



U.S. Department of Housing and Urban
Development

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Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

Project Information

Project Name: HOME Project #33.18.3, NSP #1.NSP1.06 & NSP #1.NSP3.3 - Pioneer Cottages
Affordable Housing Project – No Place Like Home

Responsible Entity: County of Kern

Grant Recipient (if different than Responsible Entity): Housing Authority of the County of
Kern

State/Local Identifier: California

Preparer: James Golden

Certifying Officer Name and Title: Lorelei H. Ovatt, AICP, Director of Planning and Natural
Resources Department

Grant Recipient (if different than Responsible Entity): Housing Authority of the County of
Kern

Consultant (if applicable): N/A

Direct Comments to: James Golden, Planner III

Project Location: 3200 block of Pioneer Drive, Bakersfield, CA 93306

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]: Project consists of the design, engineering and construction of a proposed 37-unit affordable housing development featuring 36 one-bedroom units affordable to households with income less than 60% of AMI, including 18 units of permanent supportive housing for households eligible under the “No Place Like Home” program. It will feature an on-site manager unit, community room, and offices. Located on the south side of the 3200 block of Pioneer Drive east of Oswell, the site consists of four vacant R-2 zoned parcels (APNs 143-050-02, 143-050-14, 143-050-15, 143-050-16) and is close to amenities, including public transit, grocery stores, a pharmacy, and parks. The units are proposed to be zero net energy and may be arrayed in nine cottage-like fourplexes on the site.

Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	There are no military airports within 15,000 feet of the area of the project and no civilian airports within 2,500 feet of the project. Thus no further analysis is needed to determine compliance with this statute.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	There are no coastal barrier resources located within the boundaries of HUD Region IX, the State of California or the County of Kern. Therefore, no further evaluation for compliance with this factor required.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	According to NEPAassist and FEMA's Flood Rate Insurance Map (FIRM) Map No. 06029C1275E, dated effective September 26, 2008, no portion of the project is located within a Special Flood Hazard Area (SFHA). The site is within an area designated as Zone X, having a less than 2% annual chance of flooding. Consequently, no flood insurance is required to be obtained or maintained for implementation of the project.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The Project is located within the jurisdiction of the San Joaquin Valley Air Pollution Control District (District). The District is in non-compliance for certain regulated criteria pollutants under the following federal air quality standards: District is in non-attainment status for Particulate Matter (PM) 2.5 and classified as non-attainment/extreme for the federal Ozone – Eight Hour standard. Under State of California air quality standards for criteria pollutants, the District has been designated as nonattainment/severe for the Ozone – one hour standard and nonattainment for the Ozone – Eight Hour standard, PM 10 and PM 2.5.</p> <p>The San Joaquin Valley Unified Air Pollution Control District (District) was consulted in regards to the project proposal and the area of effect. As to the projects related emissions of criteria air pollutants, the District noted the following:</p>

		<p>In addition, the District noted that it recommended the applicant be provided a copy of the District's comments.</p> <p><i>Where it is determined that any air related permits are needed to proceed with the project, the contractor shall ensure that any required air related permits are obtained from the District prior to implementation of the project and that the conditions and/or requirements of which the permits are issued are adhered to during the implementation of the project.</i></p> <p>With adherence to the above conditions, compliance with this factor will be achieved.</p>
<p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>There are no coastal zones located within Kern County. Kern County is an entirely landlocked County within the State of California and is not a coastal county. The County shares no geographic boundaries with any coastal zone of the State. Thus, no further analysis for compliance with this required.</p>
<p>Contamination and Toxic Substances</p> <p>24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>A Phase I Environmental Site Assessment was prepared in support of the request. The consultant identified no evidence of environmental conditions (RECs), controlled (CRECs) and Historical RECs (HRECs) in conjunction with the site as defined by E-1527-13. Nevertheless, the report identified an environmental non-compliance issue with an uncapped water well located onsite. The report recommends that the improperly abandoned well be abandoned properly, in compliance with Kern County Environmental Health Services Division (KCEHSD) requirements for non-operational wells. The Phase I report contained no further recommended actions.</p> <p>NEPAssist identifies three NPDES (water discharger) sites within a 500 foot radius of the project structure (Eagle Auto Dismantling, Ace Auto, Andy's Auto Wrecking), but the EPA reports no compliance violations at any of the</p>

which were determined to warrant further investigation. The Biological Assessment noted that only one special-status species, San Joaquin Kit Fox (SJKF), has the potential to be impacted by the project. No BNLL is anticipated to be found as a result of the habitat limitations of the property in question. For further discussion on BNLL, see Protected Species Level Review below.

The Biological Assessment prepared for the proposed project concluded that the finding that the project will not result in impacts to wetlands, riparian habitat or other special-species habitats, or wildlife corridors. The project will not conflict with existing or adopted Habitat Conservation Plans, Natural Community Conservation Plans, local or regional conservation plans, or local ordinances protecting biological resources.

Protected Species Level Review

As to a level of effect determined for each individual listed species, the following determinations shall apply: No Effect (NE), May Affect but Not Likely to Adversely Effect (LNAE), and May Adversely Effect (MAE) shall apply.

Blunt nosed leopard lizard (BNLL) (NE), No BNLL were recorded or observed on the project site or APE (Area of Project Effect); however, the species has been documented in vicinity. The BA performed noted the closest occurrence of BNLL recorded is slightly more than two and half miles from the project site. While small mammal burrows suitable for occupation were observed within the APE, the disturbance of the site and lack of habitat connectivity to known populations preclude BNLL use of the site. While protocol surveys were not conducted, BNLL is not expected to occupy the site since the site is isolated from habitat, and is surrounded by development. The BA noted that for the reasons noted above no effect to BNLL is anticipated;

		<p>species, which may be present in the APE of the project but for reasons noted here and in project specific BA, will have no impact on the species:</p> <p>California Red-legged Frog (NE), based on lack of suitable habitat in the area of the project;</p> <p>Giant garter snake (NE), based on lack of suitable habitat in the area of the project;</p> <p>Vernal Pool Fairy Shrimp (NE), based on lack of suitable aquatic habitat in the area of the project;</p> <p>Delta smelt (NE), based on lack of suitable aquatic habitat in the area of the project;</p> <p>Southwestern Willow Flycatcher (NE), based on lack of suitable habitat in the area of the project;</p> <p>Bakersfield Cactus (NE), based on lack of undisturbed soils in the area of the project.</p> <p>The responsible entity has completed the review listed species in the area of the project.</p> <p>Based on the small footprint of the project in an urbanized area, it has been determined that the planned activities may affect, but not adversely effect, identified species listed above. Furthermore, the BA and Species List generated for the site indicate that there is no critical habitat for species within the project area. The BA notes are no wetlands mapped in other APE and consistent with conditions observed at the site. A letter has been sent to the USFWS requesting concurrence with this determination.</p>
<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>According to field observations and a review of aerial photos of the area of the project, there are no tanks aboveground storage tanks located within one mile of the project site and/or one hundred gallons or more that are used for the storage of hazardous or flammable materials. The responsible entity notes there is an aboveground tank manufacturing plant, Tiger Tanks located on Edison Hwy., approximately 600 feet southeast of the subject site. However,</p>

		<p>No cultural resources were identified. No further work is required. If archaeological resources are encountered during the course of construction, a qualified archaeologist shall be consulted for further evaluation.</p> <p>If human remains or potential human remains are observed during construction, work in the vicinity of the remains will cease, and the find be treated in accordance with the provisions of State Health and Safety Code Section 7050.5. The protection of human remains follows California Public Resources Codes, Sections 5097.94, 5097.98 and 5097.99.</p> <p>According to the Southern San Joaquin Valley Information Center, there are no recorded cultural resources within the project area itself. 12 have been identified outside of the project area but within a one-half mile radius of the Project: P-15-002050, 0085151, 011723, 011724, 011725, 0011726, 0011727, 0011728, 0011729, 012181, and 013724. These resources consist primarily of historic era buildings, a historic era railroad and historic era canal.</p> <p>An NAHC consultation was completed and a Sacred Land Files was provided. All tribal contacts included on the list were notified of the project. No comments were received as a result of the tribal consultation.</p> <p>The State Historical Preservation Office was consulted 11/9/18 but no response was received. However, SHPO comments require a standard condition that is applied to project which includes ground disturbing activities. The comments help ensure the protection of unknown cultural and/or historic resources that may be encountered, in the event that that cultural and historical resources are discovered during implementation of the undertaking, further consultation with SHPO would be required pursuant to 36 CFR Part 800.13(b). With the inclusion of the statement as a condition of the project, no further evaluation for compliance is required at this time.</p>
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		<p>exterior noise level of 65 dBA Ldn in outdoor activity area and 45 dBA Ldn within interior living spaces for residential uses. It should be noted that the project buildings do not have individual outdoor activity areas or patios. They will have front entry porches on either side of the four-plex buildings. The site would have a common outdoor activity area, as shown on Figure 1. This is the location where the County's 65 dBA Ldn noise standard would apply.</p> <p>Based on the noise contours included in the study, railroad noise levels of up to 70 dB (Ldn) are predicted at the two buildings located closest to the tracks. This exterior noise exposure would exceed the HUD exterior noise level standard of 65 dB. Under the HUD criteria, an exterior noise exposure in the 65-70 dB range requires that an additional 5 dB of sound attenuation must be provided over the attenuation provided by standard construction (windows open). HUD assumes that standard construction provides an average of 20 dB of attenuation. Therefore, a total exterior-to-interior noise level reduction of 25 dB would be required for exposure within 65-70 dBA.</p> <p>Based on modern construction methods which include exterior stucco and STC 30 windows, there is typically a minimum exterior-to interior noise level reduction of 25 dBA, assuming that windows are in the closed position.</p> <p>The proposed project is predicted to meet HUD exterior and interior noise level standards assuming the following requirements are incorporated into the project design:</p> <ol style="list-style-type: none"> 1. STC 30 rated windows shall be used; 2. Building facades shall include use of exterior stucco with 5/8" interior gypsum board; 3. Saxelby Acoustics recommends that mechanical ventilation penetrations for exhaust fans not face towards the BNSF
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acceptable. Consequently the requirement shall be included as a measure of mitigation to ensure noise will be reduced within the project site.

In order to ensure that ambient noise exposure at the project site is within acceptable community safety thresholds, prior to issuance of any residential occupancy permits for the subject property, a six-foot tall concrete masonry type sound wall shall be constructed along the southernmost boundary of the of the project site. The responsible entity notes that the sound wall was identified as part of the project design constraints for noise reduction in the area of the project.

Under 24 CFR Section 51.103 - Criteria and Standards - Department of Housing and Urban Development (HUD) exterior noise standards require: Quiet space that is ancillary to the principal use of the site which is residential. Kern County General Plan (KCGP) Policy prohibits the establishment of new noise-sensitive land uses within noise-impacted areas, unless effective mitigation measures are incorporated into the project design. Consequently, construction of the project improvements shall not permit an ancillary residential use of the site to be established within the noise impacted area along the south edge of the project site, where exterior noise levels exceed 65dB.

In Figure 1 of the revised acoustic report, two features have been included in the proposed project design layout to address the noise constraints. Figure 1 of the revised report prepared December 18, 2018, shows a planned drainage sump will be located within the noise impacted area of the project site on the south side of the property. The responsible entity considers the addition an acceptable modification of the most noise impacted area of the site to a non-noise sensitive land use. Additionally, a common outdoor activity area will be located on the

		of the project site that connect residents with access to medical services and commercial centers. The site has minor constraints as to noise and vibration; however, given the limited availability of undeveloped land in close proximity to existing services, the project will provide more access to amenities and opportunities for residents (employment, healthcare services) that may not be currently available to them in traditional housing.
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Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The proposal includes the construction of new multi-family units at a density previously authorized under the Metro Bakersfield General Plan. Under the Metro Bakersfield G.P., the site is designated HMR – High Medium Density Residential (Density \geq 17.42 dwelling units per acre). The property is approximately 2.36 acres in size and permitted densities under the general plan may accommodate the proposal for construction of the development. The site consists of four parcels of record, each zoned R-2 (Medium Density Residential). Land use density within the R-2 district allows for the construction of 16 units per developable acre of land (net). Based on the proposed scale of the development, the site may accommodate the proposed development.

		<p>A Phase One Environmental Site Assessment (ESA) was performed for the subject property by a third party consultant. As noted in the Explosive and Flammable Hazards - Part 58 review section, the ESA identified a non-operational and improperly abandoned water well onsite, mounted in an small concrete pad within Kern County Assessor Parcel No. 143-050-14. The ESA report noted improperly abandoned water wells can be an environmental concern by acting as a conduit to groundwater contaminants that may be illegally dumped into an open well casing. There were no indications of staining or unusual odors around the uncapped water well. The well appears to be plugged, at least at the surface, with soil and other materials.</p> <p>As a measure of mitigation, the ESA report noted that the improperly abandoned water well requires the well be properly abandoned in compliance with Kern County Environmental Health Services Division (KCEHSD) requirements for non-operational water wells.</p>
Energy Consumption	1	<p>The development will be designed to maximize energy efficiency. These design features include construction materials, appliances, and the utilization of solar energy. Due to the combination of these factors and the energy-efficient design, the project should produce enough energy to offset resident and reduce energy usage, resulting in a "net-zero" energy project. Each unit will incorporate energy efficient appliances wherever possible. Based on the identification of energy related reduction equipment above, as well as solar improvements, no further review for this factor is needed.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	1	<p>The project will have a beneficial impact on employment and income patterns by improving opportunities for upward mobility through increased access to education and additional job opportunities. Several bus stops are within the immediate vicinity of the project, and staff will provide rides in County vehicles when necessary.</p>
Demographic Character Changes, Displacement	2	<p>The area of the project is generally multi-ethnic and diverse. Although 2010 Census data indicates the area is predominately Hispanic, there is no evidence to suggest that overall demographics of the area would change as a result of implementation. As the project is for construction of new housing, the development will not result in the displacement of persons or populations.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	3	<p>The construction of additional homeless housing will provide greater opportunity to access the benefits of educational and</p>

		<p>developer shall be responsible for identify which alternative identified will be employed in the final project design. However, the Housing Authority has noted it prefers the option requiring connection to sewer in Laguna Seca Way. The developer must provide a "Will-Serve" letter for the development prior to the issuance of any grading and/or building permits. Compliance with the above listed mitigation shall ensure that significant impacts will not occur as a result of implementation.</p>
Water Supply	3	<p>The property is within an area served by the ENCSD for water supply. However, ENCSD has provided comment noting the proposed development is currently surrounded by single-family dwelling tracts with six-inch diameter water distribution mains with limited flow capacity. An 8-inch water main shall be provided to extend from the existing 10-inch water main, located at Sterling Road, to ensure adequate water pressure and sufficient fire flow capacity, as determined by the Kern County Fire Department.</p>
Public Safety - Police, Fire and Emergency Medical	3	<p>Extremely impoverished "at-risk" individuals/families often need a greater level of support from police, fire and emergency medical services. Crime, drug use, addiction, and mental illness are often associated with persons who become homeless, and often considered contributing factors to homelessness in general. However, in a study published by the US National Library of Medicine and National Institutes of Health, "well-managed and governed recovery homes pose minimal risks to neighbors in terms of criminal behavior" (The Relationship Between Neighborhood Criminal and Behavior and Oxford Houses, 2009).</p> <p>The project offers the opportunity for increased access to counseling services for the inhabitants of this property. Several studies have shown that properly managed properties for residents recovering from mental illness or substance abuse do not "significantly" increase the risk of crime rates in the neighborhood in the property's immediate vicinity. However, even though counseling services may decrease the level of the support needed by "at-risk" individuals over time, in the short term, public safety related resources will be needed to serve residents and ensure public safety continues to be protected. Thus, assuming service providers are effective in treating the underlying issues of these "at-risk" individuals, it is likely the project will not cause a significant increase in crime. Also, it is important to note that even though 37 units are on the property, only 18 are reserved for at-risk individuals. The conclusion is based on property crime and violent crime; prostitution, DUIs, substance-related crimes were not accounted for in the aforementioned study.</p>
Parks, Open Space and Recreation	2	<p>There are two neighborhood parks located within one mile of the project site, Pioneer Park and Potomac Park. Potomac Park is a small neighborhood park and Pioneer Park is slightly larger neighborhood park that provides additional amenities. Kern River County Park is a larger regional park which serves the area of the project and is located approximately six miles to the north of the project. Based on the proximity to several</p>

050-02, 143-050-14, 143-050-15, and 143-050-16. The area of potential effect (APE) consists of the entire site located on the south side of 3200 Block of Pioneer Drive East of Oswell Street in NW ¼ of NW1/4 of Section 35, Township 29 South, Range 28 East, M. D. B & M. The APE is located on disturbed private property (Figure 1-1) with disturbed non-native grassland. Existing residential housing exists to the north of the APE. Located to the west is an existing trailer park. Directly to the east of the APE is an undeveloped parcel with residential housing further east (Figures 1-1 and 1-2). Photographs taken during the field visit document the current site conditions (Appendix E).

As a result of the literature review and based on general habitat conditions, of the 37 plant species, 4 special-status plant species were determined to warrant further discussion. Of the 35 wildlife species identified as potentially occurring in the region, 3 special-status wildlife species were determined to warrant further consideration; however, only one, the San Joaquin kit fox has the potential to be impacted by the Project (Table 3-2). These species are further discussed in Section 3.2.2. The initial evaluations of each special-status species found during the literature review with a potential to occur in the region are included in Appendix A; each is unlikely to be impacted by the proposed Project, thus are not discussed beyond Appendix A. The following special-status plant species are potentially present in the region: California jewelflower, Kern mallow, San Joaquin woolly-threads, Bakersfield cactus. These special-status plant species are not likely present on the Project site or in the APE based on recent survey results and the project's location to known populations. No special-status plant species are believed present, therefore, no effects to special-status plant species are anticipated.

As previously discussed in the Part 58 ESA review, according to the United States Fish and Wildlife Service, there are a total of nine threatened, endangered, or candidate species in the geographic vicinity of the project area:

San Joaquin Kit Fox, Tipton Kangaroo Rat, Southwestern Willow Flycatcher, Blunt-nosed Leopard Lizard, Giant Garter Snake, California Red-legged Frog, Delta Smelt, Vernal Pool Fairy Shrimp, Bakersfield Cactus. The Biological Assessment prepared for the proposed project concluded that the project concluded that the project not result in impacts to wetlands, riparian habitat or other special-species habitats, or wildlife corridors. With the exception of the BNLL, a fully protected species under California ESA,

residents. Individual sites were evaluated based on criteria for selection under the No Place Like Home program. The use of funds for the program was recently authorized under Ballot Measure Proposition 2, approved by the California voters in 2018.

In reviewing the sites available, the site in question presented desirable advantages over other available sites because of its proximity to services and community amenities. Before making a conditional purchase offer for this site, the developer unsuccessfully contacted dozens of property owners in an attempt to identify suitable sites in NSP target areas. No other suitable alternative sites were identified that can fully replicate the potential benefits of this project.

No Action Alternative [24 CFR 58.40(e)]:

Under the no action alternative no additional modification or changes to the project site would be authorized and the project site would remain vacant and undeveloped. The County would not realize the potential positive impact(s) provided by this project; the level of service for current programs would be unchanged and insufficient availability of housing issues would persist and/or be addressed by other means.

Summary of Findings and Conclusions:

The site is located in a noise impacted area. Consequently, noise attenuation features must be incorporated into the project to ensure the development is consistent with local Kern County noise and HUD regulations regarding location of a project within a noise impacted area. The project shall be designed to ensure that the noise levels do not to exceed 75dB, without attenuation and/or 65dB with attenuation measures and interior noise thresholds at or below 45dB. Recommended design features will ensure that existing noise related constraints and impacts are within acceptable neighborhood guidelines for occupancy.

The site location is also within an area reported to contain species protected under the ESA, but where species may be affected. Those impacts can be fully mitigated and/or avoided with the incorporation of the recommendations contained in the biological assessment and adherence to recommendations made by relevant authorities with jurisdiction regarding species protection.

Furthermore, since the project is located within the SJVAPCD's jurisdiction, project activities are subject to District rules and compliance. All activities shall be undertaken in accordance with any permits to be issued by the District.

With the inclusion of mitigation below the Responsible Entity has determined that the Finding of No Significant Impact is appropriate as the project will not result in a significant impact on the quality of the human environment. The project may therefore proceed to development phase under the EA Level of Review (LOR) evaluation and determination of a FONSI. Staff will proceed with a Request for Release of Funds from Department of Housing and Urban Development (HUD).

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

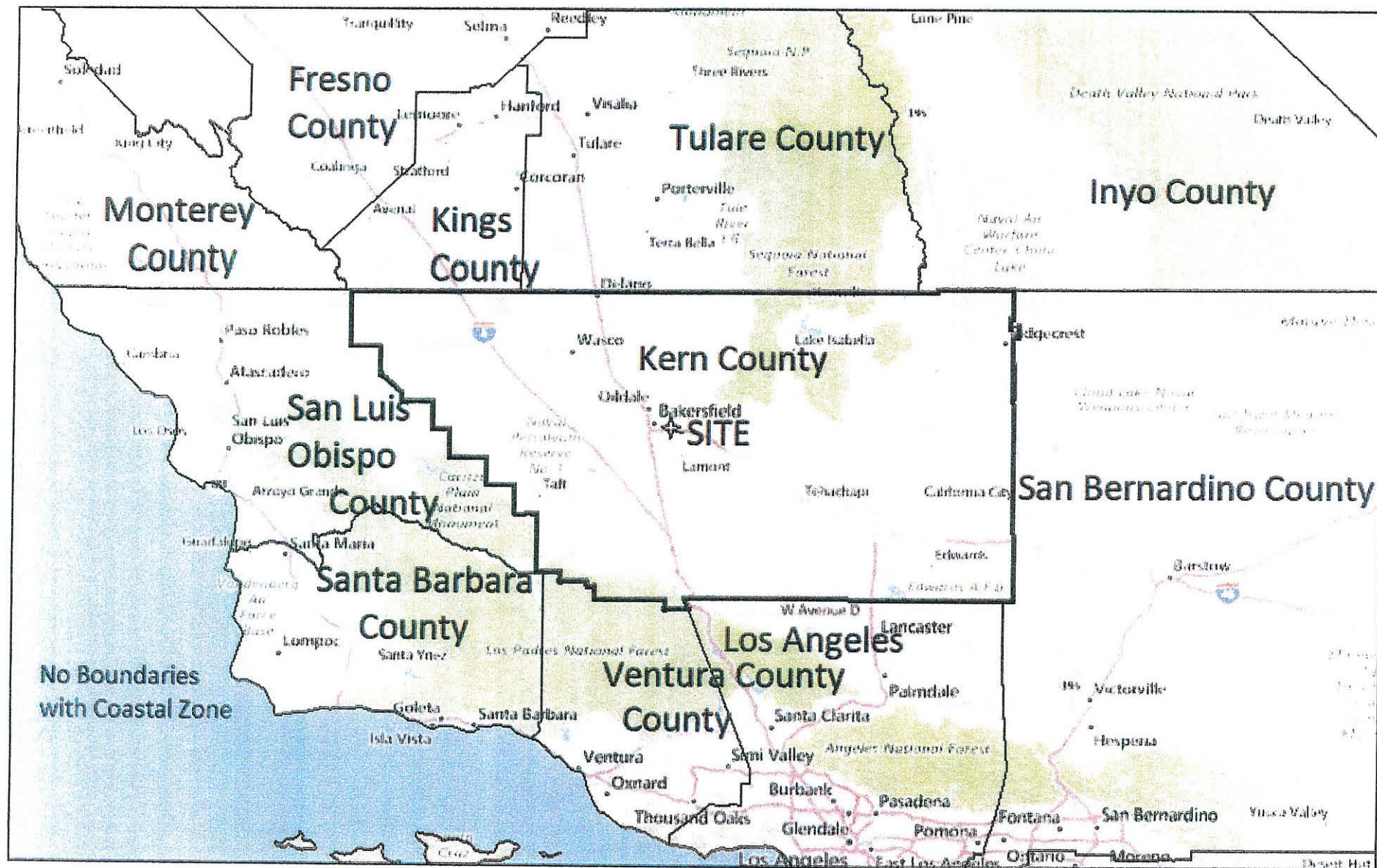
Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into

	<p><u>During implementation of the project</u>, the improperly abandoned non-operational water well, located within the property identified as Assessor Parcel No. 143-050-14 within the Phase I Environmental Site Assessment prepared for the project, shall be properly abandoned, in compliance with Kern County Environmental Health Services Division (KCEHSD) requirements for non-operational water wells.</p>
<p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>The project is located within the administrative boundaries of the Metro Bakersfield Habitat Conservation Plan, and as such, would be subject to both project modifications and/or required mitigation, as applicable. A development fee is collected for participation in the coverage provided by the adopted HCP plan.</p> <ol style="list-style-type: none"> 1. <u>Prior to the issuance of any grading and/or building permits</u>, a development fee shall be collected under the requirements of the Metro Bakersfield Habitat Conservation Plan. The funds collected are utilized for the acquisition of habitat required for species protection and habitat conservation. 2. <u>No more than 30 days prior to initiation of construction activities</u>, preconstruction surveys (or Clearance Survey per MBHCP requirements) shall be conducted within the expansion area and a suitable buffer zone around the perimeter. 3. <u>At all times during the implementation of this permit</u>, SJKF avoidance and minimization techniques identified in the MBHCP must be employed and strictly adhered to. 4. <u>During initial ground disturbing activities</u>, a biological monitor who is knowledgeable regarding the potentially occurring special status species (e.g., SJKF) should be on-call, if needed. If at any time listed species are present within, or immediately adjacent to, the construction area limits or immediately adjacent to the site, the CDFW and the USFWS should be consulted regarding the need to obtain take authorization for take of federal- and/or state-listed species. Once initial disturbance has been completed and site vegetation removed, the biological monitor would not be required to monitor grading activities or further construction activities.

	<p>Each time the sound turns a corner, a slight reduction in noise experienced occurs. Flexible ductwork is a preferred method of noise mitigation. Where the vent exits the building, a spring-loaded flap with a gasket shall be installed to reduce sound entering the ductwork when the vent is not in use.</p> <p>e) Mechanical ventilation shall be provided to allow occupants to keep doors and windows closed in order to achieve acoustic isolation.</p> <p>2. <u>At all times during the implementation of the project</u>, the height of all residential buildings shall be limited to single story construction within any noise impacted areas of the project site with expected exterior noise levels above 65dB as shown in the applicable Noise Assessment for the site.</p> <p>3. <u>During construction and prior to the issuance of final occupancy permits</u>, a six-foot tall concrete masonry type sound wall shall be constructed along the entire southernmost boundary of the of the project site which abuts the Burlington Northern Santa Fe (BNSF) Railroad.</p> <p>4. <u>At no time during the project implementation</u>, shall any ancillary residential use of the site, including but not limited to playgrounds and/or other outdoor activity areas, be established within an area of the property where exterior noise levels are expected to exceed 65dB, as shown in the prepared acoustic noise assessment report. However, where subsequent project modifications and design configurations require the findings of the original study be re-evaluated, the conclusions of the re-evaluation shall subject to best available science and consistent with local and applicable HUD noise regulations.</p> <p>5. In lieu of these measures noted above, an interior noise control report may be prepared by a qualified acoustic engineer demonstrating that the proposed building construction would achieve the HUD interior noise reduction requirement of 25 dBA and achieve the Kern County 45dBA Ldn interior noise standard.</p>
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	The development plan for the project shall include the following improvements:

	<ol style="list-style-type: none"> 1. A sewer main extension shall be constructed from the southwest corner of the property to an existing manhole under the Oswell Street overpass. An easement may need to be acquired from the property owner on the west side of the planned development for the sewer main to be constructed, as well as an approved encroachment permit from the Kern County Public Works Department for the construction of the sewer main in Laguna Seca Way. 2. Or, alternatively, a sewer lift station and force main, owned and operated by the property owner, may need to be constructed to convey sewage to the existing sewer main.
Water Supply	<p>In order to ensure adequate fire protection is provided to the project site and the proposal will not to adversely impact existing level of service and protection provided to surrounding properties, the final approved development plan shall reflect the following water supply related improvements, as determined by the Kern County Fire Department:</p> <p>The proposed development is currently surrounded by single-family dwelling tracts with six-inch diameter water distribution mains with limited flow capacity. An 8-inch water main shall be installed to extend from the existing 10-inch water main, located at Sterling Road, to ensure adequate water pressure and sufficient fire flow capacity is provided for the project.</p>
Transportation and Accessibility	<p>The approved development plan shall comply with the following transportation related improvements:</p> <p>The Golden Empire Transit District has requested that a concrete shelter waiting pad be constructed at one stop in the immediate vicinity of the project, to enable Golden Empire Transit District to install a new bus shelter. The location of the planned improvements shall be as approved by the Golden Empire Transit District.</p>
Education	<p>Prior to the issuance of any grading or building permits:</p> <p>A development fee shall be collected as mitigation for construction of new housing, multi-family affordable housing units, as required under Education Code Section 17620 and Government Code Section 65995 et seq. (all as amended with operative date of November 4, 1998). The fees are presently set at \$3.79 per square foot, and</p>

Coastal Zone - Kern County Map



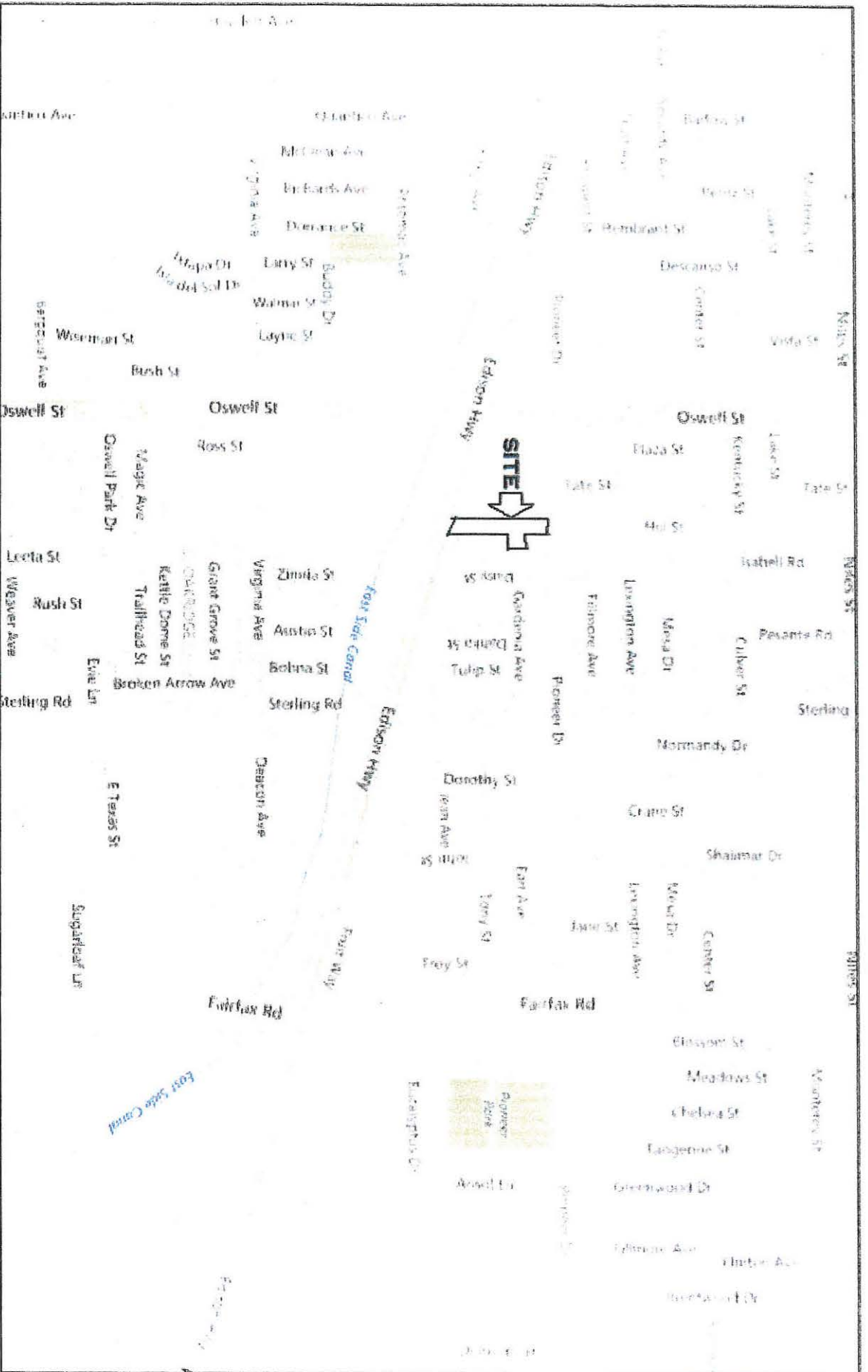
February 13, 2019

Project 2
 Kern County
 Counties

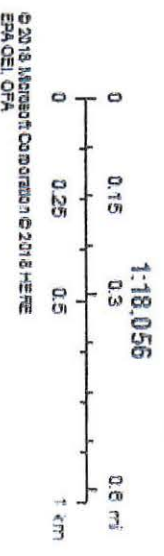
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 0 30 60 120 km

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EPA OEI

SITE MAP

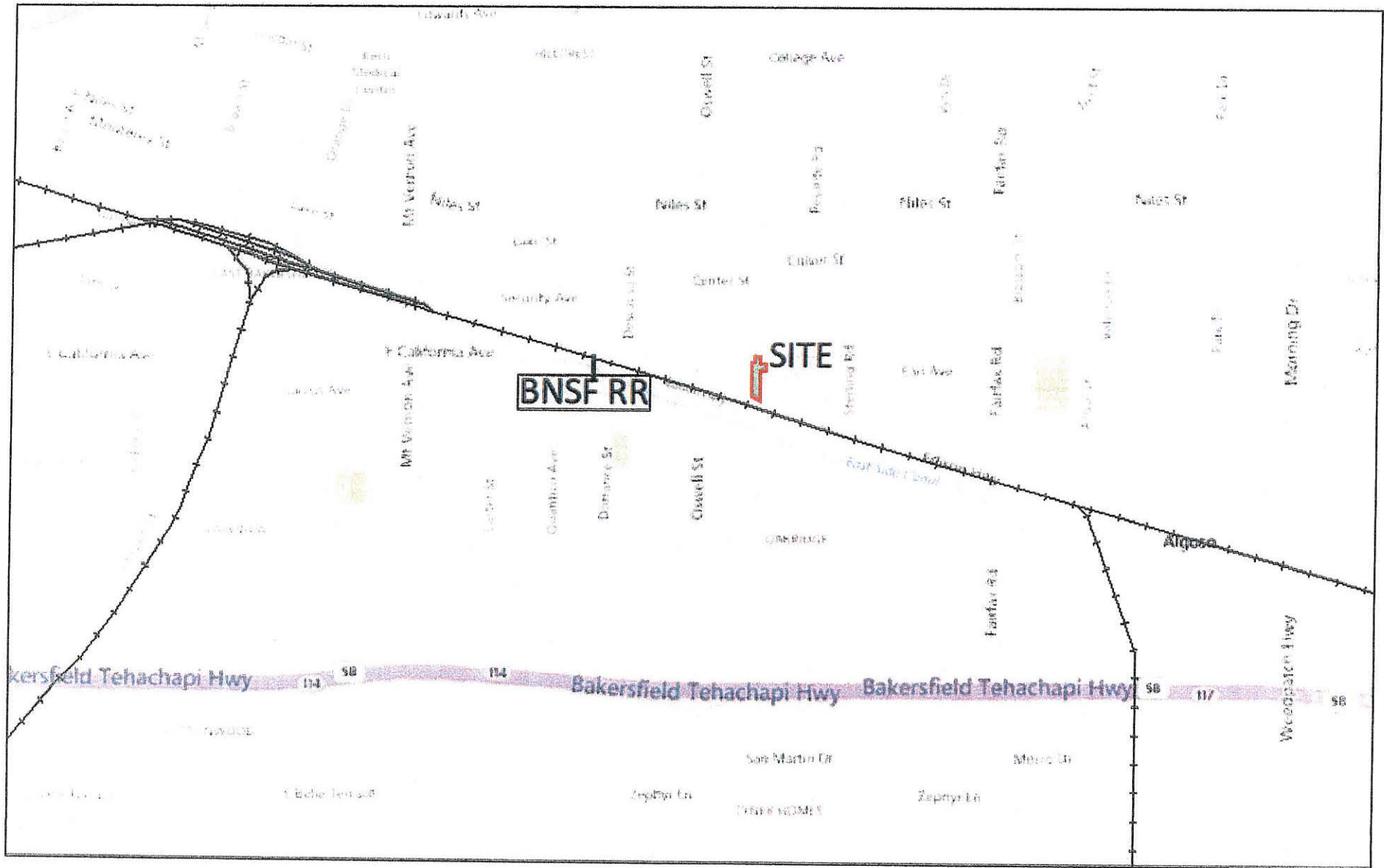


October 24, 2018



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Transportation - Rail Line Map



February 13, 2019

 Project 2

→ Railroads

☐ Counties

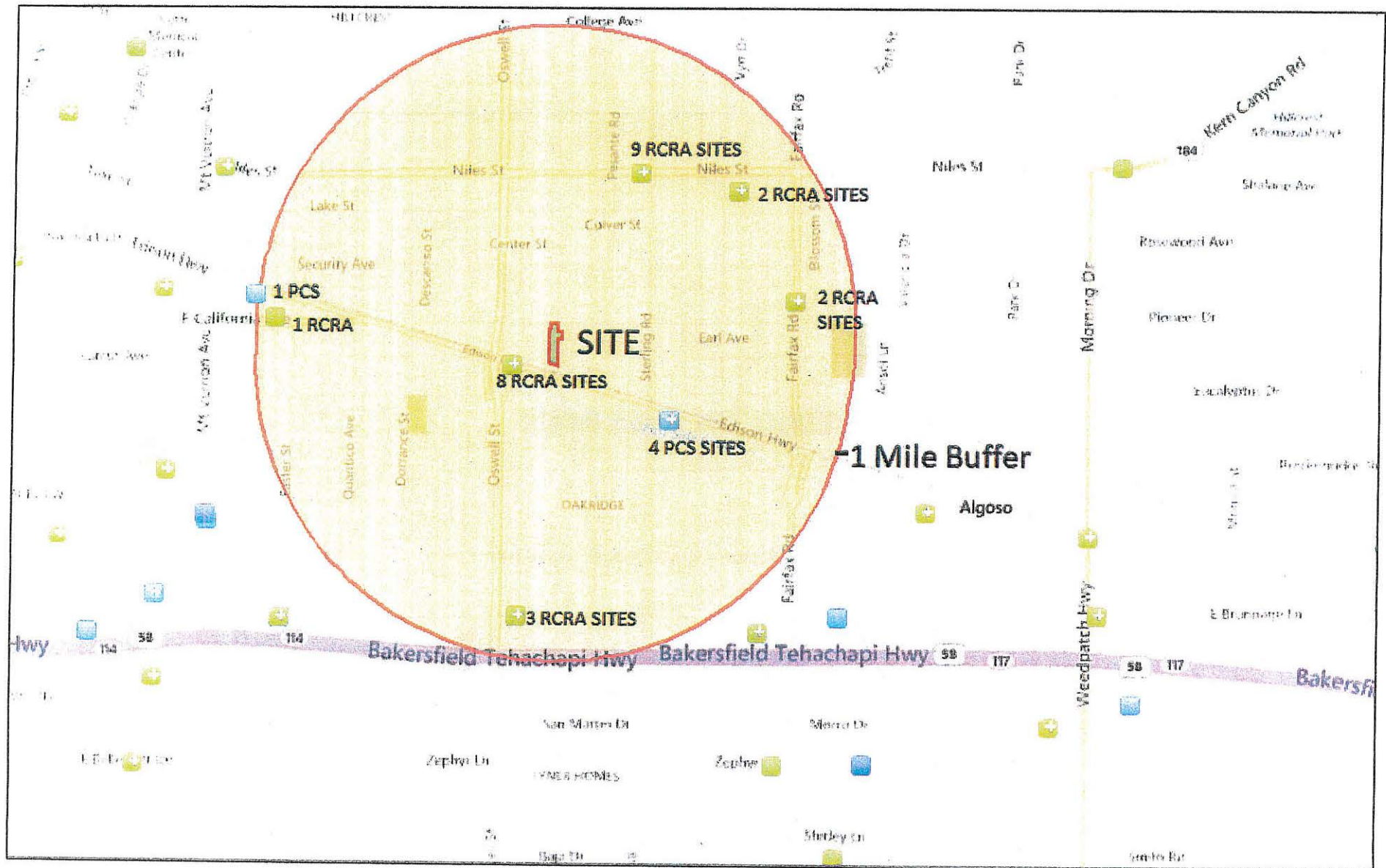
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0 0.3 0.6 1.2 mi

0 0.5 1 2 km

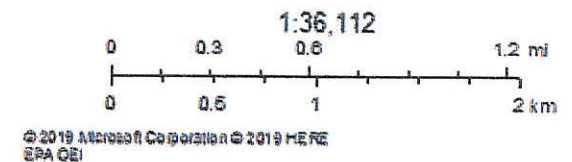
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Haz Facilities Map



February 13, 2019

- | | | |
|----------------------|-----------------|-----------------|
| Project 2 | AIRS (single) | TRI (clustered) |
| RCRAINFO (clustered) | PCS (clustered) | TRI (single) |
| RCRAINFO (single) | PCS (single) | Buffer Area |

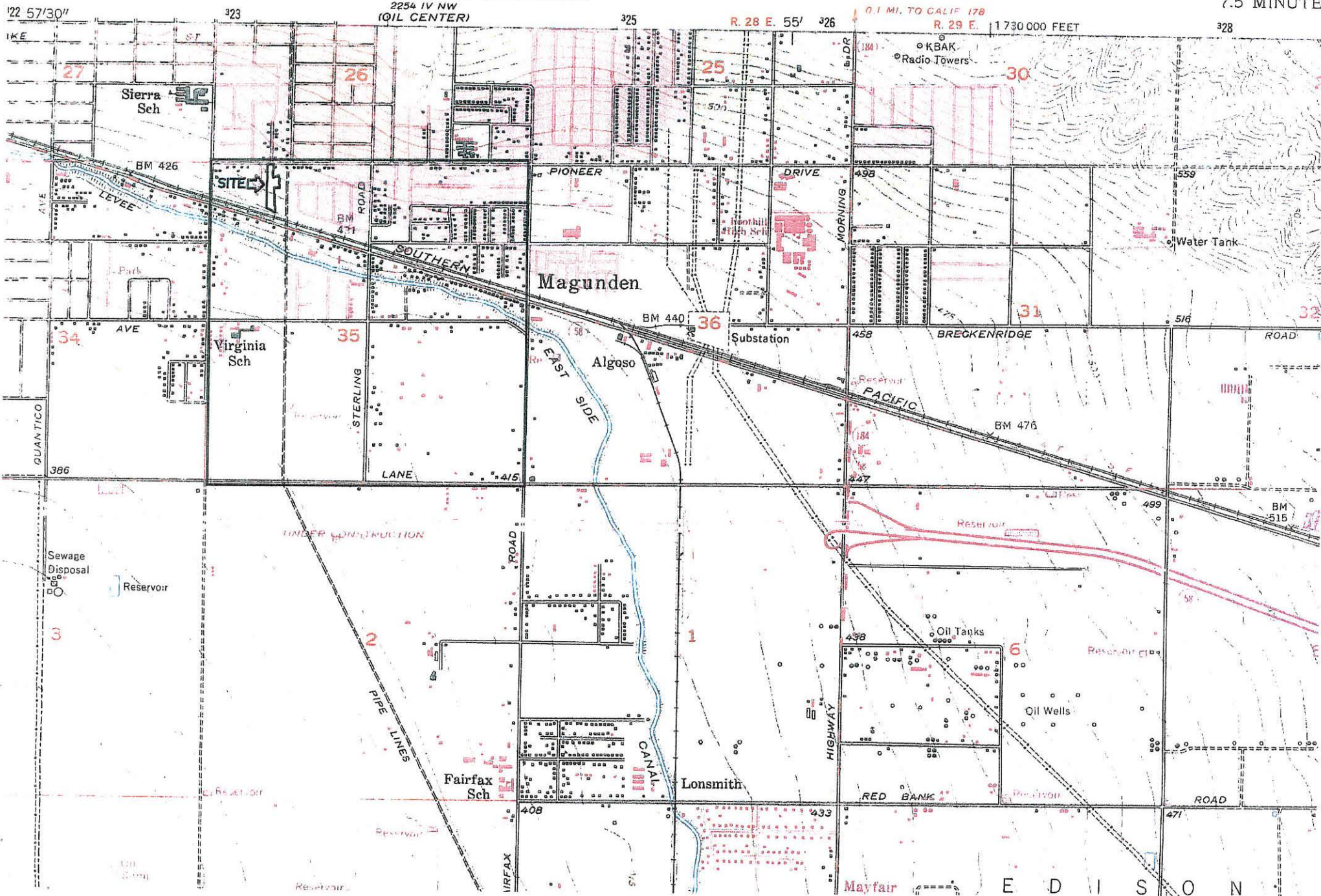


SEC 35 T 29S., R. 28E. MDBM

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES

LAMONT QUAD

LAMONT
CALIF
7.5 MINUTE



Mitigation Monitoring Program

CD Activity HOME Project #33.18.3, NSP #1.NSP1.06 & NSP #1.NSP3.3 - Pioneer Cottages Affordable Housing Project – No Place Like Home Program

Mitigation Condition No. 1

Issues addressed: Clean Air and Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design

Reasoning: The project is located in the San Joaquin Air Pollution Control District (District). The District is designated status of non-attainment for the following regulated criteria pollutants: Particulate Matter (PM) 2.5 and, as non-attainment/extreme for Ozone – Eight Hour.

1. Prior to issuance of any grading and/or building permits, any permits required for implementation shall be obtained from the San Joaquin Air Pollution Control District (District). The District has noted that the project may be subject to Regulation VIII (Fugitive PM 10 Prohibitions), Rule 4002, Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). Where district permitting is required, all permits shall be obtained prior to implementation of the related project activities and complied with during the implementation of activities.
2. During project implementation, any conditions of requirements of permits issued by the district shall be continuously complied with.
3. During all on-site grading and construction activities, adequate measures shall be implemented to control fugitive dust.
4. In the event that any portion of an existing building will be renovated, partially demolished or removed, the Project will be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). Where applicable, prior to any demolition activity, an asbestos survey of existing structures on the project site may be required to identify the presence of any asbestos containing building material (ACBM).

The contractor is aware of the requirements and will comply with its responsibilities as to the requirements noted above for air related emissions:

(Signed by contractor)

(Date Signed)

Mitigation Condition No. 3

Issues Addressed: Protected Species that may be within the Area of Project Effect (APE)

Reasoning: In compliance with Section 7 of the Endangered Species Act (ESA), a list of species that may be present was generated for the site. Furthermore, a Biologic Assessment was prepared which identified species in the APE that may be present. In consultation with the appropriate authorities, all activities that may affect any listed or candidate species protected under the ESA shall be authorized by United States Fish and Wildlife Service prior to implementation of ground disturbing activities.

Additionally, species that are protected or afforded additional protection by State regulations provided under California Endangered Species Act (CESA) have been evaluated. This requirement is covered under the EA requirement to review the project for compliance with both State and federally protected species.

1. Prior to the issuance of any grading and/or building permits, a development fee shall be collected under the requirements of the Metro Bakersfield Habitat Conservation Plan. The funds collected will be utilized for the acquisition of habitat required for species protection and habitat conservation.
2. No more than 30 days prior to initiation of construction activities, preconstruction surveys (or Clearance Survey per MBHCP requirements) shall be conducted within the expansion area and a suitable buffer zone around the perimeter.
3. At all times during the implementation of this permit, San Joaquin Kit Fox (SJKF) avoidance and minimization techniques identified in the MBHCP must be employed and strictly adhered to.
4. During initial ground disturbing activities, a biological monitor who is knowledgeable regarding the potentially occurring special status species (e.g., SJKF) should be on-call, if needed. If at any time listed species are present within, or immediately adjacent to, the construction area limits or immediately adjacent to the site, the California Department Fish and Wildlife (CDFW) and the United States Fish and Wildlife Service (USFWS) should be consulted regarding the need to obtain take authorization for take of federal- and/or state-listed species. Once initial disturbance has been completed and site vegetation removed, the biological monitor would not be required to monitor grading activities or further construction activities.

Where applicable, survey protocols and den definitions should be consistent with the USFWS Standardized recommendations for the protection of the San Joaquin Kit fox prior to or during ground disturbance (*USFWS 2011; Guidelines*) or current agency protocols and requirements. Den buffer zones and excavation procedures should be consistent with the Guidelines. Approval from adjacent landowners may be required if dens are found in the buffer area around the proposed Project.

The completion of the identified steps shall ensure that the project is in compliance with the ESA and State regulations regarding protected species.

____ Contractor sign below and shall check off the area here once the required mitigation fee is collected:

The assigned Biologist shall complete the following below:

Compliance with Item No. 2, signed off by assigned Biologist

(Date Signed)

Mitigation Condition No. 4

Issued Addressed: Historic Preservation

Reasoning: Comments were received in response to the early consultation regarding the need to address the potential to encounter unknown historic or cultural resources as a result of project implementation:

1. During implementation of the undertaking, in the event that cultural and historical resources are discovered, further consultation with SHPO would be required pursuant to 36 CFR Part 800.13(b).
2. During implementation of the undertaking, if any archaeological resources are encountered during the course of construction, a qualified archaeologist shall be consulted for further evaluation.
3. If human remains or potential human remains are observed during construction, work in the vicinity of the remains will cease, and the find be treated in accordance with the provisions of State Health and Safety Code Section 7050.5. The protection of human remains follows California Public Resources Codes, Sections 5097.94, 5097.98 and 5097.99.

With signature below, contractor is certifying that improvements have been constructed in accordance with the requirements noted above for preservation of historic and cultural resources.

(Signed by Contractor)

(Date Signed)

With signature below, the Contractor certifies that the recommended attenuation features have been incorporated into the design, specifications and construction of the project.

(Signed by Contractor)

(Date Signed)

Mitigation Condition No. 9

Issues: Waste Water / Sanitary Sewers

Reasoning: Project proposes the construction of up to 37 new multi-family residential units for occupancy in an urbanized area. The project is located within the Metro Bakersfield General Plan area and the identification of a method of sewage disposal service and a "will serve" letter from established area service purveyors will required to accommodate the new residential development. Furthermore, the early consultation resulted in a comment from the East Niles Community Service District noting that the developer will need to provide additional information before a "Will-Serve" Letter may be issued for project by purveyor for sewer connection and service to the site.

The project developer shall provide for sewer connection to the development under one of the two options provided by East Niles Community Services District:

- a) A sewer main extension shall be constructed from the southwest corner of the property to an existing manhole under the Oswell Street overpass. An easement may need to be acquired from the property owner on the west side of the planned development for the sewer main to be constructed, as well as an approved encroachment permit from the Kern County Public Works Department for the construction of the sewer main in Laguna Seca Way.
- b) Alternatively, a sewer lift station and force main, owned and operated by the property owner, may need to be constructed to convey sewage to the existing sewer main.

Once the required permit(s) have been obtained, the Contractor shall sign below:

(Signed by Contractor)

(Date Signed)

Mitigation Condition No. 10

Issues: Transportation and Accessibility

Reasoning: The construction of 37 new residential units will have minor impacts on transportation and circulation in the area of the project. The project will likely increase bus system use and ridership in the area of the project since Kern Behavioral Health and Recovery Services (BHRS) may provide tenants with Monthly Bus Passes that allow unlimited travel throughout Bakersfield. There are four stops located within 1,000 feet of the project site.

Consequently, the approved development plan shall comply with the following transportation related improvement:

The Golden Empire Transit District has requested that a concrete shelter waiting pad be constructed at one stop in the immediate vicinity of the project, to enable Golden Empire Transit District to install a new bus shelter. The location of the planned improvements shall be as approved by the Golden Empire Transit District.

Contractor signature below confirms that Golden Empire Transit District (GET) has reviewed and approved the planned location of the improved GET Bus Stop to serve the project.

(Contractor Signature)

(Date Signed)