigation, the development of 174 multi-family units would not have an adverse physical effect on the environment. Therefore, the project would not include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

## Transportation/Traffic

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Evaluation of Environmental Effects

A Traffic Impact Study was prepared for the NEC Birch Street and E. Los Angeles Street Multi-Family Residential Project, Cesar Chavez Foundation, prepared by RK Engineering Group, Inc., October 2023, included as Appendix D.

- a) Less than significant impact. The City has not finalized or adopted any policies or methodologies for VMT analysis. As such, the California Governor’s Office Land Use and Climate Innovation (LCI) formally known as the Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA will be used as a basis for this project’s VMT analysis and provides screening criteria that lead agencies can apply to effectively screen projects from project-level assessment.

As stated, the project proposes the construction of 174 affordable housing units. The OPR Advisory recognizes that affordable housing projects typically generate lower VMT than market-rate housing, and a project consisting of a high percentage of affordable housing may be a basis for the lead agency to find a less significant impact on VMT. Adding affordable housing to infill locations generally improves jobs-housing match, in turn shortening commutes and reducing VMT. Evidence supports a presumption of a less than significant impact for a 100% affordable residential development in infill locations. Because the project consists of 100% affordable housing, the project may be presumed to have a less-than-significant impact on VMT and no further VMT analysis would be required (RK Engineering Group, Inc., 2023). Therefore, the project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

- b) Less than significant impact. See response to a. above. The project consists of 100% affordable housing, therefore, the project may be presumed to have a less than significant

impact on VMT and not further VMT analysis would be required (RK Engineering Group, Inc., 2023). As stated, the project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

- c) Less than significant impact. The project will be designed to current standards and safety regulations. All site access/egresses will be constructed to comply with design and safety standards of Chapter 33 of the California Building Codes and the guidelines of Title 24 to create safe and accessible roadways. Vehicles exiting the site will be provided with a clear view of the roadway without obstructions. Landscaping associated with the entry driveways could impede such views, if improperly installed. Specific circulation patterns and driveway designs will incorporate all applicable safety measures to ensure that hazardous design features or inadequate emergency access to the site or other areas surrounding the project area will not occur. Therefore, the project would not substantially increase hazards due to a design feature or incompatible uses.
- d) Less than significant impact. See response to c. above. The project would be required to comply with all emergency access requirements adopted and set forth in the City of Shafter Municipal Code. These requirements and all others required to be included in the project design will be verified by the City prior to project approval. Therefore, the project would not result in inadequate emergency access.

## Tribal Cultural Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in the 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:</p>				
<p>a) 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 §5020.1(k), or</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) 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 §5021.1. In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Evaluation of Environmental Effects

- a) No impact. There are no sites, features, places, cultural landscapes that are geographically defined in the terms of the size and scope of the landscape, sacred places, or objects with cultural value to a California Native American tribe located on the site. Therefore, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed in the California Register of Historical Resources or in a local register of historical resources.
  
- b) No impact. See response to a. above and in the Cultural Resources section. Therefore, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency to be significant.

## Utilities and Service Systems

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electrical power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in the 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulation related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Evaluation of Environmental Effects

- a) Less than significant impact. Refer to Geology and Soils and Hydrology and Water Quality responses above regarding potable and irrigation water, wastewater, and stormwater. The above analysis concluded that the project would not require the relocation or construction of new or expanded facilities for potable and irrigation water, wastewater, and stormwater facilities.

The Pacific Gas and Electric Company (PG&E) provides electricity to the City. The existing trunk and transmission facilities are adequate to meet present and projected demand for the project site. The project will connect to the existing PG&E transmission lines for electrical power, but lighting would be minimal.

The City is served by multiple telecommunication providers such as AT&T, Spectrum, T-Mobile, ATel Communications, and Municipal Fiber Network.

No natural gas is proposed for the project.

Therefore, the project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas,

or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

- b) Less than significant impact. Refer to the Hydrology and Water Quality responses above. Therefore, the project has sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.
- c) Less than significant impact. The project will connect to the City's sewer mains and wastewater will be treated at the wastewater treatment plant owned and operated by the North of the River (NOR) Sanitary District which is in a Joint Powers Agreement with the City. The wastewater treatment plant is currently designing an upgrade and expansion for additional treatment capacity. The wastewater treatment capacity will increase from 7.5 million gallons per day to 10 million gallons per day (NORS D 2025). Therefore, it has been determined by the wastewater treatment provider which serves or may serve the project has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.
- d) Less than significant impact. Two franchise haulers, American Refuse and Varner Brothers, serve properties in the City. American Refuse is the franchise hauler within the city core area and will provide service to the proposed project. Solid waste that is collected is disposed of at the Shafter/Wasco Landfill and the Bakersfield Metropolitan (Bena) Landfill. These landfills are owned and operated by the Kern County Waste Management Department. The Shafter/Wasco Landfill is the City's primary landfill, while the Bena Landfill accepts some refuse from industrial uses within the City. Both facilities are designated as Class III landfills and have the capacity to serve projected solid waste disposal needs through December 2053 and April 2046, respectively. Implementation of the project would result in the generation of solid waste on the project site, which would increase the demand for solid waste disposal. During construction these materials, which are not anticipated to contain hazardous materials, would be collected and transported away from the site. The project, in compliance with federal, State, and local statutes and regulations related to solid waste, would dispose of all waste generated onsite at an approved solid waste facility. Additionally, prior to obtaining a building permit, the applicant will have to obtain a landfill will-serve letter. Therefore, the project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.
- e) No impact. See response to d. above. The 1989 California Integrated Waste Management Act (AB 939) requires Kern County to attain specific waste diversion goals. In addition, the California Solid Waste Reuse and Recycling Access Act of 1991, as amended, requires expanded or new development projects to incorporate storage areas for recycling bins into the project design. The reuse and recycling of construction debris would reduce operating expenses and save valuable landfill space. As stated above, the Shafter/Wasco Landfill is the City's primary landfill, while Bena Landfill accepts some refuse from industrial uses within the City. Both facilities have the capacity to serve projected solid waste disposal needs through

2056 and 2046, respectively. Therefore, the project would comply with federal, state, and local management and reduction statutes and regulation related to solid waste.

## Wildfires

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

### Evaluation of Environmental Effects

- a) Less than significant impact. See Hazards and Hazardous Materials section regarding emergency response. According to data from the Cal Fire, there are no fire hazard severity zones on the project site or within the City boundaries (CalFire 2024). As noted previously, the City of Shafter maintains an emergency plan for response to disasters, including fires. The objectives of the plan are to reduce loss of life, injury, and property losses through effective management of emergency forces (Shafter 2005). The emergency plan includes objectives and policies that would prevent new development from interfering with emergency response of evacuation plans. The project will comply with all local regulations related to the construction of new development that is consistent with the emergency plan. The project would also comply with the appropriate local and State requirements regarding emergency response plans and access. The proposed project would not inhibit the ability of local roadways to accommodate emergency response and evacuation activities. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan.
- b) Less than significant impact. The project site is in a region dominated by residential and agricultural uses. The topography of the area is flat. The project would install the required infrastructure to meet water supply demands for fire protection services. Development of the project will not increase the need for fire protection services or expand the service area of the local Fire Department, and the project will comply with all applicable fire codes and

regulations. Therefore, the project would not exacerbate wildfires and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors.

- c) No impact. The Pacific Gas and Electric Company (PG&E) provides electricity to the City. The existing trunk and transmission facilities are adequate to meet present and projected demand to the project site. The project will connect to the existing PG&E transmission lines for electrical power. Therefore, the project would not 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) No impact. The site is topographically flat land, as is the surrounding area. There are no slopes on or near the property and the project would not expose the people or structures to significant risks from downslope or downstream flooding or landslides due to a result of runoff, post fire instability or drainage changes. According to FEMA Flood Insurance Rate Maps the project is within an area of minimal flood hazards (FEMA 2024). Therefore, the project would not 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.

## Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Mandatory Findings of Significance:</b>				
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, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Evaluation of Environmental Effects

- a) Less than significant with mitigation incorporated. As evaluated in this document, the project would not substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory. With implementation of the mitigation measures recommended in this document, the project would not have the potential to degrade the quality of the environment, significantly impact biological resources, or eliminate important examples of the major periods of California history or prehistory. Therefore, with the following mitigation measures the project would have a less than significant impact. Therefore, the project, with the implementation of the identified conditions of approval, best management practices, and mitigation measures, would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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) Less than significant impact with mitigation incorporated. As described in the impact analyses in this document, any potentially significant impacts of the project would be reduced to a less-than-significant level through implementation of the project as described and by mitigation measures. The project would not otherwise combine with impacts of related development to add considerably to any cumulative impacts in the region. With mitigation, the proposed project would not have impacts that are individually limited, but cumulatively considerable. Therefore, the project would have a less than cumulatively considerable impact with mitigation incorporated. There is no substantial evidence that with the implementation of the identified conditions of approval, best management practices, and mitigation measures, there are any cumulative effects associated with this project.
- c) Less than significant with mitigation incorporated. All the project's impacts, both direct and indirect, that are attributable to the project were identified and mitigated. The project mitigation measures will substantially reduce or eliminate impacts of the project. Therefore, the project, with mitigation, would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

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**ATTACHMENT A**  
**MMRP**

**EXHIBIT "A" - Mitigation Monitoring and Reporting Program – GPA 23-39 & ZC 23-72 (Cesar Chavez Multi-Family)**

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
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<p><b>#1</b></p>	<p>Prior to grading plan approval, the applicant/developer shall submit documentation to the Planning Department that they will/have met all air quality control measures, design features, and rules required by the San Joaquin Valley Air Pollution Control District, including but not limited to the following:</p>	<p>Prior to grading plan approval</p>	<p>San Joaquin Valley Air Pollution Control District; City of Shafter Planning Department</p>		
	<p>To minimize Fugitive Dust during construction, the applicant will comply with the following:</p> <ul style="list-style-type: none"> <li>• Apply water to unpaved surfaces and areas.</li> <li>• Use non-toxic chemical or organic dust suppressants on unpaved roads and traffic areas.</li> <li>• Limit or reduce vehicle speed on unpaved roads and traffic areas.</li> <li>• Maintain areas in a stabilized condition by restricting vehicle access.</li> <li>• Install wind barriers.</li> <li>• During high winds, cease outdoor activities that disturb the soil.</li> <li>• Keep bulk materials sufficiently wet when handling.</li> <li>• Store and handle materials in a three-sided structure.</li> <li>• When storing bulk materials, apply water to the surface or cover the storage pile with a tarp.</li> <li>• Don't overload haul trucks. Overloaded trucks are likely to spill bulk materials.</li> <li>• Cover haul trucks with a tarp or other suitable cover. Or, wet the top of the load enough to limit visible dust emissions.</li> <li>• Clean the interior of cargo compartments on emptied haul trucks prior to leaving a site.</li> <li>• Prevent trackout by installing trackout control devices at all project access points.</li> <li>• Clean up trackout at least once a day. If along a busy road or highway, clean up trackout immediately.</li> <li>• Monitor dust-generating activities and implement appropriate measures for maximum dust control.</li> </ul>	<p><b>Steps to Compliance:</b></p> <ol style="list-style-type: none"> <li>1. This mitigation measure shall be incorporated as a condition of approval for any site plan review.</li> <li>2. The applicant/developer shall obtain written proof from the SJVAPCD that the project will/have met all air quality control measures and rules.</li> <li>3. Provide documentation to the Planning Department for the record.</li> </ol>			

**EXHIBIT "A" - Mitigation Monitoring and Reporting Program – GPA 23-39 & ZC 23-72 (Cesar Chavez Multi-Family)**

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	<p>Diesel Particulate Matter: during construction, the applicant will comply with the following design features:</p> <ul style="list-style-type: none"> <li>• Construction equipment should be maintained in proper tune.</li> <li>• All construction vehicles should be prohibited from excessive idling. Excessive idling is defined as five (5) minutes or longer.</li> <li>• Minimize the simultaneous operation of multiple construction equipment units, to the maximum extent feasible.</li> <li>• Establish an electricity supply to the construction site and use electric powered equipment instead of diesel-powered equipment or generators, where feasible.</li> <li>• Establish staging areas for the construction equipment that are as far from adjacent residential homes, as feasible.</li> <li>• Use haul trucks with on-road engines instead of off-road engines for on-site hauling.</li> </ul>				
#2	<p>Prior to grading plan approval, the applicant/developer shall submit proof to the Planning Department that the project has complied with the San Joaquin Valley Air Pollution Control District’s Indirect Source Rule (Rule 9510).</p>	<p>Prior to grading plan approval</p>	<p>San Joaquin Valley Air Pollution Control District; City of Shafter Planning Department</p>		
		<p><b>Steps to Compliance:</b></p> <ol style="list-style-type: none"> <li>1. This mitigation measure shall be incorporated as a condition of approval for any site plan review.</li> <li>2. The applicant/developer shall obtain written proof from the SJVAPCD that the project will/have met all air quality control measures and rules.</li> <li>3. Provide documentation to the Planning Department for the record.</li> </ol>			

**EXHIBIT "A" - Mitigation Monitoring and Reporting Program – GPA 23-39 & ZC 23-72 (Cesar Chavez Multi-Family)**

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#3	<p><b>San Joaquin Kit Fox (<i>Vulpes macrotis mutica</i>)</b></p> <p>Prior to ground disturbance, a pre-construction survey must be conducted 14 - 30 days within the Project Area and a 500-foot buffer to identify active or potential San Joaquin kit fox dens.</p> <ul style="list-style-type: none"> <li>If potential kit fox dens are observed within the Project Area, a 50-foot avoidance buffer should be implemented. If construction activities require the destruction of a potential den, then den monitoring shall be conducted by a qualified biologist for a minimum of 4 consecutive nights following the protocols set forth in the U.S. Fish and Wildlife Service Standardized Recommendations for the Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 2011). Known dens shall require an avoidance buffer of at least 100 feet. If a known den cannot be avoided, it shall be left undisturbed, and the monitoring biologist shall be contacted immediately. Natal dens found within the Project Area or within a 500-buffer surrounding the Project Area should be avoided and the USFWS and CDFW shall be contacted.</li> <li>To prevent the entrapment of a San Joaquin kit fox or other wildlife, all steep walled, open trenches greater than 2 feet in depth should be covered at the end of each day. If covering an open excavation is not feasible, escape ramps made of earthen material or wooden planks at a 1:1- slope (45-degree angle) should be implemented. Trenches should be inspected in the morning prior to commencing work activities and prior to backfilling. If a San Joaquin kit fox or any other special-status species is found within the excavation, the monitoring biologist shall be contacted immediately. At no time should any personnel attempt to handle, corral, remove, or otherwise interact with the animal.</li> </ul>	Prior to ground disturbance	Qualified Biologist; City of Shafter Planning Department; California Department of Fish and Wildlife		
<p><b>Steps to Compliance:</b></p> <ol style="list-style-type: none"> <li>This mitigation measure shall be incorporated as a condition of approval for any site plan review.</li> <li>Contract a qualified biologist to perform a pre-construction survey within 14 days prior to ground disturbance activities.</li> <li>Provide results of survey to the Planning Department for the record.</li> <li>If special-status species found, then contact CDFW to determine avoidance and minimization measures.</li> </ol>					

**EXHIBIT "A" - Mitigation Monitoring and Reporting Program – GPA 23-39 & ZC 23-72 (Cesar Chavez Multi-Family)**

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#4	<p><b>Swainson’s Hawk (<i>Buteo swainsoni</i>)</b></p> <ul style="list-style-type: none"> <li>If construction activities are to take place during the nesting season (February - August), a preconstruction survey will be conducted 14 - 30 days prior to ground disturbing activities within the Project Area and a 500-foot buffer to identify individual Swainson’s hawk’s and active nests. This survey can be conducted concurrently with the San Joaquin kit fox pre-construction survey described above, depending on the timing of the pre-construction survey.</li> <li>If any active Swainson’s hawk nest is found during the pre-construction survey, a qualified biologist will prescribe an appropriate buffer zone surrounding the nest and a plan to be implemented to prevent disruption of nesting activities. If nest disruption is not possible, CDFW should be contacted for guidance.</li> </ul>	Prior to ground disturbance	Qualified Biologist; City of Shafter Planning Department; California Department of Fish and Wildlife		
<p><b>Steps to Compliance:</b></p> <ol style="list-style-type: none"> <li>This mitigation measure shall be incorporated as a condition of approval for any site plan review.</li> <li>Contract a qualified biologist to perform a pre-construction survey within 14 days prior to ground disturbance activities.</li> <li>Provide results of survey to the Planning Department for the record.</li> <li>If special-status species found, then contact CDFW to determine avoidance and minimization measures.</li> </ol>					
#5	<p><b>Tricolored blackbird (<i>Agelaius tricolor</i>)</b></p> <ul style="list-style-type: none"> <li>If construction activities are to take place during the nesting season for tricolored blackbird (February - May), a pre-construction survey will be conducted 14 - 30 days prior to ground disturbing activities within the Project Area and a 500-foot buffer to identify individual tricolored blackbirds and active nests. This survey can be conducted concurrently with the San Joaquin kit fox pre-construction survey described above, depending on the timing of the preconstruction survey.</li> <li>If any active tricolored blackbird nest sites are found during the pre-construction survey, a qualified biologist will prescribe an appropriate buffer zone surrounding the nest site and a plan to be implemented to prevent disruption of nesting activities.</li> </ul>	Prior to ground disturbance	Qualified Biologist; City of Shafter Planning Department; California Department of Fish and Wildlife		
<p><b>Steps to Compliance:</b></p> <ol style="list-style-type: none"> <li>This mitigation measure shall be incorporated as a condition of approval for any site plan review.</li> <li>Contract a qualified biologist to perform a pre-construction survey within 14 days prior to ground disturbance activities.</li> <li>Provide results of survey to the Planning Department for the record.</li> <li>If special-status species found, then contact CDFW to determine avoidance and minimization measures.</li> </ol>					

**EXHIBIT "A" - Mitigation Monitoring and Reporting Program – GPA 23-39 & ZC 23-72 (Cesar Chavez Multi-Family)**

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#6	<p><b>Other Migratory Birds</b></p> <p>Other migratory birds may use the proposed project site or surrounding lands for feeding, nesting, and roosting. In compliance with Sections 3503 and 3503.5 of the California Fish and Game Code and the Migratory Bird Treaty Act, if construction activities are to occur during the nesting and breeding season (February 1 through August 31), a qualified biologist shall determine the presence of any native bird and raptor nests prior to construction activities. If any nests are identified, appropriate buffer zones will be established around any identified nests to prevent disruption of nesting. If an adequate buffer zone cannot be established around any active nest, CDFW and USFWS will be contacted for guidance.</p>	<p>Prior to ground disturbance</p>	<p>Qualified Biologist; City of Shafter Planning Department; California Department of Fish and Wildlife</p>		
<p><b>Steps to Compliance:</b></p> <ol style="list-style-type: none"> <li>1. This mitigation measure shall be incorporated as a condition of approval for any site plan review.</li> <li>2. Contract a qualified biologist to perform a pre-construction survey within 14 days prior to ground disturbance activities.</li> <li>3. Provide results of survey to the Planning Department for the record.</li> <li>4. If special-status species found, then contact CDFW to determine avoidance and minimization measures.</li> </ol>					

**EXHIBIT "A" - Mitigation Monitoring and Reporting Program – GPA 23-39 & ZC 23-72 (Cesar Chavez Multi-Family)**

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
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<p><b>#7</b></p>	<p><b>General Wildlife Avoidance Measures</b>                  To further ensure no special-status species are impacted by the project, the project will comply with the following general wildlife avoidance measures during the construction period.</p> <ul style="list-style-type: none"> <li>• All vehicles should implement a maximum 10mph speed limit within the Project Area or adhere to the posted speed limit.</li> <li>• To avoid the entrapment of any animal, all excavations greater than 2 feet should be backfilled by the end of day. If backfilling by the end of day is not possible, excavations should be covered in a way to prevent wildlife species from entering the excavation. If excavations cannot be covered, an earthen escape ramp or a ramp constructed of wooden planks should be implemented inside the excavation at a 1:1 slope (45 degrees). If any wildlife is found entrapped inside an open excavation, the biologist should be contacted immediately. All pipes, culverts, or similar structures staged onsite should be capped in a way to prevent the entry of wildlife. Such structures should be checked prior to moving to ensure no wildlife is entrapped inside.</li> <li>• All food-related trash items including wrappers, cans, bottles, and scraps should be disposed of in a securely closed container and removed from the site at the end of each day.</li> <li>• No firearms or pets should be allowed onsite.</li> <li>• Any protected wildlife species that may venture onsite should be allowed to leave the site of their own accord. No attempt to handle or otherwise engage with the animal should be made. If after a reasonable amount of time the animal does not leave the project site, the biologist should be contacted.</li> </ul>	<p>During construction</p>	<p>City of Shafter Planning Department; Qualified Biologist (if needed); California Department of Fish and Wildlife (if needed)</p>		
<p><b>Steps to Compliance:</b></p> <ol style="list-style-type: none"> <li>1. This mitigation measure shall be incorporated as a condition of approval for any site plan review.</li> <li>2. Provide results of survey to the Planning Department for the record.</li> <li>3. If special-status species found, then contact CDFW to determine avoidance and minimization measures.</li> </ol>					

<p><b>#8</b></p>	<p>If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools</p>	<p>During construction</p>	<p>Qualified Archeologist; City of Shafter Planning Department</p>		
<p><b>Steps to Compliance:</b></p>					

**EXHIBIT "A" - Mitigation Monitoring and Reporting Program – GPA 23-39 & ZC 23-72 (Cesar Chavez Multi-Family)**

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
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	<p>and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.</p>	<ol style="list-style-type: none"> <li>1. This mitigation measure shall be incorporated as a condition of approval for any site plan review.</li> <li>2. If prehistoric or historic-era cultural materials are discovered, halt all work, and contact a qualified archaeologist to assess finds and recommend procedures.</li> <li>3. If necessary, implement recommended procedures.</li> <li>4. Provide summary of all relevant activities to the Planning Department for the record.</li> </ol>			
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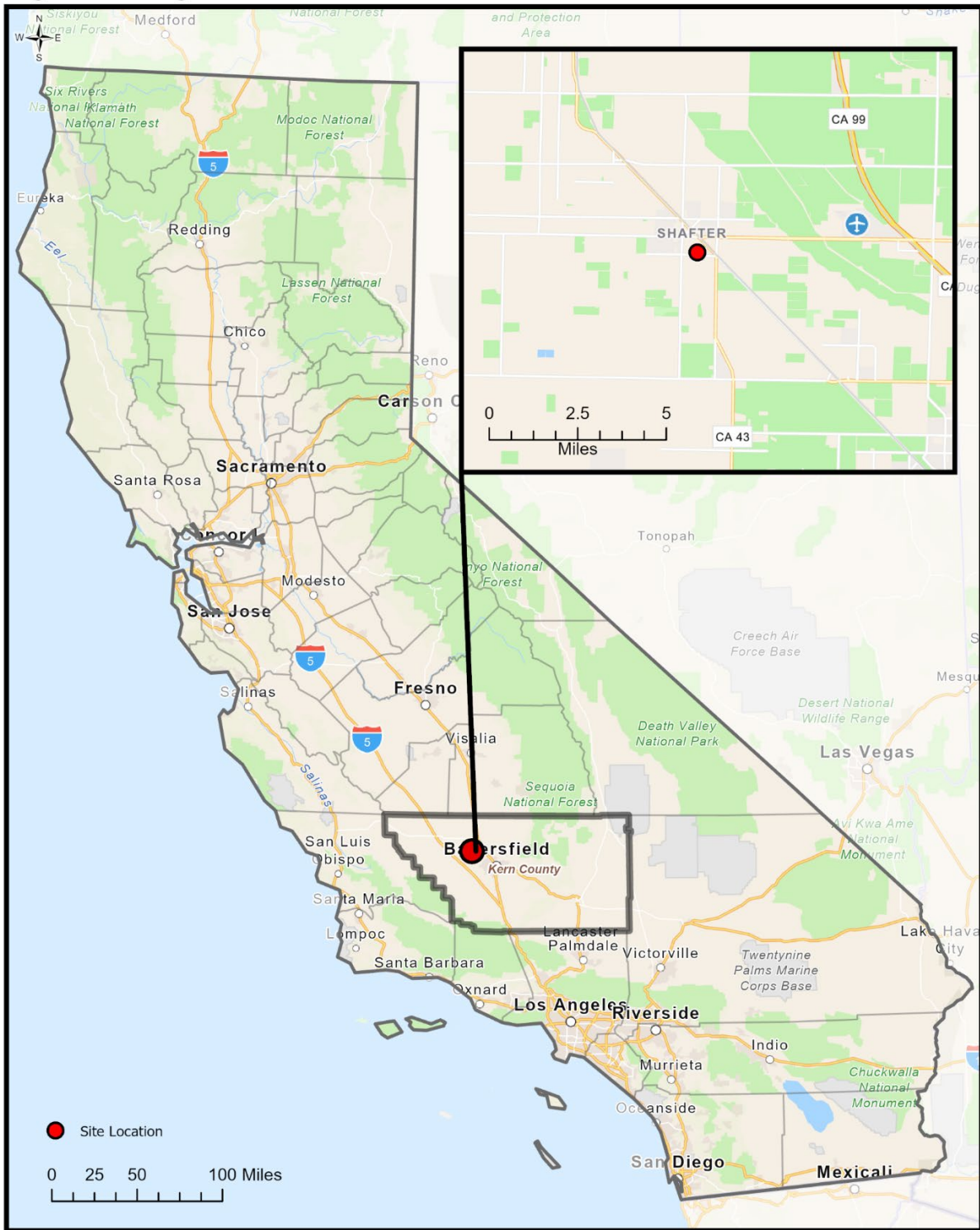
<p><b>#9</b></p>	<p>If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the county coroner.</p>	<p>During construction</p>	<p>City of Shafter Planning Department; Kern County Coroner (if needed); Native American Heritage Commission (if needed)</p>		
		<p><b>Steps to Compliance:</b></p> <ol style="list-style-type: none"> <li>1. This mitigation measure shall be incorporated as a condition of approval for any site plan review.</li> <li>2. If human remains are uncovered, halt all work and contact the Kern County Coroner to evaluate the remains and follow the appropriate procedures and protocols.</li> <li>3. If the County Coroner determines that the remains are Native American, the applicant/developer shall contact the Native American Heritage Commission.</li> <li>4. If Native American human remains are located, the applicant/developer shall implement and comply with the requirements listed in this mitigation measure.</li> <li>5. Provide summary of all relevant activities to the Planning Department for the record.</li> </ol>			

**EXHIBIT "A" - Mitigation Monitoring and Reporting Program – GPA 23-39 & ZC 23-72 (Cesar Chavez Multi-Family)**

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#10	<p>If any paleontological resources are encountered during ground disturbance activities, all work within 25 feet of the find shall halt until a qualified paleontologist as defined by the Society of Vertebrate Paleontology Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources, can evaluate the find and make recommendations regarding treatment. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. The qualified paleontologist shall contact the Natural History Museum of Los Angeles County or other appropriate facility regarding any discoveries of paleontological resources.</p>	During construction	Qualified Paleontologist; City of Shafter Planning Department		
<p><b>Steps to Compliance:</b></p> <ol style="list-style-type: none"> <li>1. This mitigation measure shall be incorporated as a condition of approval for any site plan review.</li> <li>2. Contract a qualified paleontologist, if needed.</li> <li>3. Perform additional investigations and fossil recovery, if needed.</li> <li>4. Perform significance evaluation and effectuate recommendations, if needed.</li> <li>5. Provide summary of all relevant activities to the Planning Department for the record.</li> </ol>					
#11	<p>Prior to the issuance of building permits, the project will provide proof to the Planning Department that the project scores a minimum of 29 points using the San Joaquin Valley Air Pollution Control District (SJVAPCD) GHG Emission Reduction Best Performance Standard (BPS) Measures for Development Projects.</p>	Prior to building permit issuance	City of Shafter Building Department; City of Shafter Planning Department		
<p><b>Steps to Compliance:</b></p> <ol style="list-style-type: none"> <li>1. This mitigation measure shall be incorporated as a condition of approval for any site plan review.</li> <li>2. The applicant/developer shall submit percolation testing results to the Shafter Building Department.</li> <li>3. Provide summary of all relevant activities to the Planning Department for the record.</li> </ol>					

**ATTACHMENT B**  
**Figures**

**Figure 1: Regional Location**



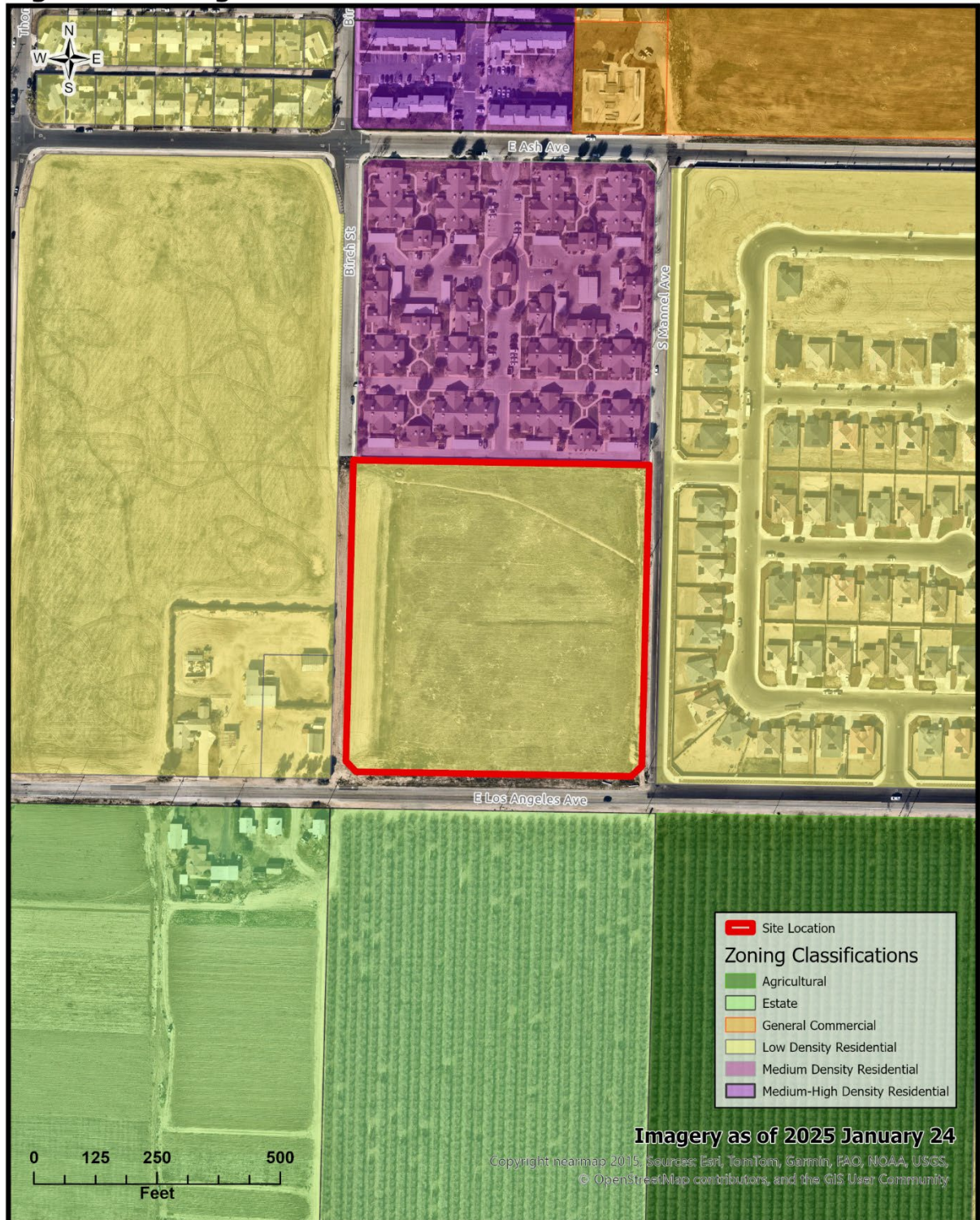
**Figure 2: Aerial Overview**



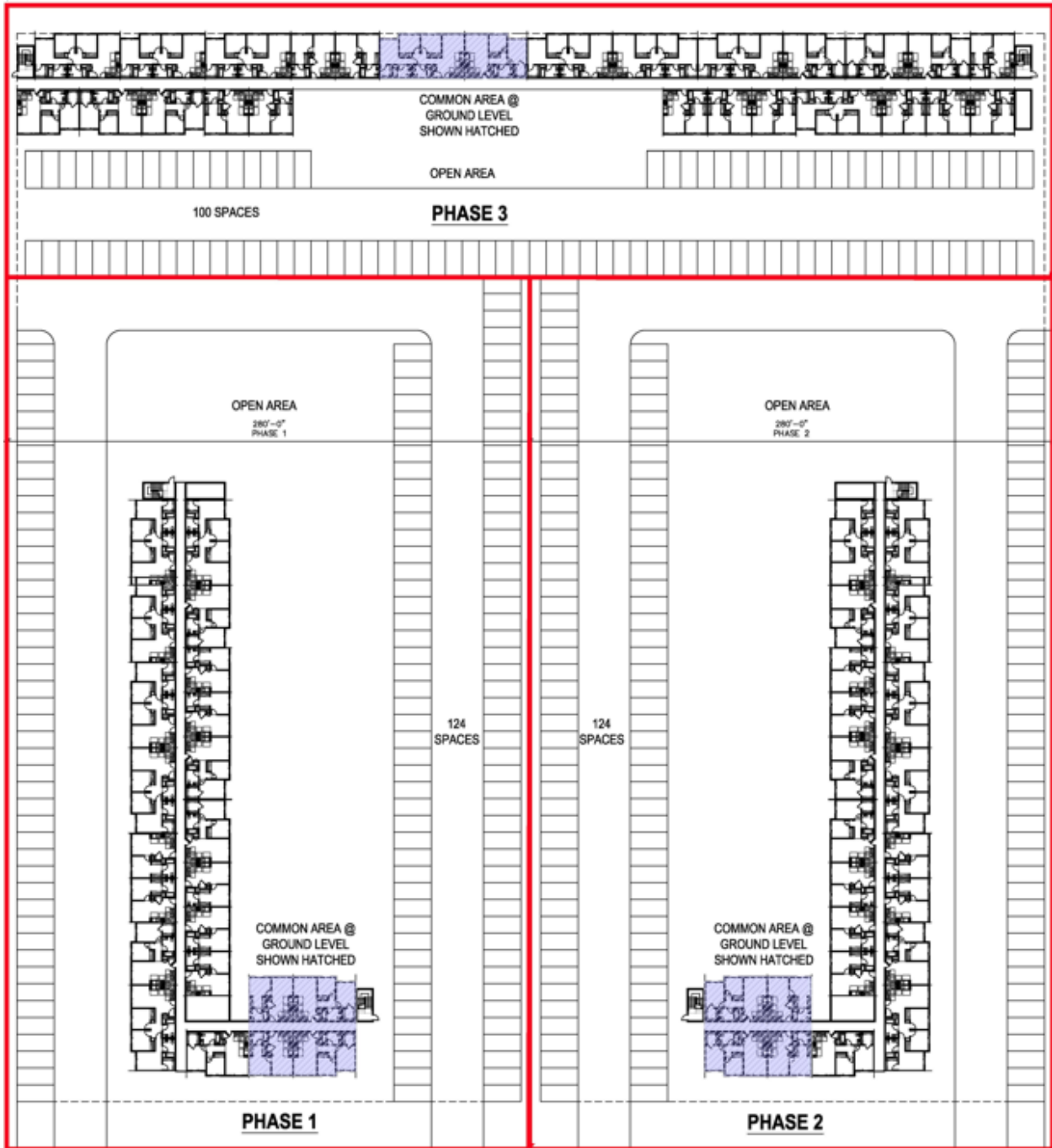
**Figure 3: General Plan Land Use**



**Figure 4: Zoning**



**Figure 5: Site Plan**



**Figure 6: Elevations**

