

**APPENDIX 1.0-3**

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**Comments on the IS/NOP**



September 29, 2025

**VIA ELECTRONIC MAIL**

City of Bakersfield  
Yazid Alawgarey  
1715 Chester Avenue 2nd Floor  
Bakersfield, CA 93301

yalawgarey@bakersfieldcity.us

Assessor Parcel Number(s): 50078012, 50078013  
Project Location Address: Stockdale Highway & Jewetta Avenue

PROJECT TITLE: Bakersfield Temple

Public Resources Code (PRC) section 3208.1 establishes re-abandonment responsibility when previously plugged and abandoned oil, gas or geothermal wells will be impacted by planned property development or construction activities. Local permitting agencies, property owners, and/or developers should be aware of, and fully understand, that significant and potentially dangerous issues may be associated with development near previously abandoned oil, gas, and geothermal wells.

The California Geologic Energy Management Division (CalGEM) has received the above-referenced project dated September 19, 2025. To assist local permitting agencies, property owners, and developers in making safe and practical land use decisions regarding potential development near oil, gas, or geothermal wells, CalGEM provides a table in the attached enclosure of the wells within the parcel boundary or in its vicinity, based on CalGEM's Well Finder database (<https://maps.conservation.ca.gov/doggr/wellfinder/>).

CalGEM categorically advises against building over, or in any way impeding access to, oil, gas, or geothermal wells. Impeding access to a well could result in the need to remove any structure or obstacle that prevents or impedes access including, but not limited to, buildings, housing, fencing, landscaping, trees, pools, patios, sidewalks, roadways, and decking at the landowner's expense if there is a need to access a well. Maintaining sufficient access is considered the ability for a well servicing unit and associated necessary equipment (consisting of well servicing rig, pumping equipment, pipe trailer) to reach a well from a public street or access way, solely over the parcel on which the well is located. A well servicing unit, and any necessary equipment, should be able to pass unimpeded along and over the route, and should be able to access the well without disturbing the integrity of surrounding infrastructure. Impermeable barriers such as asphalt, concrete, and plastic may trap hazardous gases and liquids

underneath and could create a safety hazard if built over a well that later develops a leak.

CalGEM recommends that any well for which access is impeded or built over, against CalGEM's advice, should be evaluated by a qualified petroleum professional for compliance with the statutory objectives of isolating all hydrocarbon-bearing strata; protecting underground and surface waters; prevention of subsequent damage to life, health, property, and other resources; and prevention of loss of oil, gas, or reservoir energy. CalGEM recommends that wells that do not meet these standards are abandoned or re-abandoned prior to construction. The well information can be accessed through CalGEM's Well Finder database mentioned above. PRC section 3208, subdivision (a), provides the primary statutory authority for CalGEM to oversee adequate abandonment of wells. Additionally, CalGEM has developed the regulatory guidance for operators to be followed during well abandonment, which are listed within California Code of Regulation, title 14 (CCR) section 1723 and associated sub-sections (for onshore wells), and section 1745 and associated sub-sections (for offshore wells).

There is no guarantee that a well abandoned in compliance with current Division requirements as prescribed by law will not start leaking in the future. Due to the inability to predict all subsurface conditions or changes, it always remains a possibility that any well may start to leak oil, gas, and/or water after abandonment, no matter how thoroughly the well was plugged and abandoned. CalGEM acknowledges wells plugged and abandoned to the most current Division requirements as prescribed by law have a lower probability of leaking in the future, however there is no guarantee that such abandoned wells will not leak.

CalGEM advises that all wells identified on the development parcel prior to, or during, development activities be tested for liquid and gas leakage. Surveyed locations in Latitude and Longitude, NAD 83 decimal format, and leak testing results should be provided to CalGEM. CalGEM expects any wells found leaking to be reported to CalGEM immediately.

PRC section 3208.1 gives CalGEM the authority to order or permit the re-abandonment of any well where it has reason to question the integrity of the previous abandonment. Responsibility for re-abandonment costs may be affected by the choices made by the local permitting agency, property owner, and/or developer in considering the general advice set forth in this letter. The PRC continues to define the person or entity responsible for re-abandonment as:

1. The property owner - If the well was plugged and abandoned in conformance with Division requirements at the time of abandonment, and in its current condition does not pose an immediate danger to life, health, and property, but requires additional work solely because the owner of the property on which the well is located proposes construction on the property that would prevent or impede access to the well for purposes of remedying a currently perceived future problem, then the owner of the property on which the well is located shall obtain all rights necessary to re-abandon the well and be responsible for the re-

abandonment.

2. The person or entity causing construction over or near the well - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and the property owner, developer, or local agency permitting the construction failed either to obtain an opinion from the supervisor or district deputy as to whether the previously abandoned well is required to be re-abandoned, or to follow the advice of the supervisor or district deputy not to undertake construction that impedes access, then the person or entity causing the construction over or near the well shall obtain all rights necessary to re-abandon the well and be responsible for the re-abandonment.
3. The party or parties responsible for disturbing the integrity of the abandonment - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and after that time someone other than the operator or an affiliate of the operator disturbed the integrity of the abandonment in the course of developing the property, then the party or parties responsible for disturbing the integrity of the abandonment shall be responsible for the re-abandonment.

Should any wells require abandonment or re-abandonment, the responsible party must submit a Notice of Intention (NOI) to CalGEM through WellSTAR. The NOI form can be accessed in the 'Plugging and Abandonment' section of the following link:

[https://www.conservation.ca.gov/calgem/for\\_operators](https://www.conservation.ca.gov/calgem/for_operators).

No well work may be performed on any oil, gas, or geothermal well without written approval from CalGEM. Well work requiring approval includes, but is not limited to, mitigating leaking gas or other fluids from abandoned wells, modifications to well casings, and/or any other re-abandonment work. CalGEM also regulates the top of a plugged and abandoned well's minimum and maximum depth below final grade. CCR section 1723.5 states well casings shall be cut off at least 5 feet but no more than 10 feet below the surface of the ground. If any well needs to be lowered or raised (i.e. casing cut down or casing riser added) to meet this regulation, a permit from CalGEM is required before work can start.

CalGEM makes the following additional recommendations to the local permitting agency, property owner, and developer:

1. To ensure that present and future property owners are aware of (a) the existence of all wells located on the property, and (b) potentially significant issues associated with any improvements near oil or gas wells, CalGEM recommends that information regarding the below identified well(s), and any other pertinent information obtained after the issuance of this letter, be communicated to the appropriate county recorder for inclusion in the title information of the subject real property.
2. CalGEM recommends that any soil containing hydrocarbons be disposed of in accordance with local, state, and federal laws. Please notify the appropriate

authorities if soil containing significant amounts of hydrocarbons is discovered during development.

As indicated in PRC section 3106, CalGEM has statutory authority over the drilling, operation, maintenance, and abandonment of oil, gas, and geothermal wells, and attendant facilities, to prevent, as far as possible, damage to life, health, property, and natural resources; damage to underground oil, gas, and geothermal deposits; and damage to underground and surface waters suitable for irrigation or domestic purposes. In addition to CalGEM's authority to order work on wells pursuant to PRC sections 3208.1 and 3224, it has authority to issue civil and criminal penalties under PRC sections 3236, 3236.5, and 3359 for violations within CalGEM's jurisdictional authority. CalGEM does not regulate grading, excavations, or other land use issues.

Should you have any questions, or if any wells are encountered that were not part of this letter, contact CalGEM at (661) 322-4031 or via email at [CalGEMCentralCSWR@conservation.ca.gov](mailto:CalGEMCentralCSWR@conservation.ca.gov).

Sincerely,

A handwritten signature in black ink that reads "Jeff Kimber". The signature is written in a cursive, slightly slanted style.

Jeff Kimber  
Supervising Oil and Gas Engineer

Enclosure

Enclosure: The wells listed below are reported to be located within and nearby the parcel boundary and may have future access impeded.

| <b>APN No.</b> | <b>API No.</b> | <b>Well Name</b> |
|----------------|----------------|------------------|
| 50078012       | No wells found |                  |
| 50078013       | No wells found |                  |

## NATIVE AMERICAN HERITAGE COMMISSION

September 22, 2025

Yazid Alawgarey  
City of Bakersfield  
1715 Chester Avenue  
Second Floor  
Bakersfield CA 93301

### Re 2025090952 Bakersfield Temple Project, Kern County

Dear Mr. Alawgarey:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

**Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**



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AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

  - a.** A brief description of the project.
  - b.** The lead agency contact information.
  - c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
  - d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).

  - a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

  - a.** Alternatives to the project.
  - b.** Recommended mitigation measures.
  - c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

  - a.** Type of environmental review necessary.
  - b.** Significance of the tribal cultural resources.
  - c.** Significance of the project's impacts on tribal cultural resources.
  - d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

  - a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
  - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
    - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
    - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
  - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
    - i.** Protecting the cultural character and integrity of the resource.
    - ii.** Protecting the traditional use of the resource.
    - iii.** Protecting the confidentiality of the resource.
  - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
  - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
  - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
  - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
  - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
  - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)

## SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf).

Some of SB 18's provisions include:

1. **Tribal Consultation**: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation**. There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality**: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation**: Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

### NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([https://ohp.parks.ca.gov/?page\\_id=30331](https://ohp.parks.ca.gov/?page_id=30331)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
  - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
  
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
  - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
  - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
  - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:  
[Mathew.Lin@NAHC.ca.gov](mailto:Mathew.Lin@NAHC.ca.gov).

Sincerely,

*Mathew Lin*

Mathew Lin  
Cultural Resources Analyst

cc: State Clearinghouse



THE LAW OFFICES OF  
KRISTIN A. HAGAN, PC

October 15, 2025

**Sent Via Electronic and U.S. Mail**

Mr. Yazid Alawgarey, Assistant Planner/Project Manager  
City of Bakersfield  
Development Services Dept. -- Planning Div.  
1715 Chester Avenue, 2<sup>nd</sup> Floor  
Bakersfield, CA 93301  
[valawgarey@bakersfieldcity.us](mailto:valawgarey@bakersfieldcity.us)

Re: Site Plan Review No. 24-0027, Zone Modification 24-0032 and Vesting  
Tentative Parcel Map No. 12637 – Bakersfield Temple (the “Project”)

Dear Mr. Alawgarey,

I serve as legal counsel for the Brighton Parks Ad Hoc Committee (the “Committee”), which consists of members of the Brighton Parks Active Adult 55+ Community (the “Community”) located immediately north of the above-referenced Project. The Committee represents the interests of residents concerned about the impact the Project will have on the Community. This letter is being submitted to comment on the Notice of Preparation and Initial Study recently released in advance of the upcoming Scoping Meeting being conducted in accordance with the California Environmental Quality Act (“CEQA”).

The Committee has significant concerns over the impacts the current iteration of the Project will have on the Community, primarily as a result of the proposed height of the steeples for the temple and meetinghouse and related lighting schematic. Based on a review of the Initial Study, the Committee concurs with the findings regarding the Aesthetics and Land Use and Planning issues identified therein. Aside from the Project’s violation of current height restrictions, which require the applicant to obtain a zone modification<sup>1</sup>, we believe the Project presents land use compatibility concerns given the Project’s scale and proximity to the Community. The Committee is pleased to see these concerns reflected in the Initial Study and appreciates that the issues resulting from the Project’s proposed height and illumination will be closely analyzed in the Environmental Impact Report (“EIR”).

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<sup>1</sup> To the extent the Project applicant asserts the Religious Land Use and Institutionalized Persons Act of 2000 serves as a blanket exemption to height restrictions under the City’s Zoning Code, we refute that reading and application of the law.

It should be noted that the Committee does not have an outright objection to the applicant's development of a temple and related facilities at the location in question. In concept, the Community welcomes the development of a religious institution on this site; however, the Committee asks that the Project applicant be required to adhere to the existing land use restrictions applicable to all allowable uses within the commercial and professional office (C-O) zoning designation. The Project's inclusion of two illuminated steeples that exceed the applicable 60-foot height restriction poses significant and unavoidable impacts to the adjacent Community, particularly those residents that own homes directly abutting the site. The excessive height of the steeples, especially the temple's nearly 124-foot steeple, renders the Project in its current form entirely incompatible with the neighboring residential homes, which cannot be mitigated short of obligating the applicant to adhere to existing height standards. In the absence of the applicant modifying the Project to account for these issues, the Committee objects to the Project in its current form.

The Committee asks that the City and its retained environmental consultant remain vigilant of the unique aesthetic and land use compatibility issues posed by the Project, particularly given its magnitude and proximity to the immediately adjacent Community. The EIR must include a detailed analysis of these issues to comport with the legal intent and requirements of CEQA. In turn, the City is charged with regulating such activities so that the Project's impacts to the environment can be prevented to the extent feasible. The Committee expects full consideration of the significant impacts referenced herein, as well as the other potentially significant impacts identified in the Initial Study, as the City proceeds with the environmental review process.

Thank you in advance for your consideration.

Sincerely,



KRISTIN A. HAGAN  
The Law Offices of Kristin A. Hagan

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**Re: City of Bakersfield Planning Dept: Scoping Meeting for LDS Campus Project\_10-15-25**

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**From** Jake Eaton <eatjake@gmail.com>  
**Date** Sun 10/5/2025 8:17 AM  
**To** Yazid Alawgarey <yalawgarey@bakersfieldcity.us>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Yazid,

Thank you for sending this notice.

One positive environmental impact that the Bakersfield Temple will have is reduced vehicle emissions. Right now, my family and I drive to Los Angeles or Fresno to visit the temples there 9 to 12 times a year. We will visit the Bakersfield Temple when it is built as opposed to driving to Los Angeles or Fresno. This will reduce our vehicle emissions in visiting the temple.

There are about 10,000 members of the Church of Jesus Christ of Latter-Day Saints in Bakersfield. If 50% of them visit the temple 5 times per year and carpool with 4 persons per car, that is 6,250 vehicles driving to and from Fresno or LA per year. Each trip is about 4 hours of driving. This is about 25,000 hours of vehicle emissions per year that currently occurs for temple visits. These emissions would be reduced because rather than a 4 hour trip to Fresno or LA, we will be driving 5 to 30 minutes (depending on where we live in the city or surrounding area).

Thank you.

Jacob Eaton

On Fri, Oct 3, 2025 at 4:50 PM Yazid Alawgarey <[yalawgarey@bakersfieldcity.us](mailto:yalawgarey@bakersfieldcity.us)> wrote:

Good afternoon,

The City of Bakersfield Planning Department will be holding a public scoping meeting on October 15, 2025, to discuss environmental concerns related to the LDS Campus Project. For additional details, please refer to the attached flyer. Thank you.



**Yazid Alawgarey | Assistant Planner**

Development Services Department

City of Bakersfield

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## Bakersfield Religious Campus

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**From** jack mitchell mitchell <jmitchell1421@att.net>  
**Date** Sun 10/12/2025 6:47 AM  
**To** Yazid Alawgarey <yalawgarey@bakersfieldcity.us>

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**Mr. Alawgarey,**

### **Resident Perspective**

I am a resident of Brighton Park, living at 12515 French Park Lane, which is directly adjacent to the proposed project site. My proximity to the development provides me with firsthand insight into the potential impacts and considerations surrounding the project.

### **Environmental and Community Considerations for the Proposed Campus**

#### **Environmental Impact Reports (EIRs) and Public Challenges**

After reviewing both the Initial Study (IS) and the Environmental Impact Report (EIR), several concerns and points of comparison have emerged regarding the proposed Bakersfield Religious Campus. Notably, Valley Children's Hospital, which is situated west of this campus and was constructed approximately nine years ago, did not experience any significant public opposition or challenges. It is unclear whether an EIR was conducted for that hospital, despite it being on the same ground as the proposed campus. Likewise, there are multiple retail structures located to the west of the proposed campus on the same land, and it is also uncertain if an EIR was performed for these developments.

#### **Community Infrastructure and Impact**

There are lighted ballparks to the east of the proposed campus, situated across from Brighton Park homes, which have not encountered issues related to lighting or noise. Additionally, The Bridge Church and Bakersfield Christian High School, both positioned across from Brighton Park, have not faced concerns regarding lighting or noise either. The Westside Parkway, located north of Brighton Park, has similarly not been cited for noise issues.

#### **Traffic and Tribal Considerations**

Traffic along Stockdale Avenue, which is adjacent to parks, churches, schools, and retail businesses, ranges from light to heavy, yet this has not resulted in notable problems. Tribal and burial matters have not been highlighted as causes for concern in this area.

#### **Biological Factors**

Animals and rodents are commonly found in the vicinity, primarily originating from nearby parks and the vacant lot where the campus is proposed. This prevalence is typical of the area and not unique to the campus site.

#### **Personal Opinion**

In my view, the process that the Church of Jesus Christ of Latter-day Saints (LDS) is currently undergoing is both costly and unnecessary. The construction of the proposed campus would greatly improve an empty, dirty, and dusty lot that is currently inhabited by rodents. I hope the Planning Commission will proceed with construction. Bakersfield should feel honored that LDS has chosen this site for its campus.

*Jack Mitchell*

661-477-0328

## Temple project

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**From** Mark Richardson <drmarkarichardson1863@yahoo.com>

**Date** Tue 10/14/2025 9:32 AM

**To** Yazid Alawgarey <yalawgarey@bakersfieldcity.us>

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Mr. Yalawgarey

I write in support of the project at Stockdale and Jewetta. I just visited the open house for the Grand Junction, CO temple. Identical size, footprint, and floorplan to the Bakersfield temple. It too abuts a neighborhood and is on a large avenue to the front and side similar to the Bakersfield project. The lighting is very subdued at night and the view from the neighborhood is virtually unobstructed inasmuch as the tower is very narrow.

It seems to me that an EIR for the Bakersfield project is unnecessary and an added expense for someone. It would appear to me that some hard negotiating between the parties would solve the disputes. Accurate 3D representations of the actual views done by a good graphics department would go a long way in alleviating residents' concerns along with concessions by both parties. That is if intransigence is NOT a smokescreen for opposition to the church.

Thank you for your consideration.

Sincerely Mark Richardson