APPENDIX 3.4-2

Tribal Consultation

BAKERSFIELD

THE SOUND OF *Something Better*

September 12, 2025

To: See Attached Tribal Mailing Lists **File:** SPR 24-0027

RE: Assembly Bill 52 Consultation – Site Plan Review No. 24-0027 and Zone Modification No. 24-0032 (Stockdale/Jewetta Religious Campus) Environmental Impact Report

Pursuant to State of California Assembly Bill (AB) 52, your tribe may request consultation with the City of Bakersfield regarding the preservation of, and/or mitigation of impacts to, California Native American cultural places in connection with the following projects. The name and address of the project applicant is the City of Bakersfield, Development Services Department, 1715 Chester Avenue, Bakersfield, California 93301.

Site Plan Review No. 24-0027

The project to be considered: The applicant proposes to the develop a 11.76-acre religious campus on approximately 11.76 acres.

Project location: 12310 Stockdale Highway, northwest corner of Stockdale Highway and Jewetta Avenue.

Zone Modification No. 24-0032

The project to be considered: The applicant requests to increase the allowable structure height for a proposed temple from sixty feet to one-hundred and twenty-four feet and for a proposed meeting house to sixty-six feet.

Project location: 12310 Stockdale Highway, northwest corner of Stockdale Highway and Jewetta Avenue.

Please be aware that the City is required under State law to protect the confidentiality of any information provided by your tribe concerning California Native American cultural places. Any information you provide will be kept strictly confidential and will not be divulged to the public. In accordance with AB 52, your tribe has up to 30 days from receipt of this notice to request consultation. If you wish to consult on any of these projects, please respond in writing by **October 17, 2025.**

Please feel free to call me at (661) 326-3191 if you have any questions or would like to discuss further.

Sincerely,
Yazid Alawgarey

Yazid Alawgarey
Assistant Planner

Attachment: Mailing List
Location maps

Development Services Department
1715 Chester Avenue, Bakersfield, CA 93301
Planning: 661-326-3733 Building: 661-326-3720
FAX Planning: 661-852-2136 Building: 661-325-0266

Assembly Bill 52
Tribal Mailing List

Santa Rosa Rancheria
Clarence Atwell, Chair
P.O. Box 8
Lemoore, CA 93245

Kitanemuk & Yowlumne Tejon Indians
Delia Dominguez
981 N. Virginia
Covina, CA 91722

Kawaiisu Tribe
David Laughinghorse Robinson
P.O. Box 20849
Bakersfield, CA 93390

Kawaiisu Tribe
David Laughinghorse Robinson
P.O. Box 20849
Bakersfield, CA 93390

Tule River Indian Tribe
Neil Peyron, Chair
P.O. Box 589
Porterville, CA 93258

Tule River Indian Tribe
Neil Peyron, Chair
P.O. Box 589
Porterville, CA 93258

Robert L. Gomez, Jr.
2619 Driller Avenue
Bakersfield, CA 93306

Tejon Indian Tribe
Octavio Escobedo III, Chair
4941 David Road
Bakersfield, CA 93307

Kern Valley Indian Council
Robert Robertson, HPO
P.O. Box 401
Weldon, CA 93283

Chalon Indian Council of Bakersfield
Attn: Audrey Alvarado
P.O. Box 902
Bakersfield, CA 93302

Native American Heritage Commission
Native American Contact List
Kern County
4/4/2025

County	Tribe Name	Fed (F) Non-Fed (N)	Contact Person	Contact Address	Phone #	Email Address	Cultural Affiliation	
Kern	Kitanemuk & Yowlumne Tejon Indians	N	Delia Dominguez, Chairperson	115 Radio Street Bakersfield, CA, 93305	(626) 339-6785	2deedominguez@gmail.com	Kitanemuk Southern Valley Yokut	
	Northern Chumash Tribal Council	N	Violet Walker, Chairperson	P.O. Box 6533 Los Osos, CA, 93412	(760) 549-3532	violetsagewalker@gmail.com	Chumash	
	Table Mountain Rancheria	F	Bob Pennell, Cultural Resource Director	P.O. Box 410 Friant, CA, 93626	(559) 325-0351	rpennell@tmr.org	Yokut	
	Table Mountain Rancheria	F	Michelle Heredia-Cordova, Chairperson	P.O. Box 410 Friant, CA, 93626	(559) 822-2587	mhcordova@tmr.org	Yokut	
	Tejon Indian Tribe	F	Curtis Alcantar, Cultural and Natural Resource Manager	4941 David Road Bakersfield, CA, 93307	(661) 699-5138	calcantar@tejonindiantribe-nsn.gov	Kitanemuk	
	Tejon Indian Tribe	F	Candice Garza, CRM Scheduler	4941 David Road Bakersfield, CA, 93307	(661) 345-0632	cgarza@tejonindiantribe-nsn.gov	Kitanemuk	
	Tule River Indian Tribe	F	Kerri Vera, Environmental Department	P. O. Box 589 Porterville, CA, 93258	(559) 783-8892	kerri.vera@tulerivertribe-nsn.gov	Yokut	
	Tule River Indian Tribe	F	Neil Peyron, Chairperson	P.O. Box 589 Porterville, CA, 93258	(559) 781-4271	neil.peyron@tuleivertribe-nsn.gov	Yokut	

MOD 24-0032
12310 Stockdale Hwy
APN: 500-780-12 & 500-780-13

CITY OF BAKERSFIELD

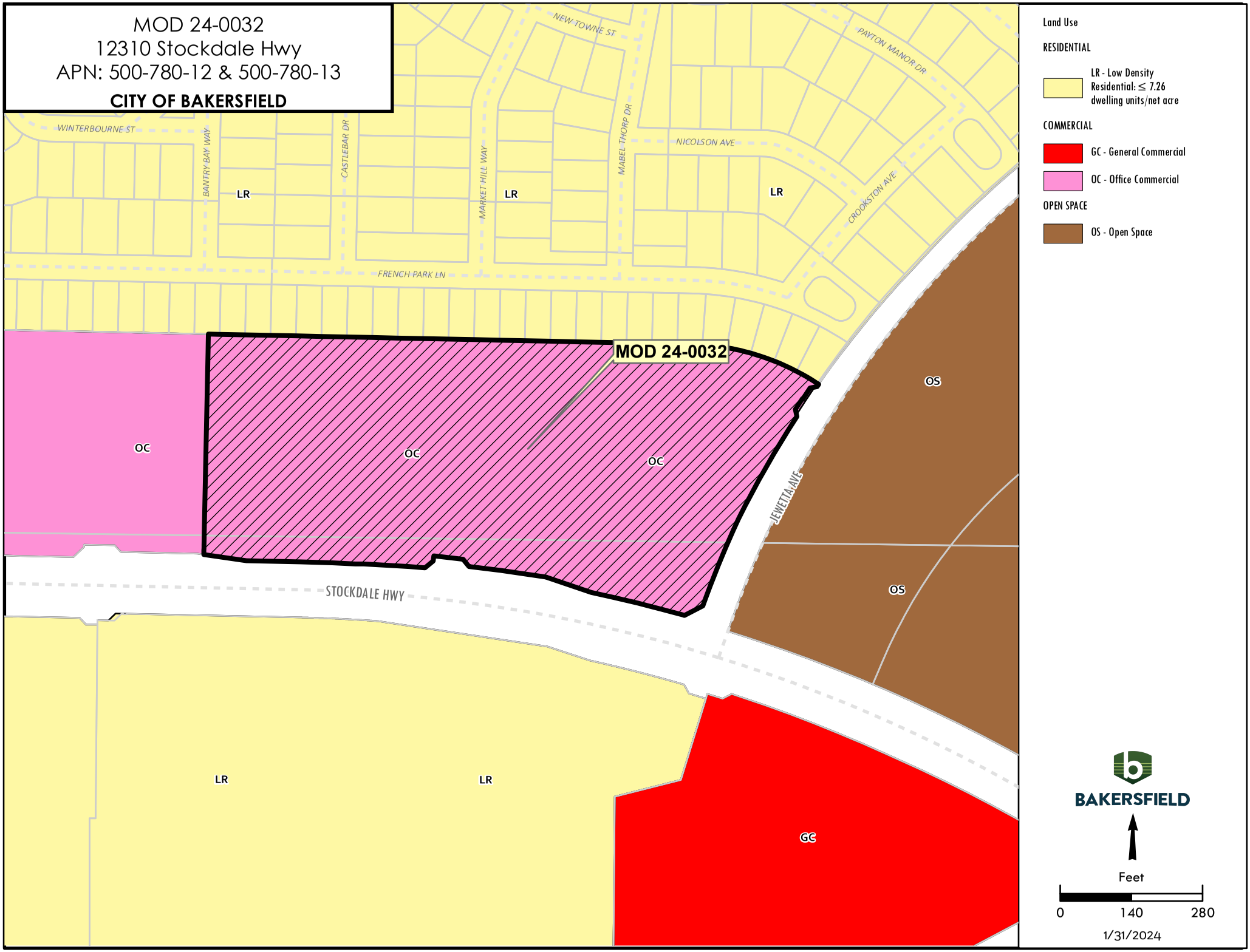
AERIAL

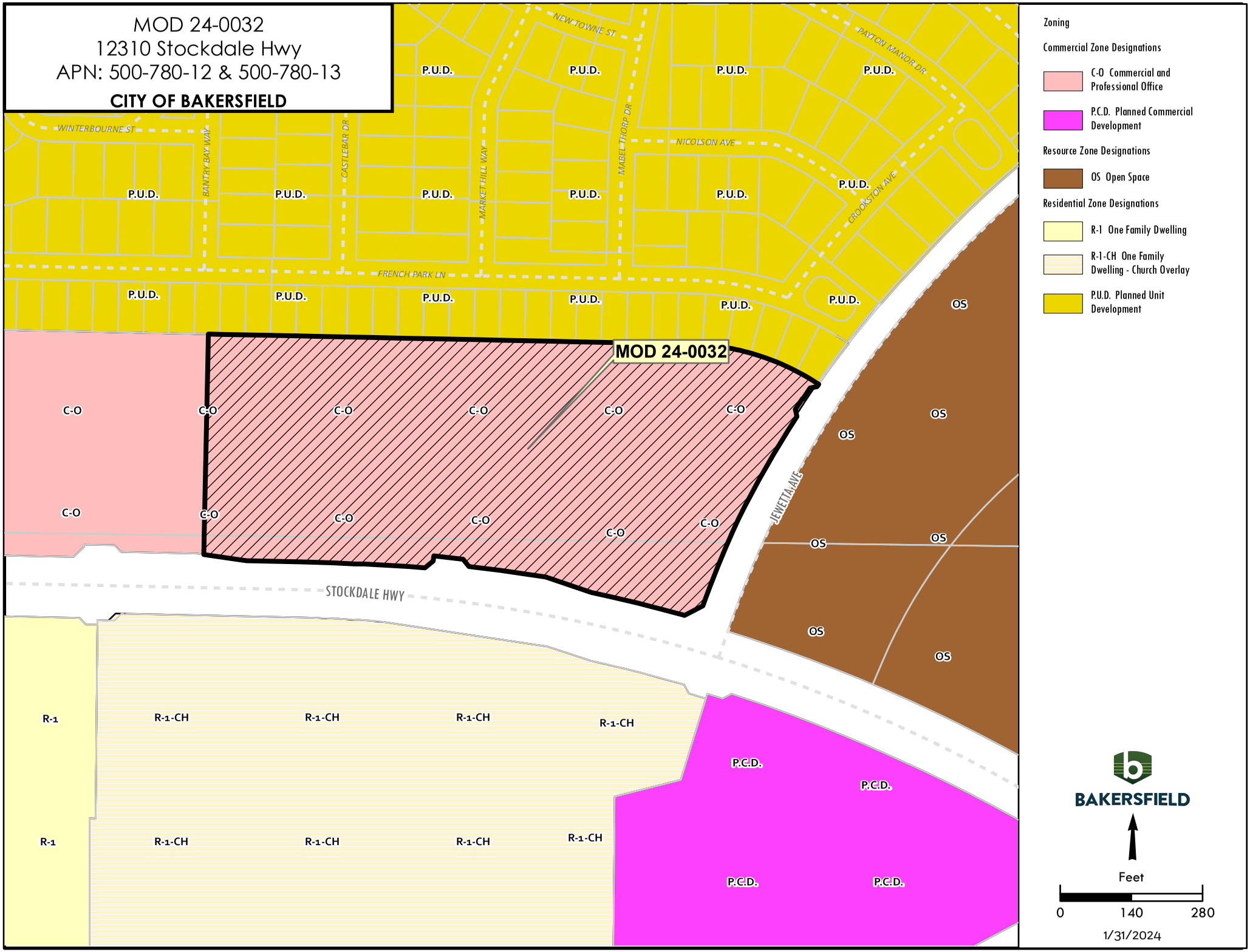
BAKERSFIELD

Feet

0 140 280

1/31/2024


MOD 24-0032
12310 Stockdale Hwy
APN: 500-780-12 & 500-780-13
CITY OF BAKERSFIELD
NEW TOWNE ST
PAYTON MANOR DR
WINTERBOURNE ST
BANTRY BAY WAY
CASTLEBAR DR
MARKET HILL WAY
MABEL THORP DR
NICOLSON AVE
CROOKSTON AVE
FRENCH PARK LN
LR
LR
LR
MOD 24-0032
OC
OC
OC
OS
OS
JEWETTA AVE
STOCKDALE HWY
LR
LR
GC
Land Use
RESIDENTIAL
LR - Low Density Residential: ≤ 7.26 dwelling units/net acre
COMMERCIAL
GC - General Commercial
OC - Office Commercial
OPEN SPACE
OS - Open Space
BAKERSFIELD
Feet
0
140
280
1/31/2024


MOD 24-0032
12310 Stockdale Hwy
APN: 500-780-12 & 500-780-13
CITY OF BAKERSFIELD
MOD 24-0032
STOCKDALE HWY
JEWETTA AVE
WINTERBOURNE ST
BANTRY BAY WAY
CASTLEBAR DR
NEW TOWNE ST
MARKET HILL WAY
MABEL THORP DR
NICOLSON AVE
PAYTON MANOR DR
CROCKSTON AVE
FRENCH PARK LN
P.U.D.
C-O
OS
R-1
R-1-CH
P.C.D.
Zoning
Commercial Zone Designations
C-O Commercial and Professional Office
P.C.D. Planned Commercial Development
Resource Zone Designations
OS Open Space
Residential Zone Designations
R-1 One Family Dwelling
R-1-CH One Family Dwelling - Church Overlay
P.U.D. Planned Unit Development
BAKERSFIELD
Feet
0
140
280
1/31/2024

BUILDING HEIGHT REQUIREMENTS

ALLOWABLE BUILDING HEIGHT

2022 CBC - 504.3 HEIGHT IN FEET

THE MAXIMUM HEIGHT, IN FEET, OF A BUILDING SHALL NOT EXCEED THE LIMITS SPECIFIED IN **TABLE 504.3.**

EXCEPTION: TOWERS, SPIRES, **STEEPLES** AND OTHER ROOFTOP STRUCTURES SHALL BE CONSTRUCTED OF MATERIALS CONSISTENT WITH THE REQUIRED TYPE OF CONSTRUCTION OF THE BUILDING EXCEPT WHERE OTHER CONSTRUCTION IS PERMITTED BY SECTION 1511.2.4. SUCH STRUCTURES SHALL NOT BE USED FOR HABITATION OR STORAGE. THE STRUCTURES **SHALL BE UNLIMITED IN HEIGHT, WHERE OF NONCOMBUSTIBLE MATERIALS** AND SHALL NOT EXTEND MORE THAN 20 FEET (6096 MM) ABOVE THE ALLOWABLE BUILDING HEIGHT WHERE OF COMBUSTIBLE MATERIALS (SEE CHAPTER 15 FOR ADDITIONAL REQUIREMENTS).

2022 CBC - TABLE 504.3

OCCUPANCY: A-3 / CONSTRUCTION TYPE: II-B

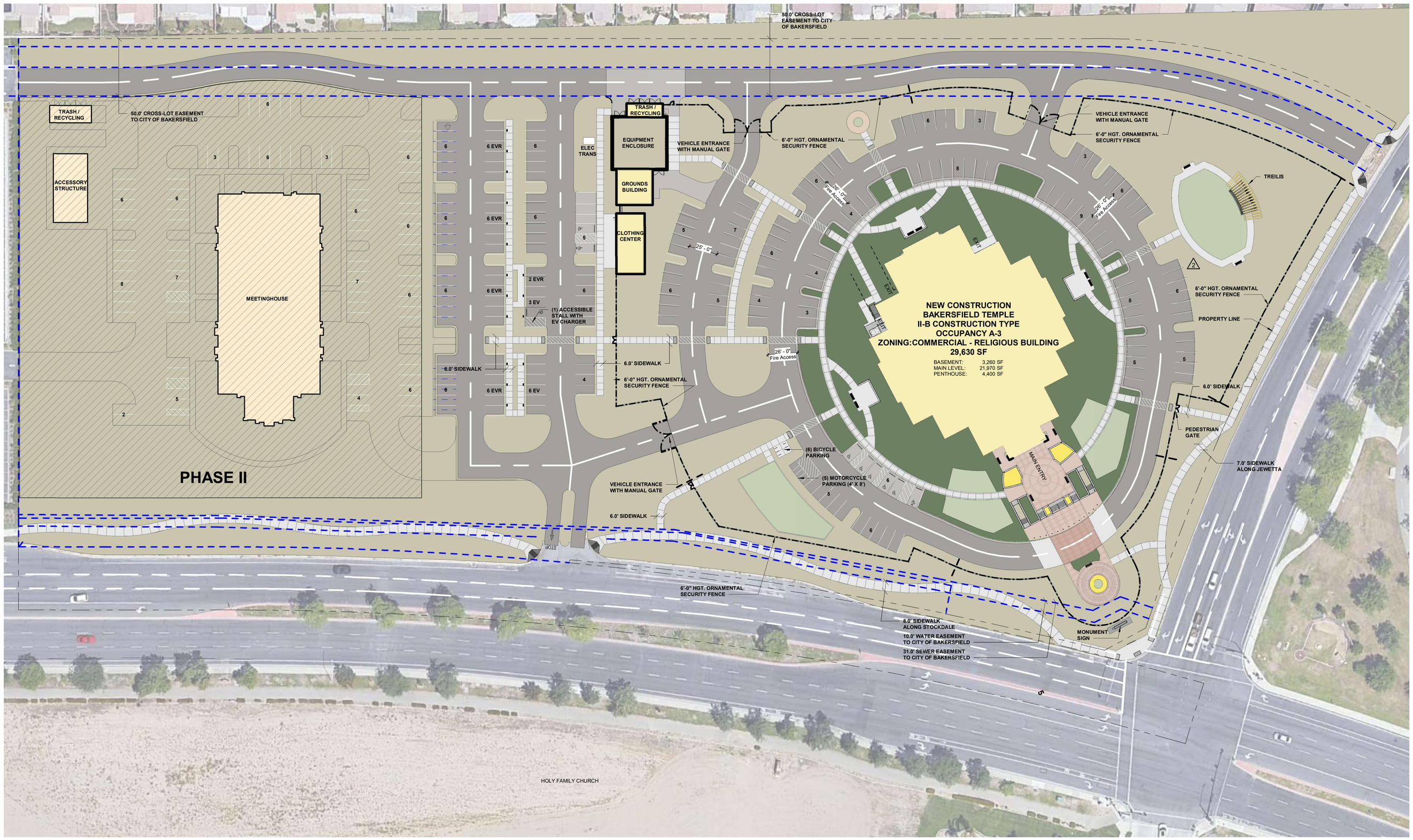
ALLOWABLE BUILDING HEIGHT: 75 FEET
ACTUAL BUILDING HEIGHT: **44 FEET**

ALLOWABLE STEEPLE HEIGHT: UNLIMITED (NON-COMBUSTIBLE CONTRUCTION)
ACTUAL STEEPLE HEIGHT: **124 FEET**

TABLE 504.3

ALLOWABLE BUILDING HEIGHT IN FEET ABOVE GRADE PLANE [a, f]

OCCUPANCY CLASSIFICATION	TYPE OF CONSTRUCTION											
	See Footnotes	Type I		Type II		Type III		Type IV			Type V	
		A	B	A	B	A	B	A	B	C	HT	A	B
B, F, M, S, U	NS[b]	UL	160	65	55	65	55	65	65	65	65	50	40
	S	UL	180	85	75	85	75	270	180	85	85	70	60
A, E	NS[b]	UL	160	65	55	65	55	65	65	65	65	50	40
	S (without area increase)	UL	180	85	75	85	75	270	180	85	85	70	60
	S (with area increase)	UL	160	65	55	65	55	250	160	65	65	50	40



01 SITE PLAN - SITE PLAN REVIEW
1" = 40'-0"
0' 20' 40' 80'

PROJECT INFORMATION

PROJECT SPECIFIC IMFORMATION

ASSESSORS PARCEL NUMBER	500-780-12-00 / 500-780-13-00
ADDRESS	12310 STOCKDALE HWY, BAKERSFIELD, CA 93314
ZONING	C-O COMMERCIAL and PROFESSIONAL OFFICE
GENERAL PLAN DESIGNATION	COMMERCIAL

SITE DATA

	PHASE I	PHASE II
OVERALL AREA	393,578 SF (9.03 ACRES)	124,515 SF (2.86 ACRES)
IMPERVIOUS AREA	190,017 SF (4.36 ACRES)	71,502 SF (1.64 ACRES)
LANDSCAPE AREA	203,661 SF (4.67 ACRES)	53,013 SF (1.22 ACRES)
TOTAL SITE AREA	11.76 ACRES	

BUILDING INFORMATION

	AREA (SF)	OCC TYPE	OCC'S	STORIES	CONST	PARKING RATIO	PARKING REQ'D
TEMPLE BUILDING	29,630	A-3	590	1	II-B	1:250 SF	119
GROUNDS BUILDING	857	S-1	3	1	II-B	1:500 SF	2
CLOTHING BUILDING	1,113	M	16	1	II-B	1:300 SF	4
TEMPLE TRASH ENC.	485	U	N/A	1	II-B	N/A	N/A
2 **TOTAL PHASE I**	**32,085**						
EQUIPMENT YARD	1,182	N/A	N/A	1	II-B	N/A	N/A
MEETINGHOUSE	16,370	A-3	538	1	II-B	1:4 OCC	135
MTGHOUSE TRASH ENC.	485	U	N/A	1	II-B	N/A	N/A
3 ACCESSORY STRUCTURE (OPEN AIR PAVILLION)	1,800	N/A	N/A	1	II-B	N/A	N/A
2 **TOTAL PHASE II**	**18,037**						

PARKING DATA

	REQUIRED PHASE I	PROVIDED PHASE I	ADDITIONAL REQ. PHASE II	TOTAL PROVIDED FULL BUILDOUT
TOTAL PARKING	125 STALLS	199 STALLS	135 STALLS	292 STALLS
STANDARD (9' x 18')	84 STALLS	155 STALLS	129 STALLS	238 STALLS
ACCESSIBLE (9' x 18')	6 STALLS	9 STALLS (2-VAN,7-STD)	6 STALLS	19 STALLS (4-VAN + 15-STD)
EV PARKING SPACES	9 EVCS + 26 EV READY	9 EVCS + 26 EV READY	15 EVCS + 44 EV READY	15 EVC STALLS + 44 EV READY
MOTORCYCLE (4' x 8')		5 STALLS		5 STALLS

HOURS / STAFFING (TYPICAL; ACTUAL HOURS AND STAFFING MAY VARY)

	HOURS	PATRONS / STAFF ON LARGEST SHIFT
TEMPLE	5:00 AM TO 10:00 PM TUESDAY - SATURDAY CLOSED SUNDAY AND MONDAY	40 STAFF / 280 PATRONS
MEETINGHOUSE	6:00 AM - 10:00 PM EVERYDAY	536 PERSONS

SITE PLAN REVIEW COMMENTS

1. PRIOR TO REVIEW OF IMPROVEMENT PLANS BY THE CITY, THE DEVELOPER SHALL SUBMIT A GRADING PLAN FOR THE PROPOSED SITE TO BE REVIEWED AND APPROVED BY THE CITY ENGINEER AND BUILDING OFFICIAL (BAKERSFIELD MUNICIPAL CODE SECTION 16.44.010). WITH THE GRADING PLAN, IF THE PROJECT IS SUBJECT TO THE PROVISIONS OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES), A NOTICE OF INTENT (NOI) TO COMPLY WITH THE TERMS OF THE GENERAL PERMIT TO DISCHARGE STORM WATER ASSOCIATED WITH CONSTRUCTION ACTIVITY (WQ ORDER NO. 99-08-DWQ) MUST BE FILED WITH THE STATE WATER RESOURCES CONTROL BOARD IN SACRAMENTO BEFORE THE BEGINNING OF ANY CONSTRUCTION ACTIVITY. COMPLIANCE WITH THE GENERAL PERMIT REQUIRES THAT A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) BE PREPARED, CONTINUOUSLY CARRIED OUT, AND ALWAYS BE AVAILABLE FOR PUBLIC INSPECTION DURING NORMAL CONSTRUCTION HOURS.

2. A GRADING PERMIT IS REQUIRED PRIOR TO FINAL PLAN APPROVAL. THE DEVELOPER SHALL SUBMIT THE PRELIMINARY SOILS REPORT TO THE BUILDING DIVISION. A FINAL SOILS REPORT SHALL ALSO BE SUBMITTED TO THE BUILDING DIVISION BEFORE THEY CAN ISSUE A BUILDING PERMIT. GRADING PLANS MUST BE CONSISTENT WITH THE FINAL BUILDING SITE PLANS AND LANDSCAPING PLANS. BUILDING PERMITS WILL NOT BE ISSUED UNTIL THE GRADING PERMIT IS APPROVED BY THE BUILDING DIVISION AND PUBLIC WORKS DEPARTMENT.

3. BUILDINGS OR STRUCTURES SHALL REQUIRE INSTALLATION OF AN AUTOMATIC FIRE SPRINKLER SYSTEM WHERE REQUIRED BY CURRENT CALIFORNIA BUILDING CODE AND CITY ORDINANCE.

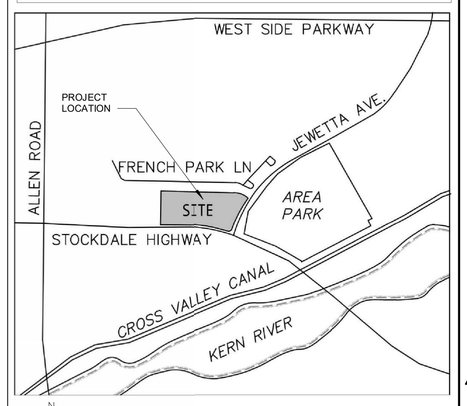
4. THE DEVELOPER SHALL INCLUDE FIRE RESISTIVE WALL CONSTRUCTION DETAILS WITH THE FINAL BUILDING PLANS FOR ALL EXTERIOR WALLS OF ANY BUILDING THAT IS WITHIN THE DISTANCE AS SET FORTH IN TABLE 602 OF THE CALIFORNIA BUILDING CODE.

5. PRIOR TO ISSUING A BUILDING PERMIT, THE BUILDING DIVISION WILL CALCULATE AND COLLECT THE APPROPRIATE SCHOOL DISTRICT IMPACT FEES.

6. PRIOR TO GRANTING OCCUPANCY, THE BUILDING DIVISION WILL VERIFY THAT A WATER METER SERVING THE DEVELOPMENT IS IN PLACE. THE DEVELOPER SHALL CONTACT THE APPLICABLE WATER PURVEYOR TO INQUIRE ABOUT THEIR PROCESS FOR OBTAINING WATER SERVICE FOR THE DEVELOPMENT AS SOON AS POSSIBLE (FOR WATER PURVEYOR AGENCY INFORMATION CONTACT: 1000 BUENA VISTA ROAD; 661-326-3715).

SITE PLAN LEGEND:

- ANNUAL FLOWER BED AREA
- PLANT BED AREA
- GRASS AREA
- LOW WATER USE AREA
- BUILDING FOOTPRINT
- CONCRETE WALK
- ASPHALT PAVING
- CONCRETE PAVERS



VICINITY MAP

© 2023 HKS, INC.

HKS

OWNER
THE CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
50 E NORTH TEMPLE STREET
SALT LAKE CITY, UTAH 84150

ARCHITECT
HKS ARCHITECTS, INC.
222 S MAIN STREET, SUITE 230
SALT LAKE CITY, UTAH 84101

CIVIL ENGINEER
KPFF
700 S. FLOWER, SUITE 2100
LOS ANGELES, CA 90017

LANDSCAPE ARCHITECT
SWA GROUP
811 W 7TH ST
LOS ANGELES, CA 90017

BAKERSFIELD CALIFORNIA TEMPLE

12310 STOCKDALE HIGHWAY
BAKERSFIELD, CA 93314

APN: 500-780-12-00 / 500-780-13-00

REVISION

NO.	DESCRIPTION	DATE
1	SPR RESUBMITTAL	01 OCT 2024
2	SPR RESUBMIT 2	11 OCT 2024
3	SPR RESUBMIT 3	17 OCT 2024

PROJECT NUMBERS
HKS: 25983

DATE
12 JANUARY 2024
ISSUE
SITE PLAN REVIEW

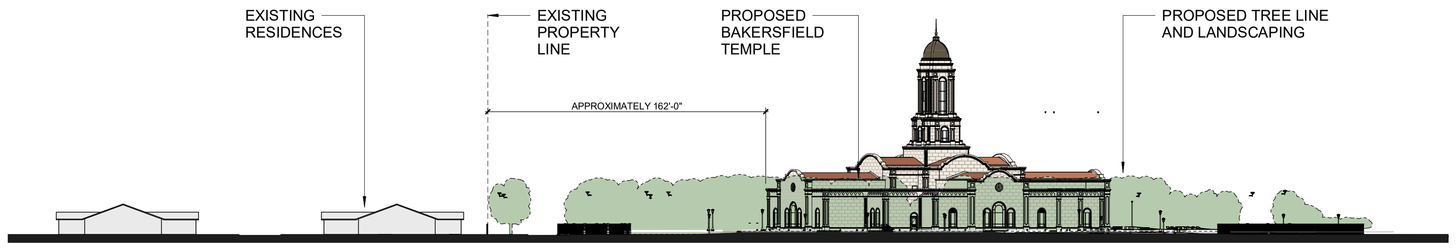
SHEET TITLE
SITE PLAN

SHEET NO.
SPR1.01

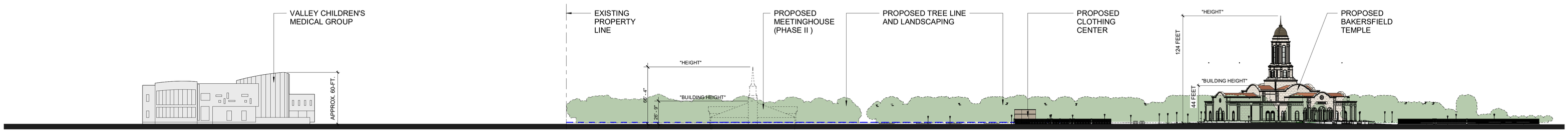
PLOT DATE: 10/17/2024 1:25:13 PM

3 SPR - AERIAL VIEW
1" = 200'-0"

TRUE NORTH



2 SITE SECTION NORTH/SOUTH
1" = 50'-0"



1 SITE SECTION EAST/WEST
1" = 50'-0"

PLOT DATE: 10/1/2024 12:19:52 PM

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HKS

OWNER
THE CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
50 E NORTH TEMPLE STREET
SALT LAKE CITY, UTAH 84150

ARCHITECT
HKS ARCHITECTS, INC.
222 S MAIN STREET, SUITE 230
SALT LAKE CITY, UTAH 84101

CIVIL ENGINEER
KPFF
700 S. FLOWER, SUITE 2100
LOS ANGELES, CA 90017

LANDSCAPE ARCHITECT
SWA GROUP
811 W 7TH ST
LOS ANGELES, CA 90017

BAKERSFIELD CALIFORNIA TEMPLE

12310 STOCKDALE HIGHWAY
BAKERSFIELD, CA 93314

APN: 500-780-12-00 / 500-780-13-00

REVISION

NO.	DESCRIPTION	DATE
1	SPR RESUBMITTAL	01 OCT 2024

PROJECT NUMBERS
HKS: 25983

DATE
12 JANUARY 2024
ISSUE
SITE PLAN REVIEW

SHEET TITLE
SITE SECTIONS

SHEET NO.
SPR1.02

Outlook

RE: Tribal letters for AB-52

From Yazid Alawgarey <yalawgarey@bakersfieldcity.us>
Date Tue 12/2/2025 1:25 PM
To Brad Perrine <bperrine@impactsciences.com>
Cc Roque Nino <rnino@bakersfieldcity.us>; Jessica Kirchner <jkirchner@impactsciences.com>

3 attachments (15 MB)
AB-52 packet_for mailing.pdf; Responses to AB-52 letter.pdf; Returned AB-52 packets.pdf;

Good afternoon Brad,

I have attached the AB-52 packet for mailing, which includes the following:

- Letter to the tribes
- Tribes mailing list from the City
- Tribes mailing list from the applicant
- Mailing labels
- Maps and drawings regarding the project

I have also attached the responses we received which was one form the Native American Heritage Commission about CEQA requirements and best practices as well as a letter from the Table Mountain Rancheria Tribal Government Office stating that the project is beyond their area of interest. Both do not oppose the project or have comments.

I also attached the two letters that were sent back to us by the post office.

Yazid Alawgarey | Assistant Planner
Development Services Department

City of Bakersfield
email: yalawgarey@bakersfieldcity.us
web: www.bakersfieldcity.us
phone: 661-326-3191

BAKERSFIELD 2045 RISE

From: Brad Perrine <bperrine@impactsciences.com>
Sent: Tuesday, December 2, 2025 12:05 PM
To: Yazid Alawgarey <yalawgarey@bakersfieldcity.us>
Cc: Roque Nino <rnino@bakersfieldcity.us>; Jessica Kirchner <jkirchner@impactsciences.com>
Subject: Re: Tribal letters for AB-52

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

Hi Yazid,

I was reviewing my files and realized I'm not sure whether we have a complete set of the AB 52 letters that were sent out. Could you send those over so we I can include them in the appendix? We'll need a copy of each letter that went to the tribes in order to document who was contacted. And if you could also forward any responses received to those letters, that would help us note the full process and outcome. None of the tribes requested consultation, correct?

Thanks!

Brad Perrine
Senior Project Manager

Impact Sciences
445 S. Figueroa Street, Suite 2550, Los Angeles, CA 90071
213.935.1901 ext. 350 | bperrine@impactsciences.com

From: Yazid Alawgarey <yalawgarey@bakersfieldcity.us>
Sent: Monday, September 15, 2025 1:35 PM
To: Brad Perrine <bperrine@impactsciences.com>
Cc: Roque Nino <rnino@bakersfieldcity.us>; Jessica Kirchner <jkirchner@impactsciences.com>
Subject: RE: Tribal letters for SB-52

Thank you Brad,

I apologize for the mistake. I will make the correction since it hasn't been sent out.

Yazid Alawgarey | Assistant Planner
Development Services Department

City of Bakersfield
email: yalawgarey@bakersfieldcity.us
web: www.bakersfieldcity.us
phone: 661-326-3191

BAKERSFIELD 2045 RISE

From: Brad Perrine <bperrine@impactsciences.com>
Sent: Monday, September 15, 2025 1:26 PM
To: Yazid Alawgarey <yalawgarey@bakersfieldcity.us>
Cc: Roque Nino <rnino@bakersfieldcity.us>; Jessica Kirchner <jkirchner@impactsciences.com>
Subject: Re: Tribal letters for SB-52

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

Hi Yazid,

I missed this email from Friday — it was sent to the wrong Brad. If there's still time, I wanted to flag a small correction: the notification is required under Assembly Bill 52 (AB 52), not a Senate bill.

Brad Perrine

Senior Project Manager

811 W. 7th Street, Suite 200

Los Angeles, CA 90017

o. 213.935.1901 ext. 350

IMPACT SCIENCES

From: Yazid Alawgarey <yalawgarey@bakersfieldcity.us>
Sent: Friday, September 12, 2025 2:18 PM
To: Jessica Kirchner <jkirchner@impactsciences.com>; Brad DeBranch <BDeBranch@bolthouseproperties.com>
Cc: Roque Nino <rnino@bakersfieldcity.us>
Subject: Tribal letters for SB-52

Good afternoon,

The attached letter for SB-52 has been scheduled to be mailed out. Once we have the NOP, we will poste it in the paper. They have given us until Monday before noon to submit it for the Wednesday, September 17th posting. Thank you.

Yazid Alawgarey | Assistant Planner

Development Services Department

NATIVE AMERICAN HERITAGE COMMISSION

CHAIRPERSON
Reginald Pagaling
Chumash

VICE-CHAIRPERSON
Buffy McQuillen
Yokayo Pomo, Yuki, Nomlaki

SECRETARY
Isaac Bojorquez
Ohlone-Costanoan

PARLIAMENTARIAN
Wayne Nelson
Luiseño

COMMISSIONER
Sara Dutschke
Miwok

COMMISSIONER
Stanley Rodriguez
Kumeyaay

COMMISSIONER
Bennae Calac
Pauma-Yuima Band of Luiseño Indians

COMMISSIONER
Vacant

COMMISSIONER
Vacant

ACTING EXECUTIVE SECRETARY
Michelle Carr

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

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.

AB 52

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, subds. (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

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.

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) 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.

Sincerely,

Mathew Lin

Mathew Lin
Cultural Resources Analyst

cc: State Clearinghouse

TABLE MOUNTAIN RANCHERIA
TRIBAL GOVERNMENT OFFICE

October 17, 2025

Yazid Alawgarey, Assistant Planner
City of Bakersfield
Development Services Department
1715 Chester Avenue,
Bakersfield, CA 93301

RE: Site Plan Review No. 24-0027 and Zone Modification No. 24-0032 proposing to develop a religious campus and phase II Meeting Hall in the City of Bakersfield, Kern County, California.

To: Yazid Alawgarey,

This is in response to your letter dated September 12, 2025, regarding Site Plan Review No. 24-0027 and Zone Modification No. 24-0032 proposing to develop a religious campus and phase II Meeting Hall in the City of Bakersfield, Kern County, California.

We appreciate receiving notice; however, this project site is beyond our area of interest.

Sincerely,

Robert Pennell
Cultural Resources Director

Michelle Heredia-Cordova
Tribal Chairperson

Richard L. Jones
Tribal Vice-Chairperson

Jenna Gosselaar
Tribal Secretary/Treasurer

Samantha Toles-Rodriguez
Tribal Council Member-At-Large

Mark Martinez
Tribal Council Member-At-Large

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PLANNING DEPARTMENT
CITY OF BAKERSFIELD
1715 CHESTER AVENUE
BAKERSFIELD, CALIFORNIA 93301

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David Laughinghorse Robinson
P.O. Box 20849
Bakersfield, CA 93390

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CITY OF BAKERSFIELD
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Bakersfield, CA 93301

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Bakersfield, CA 93390

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