INITIAL STUDY

Sage Ranch Development Project

July 2019

PREPARED FOR:

City of Tehachapi
115 S. Robinson St.
Tehachapi, CA 93561

PREPARED BY:

Crawford & Bowen Planning, Inc.
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Visalia, CA 93291

Initial Study

Sage Ranch Development Project

Prepared for:

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July 2019

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Chapter 1

INTRODUCTION

INTRODUCTION

1.1 Project Summary

This document is the Initial Study (IS) on the potential environmental effects of the proposed Sage Ranch Development Project (Project). The Project Applicant is proposing to subdivide and develop approximately 138-acres of vacant land into a 1,000-unit residential community with a mix of single-family and multi-family housing units. The proposed Project is bounded by Valley Boulevard to the north, Tract 6212 to the west, Pinon Street to the south and Tehachapi High School to the east.

The proposed Project is more fully described in Chapter Two – Project Description.

The City of Tehachapi will act as the Lead Agency for this project pursuant to the *California Environmental Quality Act (CEQA)* and the *CEQA Guidelines.*

1.2 Purpose of the Initial Study

An Initial Study is a preliminary analysis which is prepared to determine the relative environmental impacts associated with a proposed project. It is designed as a measuring mechanism to determine if a project will have a significant adverse effect on the environment, thereby triggering the need to prepare an Environmental Impact Report (EIR). This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the proposed Sage Ranch Development Project may have a significant effect upon the environment. A Notice of Preparation (NOP) of an EIR has been prepared along with this IS.

1.3 Document Format

This IS contains four chapters, and appendices. Chapter One - Introduction, provides an overview of the project and the CEQA environmental documentation process. Chapter Two - Project Description, provides a detailed description of project objectives and components. Chapter Three - Initial Study Checklist, presents the CEQA checklist and environmental analysis for all impact areas. If the proposed Project does not have the potential to significantly impact a given issue area, the relevant section provides a brief discussion of the reasons why no impacts are expected. If the project could have a potentially significant impact on a resource, the issue area discussion provides a description of potential impacts, and appropriate mitigation measures and/or permit requirements that would reduce those impacts to a less than significant level. Finally, if impacts are determined to be potentially significant, those topics will be noted and will be analyzed in the

forthcoming EIR that will be prepared for the Project. Chapter Four - List of Preparers, provides a list of key personnel involved in the preparation of the IS.

Environmental impacts are separated into the following categories:

Potentially Significant Impact. This category is applicable if there is substantial evidence that an effect may be significant, and no feasible mitigation measures can be identified to reduce impacts to a less than significant level. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

Less Than Significant After Mitigation Incorporated. This category applies where the incorporation of mitigation measures would reduce an effect from a "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measure(s), and briefly explain how they would reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced).

Less Than Significant Impact. This category is identified when the project would result in impacts below the threshold of significance, and no mitigation measures are required.

No Impact. This category applies when a project would not create an impact in the specific environmental issue area. "No Impact" answers do not require a detailed explanation if they are adequately supported by the information sources cited by the lead agency, which show that the impact does not apply to the specific project (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis.)

Regardless of the type of CEQA document that must be prepared, the basic purpose of the CEQA process as set forth in the CEQA Guidelines Section 15002(a) is to:

(1) Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities.
(2) Identify ways that environmental damage can be avoided or significantly reduced.
(3) Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
(4) Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

The Initial Study contained in Section Three of this document has determined that there are potentially significant impacts associated with the Project and an EIR will be prepared.

Chapter 2

PROJECT DESCRIPTION

Project Description

2.1 Project Location and Surrounding Land Use

The proposed Project is located on approximately 138-acres in the City of Tehachapi, California, and is bounded by Valley Boulevard to the north, Tract 6212 to the west, Pinon Street to the south and Tehachapi High School to the east. The site is comprised of four parcels: 417-012-01, 417-012-24, 417-012-25, and 417-012-28. See Figures 2-1 and 2-2 – Regional Map and Aerial Map, respectively.

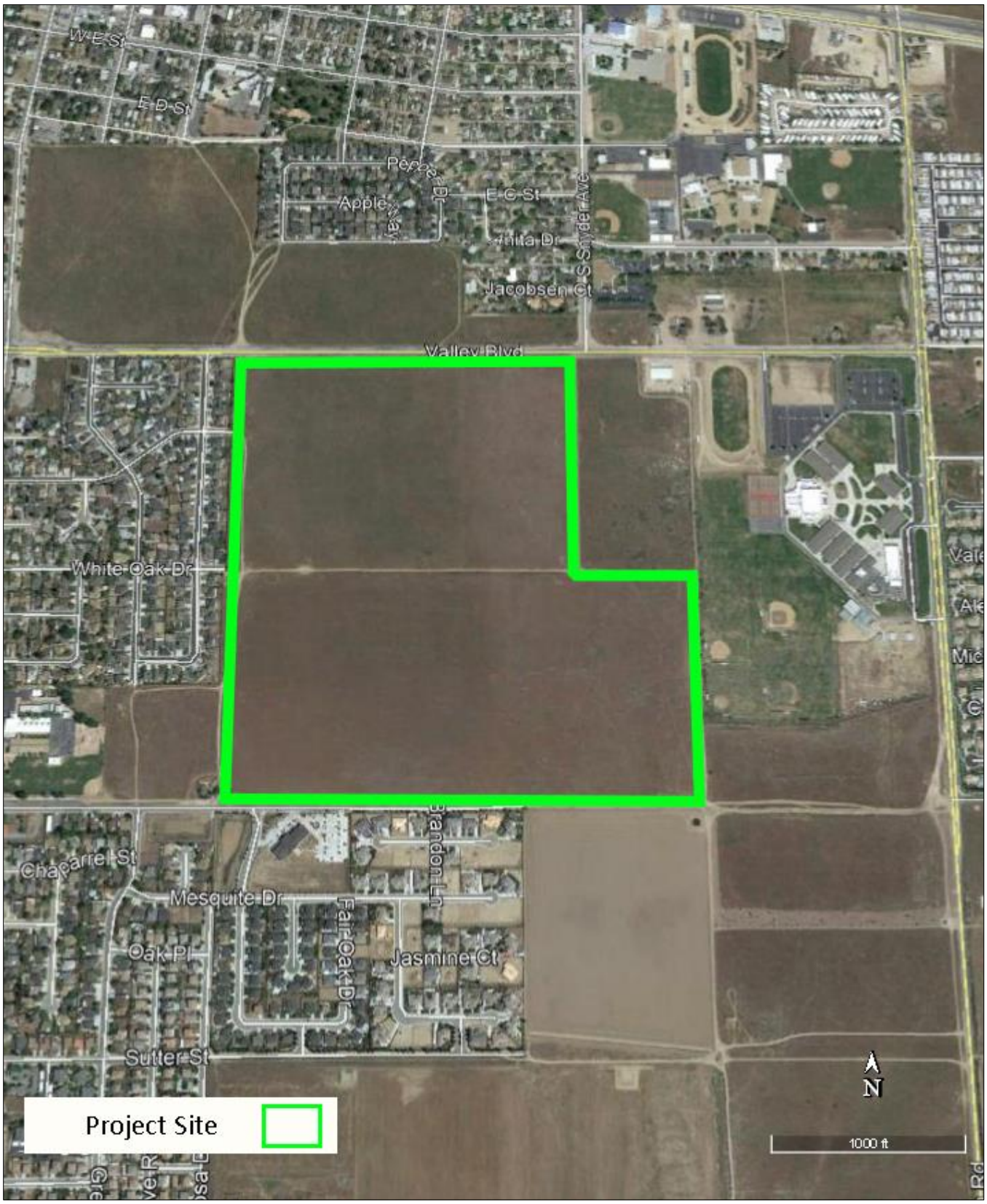
The proposed Project site is located in the southeastern area of Tehachapi, southeast of downtown in an area that generally consists of single-family housing, multi-family housing, schools and churches. The site is currently zoned T-4 (General Urban) and is designated by the General Plan as 4B – Southern Neighborhoods. The site is vacant / undeveloped and is generally void of vegetation except for grass/weeds and scrub brush. Land uses and zoning designations of adjacent parcels surrounding the site are as follows:

Surrounding Land Use and Zoning

Location	Existing Land Use	Current Zoning Classification
North	Vacant and residential	T-4 (General Urban)
South	Vacant, residential, church	R-1-8 (Low Density Single Family Residential) and T-4
West	Residential	R-1-8 (Low Density Single Family Residential)
East	High School	RSP (Recreation, School, Public Use)

Figure 2-1
Regional Location Map

Figure 2-2
Site Aerial Map



2.2 Project Description

The Project Applicant is proposing to subdivide and develop approximately 138-acres of T-4 zoned land into a residential community with a mix of single-family and multi-family housing units. The proposal features eight different types of housing products for a total of 1,000 residential units at buildout. The eight different types of housing features detached products (52%) and attached products (48%). A brief description of housing types is shown in Table 2-1 and the proposed Site Layout Plan is shown in Figure 2-3.

Table 2-1
Summary of Proposed Housing Types

Housing Type	Total Acreage	Number of Units
SFD-5: Single-Family Detached (5,000 – 5,500 sq. ft. parcels). Four blocks of this housing type will be located on the outer edge of the Project along the eastern and southern edge of the Project.	20.9	124
SFD-7: Single-Family Detached (4,200 sq. ft. parcels). Two blocks of this housing type will be located within the interior of the Project around the central park.	20.5	139
Patio Homes: Multi-Family Detached. Three locations of his housing type will be near the interior of the Project around the central park, interspersed with the SFD-7 housing.	18.9	165
Court Homes: Multi-Family Detached. Two locations of his housing type will be near the southeastern area of the Project.	11.5	114
Cottage A&B: Multi-Family Attached. Cottage A will be located along the northern edge and Cottage B along at southwestern corner of the Project.	13	A – 72 B – 66
Townhomes: Multi-Family Attached. Townhomes will be located at the northeastern corner of the Project.	8.8	116
Apartments: Multi-Family Attached. Apartments will be located in the southeastern corner of the Project.	11.2	204
Total	**104.8***	**1,000**

**The balance of the total Project acreage consists of parks/open space, roadways, right-of-way and related land.*

Figure 2-3
Proposed Site Layout Plan

Pedestrian Sheds and Civic Space

The Project includes a total of five pedestrian sheds, all civic space, within the Project. A variety of park space is being proposed as follows:

- 3.8 acre Central Park
- 3.4 acre Youth Sports Park / Detention Basin
- 0.6 acre Garden Park
- 0.6 acre Neighborhood Park
- 0.4 acre Organic Garden
- Various pocket parks throughout

See Figure 2-4 Parks and Pedestrian Shed Plan.

Site Circulation and Access

The overall layout of the proposed Project is block form, with shortened roadway lengths in order to create a walkable urban environment. The site has been designed with 12 points of ingress and egress. Five of these points connect at Valley Boulevard along the northern edge of the Project; 3 access points on the western edge; and 4 access points along the southern edge. The Project will be responsible for construction of internal roadways to City standards as well as for potential improvements to surrounding roadways to accommodate the Project.

See Figure 2-5 Circulation Plan.

Infrastructure

The Project will require connection to various City-operated systems. These include sewer, water and storm drain facilities. The project will be responsible for construction of connection points to the City's existing infrastructure. The project also includes improvements and landscaping along the frontage roads and within the site itself.

Phasing / Construction Schedule

The Project is proposed to be built out in phases as shown in Figure 2-6 Phasing Plan. Although the exact timing of construction and buildout will be determined by the City, it is anticipated that the Project would be built out over a seven year period with approximately 143 units per year on average.

Figure 2-4
Parks and Pedestrian Shed Plan

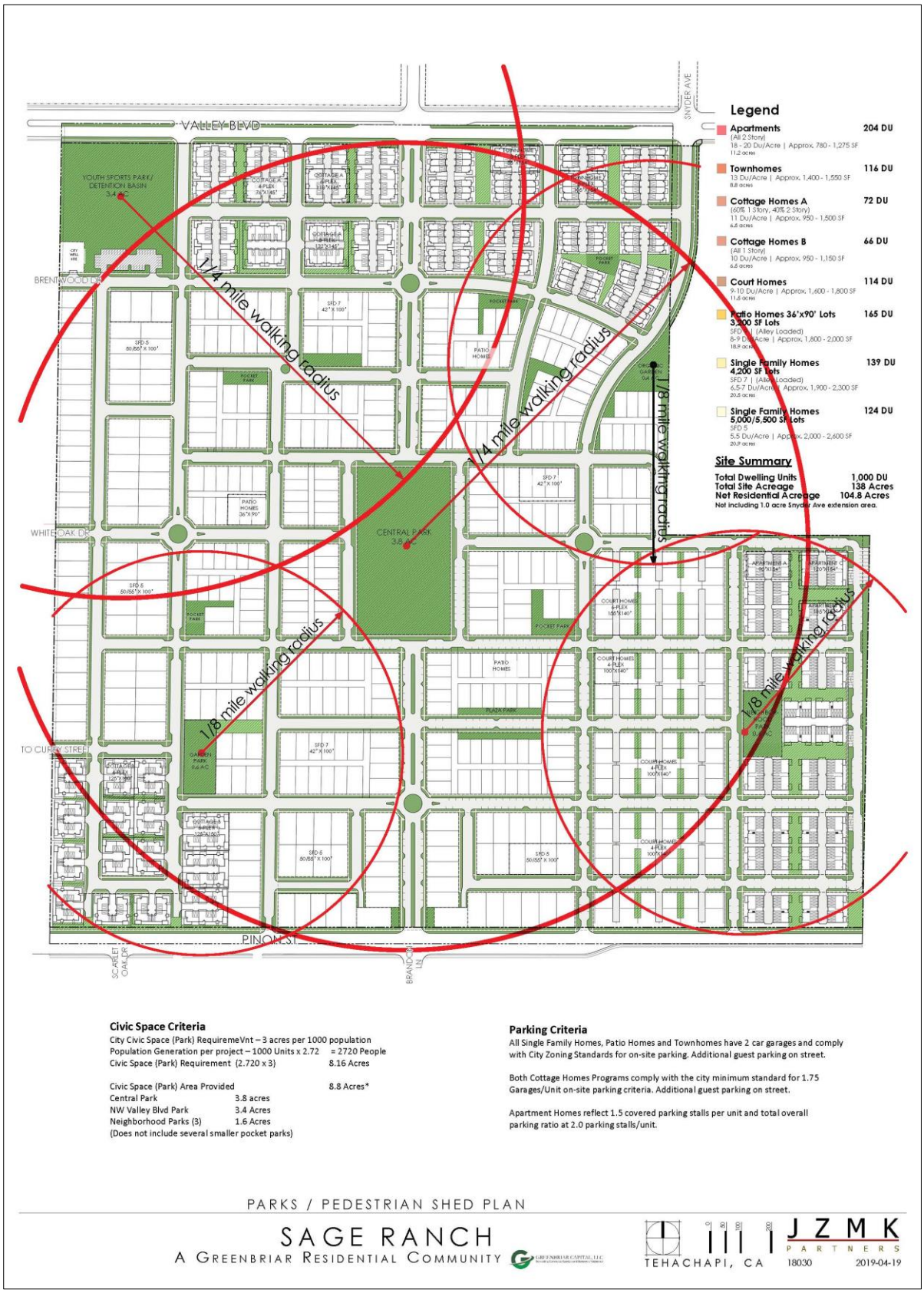
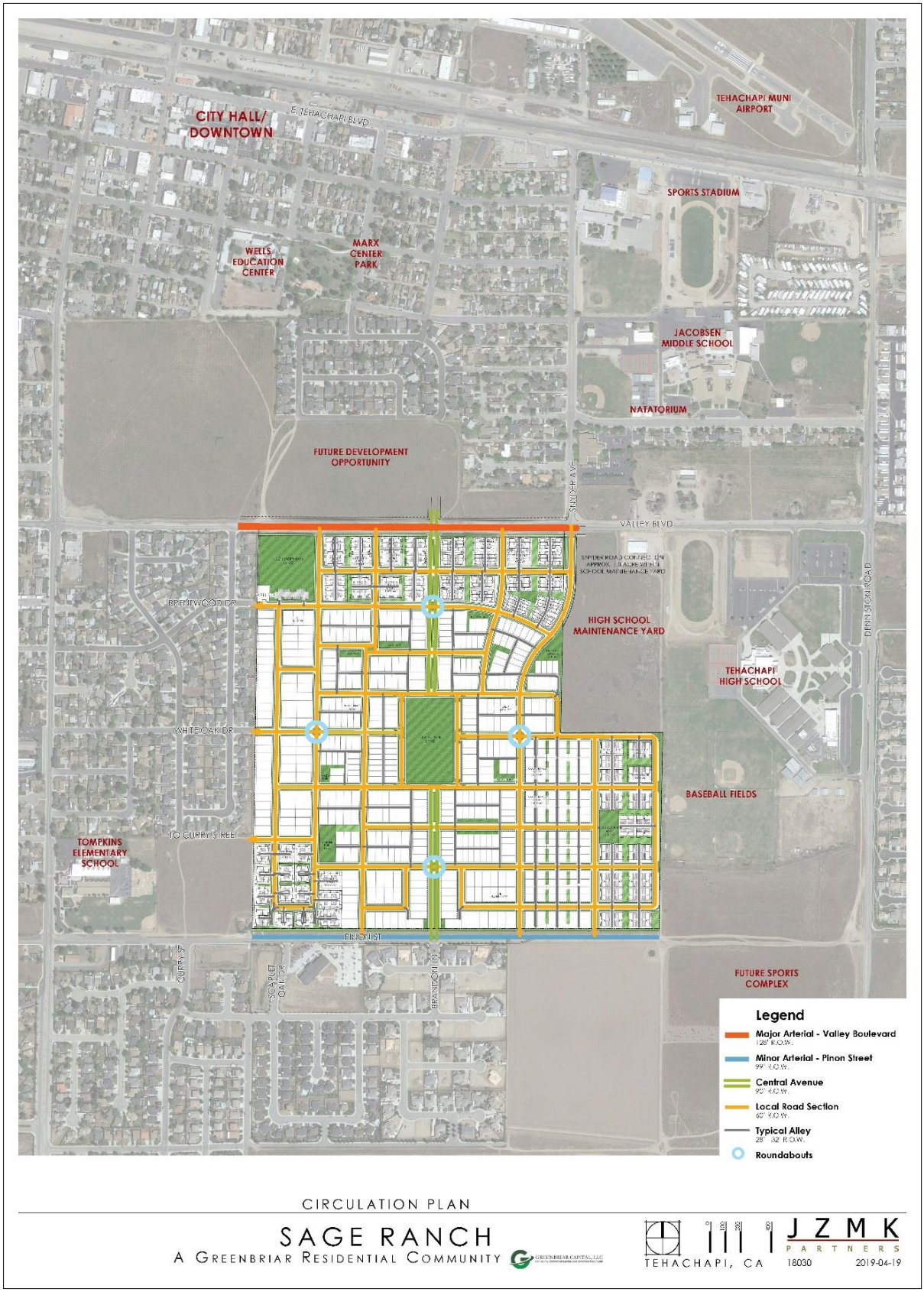


Figure 2-5
Circulation Plan

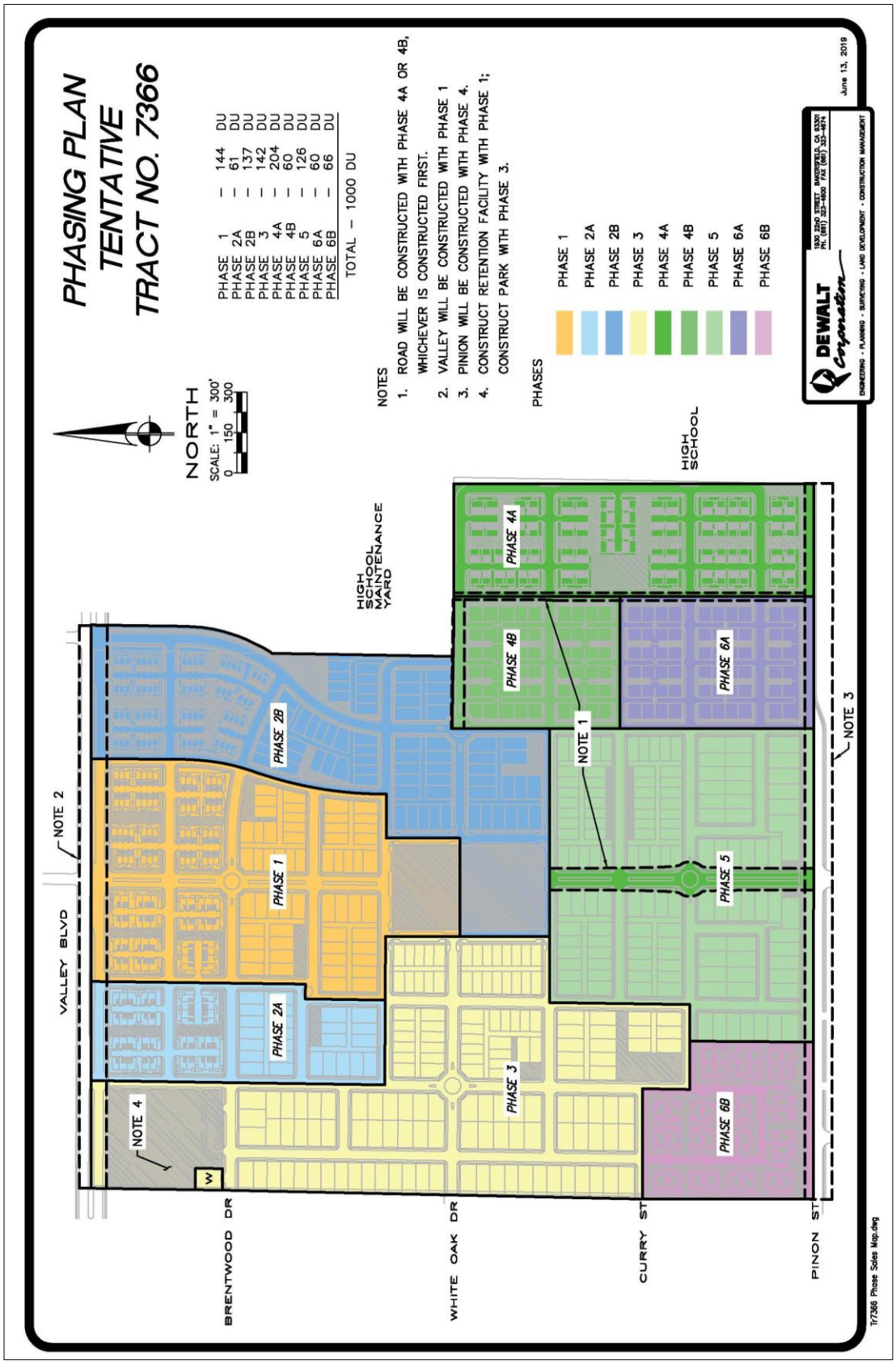


CIRCULATION PLAN

SAGE RANCH
A GREENBRIAR RESIDENTIAL COMMUNITY

TEHACHAPI, CA 18030 2019-04-19 JZMK PARTNERS

Figure 2-6
Phasing Plan



2.3 Entitlement Procedures

The Project is proposed to be processed as a Planned Development Zone which is found in Chapter 3.30.160 of the City's Zoning Code. The Planned Development Zone is a mechanism that allows for a flexible regulatory procedure by which the General Plan and Zoning Code may be accomplished and is appropriate for comprehensive site planning of large parcels. Various approvals by the City (Planning Commission and City Council) are required for the Final Master Development Plan which will include the following components:

- Final/complete site plan
- Proposed floor plans / elevations
- Tentative tract map
- CEQA documents and technical studies
- Associated studies, maps and reports

Upon approval of the Final Master Development Plan by the City Council, the Applicant is required to submit Precise Development Plans for each phase or increment of construction and must provide a level of detail satisfactory to the City Engineer. The Planning Commission considers each Precise Development Plan as they are submitted.

2.4 Objectives

In accordance with CEQA Guidelines Section 15124(b), the following are the City of Tehachapi's Project objectives:

- To provide a variety of housing opportunities with a range of densities, styles, sizes and values that will be designed to satisfy existing and future demand for quality housing in the area.
- To provide a sense of community and walkability within the development through the use of street patterns, parks/open space areas, landscaping and other project amenities.
- To provide a residential development that is compatible with surrounding land uses and is near major services.
- To provide a residential development that assists the City in meeting its General Plan and Housing Element requirements and objectives.

The following are the Applicant's Project objectives:

- To provide a high-quality New Urbanism-designed Master Plan mixed-use residential housing community.
- To create a sustainable community for homeowners.
- To develop a community that the City and Project homeowners will take pride in.
- To provide economical entry-level housing in 8 varieties as needed to accommodate the area's existing and anticipated population.
- To create a successful and financially feasible project by meeting the housing needs of the area.

2.5 Other Required Approvals

City

The City of Tehachapi will be the Lead Agency for the proposed Project, pursuant to the California Environmental Quality Act (CEQA). The Project will require the following approvals from the City of Tehachapi:

- Certification of the forthcoming Project EIR
- Approval of the Final Master Development Plan
- Grading / Building Permits

Other Public Agencies

The Project will require various permits and/or entitlements from regulatory agencies. These may include, but not be limited to the following:

- Eastern Kern Air Pollution Control District – approval of construction and/or operational air quality permits
- Storm Water Pollution Prevention Plan
- Regional Water Quality Control Board
- Kern County Fire Department

Chapter 3

IMPACT ANALYSIS

Initial Study Checklist

3.1 Environmental Checklist Form

Project title:

Sage Ranch Development Project

Lead agency name and address:

City of Tehachapi
115 S. Robinson Street
Tehachapi, CA 93561

Contact person and phone number:

Trevor Hawkes, Planner
City of Tehachapi
661.822.2200 x.118

Project location:

The proposed Project is located on 138 acres in the City of Tehachapi, California, and is bounded by Valley Boulevard to the north, Tract 6212 to the west, Pinon Street to the south and Tehachapi High School to the east. See Figure 2-1 Regional Map and Figure 2-2 Aerial Map. The site is comprised of four parcels: 417-012-01, 417-012-24, 417-012-25, and 417-012-28. The Project location is fully described in Chapter Two – Project Description.

Project sponsor's name/address:

Stuart Natch
21508 Mountain Drive
Tehachapi, CA 93561

General plan designation:

4B – Southern Neighborhoods

Zoning:

T-4 (General Urban)

Description of project:

The Project Applicant is proposing to subdivide and develop 138 acres of vacant land into a 1,000-unit residential community with a mix of single-family and multi-family housing units. The proposed Project is more fully described in Chapter Two – Project Description.

Surrounding land uses/setting:

The proposed Project site is located in the southeastern area of Tehachapi, southeast of downtown in an area that generally consists of single-family housing, multi-family housing, schools and churches. The environmental setting is fully described in Chapter Two – Project Description.

Other Required Approvals:

City

The City of Tehachapi will be the Lead Agency for the proposed Project, pursuant to the California Environmental Quality Act (CEQA). The Project will require the following approvals from the City of Tehachapi:

- Certification of the forthcoming Project EIR
- Approval of the Final Master Development Plan
- Approval of Precise Development Plans
- Grading / Building Permits

Other Public Agencies

The Project will require various permits and/or entitlements from regulatory agencies. These may include, but not be limited to the following:

- Eastern Kern Air Pollution Control District – approval of construction and/or operational air quality permits
- Storm Water Pollution Prevention Plan
- Regional Water Quality Control Board
- Kern County Fire Department

California Native American Tribal Consultation:

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun or is there a plan for consultation that includes, for example,

the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

In accordance with Assembly Bill (AB) 52, potentially affected Tribes were formally notified of this Project and were given the opportunity to request consultation on the Project. The City contacted the Native American Heritage Commission, requesting a contact list of applicable Native American Tribes, which was provided to the City. The City provided letters to the listed Tribes, notifying them of the Project and requesting consultation, if desired. None of the Tribes that were contacted requested further consultation.

3.2 Environmental Factors Potentially Affected

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

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

3.3 Determination

Based on this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED

NEGATIVE DECLARATION will be prepared.

☒ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Jay Schlosser, Development Services Director — Date

City of Tehachapi

I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and regulations governing scenic quality?	☐	☐	☒	☐
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

SETTING

Environmental Setting

The proposed Project site is located in the southeastern area of Tehachapi, southeast of downtown, in an area that generally consists of single-family housing, multi-family housing, schools and churches. The site is currently zoned T-4 (General Urban) and is designated by the General Plan as 4B – Southern Neighborhoods. The site is vacant and generally void of vegetation except for weeds and scrub brush. The site is located in an area that is planned for residential uses and is surrounded mostly by existing residential development except the area to the east, which is occupied by Tehachapi High School. See Site Photos A through H within this Section.

Land uses and zoning designations of adjacent parcels surrounding the site are as follows:

Surrounding Land Use and Zoning

Location	Existing Land Use	Current Zoning Classification
North	Vacant and residential	T-4 (General Urban)
South	Vacant, residential, church	R-1-8 (Low Density Single Family Residential) and T-4
West	Residential	R-1-8 (Low Density Single Family Residential)
East	High School	RSP (Recreation, School, Public Use)

In addition to Tehachapi High School to the east, Tompkins Elementary School is located just west of the southwest corner of the Project site and Jacobsen Middle School is located just northeast of the site. The visual features of the existing visual environment in the proposed Project area are relatively uniform, consisting mainly of residential housing, vacant/unimproved land, a church, and the schools in the area. Topography in the area is generally flat. Buildings in the viewshed of the Project site are generally one or two stories and there are no large groupings of trees or other visual barriers on the site or adjacent areas. State Routes in the proposed Project vicinity include SR 58 to the north of the Project site. There is no existing lighting on the Project site. The following site photos were taken in April 2019 by Travis Crawford, AICP, Environmental Consultant for Tehachapi.

Site View A - View from Valley Drive / S. Synder Avenue looking south

Site View B - View from Valley Drive looking southwest

Site View C - View from Valley Drive from northwest corner looking south

Site View D - View from northwest corner looking southeast

Site View E - View from Pinon Street at southwest corner looking north

Site View F - View from Pinon Street at southwest corner looking northeast

Site View G - View from Pinon Street looking north

Site View H - View from Pinon Street looking northeast towards Tehachapi High School

Regulatory Setting

Federal

Aesthetic resources are protected by several federal regulations, none of which are relevant to the proposed Project because it will not be located on lands administered by a federal agency, and the proposed Project applicant is not requesting federal funding or a federal permit.

State

Nighttime Sky – Title 24 Outdoor Lighting Standards

The Energy Commission adopted changes to Title 24, Parts 1 and 6, Building Energy Efficiency Standards (Standards), on April 23, 2008. These new Standards became effective on January 1, 2010. Requirements for outdoor lighting remained consistent with past Standards and the requirements vary according to which "Lighting Zone" the equipment is in. The Standards contain lighting power allowances for newly installed equipment and specific alterations that are dependent on which Lighting Zone the Project is located in. Existing outdoor lighting systems are not required to meet these lighting power allowances. However, alterations that increase the connected load, or replace more than 50% of the existing luminaires, for each outdoor lighting application that is regulated by the Standards, must meet the lighting power allowances for newly installed equipment.

An important part of the Standards is to base the lighting power that is allowed on how bright the surrounding conditions are. The eyes adapt to darker surrounding conditions, and less light is needed to properly see; when the surrounding conditions get brighter, more light is needed to see. The least amount of power is allowed in Lighting Zone 1 and increasingly more power is allowed in Lighting Zones 2, 3, and 4.

The Energy Commission defines the boundaries of Lighting Zones based on U.S. Census Bureau boundaries for urban and rural areas as well as the legal boundaries of wilderness and park areas. By default, government designated parks, recreation areas and wildlife preserves are Lighting Zone 1; rural areas are Lighting Zone 2; and urban areas are Lighting Zone 3. Lighting Zone 4 is a special use district that may be adopted by a local government.

California Scenic Highway Program

The Scenic Highway Program allows county and city governments to apply to the California Department of Transportation (Caltrans) to establish a scenic corridor protection program which was created by the Legislature in 1963. Its purpose is to protect and enhance the natural scenic beauty of

California highways and adjacent corridors, through special conservation treatment. The state laws governing the Scenic Highway Program are found in the Streets and Highways Code, Sections 260 through 263.

In addition, the Project is being evaluated under CEQA.

RESPONSES

a. Have a substantial adverse effect on a scenic vista?

Less than Significant Impact. The Project Applicant is proposing to subdivide and develop 138 acres of T-4 zoned land into a residential community with a mix of single-family and multi-family housing units. The proposal features eight different types of housing products for a total of up to 1,000 residential units at buildout. The eight different types of housing features detached products (52%) and attached products (48%). In addition to housing, the Project will include park areas, frontage improvements, roadway improvements, landscaping and related features. No building within the development will be greater than two stories in height and all structures will conform to design standards set forth by the City's General Plan, Zoning Ordinance, and Planning Commission. The proposed Project site is located in an area that is substantially developed with residential uses and will not result in a use that is visually incompatible with the surrounding area.

The City of Tehachapi General Plan does not identify any protected scenic vistas within the proposed Project area. A scenic vista is generally considered a view of an area that has remarkable scenery or a resource that is indigenous to the area. Although the greater Tehachapi area contains a variety of topographic features and viewsheds, the Project is located in an area of the City that is flat and, similar to adjacent developments, views of or from the site can be obscured by buildings and other structures depending on proximity. Neither the Project area nor any surrounding land use contains features typically associated with scenic vistas (e.g., ridgelines, peaks, overlooks).

Construction activities will occur over multiple phases and will be visible from the adjacent roadsides; however, the construction activities will be temporary in nature and will not affect a scenic vista. The impact will be ***less than significant***.

Mitigation Measures: None are required.

b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Less than Significant Impact. See Response to Impact a, above. There are no trees, rock outcroppings or historic buildings located on or near the site. In addition, there are three state highways within Kern County that are listed as an "Eligible State Scenic Highway," however none are located near the proposed Project site. These are Highways 395, 14 and 58 (east of Highway 14)[1]. The section of SR 58 that is eligible for designation is approximately 14 miles east of the Project site and is not visible from the site. Any impacts would be considered ***less than significant***.

Mitigation Measures: None are required.

c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and regulations governing scenic quality?

Less than Significant Impact. Tehachapi and surrounding areas are in an area of great topographic and natural diversity. Scenic resources include vistas of mountains, valleys, ranchlands and other areas. Because the Project consists of new development, it may be viewed by some as a visual degradation of existing conditions.

The Project is located in an urbanized, residential area and is surrounded by development on all sides (except for intermittent vacant/undeveloped parcels). The development has been designed so that all structures will conform to design standards set forth by the City's General Plan, Zoning Ordinance, and Planning Commission and will not result in a use that is visually incompatible with the surrounding area. As required by the City's entitlement process for a Planned Development, the Project's Master Development Plan will be subject to multiple reviews by City staff, the general public, the Planning Commission and City Council prior to approval or issuance of any construction or building permits. These reviews include the following:

- Final/complete site plan
- Proposed floor plans / elevations
- Tentative tract map
- Associated studies, maps and reports

[1] http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/ (accessed May 2019).

Upon approval of the Final Master Development Plan by the City Council, the Applicant is required to submit Precise Development Plans for each phase or increment of construction and must provide a level of detail satisfactory to the City Engineer. The Planning Commission considers each Precise Development Plan as they are submitted.

The Project is consistent with the following General Plan policies pertaining to aesthetics:

Tehachapi General Plan Policies

Town Form Element

Objective 8 Realize relevant and high-quality architecture.

Policy TF29 Require that architectural details bear a close relationship to the historic and geographic details of Tehachapi's regional architecture.

Policy TF30 Calibrate development standards to reflect the suitability of architectural style to building type.

Policy TF31 Prioritize appropriate proportions and massing over the amount of architectural detail.

Policy TF32 Direct building design to relate to pedestrians and a pedestrian-oriented public realm.

Policy TF33 Require additional review and discretion for architectural styles that are not locally relevant.

Policy TF34 Avoid 'franchise' or formula architecture unless it conforms to the Tehachapi region as determined by the City.

Natural Resources Element

Objective 2 Protect views of the mountains.

Policy NR5 Maintain Tehachapi's small mountain town character through appropriate development standards that reflect the various intended physical contexts throughout the Planning Area.

Policy NR6 Review development proposals with the approach that viewsheds are of two types:

a) Valley-wide (natural) and,

b) Within Town (urban)

Accordingly, 'Valley-wide' viewsheds are from outside of town across the Planning Area while the second type 'Within Town' are primarily along streetscapes. This distinction is to be reflected in the appropriate development standards.

Policy NR7 Areas within Tehachapi's Sphere of Influence but not within the incorporated boundary are to be designated for urban or rural uses according to Tehachapi's community structure plan.

Policy NR8 Support Kern County's efforts to make segments of SR-58 a scenic highway and as scenic as possible through corresponding thoroughfare and land use standards.

Policy NR9 Prohibit new or expanded billboards.

Policy NR10 Promote streetscape standards that reflect the 'town' type of viewshed, including the issue of terminated vistas or open vistas depending upon the physical context and actual location within Tehachapi.

Because the Project is in an urbanized area planned for residential development; will be visually compatible and similar to the surrounding areas; will not impede a protected scenic vista or resource; and will be subject to architectural review by the City; the impact is considered to be ***less than significant***.

Mitigation Measures: None are required.

d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less Than Significant Impact. Nighttime lighting is necessary to provide and maintain safe, secure, and attractive environments; however, these lights have the potential to produce spillover light and glare and waste energy, and if designed incorrectly, could be considered unattractive. Light that falls beyond the intended area is referred to as "light trespass." Types of light trespass include spillover light and glare. Minimizing all these forms of obtrusive light is an important environmental consideration. A less

obtrusive and well-designed energy efficient fixture would face downward, emit the correct intensity of light for the use, and incorporate energy timers.

Spillover light is light emitted by a lighting installation that falls outside the boundaries of the property on which the installation is sited. Spillover light can adversely affect light-sensitive uses, such as residential neighborhoods at nighttime. Because light dissipates as it travels from the source, the intensity of a light fixture is often increased at the source to compensate for the dissipated light. This can further increase the amount of light that illuminates adjacent uses. Spillover light can be minimized by using only the level of light necessary, and by using cutoff type fixtures or shielded light fixtures, or a combination of fixture types.

Glare results when a light source directly in the field of vision is brighter than the eye can comfortably accept. Squinting or turning away from a light source is an indication of glare. The presence of a bright light in an otherwise dark setting may be distracting or annoying, referred to as discomfort glare, or it may diminish the ability to see other objects in the darkened environment, referred to as disability glare. Glare can be reduced by design features that block direct line of sight to the light source and that direct light downward, with little or no light emitted at high (near horizontal) angles, since this light would travel long distances. Cutoff-type light fixtures minimize glare because they emit relatively low-intensity light at these angles.

The Project is located within the Kern County Airport Land Use Plan Zone C[2], which allows all uses except ones hazardous to flight. There are no lighting restrictions applicable to the proposed Project in Zone C.

Currently the sources of light in the Project area are from streetlights, vehicles traveling along adjacent roadways, and security lighting from the schools in the area and lights from housing in the area. The Project would include nighttime lighting such as streetlights, residential outdoor lighting, vehicle lights and other similar urban lighting. However, compliance with the City's General Plan Policies as well as City Ordinance Code Section 4.40.090 will ensure that impacts remain less than significant. Lighting fixtures for security would be designed with "cutoff" type fixtures or shielded light fixtures, or a combination of fixture types to cast light downward, thereby providing lighting at the ground level for safety while reducing glare to adjacent properties. In addition, the Project is consistent with the City's General Plan as follows:

[2] County of Kern Airport Land Use Compatibility Plan (2012), page 4-136.

Natural Resources Element

Objective 4 Minimize light pollution.

Policy NR14 Enforce Tehachapi's 'dark sky' protocol to preserve nighttime views, prevent light pollution, reduce light spillage both upward and onto adjoining properties.

Policy NR15 Require that outdoor lighting not create or worsen incompatible situations.

Accordingly, the Project would not create substantial new sources of light or glare such that significant impacts are anticipated. Potential impacts are therefore considered to be ***less than significant***.

Mitigation Measures: None are required.

II. AGRICULTURE AND FOREST RESOURCES

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

SETTING

Environmental Setting

The proposed Project site is located in an area of the City considered urban, built up land by the State Farmland Mapping and Monitoring Program. No *Prime Farmland, Unique Farmland, or Farmland of Statewide Importance* or land under the Williamson Act contracts occurs in the Project area.

Regulatory Setting

Federal

Federal regulations for agriculture and forest resources are not relevant to the proposed Project because it is not a federal undertaking (the Project site is not located on lands administered by a federal agency, and the Project applicant is not requesting federal funding or a federal permit).

State

State regulations for agriculture and forest resources are not relevant to the proposed Project because no agricultural resources exist on the site.

RESPONSES

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

d. Result in the loss of forest land or conversion of forest land to non-forest use?

e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact. The Project site is located in an area of the City considered urban, built up land by the State Farmland Mapping and Monitoring Program. No *Prime Farmland, Unique Farmland, or Farmland of Statewide Importance* or land under the Williamson Act contracts occurs in the Project area and the site is planned for urban development. Therefore, no land conversion from Farmland would occur for the Project. The Project is located in an area that is planned for residential uses and there are no agricultural lands surrounding the site; as such, the proposed Project does not have the potential to result in the conversion of Farmland to non-agricultural uses or forestland uses to non-forestland.

The Project site is not zoned for agriculture nor is the site covered by a Williamson Act contract; No impacts would occur. The Project is not zoned for forestland and does not propose any zone changes related to forest or timberland.

No conversion of forestland, as defined under Public Resource Code or General Code, as referenced above, would occur as a result of the Project. There is ***no impact***.

Mitigation Measures: None are required.

III. AIR QUALITY

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	☒	☐	☐	☐
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☒	☐	☐	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☒	☐	☐	☐
d. Result in other emissions (such as those leading to odors or adversely affecting a substantial number of people)?	☒	☐	☐	☐

RESPONSES:

Potentially Significant Impact. The proposed Project is located in Kern County within the westernmost portion of the Mojave Desert Air Basin (MDAB), where the Eastern Kern Air Pollution Control District (EKAPCD) acts as the regulatory agency for air pollution control and is the local agency empowered to regulate air pollutant emissions within the proposed Project area.

The MDAB includes the desert portions of Los Angeles and San Bernardino Counties, the eastern portion of Kern County and the northeastern desert portion of Riverside County. Key topographical features that define the MDAB are the Tehachapi Mountains to the west, the San Gabriel Mountains to the south, and the southern end of the Sierra Nevada Mountains to the north. These features surround the desert floor with peak elevations from between 7,000 and 10,000 feet and effectively remove most of the precipitable water from the atmosphere before it reaches the region.[3]

[3] City of Tehachapi General Plan Draft EIR. Page 4.3-1.

The climate of the proposed Project area is a continentally modified Mediterranean type, characterized by cool, moderately wet winters and warm, dry summers. Because of the elevation, colder winters occur than are typical of the Mediterranean climate. Mean monthly temperature for the year is reported to be 54°F with extremes of 105°F and –4°F. The growing season at the floor averages 168 days (April 28 – October 13). The mean annual precipitation in Tehachapi is 10.2 inches, 85 percent of which falls during the November through April period. Annual precipitation at higher elevations approaches 20 inches. Snowfall commonly occurs from December through March. Summer storms are infrequent, but rainfall may exceed 2 inches per 24 hours in August and September.

The entire area in and around Tehachapi is listed as either unclassified or attainment for various pollutants except for Ozone – 1-Hour & 8 Hour (0.08 ppm), PM10, and PM2.5. The Project will contribute to air quality impacts from construction and operation of the Project. As such, the Lead Agency will examine each of the four environmental checklist items checked above within the context of a forthcoming EIR for the Project.

The EIR will describe regional and local air quality in the vicinity of the proposed Project site and evaluate impacts to air quality associated with the construction, expansion, and ongoing operation of the Project. The proposed Project's estimated air emissions will be compared to emissions thresholds of the Eastern Kern Air Pollution Control District. The EIR will describe existing air quality conditions within the Mojave Air Basin and will evaluate the proposed Project's potential air quality impacts.

The Project may result in exceedance of established thresholds. Therefore, this impact is ***potentially significant*** and this topic will be addressed in the Project's forthcoming EIR. The EIR will include an Air Quality Impact Analysis, Health Risk Analysis, Fugitive Dust Emission Control Plan and a Greenhouse Gas Mitigation Plan to assist in the environmental analysis.

IV. BIOLOGICAL RESOURCES

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☒	☐	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☒	☐	☐	☐
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☒	☐	☐	☐
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☒	☐	☐	☐

IV. BIOLOGICAL RESOURCES

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☒	☐	☐	☐
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☒	☐	☐	☐

RESPONSES

Potentially Significant Impact. The 138-acre Project site is located in the southeastern portion of the City on vacant / undeveloped land consisting of grasses and scrub brush. Tehachapi is located in an area that consists of a unique suite of habitats as well as diverse flora and fauna. The Tehachapi Mountain Range and the area in and around the City form a linkage from the foothills and grasslands of the San Joaquin Valley to the west, to the high elevation forests within the Tehachapi Range itself, to the foothill transition into the Mojave Desert along the base of the southern Tehachapi Mountains. The site itself is substantially surrounded by urban development and is generally void of vegetation except for some grasses and scrub brush. However, the potential exists for special status plant or animal species and/or habitat to exist or forage on the site.

The impact is considered ***potentially significant.*** Therefore, this topic will be addressed in the Project's forthcoming EIR. A reconnaissance-level biological survey will be conducted and various biological databases will be consulted to assist in the evaluation.

V. CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☒	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☒	☐
c. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

SETTING

Environmental Setting

The proposed Project is located within Tehachapi Valley, a mountain valley within the Tehachapi Mountains, at an elevation of approximately 3,970-feet above mean sea level (amsl). The Tehachapi Mountains, with elevations ranging from 4,000 to 8,000-feet amsl are part of the Transverse Ranges of California and run southwest to northeast for approximately 40 miles. To support the cultural resource analysis, a cultural resources records search was conducted in May 2019 (See Appendix A for the full results of the records search. The results are summarized herein).

The Project site consists of approximately 138 acres, bordered by established roadways, residential development, Tehachapi High School and vacant land. Although the Project area may currently be considered part of a dry upland valley, prior to the 1800s the valley would have been well-watered. The Project study area is near Proctor Dry Lake, an intermittent playa. Up until 1947, Proctor Dry Lake had productive artesian flows on its eastern edge. Due to excessive pumping, the wells have dried and the groundwater table now sits 60-ft below surface (California's Groundwater 2004).

The Tehachapi Mountains are primarily a part of the California interior chaparral and woodlands sub-ecoregion, supporting grasslands, California oak woodlands, and oak savanna. Although the Project area likely would have supported a native grassland in the past, it currently supports various non-native grasses and tumbleweeds.

The City of Tehachapi is located between the Southern San Joaquin Valley and western Mojave Desert. The prehistory of the western Mojave Desert can be schematized into the following six culture-chronological units: Paleoindian Period (10000—8000 cal. B.C.), Lake Mojave Tradition (8000–6000 cal. B.C.), Pinto Period (7000–2000 cal. B.C.), Gypsum Period (2000 cal B.C.–cal A.D. 200), Rose Springs Period (cal A.D. 200–A.D. 1100), and Late Prehistoric Period (cal. A.D. 1100–Contact [cal. A.D. 1542]. The southern San Joaquin Valley sequence is similar to the western Mojave Desert but has different names, and the dates vary slightly. [4]

The major ethnographic groups living in the vicinity of Tehachapi were the Kawaiisu, the southern Yokuts, and the Kitanemuk. The Kawaiisu were probably the most dominant group in the Project area. There are several rock arts sites in the vicinity of the City of Tehachapi that are linked to the Kawaiisu. In addition, the southern Yokuts were located to the northwest of the Tehachapi Valley, and the Kitanemuk were generally located to the southwest. It is possible that during portions of the Late Prehistoric Period and perhaps earlier, all three groups may have used portions of the Tehachapi Valley.[5]

Regulatory Setting

Federal

Cultural resources are protected by several federal regulations, none of which are relevant to this proposed Project because it will not be located on lands administered by a federal agency and the Project applicant is not requesting federal funding.

State

The proposed Project is subject to CEQA which requires public or private projects financed or approved by public agencies to assess their effects on historical resources. CEQA uses the term "historical resources" to include buildings, sites, structures, objects or districts, each of which may have historical, prehistoric, architectural, archaeological, cultural, or scientific importance. CEQA states that if implementation of a project results in significant effects on historical resources, then alternative plans or mitigation measures must be considered; however, only significant historical resources need to be addressed (CCR 15064.5, 15126.4). For the purposes of this CEQA document, a significant impact would occur if project implementation:

[4] Tehachapi General Plan EIR, page 4.5-1.

[5] Ibid, page 4.5-2.

- Causes a substantial change in the significance of a historical resource
- Causes a substantial adverse change in the significance of an archaeological resource
- Disturbs any human remains, including those interred outside of formal cemeteries

Therefore, before impacts and mitigation measures can be identified, the significance of historical resources must be determined. CEQA guidelines define three ways that a property may qualify as a historical resource for the purposes of CEQA review:

- If the resource is listed in or determined eligible for listing in the California Register of Historical Resources (CRHR)
- If the resource is included in a local register of historical resources, as defined in Section 5020.1(k) of the PRC or identified as significant in an historical resource survey meeting the requirements of Section 5024.1(g) of the PRC unless the preponderance of evidence demonstrates that it is not historically or culturally significant
- The lead agency determines the resource to be significant as supported by substantial evidence in light of the whole record (CCR, Title 14, Division 6, Chapter 3, Section 15064.5(a))

Each of these ways of qualifying as a historical resource for the purpose of CEQA is related to the eligibility criteria for inclusion in the CRHR (PRC 5020.1(k), 5024.1, 5024.1(g)).

A historical resource may be eligible for inclusion in the CRHR if it:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage
- Is associated with the lives of persons important in our past
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values
- Has yielded, or may be likely to yield, information important in prehistory or history Properties that area listed in or eligible for listing in the National Register of Historic Places are considered eligible for listing in the CRHR, and thus are significant historical resources for the purpose of CEQA (PRC Section 5024.1(d)(1)).

Public Resources Code §5097.5

California Public Resources Code §5097.5 prohibits excavation or removal of any "vertebrate paleontological site...or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands." Public lands are defined to include lands owned by or under the jurisdiction of the state or any city, county, district, authority or public corporation, or any agency thereof. Section 5097.5 states that any unauthorized disturbance or removal of archaeological, historical, or paleontological materials or sites located on public lands is a misdemeanor.

Senate Bill 18

SB 18 requires cities and counties to contact, and consult with California Native American tribes prior to amending or adopting any general plan or specific plan, or designating land as open space.

Human Remains

Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner's authority. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper and dignified treatment of the remains and associated grave artifacts.

RESPONSES

a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Less Than Significant Impact. The site consists of 138 acres of vacant / undeveloped land within an urbanized area of the City. A cultural resources records search was conducted for the proposed Project in May 2019 (See Appendix A). According to the records search, there have been 13 cultural resource studies conducted within one-half mile radius of the Project. There are no recorded cultural resources within the Project area or radius that are listed in the National Register of Historic Resources, the California Points of Historical Interest California Inventory of Historic Resources, or the California State

Historic Landmarks. There are four recorded resources within the one-half mile radius of the site, however, these are separated from the Project by intervening land uses and will not be impacted.

In addition, the City's General Plan EIR did not specifically identify the Project site as containing any cultural or historical resources, however, the EIR did identify measures to protect undiscovered cultural and historical resources.

Subsurface construction activities associated with the proposed Project (grading, trenching, foundations, etc.) could potentially uncover previously undiscovered historic resources. This is considered a potentially significant impact; however, implementation of standard protective measures outlined in the City's General Plan EIR will ensure that significant impacts remain less than significant. These measures include the following:

- The City shall be notified immediately if any prehistoric, archaeologic, or fossil artifact or resource is uncovered during construction. All construction must stop and an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to evaluate the finds and recommend appropriate action.
- All construction must stop if any human remains are uncovered, and the Kern County Coroner must be notified according to Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the procedures outlined in CEQA Section 15064.5 (d) and (e) shall be followed.

With implementation of these protection measures, the impact is considered ***less than significant.***

Mitigation Measures: None are required.

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less Than Significant Impact. The possibility exists that subsurface construction activities may encounter undiscovered archaeological resources. Implementation of the standard protective measures from the City's General Plan EIR (outlined in response a.) would require inadvertently discovery practices to be implemented should previously undiscovered archeological resources be located. As such, impacts to undiscovered archeological resources would be ***less than significant.***

Mitigation Measures: None are required.

c. Disturb any human remains, including those interred outside of formal cemeteries?

Less Than Significant Impact. Although considered unlikely, subsurface construction activities associated with the proposed Project could potentially disturb previously undiscovered human burial sites. The California Health and Safety Code Section 7050.5 states that if human remains are discovered on-site, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition. If the Coroner determines that the remains are not subject to his or her authority and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the NAHC. The NAHC shall identify the person or persons it believes to be the "most likely descendant" (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resource Code Section 5097.98.

Although considered unlikely, subsurface construction activities could cause a potentially significant impact to previously undiscovered human burial sites, however, compliance with regulations would ensure this impact remains ***less than significant.***

Mitigation Measures: None are required.

VI. ENERGY

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☒	☐	☐	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☒	☐	☐	☐

RESPONSES:

a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Potentially Significant Impact. California's total energy consumption is second-highest in the nation, but, in 2016, the state's per capita energy consumption ranked 48th, due in part to its mild climate and its energy efficiency programs. In 2017, California ranked second in the nation in conventional hydroelectric generation and first as a producer of electricity from solar, geothermal, and biomass resources while also in 2017, solar PV and solar thermal installations provided about 16% of California's net electricity generation.[6]

[6] U.S. Energy Information Administration. Independent Statistics and Analysis. California Profile Overview. https://www.eia.gov/state/?sid=CA#tabs-1. Accessed January 2019.

Energy usage is typically quantified using the British thermal unit (BTU). As a point of reference, the approximately amounts of energy contained in common energy sources are as follows:

Energy Source	BTUs[7]
Gasoline	120,429 per gallon
Natural Gas	1,037 per cubic foot
Electricity	3,412 per kilowatt-hour

California electrical consumption in 2016 was 7,830.8 trillion BTU[8], as provided in Table 3-1.

Table 3-1
2016 California Energy Consumption[9]

End User	BTU of energy consumed (in trillions)	Percentage of total consumption
Residential	1,384.4	17.7
Commercial	1,477.2	18.9
Industrial	1,854.3	23.7
Transportation	3,114.9	39.8
Total	**7,830.8**	--

The California Department of Transportation (Caltrans) reports that approximately 25.1 million automobiles, 5.7 million trucks, and 889,024 motorcycles were registered in the state in 2017, resulting in a total estimated 339.8 billion vehicles miles traveled (VMT).[10]

The impact is considered ***potentially significant.*** Therefore, this topic will be addressed in the Project's forthcoming EIR. Project-related energy impacts will be quantified to the extent feasible and it will be based in part on information from the Project traffic study and air quality reports.

[7] U.S. Energy Information Administration. Energy Units and Calculators Explained. https://www.eia.gov/energyexplained/index.php?page=about_energy_units. Accessed January 2019.
[8] U.S. Energy Information Administration. Independent Statistics and Analysis. California Profile Overview. https://www.eia.gov/state/?sid=CA#tabs-1. Accessed January 2019.
[9] U.S. Energy Information Administration. Independent Statistics and Analysis. California Profile Overview. https://www.eia.gov/state/?sid=CA#tabs-1. Accessed January 2019.
[10] Caltrans. 2017. California Transportation Quick Facts. http://www.dot.ca.gov/drisi/library/qf/qf2017.pdf. Accessed January 2019

VII. GEOLOGY AND SOILS

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the most recently	☐	☐	☒	☐

VII. GEOLOGY AND SOILS

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
adopted Uniform Building Code creating substantial direct or indirect risks to life or property?				
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

SETTING

Environmental Setting

The proposed Project is located on southeastern Tehachapi and consists of approximately 138 acres of vacant / undeveloped land with some grasses and scrub brush. At full buildout, the Project proposes up to 1,000 residential units. The site is relatively flat and is in the general vicinity of residential and educational land uses. According to the USDA Soils Report prepared for the Project, the majority of the site consists of Steuber sandy loam, 0 to 2 percent slopes. The soil is well drained and is in Hydrologic Soil Group A which is sand, loamy sand or sandy loam types of soils. It has low runoff potential and high infiltration rates even when thoroughly wetted. They consist chiefly of deep, well to excessively drained sands or gravels and have a high rate of water transmission.

Faulting and Seismicity

The proposed Project site is located in a seismically active area, as is the majority of southern California. The numerous faults in southern California include active, potentially active, and inactive faults. As defined by the California Geological Survey (CGS), active faults are faults that have ruptured within

Holocene time, or within approximately the last 11,000 years. Potentially active faults are those that show evidence of movement during Quaternary time (approximately the last 1.6 million years), but for which evidence of Holocene movement has not been established. Inactive faults have not moved in the last approximately 1.6 million years.

The Project site is approximately 15 miles from the White Wolf fault and 4 miles from the Garlock fault (not ruptured in recorded history). In 1952, Tehachapi experienced a 7.5 earthquake on the White Wolf fault.[11]

The ground surface in the vicinity of the proposed Project site is not transected by known active or potentially active faults. The site is not located within a State of California Seismic Hazards Zone considered susceptible to liquefaction. The site is not located within an Earthquake Fault Zone (formerly Alquist-Priolo Special Studies Zone, Hart and Bryant, 1997). However, the site is located in a seismically active area, and the potential for strong ground motion at the site is considered significant.

The active Garlock (West) fault is located approximately 4 miles southeast of the site. Based on the proximity and number of known active and potentially active faults within the general region, it is reasonable to expect a strong ground motion seismic event during the lifetime of structures for the proposed Project. In general, potential hazards associated with seismic activity include strong ground motion, ground surface rupture, seismically induced liquefaction, and landsliding.

Soils

According to the USDA Soils Report, the majority of the site consists of Steuber sandy loam, 0 to 2 percent slopes.

Regulatory Setting

Federal

Federal regulations for geology and soils are not relevant to the proposed Project because it is not a federal undertaking (the Project site is not located on lands administered by a federal agency, and the Project applicant is not requesting federal funding or a federal permit).

State

Uniform Building Code

[11] Tehachapi General Plan, page 2-105.

The California Code of Regulations (CCR) Title 24 is assigned to the California Building Standards Commission, which, by law, is responsible for coordinating all building standards. The California Building Code incorporates by reference the Uniform Building Code with necessary California amendments. The Uniform Building Code is a widely adopted model building code in the United States published by the International Conference of Building Officials. About one-third of the text within the California Building Code has been tailored for California earthquake conditions.

Alquist-Priolo Earthquake Fault Zoning Act

"The Alquist - Priolo Earthquake Fault Zoning Act (formerly the Alquist - Priolo Special Studies Zone Act), signed into law December 1972, requires the delineation of zones along active faults in California. The purpose of the Alquist-Priolo Act is to regulate development on or near active fault traces to reduce the hazards associated with fault rupture and to prohibit the location of most structures for human occupancy across these traces."

Paleontological Resources

Paleontological resources are the fossilized remains of plants and animals and associated deposits. The Society of Vertebrate Paleontology has identified vertebrate fossils, their taphonomic and associated environmental indicators, and fossiliferous deposits as significant nonrenewable paleontological resources. Botanical and invertebrate fossils and assemblages may also be considered significant resources.

The Project is being evaluated by CEQA. CEQA requires that a determination be made as to whether a project would directly or indirectly destroy a unique paleontological resource or site or unique geological feature (CEQA Appendix G(v)(c)). If an impact is significant, CEQA requires feasible measures to minimize the impact (CCR Title 14(3) §15126.4 (a)(1)). California Public Resources Code §5097.5 (see Cultural Resources section) also applies to paleontological resources.

RESPONSES:

a-i. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

a-ii. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

a-iii. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

a-iv. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

Less Than Significant Impact. The Project will result in the development of structures that are located in a seismically active area of California. The discussion herein identifies potential impacts and measures to ensure impacts remain at a less than significant level. The Project site is not located within a currently designated Earthquake Fault Zone (formerly Alquist-Priolo Earthquake Fault Zone).[12] In addition, the City's General Plan identified a low risk from surface rupture, liquefaction, slope failure and tsunami, and a high risk from ground-shaking.[13] Low risk means no specific action is deemed necessary and the occurrence of a specific event is unlikely. High risk means risk is significant and occurrence of a particular emergency situation is highly probable or inevitable.

Surface Fault Rupture

As noted previously, the proposed Project site is located in a seismically active area, as is the majority of southern California. The numerous faults in southern California include active, potentially active, and inactive faults. However, the Project site is not located within a State of California Earthquake Fault Zone and is not mapped as transected by a known active fault. The Garlock fault (to the southeast) is the nearest active earthquake fault (4 miles). However, according to the City's General Plan, the potential for impacts related to surface fault rupture at the Project site is considered to be low. Therefore, surface fault rupture impacts are considered less than significant.

Seismic Ground Shaking

As noted previously, the proposed Project site is located in a seismically active area, as is the majority of southern California. The level of ground shaking at any given location within the City depends on many factors including the size and type of earthquake, distance from the earthquake and subsurface geologic conditions. The Garlock fault (to the southeast) is an active earthquake fault. In order to minimize potential damage to the buildings and site improvements, all construction in California is required to be

[12] http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps. Accessed May 2019.

[13] Tehachapi General Plan EIR, page 2-106.

designed in accordance with the latest seismic design standards of the California Building Code. The City of Tehachapi has incorporated numerous policies relative to seismicity to ensure the health and safety of all people. Design in accordance with these standards and policies would reduce any potential impact to a less than significant level. Because all proposed structures on the Project site must be designed in conformance with these state and local standards and policies, any potential impacts would be less than significant. In addition, the Project will be required to perform a final geotechnical evaluation of the site as required by the California Building Code Title 24, Part 2, Chapter 18 as identified below:

> Prior to ground-disturbing activities, a geotechnical engineer (or equivalent) shall be retained to perform a final geotechnical evaluation of the soils at a design-level. The evaluation shall be prepared in accordance with the standards and requirements outlined in California Building Code, Title 24, Part 2, Chapters 16-18, which addresses structural design, tests and inspections, and soils and foundation standards. The evaluation will be subject to review and approval by the City of Tehachapi. Structural elements shall then be designed to resist or accommodate appropriate site-specific ground motions and conform to the current California Building Code seismic design standards.

Liquefaction

Liquefaction occurs when soils lose their shear strength for short periods of time during an earthquake. Ground shaking of sufficient duration results in the loss of grain-to-grain contact, due to a rapid increase in pore water pressure, causing the soil to behave as a fluid for short periods of time. Potential effects of liquefaction may include loss of ground support, ground cracking, and/or settlement of structures founded on liquefying soils. According to the City's General Plan, the potential for impacts in the City related to liquefaction are considered low[14] and therefore the impact is less than significant.

Landslides

Landslides occur where slopes are too steep or the earth materials too weak to support themselves. Landslides may also occur by seismic ground shaking, particularly where high groundwater is present. Based on the relatively flat site topography, it is not anticipated that landsliding could occur on the site. Therefore, the impact is less than significant.

Mitigation Measures: None are required.

[14] Tehachapi General Plan EIR, page 2:106.

b. Result in substantial soil erosion or the loss of topsoil?

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

d. Be located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code creating substantial risks to life or property?

Less Than Significant Impact. Soil erosion refers to the process by which soil or earth material is loosened or dissolved and removed from its original location. Erosion can occur by many different processes and may occur at the Project site where bare soil is exposed to moving water or wind. Future construction activities at the Project site may result in ground surface disruption during excavation, grading, and trenching that would create the potential for erosion to occur. Over land or via storm sewer systems, polluted runoff is discharged, often untreated, directly into local water bodies. Soil erosion and the loss of topsoil is one of the most common sources of polluted stormwater runoff during construction activities. When left uncontrolled, stormwater runoff can erode soil and cause sedimentation in waterways, which collectively result in the destruction of fish, wildlife, and aquatic life habitats; a loss in aesthetic value; and threats to public health due to contaminated food, drinking water supplies, and recreational waterways.

Under the Clean Water Act, the National Pollutant Discharge Elimination System (NPDES) Stormwater Program is a comprehensive two-phased national program for addressing the non-agricultural sources of stormwater discharges which adversely affect the quality of our nation's waters. The program uses the NPDES permitting mechanism to require the implementation of controls designed to prevent harmful pollutants, including soil erosion, from being washed by stormwater runoff into local water bodies. The construction activities for the proposed Project would be governed by the General Permit 2009-0009-DWQ (amended by 2010-0014-DWQ & 2012-0006-DWQ).

To ensure that construction activities are covered under General Permit 2009-0009-DWQ (amended by 2010-0014-DWQ & 2012-0006-DWQ), projects in California must prepare a Stormwater Pollution Prevention Plan (SWPPP) containing Best Management Practices (BMPs) to reduce erosion and sediments to meet water quality standards. Such BMPs may include temporary erosion control measures such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover. The BMPs and overall SWPPP is reviewed by the Regional Water Quality Control Board (RWQCB) as part of the permitting process. The

SWPPP, once approved, is kept on site and implemented during construction activities and must be made available upon request to representatives of the RWQCB and/or the lead agency.

Land subsidence is the gradual settling or sinking of an area with little or no horizontal motion due to changes taking place underground. It is a natural process, although it can also occur (and is greatly accelerated) as a result of human activities. Common causes of land subsidence from human activity include: pumping water, oil, and gas from underground reservoirs; dissolution of limestone aquifers (sinkholes); collapse of underground mines; drainage of organic soils; and initial wetting of dry soils. Expansive soils generally result from specific clay materials that have the capacity to shrink or swell in the response to changes in moisture content. Although impacts from land subsidence and expansive soils are considered ***less than significant***, assessment of the potential for land subsidence and expansive soils will be evaluated during the design phase of the Project as identified in the geotechnical report that is required as identified in Response a.

Mitigation Measures: None are required.

e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact. The Project does not include the construction, replacement, or disturbance of septic tanks or alternative wastewater disposal systems. Therefore, there is ***no impact.***

Mitigation Measures: None are required.

f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact. There are no unique geological features or known fossil-bearing sediments in the vicinity of the proposed Project site. However, there remains the possibility for previously unknown, buried paleontological resources or unique geological sites to be uncovered during subsurface construction activities. Implementation of the standard protective measures from the City's General Plan EIR (outlined in Section V – Cultural Resources) would require inadvertently discovery practices to be implemented should previously undiscovered paleontological resources be located. As such, impacts to undiscovered paleontological resources would be ***less than significant.***

Mitigation Measures: None are required.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☒	☐	☐	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☒	☐	☐	☐

RESPONSES

Potentially Significant Impact. Various gases in the earth's atmosphere play an important role in moderating the earth's surface temperature. Solar radiation enters earth's atmosphere from space and a portion of the radiation is absorbed by the earth's surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. GHGs are transparent to solar radiation, but are effective in absorbing infrared radiation. Consequently, radiation that would otherwise escape back into space is retained, resulting in a warming of the earth's atmosphere. This phenomenon is known as the greenhouse effect. Scientific research to date indicates that some of the observed climate change is a result of increased GHG emissions associated with human activity. Among the GHGs contributing to the greenhouse effect are water vapor, carbon dioxide (CO_2), methane (CH_4), ozone, Nitrous Oxide (NO_x), and chlorofluorocarbons. Human-caused emissions of these GHGs in excess of natural ambient concentrations are considered responsible for enhancing the greenhouse effect. GHG emissions contributing to global climate change are attributable, in large part, to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. In California, the transportation sector is the largest emitter of GHGs, followed by electricity generation. Global climate change is, indeed, a global issue. GHGs are global pollutants, unlike criteria pollutants and TACs (which are pollutants of regional and/or local concern). Global climate change, if it occurs, could potentially affect water resources in California. Rising temperatures could be anticipated to result in sea-level rise (as polar ice caps melt) and possibly change the timing and amount of precipitation, which could alter water quality. According to some, climate change could result in more extreme weather patterns; both heavier precipitation that could lead to flooding, as well as more extended drought periods. There is

uncertainty regarding the timing, magnitude, and nature of the potential changes to water resources as a result of climate change; however, several trends are evident.

Snowpack and snowmelt may also be affected by climate change. Much of California's precipitation falls as snow in the Sierra Nevada and southern Cascades, and snowpack represents approximately 35 percent of the state's useable annual water supply. The snowmelt typically occurs from April through July; it provides natural water flow to streams and reservoirs after the annual rainy season has ended. As air temperatures increase due to climate change, the water stored in California's snowpack could be affected by increasing temperatures resulting in: (1) decreased snowfall, and (2) earlier snowmelt.

The Project may result in exceedance of established thresholds and/or contribute to increased GHGs and global climate change. Therefore, this impact is ***potentially significant*** and this topic will be addressed in the Project's forthcoming EIR. The EIR will include an Air Quality Impact Analysis and a Greenhouse Gas Analysis.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☒	☐
f. Impair implementation of or physically interfere with an adopted emergency	☐	☐	☒	☐

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
response plan or emergency evacuation plan?				
g. Expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

SETTING

Environmental Setting

The proposed Project is located on the southeastern area of Tehachapi, Kern County, California. The Project area consists of approximately 138 acres and is currently vacant / undeveloped with some grasses and scrub brush. The site is relatively flat and is in the general vicinity of residential and educational land uses.

A hazardous material is defined by the California Code of Regulations (CCR) as a substance that, because of physical or chemical properties, quantity, concentration, or other characteristics, may either (1) cause an increase in mortality or an increase in serious, irreversible, or incapacitating, illness; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or disposed of (CCR, Title 22, Division 4.5, Chapter 10, Article 2, Section 66260.10).

Similarly, hazardous wastes are defined as materials that no longer have practical use, such as substances that have been discarded, discharged, spilled, contaminated, or are being stored prior to proper disposal. According to Title 22 of the CCR, hazardous materials and hazardous wastes are classified according to four properties: toxic, ignitable, corrosive, and reactive (CCR, Title 22, Chapter 11, Article 3).

Areas are evaluated where historic or on-going activities have resulted in the known or suspected release of hazardous materials to soil and groundwater or to the air, as identified by the State Water Resources Control Board and the U.S. Environmental Protection Agency. Tehachapi is known for its history of rich agricultural production stemming from the mid 1900's. Since that time, commercial, residential and industrial land uses have been introduced, but substantive agricultural areas with active farming practices remain. As a result, the potential for agricultural chemical residues to be present in shallow

soils exists within the City.[15]

Wildfire Hazards

The major potential sources of wildland fire in Tehachapi are the natural brush lands that surround the community in the unincorporated lands but within the City's Sphere of Influence. The steeper slopes of the Tehachapi Mountains on the north and the vegetated slopes on the south pose a secondary threat to the City in that windborne embers may travel long distances in the wind.[16] The City's General Plan shows the Project site as having moderate wildfire risk.

Airports

There are two airports in Tehachapi: The Tehachapi Municipal Airport (public airport near central Tehachapi) and the Mountain Valley Airport (private airport used for glider operations).[17] The Project is located approximately ¼ mile south of the Tehachapi Municipal Airport. A majority of the Project is located within the Kern County Airport Land Use Plan Zone C[18]. Residential projects are allowed in Zone C with a dedication of overflight easement for residential uses.

Schools

There are four schools located within ¼ mile of the proposed Project site as follows:

- Tehachapi High School – located immediately east of the Project site
- Jacobsen Middle School – located northeast of the Project's northeast corner
- Monroe High School – located north of the Project site past Jacobsen Middle School
- Tomkins Elementary School – located just west of the Project's southwest corner

Regulatory Setting

Superfund

Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), commonly

[15] Tehachapi General Plan EIR, page 4.7-2.

[16] Ibid.

[17] Ibid, page 4.7-5.

[18] County of Kern Airport Land Use Compatibility Plan (2012), page 4-136.

referred to as "Superfund", was enacted on December 11, 1980. The purpose of CERCLA was to provide authorities with the ability to respond to uncontrolled releases of hazardous substances from inactive hazardous waste sites that endanger public health and the environment. CERCLA established prohibitions and requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at such sites, and established a trust fund to provide for cleanup when no responsible party could be identified. Additionally, CERCLA provided for the revision and republishing of the National Contingency Plan (NCP) that provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also provides for the National Priorities List, a list of national priorities among releases or threatened releases throughout the United States for the purpose of taking remedial action.

Superfund Amendments and Reauthorization Act SARA amended CERCLA on October 17, 1986. This amendment increased the size of the Hazardous Response Trust Fund to $8.5 billion, expanded EPA's response authority, strengthened enforcement activities at Superfund sites; and broadened the application of the law to include federal facilities. In addition, new provisions were added to the law that dealt with emergency planning and community right to know. SARA also required EPA to revise the Hazard Ranking System to ensure that the system accurately assesses the relative degree of risk to human health and the environment posed by sites and facilities subject to review for listing on the National Priorities List.

State Agencies & Regulations

Hazardous Substance Account Act (1984), California Health and Safety Code Section 25300 ET SEQ (HSAA)

This act, known as the California Superfund, has three purposes: 1) to respond to releases of hazardous substances; 2) to compensate for damages caused by such releases; and 3) to pay the state's 10 percent share in CERCLA cleanups. Contaminated sites that fail to score above a certain threshold level in the EPA's ranking system may be placed on the California Superfund list of hazardous wastes requiring cleanup.

California Environmental Protection Agency (Cal/EPA) Department of Toxic Substance Control (DTSC)

Cal/EPA has regulatory responsibility under Title 22 of the California Code of Regulations (CCR) for administration of the state and federal Superfund programs for the management and cleanup of hazardous materials. The DTSC is responsible for regulating hazardous waste facilities and overseeing the cleanup of hazardous waste sites in California. The Hazardous Waste Management Program (HWMP) regulates hazardous waste through its permitting, enforcement and Unified Program activities. HWMP maintains the EPA authorization to implement the RCRA program in California, and develops

regulations, policies, guidance and technical assistance/ training to assure the safe storage, treatment, transportation and disposal of hazardous wastes. The State Regulatory Programs Division of DTSC oversees the technical implementation of the state's Unified Program, which is a consolidation of six environmental programs at the local level, and conducts triennial reviews of Unified Program agencies to ensure that their programs are consistent statewide and conform to standards.

California Occupational Safety and Health Administration (Cal/OSHA)

Cal/OSHA and the Federal OSHA are the agencies responsible for assuring worker safety in the handling and use of chemicals in the workplace. Pursuant to the Occupational Safety and Health Act of 1970, Federal OSHA has adopted numerous regulations pertaining to worker safety, contained in the Code of Federal Regulations Title 29 (29 CFR). These regulations set standards for safe workplaces and work practices, including standards relating to hazardous material handling. Cal/OSHA assumes primary responsibility for developing and enforcing state workplace safety regulations. Because California has a federally approved OSHA program, it is required to adopt regulations that are at least as stringent as those identified in 29 CFR. Cal/OSHA standards are generally more stringent than federal regulations.

Hazardous Materials Transport Regulations

California law requires that Hazardous Waste (as defined in California Health and Safety Code Division 20, Chapter 6.5) be transported by a California registered hazardous waste transporter that meets specific registration requirements. The requirements include possession of a valid Hazardous Waste Transporter Registration, proof of public liability insurance, which includes coverage for environmental restoration, and compliance with California Vehicle Code registration regulations required for vehicle and driver licensing.

Cal/EPA Cortese List

The provisions in Government Code Section 65962.5 are commonly referred to as the "Cortese List" (after the Legislator who authored the legislation that enacted it). The list, or a site's presence on the list, has bearing on the local permitting process as well as on compliance with the California Environmental Quality Act (CEQA). The Cortese List identifies the following:

- Hazardous Waste and Substance Sites
- Cease and desist order Sites
- Waste Constituents above Hazardous Waste Levels outside the Waste Management Unit Sites
- Leaking Underground Tank (LUST) Cleanup Sites
- Other Cleanup Sites

- Land Disposal Sites
- Military Sites
- WDR Sites
- Permitted Underground Storage Tank (UST) Facilities Sites
- Monitoring Wells Sites
- DTSC Cleanup Sites
- DTSC Hazardous Waste Permit Sites

Local Regulations

Kern County Fire Department

The Kern County Fire Department, Fire Prevention Division provides limited oversight of hazardous materials. The Fire Department is responsible for conducting inspections for code compliance and fire-safe practices, permitting of certain hazardous materials, and for investigation of fire and hazardous materials incidents. The Fire Department regulates explosive and hazardous materials under the Uniform Fire Code, and permits the handling, storage, and use of any explosive or other hazardous material.[19]

Kern County Environmental Health Services Department

The Kern County Environmental Health Services Department (EHS) is the Certified Unified Program Agency (CUPA) for cities and unincorporated areas within Kern County, with the exception of the City of Bakersfield. CUPA was created by the California Legislature to minimize the number of inspections and different fees for businesses. EHS provides the management and record keeping of hazardous materials and UST sites for Kern County, including the City of Tehachapi. Under the Unified Program, EHS also issues permits to businesses that handle quantities of hazardous materials/waste greater than or equal to 55 gallons, 500 pounds, or 200 cubic feet of a compressed gas at any time. Businesses who handle those quantities of hazardous materials/wastes are required to submit a Consolidated Contingency Plan, Chemical Description forms, and Site Maps to EHS. Any business which handles more than a threshold quantity of a Regulated Substance as defined in Title 19, Division 2, Chapter 4.5 of the

[19] Tehachapi General Plan EIR, page 4.7-14.

California Health and Safety Code, is required to submit a Regulated Substance Registration Form to EHS in compliance with CalARP.

EHS conducts the UST Program to oversee the abatement and cleanup of releases of hazardous substances from USTs in Kern County that does not involve chemical releases to water. The California RWQCB is the lead agency for chemical releases to water throughout the County. Any business with underground tanks that store hazardous materials as defined in California Health and Safety Code, Chapter 6.7, is required to complete and submit a Monitoring Plan, Response Plan, and Plot Plan.

Through the Hazardous Waste Generator Program, EHS inspects businesses which generate any quantity of hazardous waste for compliance with the Hazardous Waste Control Act. Hazardous waste is subject to storage time limits, disposal requirements, and labeling requirements on containers.[20]

Wildland Fire Hazards

The Kern County Fire Department Wildland Fire Management Plan documents the assessment of wildland fire situations throughout the State Responsibility Areas (SRA) within the County. The Plan provides for systematically assessing the existing levels of wildland protection services and identifying high-risk and high-value areas that are potential locations for costly and damaging wildfires. The goal of the plan is to reduce costs and losses from wildfire by protecting assets at risk through focused pre-fire management prescriptions and increasing initial attack success. Based on this assessment, preventive measures are implemented, including the creation of wildfire protection zones.

In addition to the Kern County Fire Department, the California Department of Forestry and Fire Protection (CDF) provides fire protection services to areas designated as SRAs. The North, West, East, Mountain Meadows, and a portion of the South planning sub-areas are SRAs. Additionally, CDF prepares and implements plans and programs to reduce wildland fire risk and hazards throughout the State.

California Government Code Section 51182 and Public Resources Code Section 4291 outline fire risk reduction measures required to be enforced by local agencies and CDF for occupied dwellings or structures.[21]

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[20] Tehachapi General Plan EIR, page 4.7-15.

[21] Tehachapi General Plan EIR, page 4.7-15.

Emergency Response

The Federal Emergency Planning and Community Right-to-Know Act of 1986 requires detailed planning to ensure that hazardous materials are properly handled, used, stored, and disposed of to prevent or minimize adverse effects to human health or the environment in the event such materials are accidentally released. California has developed an emergency response plan to coordinate emergency services provided by federal, State, and local governments and private agencies. Responding to hazardous materials incidents is one part of this plan. The plan is administered by the State Office of Emergency Services, which coordinates the responses of other agencies, including Cal EPA, the CHP, the Department of Fish and Game, the Central Valley RWQCB, Kern County Fire Department, and EHS.[22]

Emergency Operations Plan

The California Emergency Services Act (State Government Code Section 8550-8668) requires each city to prepare and maintain an Emergency Plan for natural, manmade, or war-caused emergencies that result in conditions of disaster or in extreme peril to life. The City of Tehachapi is currently updating its Emergency Operations Plan. The Plan will include planning and response scenarios for seismic hazards, extreme weather conditions, landslides, dam failure and other flooding, wildland fires, hazardous materials incidents, transportations emergencies, civil disturbance, and terrorist attacks. It is meant to be implemented in conjunction with the Kern County Emergency Operations Plan and the State Emergency Plan. The Kern County Fire Department also has specific procedures for hazardous materials emergency response.[23]

Airport Land Use Compatibility

Airport Land Use Commission

In each county containing a public use airport, an Airport Land Use Commission is required to assist local agencies in ensuring compatible land uses in the vicinity of existing or proposed airports; to coordinate planning at state, regional and local levels; to prepare and adopt an airport land use plan as required by Public Resources Code Section 21675; to review plans, regulations or locations of agencies and airport operators; and to review and make recommendations regarding the land uses, building

[22] Tehachapi General Plan EIR, page 4.7-16.

[23] Ibid.

heights, and other issues relating to air rights.[24] The City of Tehachapi Planning Commission acts as the local Airport Land Use Commission.

Kern County Airport Land Use Compatibility Plan

The Kern County Airport Land Use Compatibility Plan (ALUCP) has been prepared to establish procedures and criteria by which Kern County and the affected incorporated cities can address compatibility issues when planning and discussing airports and the land uses around them. The Plan addresses all properties on which land uses could be affected by present or future aircraft operations at 16 airports, including the Tehachapi Municipal Airport and the Mountain Valley Airport.[25] Most of the Project is located within the Kern County Airport Land Use Plan Zone C[26]. Residential projects are allowed in Zone C with a dedication of overflight easement for residential uses.

In addition, the proposed Project is being evaluated pursuant to CEQA.

RESPONSES

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant Impact. This impact is associated with hazards caused by the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Construction

Proposed Project construction activities may involve the use and transport of hazardous materials. These materials may include fuels, oils, mechanical fluids, and other chemicals used during construction. Transportation, storage, use, and disposal of hazardous materials during construction activities would be required to comply with applicable federal, state, and local statutes and regulations. Compliance

[24] Ibid.

[25] Ibid, page 4.7-16.

[26] County of Kern Airport Land Use Compatibility Plan (2012), page 4-136.

would ensure that human health and the environment are not exposed to hazardous materials. In addition, the Project would be required to comply with the National Pollutant Discharge Elimination System (NPDES) permit program through the submission and implementation of a Stormwater Pollution Prevention Plan during construction activities to prevent contaminated runoff from leaving the Project site. Therefore, no significant impacts would occur during construction activities.

Operation

The operational phase of the proposed Project would occur after construction is completed and residents move in to occupy the structures on a day-to-day basis. The proposed Project includes land uses that are considered compatible with the surrounding uses, including single and multi-family residential uses, open space and natural drainage areas. None of these land uses routinely transport, use, or dispose of hazardous materials, or present a reasonably foreseeable release of hazardous materials, with the exception of common residential grade hazardous materials such as cleaners, paint, petroleum products, etc. The proposed Project would not create a significant hazard through the routine transport, use, or disposal of hazardous materials, nor would a significant hazard to the public or to the environment through the reasonably foreseeable upset and accidental conditions involving the likely release of hazardous materials into the environment occur.

Any new hazardous materials transportation, use, and disposal would be subject to state and federal hazardous materials laws and regulations. The transport of hazardous materials is regulated by the U.S. DOT. Hazardous materials use, storage, and disposal would be subject to hazardous materials programs administered by EHS. It should be noted that the Project site is within Airport Compatibility Zone C (see response e. below).

Hazardous materials objectives and policies contained in the proposed General Plan would further ensure the safe transport of hazardous materials. For example, Community Safety Objective 12, Policy CS41 requires coordinating the use of approved routes and notification of all transport of hazardous materials utilizing routes through Tehachapi while Policy CS42 requires that property owners along approved haul routes be informed of the potential for hazard release.

In addition, state codes require all businesses to disclose the use, handling, or storage of hazardous materials, and/or waste. This information is essential to the City's fire fighters, health officials, planners, elected officials, workers and their representatives so that they can plan for and respond to potential exposures to hazardous materials. In addition, it provides information to the community on chemical use, storage, handling, and disposal.[27]

[27] Tehachapi General Plan EIR, page 4.7-11.

The Project is subject to the following General Plan Policies:

Tehachapi General Plan Policies

Community Safety Element

Objective 12 Minimize the risk to life and property from the production, use, storage, transport, and disposal of hazardous materials and waste.

Policy CS41 Coordinate with Caltrans and the California Highway Patrol to require use of approved routes and notification of all transport of hazardous materials utilizing routes through Tehachapi.

Policy CS42 Through the General Plan (Figure 2-4 Mobility Plan), disclose and inform property owners along approved haul routes of the potential for hazard release.

Policy CS43 Apply the relevant requirements of the Countywide Integrated Waste Management Plan as well as all of the Consolidated Unified Protection Agency program elements.

Policy CS48 Minimize exposure to airborne pollution through the following:

a. Require air pollution point sources to be located at safe distances from sensitive sites such as homes and schools;

b. Require analysis and corresponding mitigation of individual development projects in accordance with the most current version of Kern County Air Pollution Control District Air Quality Assessment Guidelines;

c. Require payment of fees to fund regional transportation demand management (TDM) programs for all projects generating emissions in excess of Kern County Air Pollution Control District adopted levels;

d. Allow sensitive land uses such as dwellings, schools, daycare centers, playgrounds, medical facilities within or adjacent to areas designated for substantial industrial uses (e.g., heavy manufacturing, vehicle painting, etc.) only after an analysis, provided by the proponent, demonstrates that the health risk will not be significant;

e. Adopt new development code provisions to ensure that individual uses in mixed-use projects do not pose significant health effects;

f. Provide information to residents and businesses about ways to reduce or eliminate the use of hazardous materials, including the use of safer non-toxic equivalents.

Compliance with all federal, State and local regulations, and proposed General Plan objectives and policies such as these would ensure that the Project would not cause an adverse effect on the environment with respect to the use, storage, or disposal of general household and commercial hazardous substances generated from future development or uses.

Therefore, the proposed Project will not create a significant hazard to the public or the environment and any impacts would be ***less than significant.***

Mitigation Measures: None are required.

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact. There are four schools located within ¼ mile of the proposed Project site as follows:

- Tehachapi High School – located immediately east of the Project site
- Jacobsen Middle School – located northeast of the Project's northeast corner
- Monroe High School – located north of the Project site past Jacobsen Middle School
- Tomkins Elementary School – located just west of the Project's southwest corner

Based on the proposed Project description of a residential development, it is not reasonably foreseeable that the proposed Project will cause a significant impact by emitting hazardous waste or bringing hazardous materials within one-quarter mile of an existing or proposed school. Residential developments typically do not generate, store, or dispose of significant quantities of hazardous materials. Such uses also do not normally involve dangerous activities that could expose persons onsite or in the surrounding areas to large quantities of hazardous materials. See the responses to a) and b) above regarding hazardous material handling. Any impacts would be ***less than significant***.

Mitigation Measures: None are required.

d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Less Than Significant Impact. The proposed Project site is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Geotracker[28] and DTSC Envirostor[29] databases – accessed in May 2019). The nearest Department of Toxic Substances Control listed site is the Nunes Ranch Cleanup Program Site (Geotracker identified the hazardous substance at this location as "other petroleum"). The site address is 21001 Dennison Road and is approximately 500 feet east of the Project site at Valley Boulevard. The site is listed as Open – Inactive. In addition, the nearest Leaking Underground Tank (LUST) Cleanup site was at the D.O.T. Garage (Caltrans) at 320 Tehachapi Boulevard, approximately ¼ miles northwest of the Project site. That case was closed. There are no hazardous materials sites that impact the Project and therefore there is ***a less than significant impact.***

Mitigation Measures: None are required.

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

Less Than Significant Impact. The Project is located approximately ¼ mile south of the Tehachapi Municipal Airport. Most of the Project is located within the Kern County Airport Land Use Plan Zone C[30]. Residential projects are allowed in Zone C with a dedication of overflight easement for residential uses. Therefore, there is a ***less than significant impact.***

Mitigation Measures: None are required.

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[28] http://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=tehachapi%2C+ca (accessed May 2019).

[29] http://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=15000001 (accessed May 2019).

[30] County of Kern Airport Land Use Compatibility Plan (2012), page 4-136.

f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. The Project will be designed for adequate emergency access and will be reviewed by the City prior to final design Therefore, the Project will not impair or physically interfere with an adopted emergency response plan or emergency evacuation plan. Any impacts are ***less than significant***.

Mitigation Measures: None are required.

g. Expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?

Less Than Significant Impact. The major potential sources of wildland fire in Tehachapi are the natural brush lands that surround the community in the unincorporated lands but within the City's Sphere of Influence. The steeper slopes of the Tehachapi Mountains on the north and the vegetated slopes on the south pose a secondary threat to the City in that windborne embers may travel long distances in the wind.[31] The City's General Plan shows the Project site as having moderate wildfire risk. However, once the site is cleared and paved, the site itself will pose no risk of wildland fires. In addition, the site is adjacent to urban/developed uses that are generally void of vegetation that would pose a fire risk.

The Project is subject to the following General Plan policies:

Community Safety Element

Objective 6 Minimize risk to life and property from fire hazards.

Policy CS21 Require that, as relevant, new development applications include a map that identifies areas of wildfire hazard.

Policy CS22 Require adequate fire flow and emergency access.

Policy CS23 Maintain fuel modification zones between developed areas and natural areas. Fuel Modification Zones shall be maintained at private expense or through a

[31] Ibid.

maintenance district and on private property according to the applicable standards and regulations of the Kern County Fire Department.

Policy CS24 Require fire-resistant building materials for all structures.

For these reasons, the impact is considered ***less than significant***.

Mitigation Measures: None are required.

X. HYDROLOGY AND WATER QUALITY

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☒	☐	☐	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☒	☐	☐	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☒	☐	☐	☐
i. Result in substantial erosion or siltation on- or off- site;	☒	☐	☐	☐
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☒	☐	☐	☐
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☒	☐	☐	☐
iv. impede or redirect flood flows?	☒	☐	☐	☐

X. HYDROLOGY AND WATER QUALITY

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☒	☐	☐	☐
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☒	☐	☐	☐

RESPONSES

Potentially Significant Impact. The proposed Project is located on a relatively flat, undeveloped site and includes construction of up to 1,000 residential units on 138 acres. There are no natural streams or manmade waterways on or adjacent to the site. Water in the area is provided by the City's potable water system which uses native groundwater from the Tehachapi Basin. The Project will be required to connect to the City's existing water system.

The Project will require potable water and will modify the existing natural drainage on site. It has been determined that these impacts are ***potentially significant*** and therefore these topics will be addressed in the Project's forthcoming EIR. A Water Supply Assessment (WSA) for the Project will be prepared in accordance with Senate Bill 610. The WSA will include a description of Project-related water use, applicable water use reduction strategies, a description of existing local and regional water supply conditions and an analysis of long-term water availability for the Project. In addition, water quality impacts from the Project will be assessed.

XI. LAND USE AND PLANNING

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Physically divide an established community?	☒	☐	☐	☐
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☒	☐	☐	☐

RESPONSES

Potentially Significant Impact. The proposed Project site is located in the southeastern area of Tehachapi, southeast of downtown in an area that generally consists of single-family housing, multi-family housing, schools and churches. The site is currently zoned T-4 (General Urban) and is designated by the General Plan as 4B – Southern Neighborhoods. The proposed Project will result in the construction of up to 1,000 residential units at full buildout.

The Project is proposed to be processed as a Planned Development Zone which is found in Chapter 3.30.160 of the City's Zoning Code. The Planned Development Zone is a mechanism that allows for a flexible regulatory procedure by which the General Plan and Zoning Code may be accomplished and is appropriate for comprehensive site planning of large parcels. Various approvals by the City (Planning Commission and City Council) are required for the Final Master Development Plan which will include the following components:

- Final/complete site plan
- Proposed floor plans / elevations
- Tentative tract map
- CEQA documents and technical studies
- Associated studies, maps and reports

Upon approval of the Final Master Development Plan by the City Council, the Applicant is required to submit Precise Development Plans for each phase or increment of construction and must provide a level

of detail satisfactory to the City Engineer. The Planning Commission considers each Precise Development Plan as they are submitted.

Because of the relative size of the Project, this is a ***potentially significant*** impact. The forthcoming EIR for the Project will analyze the Project's consistency with the City's General Plan, Zoning Ordinance, and other land use plans (as applicable).

XI. MINERAL RESOURCES

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

SETTING

Environmental Setting

Kern County has approximately 2,971 square miles of land classified as Mineral Resource Zones. Significant mineral resources located in southeastern Kern County include borates, limestone, gold and dimension stone. [32] The nearest mining district to the Project site is the Lorraine Mining District, which is comprised of approximately 60 square miles and is located north of the City of Tehachapi. That site has produced heavy minerals such as gold, silver tungsten, lead and zinc.

Regulatory Setting

Federal

There are no federal or local regulations pertaining to mineral resources relevant to the proposed Project.

State

California Surface Mining and Reclamation Act of 1975

Enacted by the State Legislature in 1975, the Surface Mining and Reclamation Act (SMARA), Public Resources Code Section 2710 et seq., ensures a continuing supply of mineral resources for the State.

[32] GTA Specific Plan EIR, page 4.11-3.

In addition, the proposed Project is being evaluated pursuant to CEQA.

RESPONSES

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. As shown in Figure 4.11-1 of the Greater Tehachapi Area Specific Plan, the proposed Project site is not located in a Mineral Resource Zone. In addition, soil disturbance for the proposed Project would be limited site groundwork such as grading, foundations, and installation of infrastructure. Therefore, there is ***no impact***.

Mitigation Measures: None are required.

XII. NOISE

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☒	☐	☐	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☒	☐	☐	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☒	☐	☐	☐

RESPONSES

Potentially Significant Impact. The Project is located in an area zoned by the City as T-4 (General Urban) and is planned for uses such as those proposed by this Project. The site is located in a primarily residential area. The site is also located within 1/4 mile of the Tehachapi Municipal Airport. The proposed Project may result in significant increases in both temporary as well as permanent noise and/or vibration. Therefore, this impact is ***potentially significant*** and this topic will be addressed in the Project's forthcoming EIR. The EIR will include an assessment of Project-related noise impacts and will consider traffic patterns in and around the Project.

XIV. POPULATION AND HOUSING

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☒	☐	☐	☐
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

SETTING

The proposed Project consists of 138 acres of residential development in southeastern Tehachapi in a primarily residential area. The Project will include up to 1,000 residential units of varying styles and sizes. The City's population (based on 2018 Census data) is 12,432 persons.

Regulatory Setting

State

California Housing Element Law

State law requires each city and county to adopt a general plan for future growth. This plan must include a Housing Element that identifies housing needs for all economic segments and provides opportunities for housing development to meet that need. At the State level, the California Department of Housing and Community Development estimates the relative share of California's projected population growth that could occur in each county in the State based on DOF population projections and historic growth trends. Where there is a regional council of governments, as in Kern County, the California Department of Housing and Community Development provides the regional housing need to the council. The council then assigns a share of the regional housing need to each of its cities and counties. The process of assigning shares provides cities and counties the opportunity to comment on the proposed allocations.

The California Department of Housing and Community Development oversees the process to ensure that the councils of governments distribute their share of the State's projected housing need. Each city and county must update its general plan housing element on a regular basis (typically, every five to eight years). Among other things, including incorporating policies, the housing element must identify potential sites that could accommodate the city's share of the regional housing need. Before adopting an update to its housing element, the city or county must submit a draft to the California Department of Housing and Community Development for review. The department advises the local jurisdiction as to whether its housing element complies with the provisions of California housing element law.

The councils of governments are required to assign regional housing shares to the cities and counties within their regions on a similar five-year schedule. At the beginning of each cycle, the California Department of Housing and Community Development provides population projections to the councils of governments, which then allocate shares to their cities and counties. The shares of the regional need are allocated before the end of the cycle so that the cities and counties can amend their housing elements by the deadline.

In addition, the proposed Project is being evaluated pursuant to CEQA.

RESPONSES

a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure?

Potentially Significant Impact. The proposed Project includes the construction of up to 1,000 residential units. Based on recent census data (2013 – 2017) there are approximately 2.63 persons per household in the City[33] which would result in approximately 2,630 residents at full buildout. Because of the relative size of the Project, this impact is ***potentially significant*** and this topic will be addressed in the Project's forthcoming EIR. The EIR will include an assessment of population projections and the potential for substantial population growth and its impact on the City.

b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

[33] https://www.census.gov/quickfacts/fact/table/tehachapicitycalifornia/PST045218 (accessed May 2019).

No Impact. As shown in Figure 2-2 (see Chapter Two – Project Description), the proposed Project will be located on vacant/undeveloped land that has no people or housing located on the site. Since there are no people living on the site or existing housing on the site, none will be displaced and there is no necessity to construct replacement housing elsewhere. Therefore, there is ***no impact***.

Mitigation Measures: None are required.

XV. PUBLIC SERVICES

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	☒	☐	☐	☐
Police protection?	☒	☐	☐	☐
Schools?	☒	☐	☐	☐
Parks?	☒	☐	☐	☐
Other public facilities?	☒	☐	☐	☐

RESPONSES

Potentially Significant Impact. The Project will increase the demand for fire and police protection services and could cause potentially significant increased demand on schools, parks and other facilities. Therefore, this impact is ***potentially significant*** and this topic will be addressed in the Project's forthcoming EIR. The EIR analysis will include information pertaining to existing staffing levels, ability to serve the Project, and any potential measures required to reduce Project impacts to public services.

XVI. RECREATION

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

SETTING

The proposed Project consists of 138 acres of residential development in southeastern Tehachapi in a primarily residential area. Section 2.10.030 of the Tehachapi Zoning Code requires that any site over 120 acres must be master planned with one or more pedestrian sheds to determine neighborhood centers.

Regulatory Setting

The proposed Project is being evaluated pursuant to CEQA; however, there are no additional federal, state or local regulations, plans, programs, and guidelines associated with recreation that are applicable to the proposed Project.

RESPONSES

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Less Than Significant Impact. As described above, Section 2.10.030 of the Tehachapi Zoning Code requires that any site over 120 acres must be master planned with one or more pedestrian sheds to determine neighborhood centers. A pedestrian shed is defined as an area encompassed by the 5-minute

walking distance from a town or neighborhood center. That area is typically represented by a quarter mile circle originating from the central location or locations. Those centers typically include civic space or commercial business areas.

The Site Plan/Pedestrian Shed map (See Figure 2-4) shows a total of 5 pedestrian sheds, all civic space, within the Project. The sheds overlap indicating that for many of the proposed properties multiple centers of activity are within walking distance.

The Applicant has also provided a total amount of civic space in excess of the 5% required by the City's land use documents. The minimum park space required for the Project is 6.9 acres (5% of 138 acres), however, the Project includes approximately nine (9) acres of parks. Figure 2-4 also shows the location of the proposed parks within the development. A variety of park space is being proposed as follows:

- 3.8 acre Central Park
- 3.4 acre Youth Sports Park / Detention Basin
- 0.6 acre Garden Park
- 0.6 acre Neighborhood Park
- 0.4 acre Organic Garden
- Various pocket parks throughout

The parks and pedestrian sheds will be open to the public. Because the Project includes more than the required civic space, the impact is determined to be ***less than significant***.

Mitigation Measures: None are required.

XVII. TRANSPORTATION/ TRAFFIC

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

Potentially Significant Impact. The Project is located in an area zoned by the City as T-4 (General Urban) and is planned for uses such as those proposed by this Project. The site is surrounded by residential housing, schools, and a church. The overall layout of the proposed Project is block form, with shortened roadway lengths in order to create a walkable urban environment. The site has been designed with 12 points of ingress and egress. Five of these points connect at Valley Boulevard along the northern edge of the Project; 3 access points on the western edge; and 4 access points along the southern edge. The Project will be responsible for construction of internal roadways to City standards as well as for potential improvements to surrounding roadways to accommodate the Project.

The proposed Project may result in substantial increases in traffic in and around the Project area. Therefore, this impact is ***potentially significant*** and this topic will be addressed in the Project's forthcoming EIR. The EIR will include a Traffic Impact Study to assist in evaluation of this environmental topic.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☒	☐
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐

RESPONSES

a). Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Less Than Significant Impact. In accordance with Assembly Bill (AB) 52, potentially affected Tribes were formally notified of this Project and were given the opportunity to request consultation on the Project. The City contacted the Native American Heritage Commission, requesting a contact list of applicable Native American Tribes, which was provided to the City. The City provided letters to the listed Tribes in May 2019, notifying them of the Project and requesting consultation, if desired. None of the Tribes that were contacted requested further consultation during the 30 day notification period. Therefore, there is a ***less than significant impact***.

Mitigation Measures: None are required.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

Potentially Significant Impact. The proposed Project is located on a relatively flat, undisturbed site. There are no natural streams or manmade waterways on or adjacent to the site. Water in the area is provided by the City's potable water system which uses native groundwater from the Tehachapi Basin and the Project will be required to connect to the City's existing water system. The Project will also produce wastewater from bathroom and kitchen facilities and will be required to connect to the City's existing sewer system.

It has been determined that these impacts are ***potentially significant*** and therefore these topics will be addressed in the Project's forthcoming EIR. The analysis will include quantification of Project-related water, wastewater and solid waste impacts.

XX. WILDFIRE

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

SETTING

The Project site consists of 138 acres of vacant / undeveloped land currently void of substantial vegetation except for grasses and scrub brush. The major potential sources of wildland fire in Tehachapi are the natural brush lands that surround the community in the unincorporated lands but within the City's Sphere of Influence. The steeper slopes of the Tehachapi Mountains on the north and the vegetated slopes on the south pose a secondary threat to the City in that windborne

embers may travel long distances in the wind.[34] The City's General Plan shows the Project site as having moderate wildfire risk.

Wildland Fire Hazards

The Kern County Fire Department Wildland Fire Management Plan documents the assessment of wildland fire situations throughout the State Responsibility Areas (SRA) within the County. The Plan provides for systematically assessing the existing levels of wildland protection services and identifying high-risk and high-value areas that are potential locations for costly and damaging wildfires. The goal of the plan is to reduce costs and losses from wildfire by protecting assets at risk through focused pre-fire management prescriptions and increasing initial attack success. Based on this assessment, preventive measures are implemented, including the creation of wildfire protection zones.

In addition to the Kern County Fire Department, the California Department of Forestry and Fire Protection (CDF) provides fire protection services to areas designated as SRAs. The North, West, East, Mountain Meadows, and a portion of the South planning sub-areas are SRAs. Additionally, CDF prepares and implements plans and programs to reduce wildland fire risk and hazards throughout the State.

California Government Code Section 51182 and Public Resources Code Section 4291 outline fire risk reduction measures required to be enforced by local agencies and CDF for occupied dwellings or structures.[35]

Emergency Response

The Federal Emergency Planning and Community Right-to-Know Act of 1986 requires detailed planning to ensure that hazardous materials are properly handled, used, stored, and disposed of to prevent or minimize adverse effects to human health or the environment in the event such materials are accidentally released. California has developed an emergency response plan to coordinate emergency services provided by federal, State, and local governments and private agencies. Responding to hazardous materials incidents is one part of this plan. The plan is administered by the State Office of Emergency Services, which coordinates the responses of other

[34] Ibid.

[35] Tehachapi General Plan EIR, page 4.7-15.

agencies, including Cal EPA, the CHP, the Department of Fish and Game, the Central Valley RWQCB, Kern County Fire Department, and EHS.[36]

Emergency Operations Plan

The California Emergency Services Act (State Government Code Section 8550-8668) requires each city to prepare and maintain an Emergency Plan for natural, manmade, or war-caused emergencies that result in conditions of disaster or in extreme peril to life. The City of Tehachapi is currently updating its Emergency Operations Plan. The Plan will include planning and response scenarios for seismic hazards, extreme weather conditions, landslides, dam failure and other flooding, wildland fires, hazardous materials incidents, transportations emergencies, civil disturbance, and terrorist attacks. It is meant to be implemented in conjunction with the Kern County Emergency Operations Plan and the State Emergency Plan. The Kern County Fire Department also has specific procedures for hazardous materials emergency response.[37]

The Project is also being evaluated under CEQA.

RESPONSES

a. Substantially impair an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact. The Project will be designed for adequate emergency access and will be reviewed by the City prior to final design. Emergency access will be maintained at all times both during construction and operation. Therefore, the Project will not impair or physically interfere with an adopted emergency response plan or emergency evacuation plan. Any impacts are ***less than significant***.

Mitigation Measures: None are required.

b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

[36] Tehachapi General Plan EIR, page 4.7-16.

[37] Ibid.

c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Less Than Significant Impact. The major potential sources of wildland fire in Tehachapi are the natural brush lands that surround the community in the unincorporated lands and within the City's Sphere of Influence. The steeper slopes of the Tehachapi Mountains on the north and the vegetated slopes on the south pose a secondary threat to the City in that windborne embers may travel long distances in the wind.[38] The City's General Plan shows the Project site as having moderate wildfire risk. However, once the site is cleared and developed, the site itself will pose no risk of wildland fires. In addition, the site is adjacent to urban/developed uses that are generally void of vegetation that would pose a fire risk.

The Project is consistent with the following General Plan policies pertaining to fire hazards:

Tehachapi General Plan Policies

Community Safety Element

Objective 6 Minimize risk to life and property from fire hazards.

Policy CS21 Require that, as relevant, new development applications include a map that identifies areas of wildfire hazard.

Policy CS22 Require adequate fire flow and emergency access.

Policy CS23 Maintain fuel modification zones between developed areas and natural areas. Fuel Modification Zones shall be maintained at private expense or through a maintenance district and on private property according to the applicable standards and regulations of the Kern County Fire Department.

Policy CS24 Require fire-resistant building materials for all structures.

[38] Ibid.

For these reasons, the impact is ***less than significant.***

Mitigation Measures: None are required.

Chapter 4

Preparers

LIST OF PREPARERS

List of Preparers

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- Travis Crawford, AICP, Principal Environmental Planner
- Emily Bowen, LEED AP, Principal Environmental Planner

Persons and Agencies Consulted

City of Tehachapi

- Trevor Hawkes, City Planner
- Jay Schlosser, Development Services Director

Appendices

Appendix A

Cultural Records Search

California Historical Resources Information System

Fresno
Kern
Kings
Madera
Tulare

Southern San Joaquin Valley Information Center
California State University, Bakersfield
Mail Stop: 72 DOB
9001 Stockdale Highway
Bakersfield, California 93311-1022
(661) 654-2289
E-mail: ssjvic@csub.edu
Website: www.csub.edu/ssjvic

To: Emily Bowen
Crawford Bowen Planning, Inc.
113 N. Church Street, Suite 302
Visalia, CA 93291

Record Search 19-214

Date: June 3, 2019

Re: City of Tehachapi Sage Ranch Development Project

County: Kern

Map(s): Tehachapi South 7.5'

CULTURAL RESOURCES RECORDS SEARCH

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

The following are the results of a search of the cultural resource files at the Southern San Joaquin Valley Information Center. These files include known and recorded cultural resources sites, inventory and excavation reports filed with this office, and resources listed on the National Register of Historic Places, Historic Property Directory, California State Historical Landmarks, California Register of Historical Resources, California Inventory of Historic Resources, and California Points of Historical Interest. Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area.

PRIOR CULTURAL RESOURCE STUDIES CONDUCTED WITHIN THE PROJECT AREA AND THE ONE-HALF MILE RADIUS

According to the information in our files, there have been no previous cultural resource studies conducted within the project area. There have been 13 cultural resource studies conducted within the one-half mile radius, KE-00896, 00939, 00940, 01050, 01084, 02059, 02328, 02830, 02842, 02920, 04167, 04278, and 04980.

KNOWN/RECORDED CULTURAL RESOURCES WITHIN THE PROJECT AREA AND THE ONE-HALF MILE RADIUS

There are no recorded cultural resources within the project area, and it is not known if any exist there. There are four recorded resources within the one-half mile radius, P-15-003539, 003540, 011261, and 011262. These resources consist of two historic era roads and two prehistoric era lithic scatters.

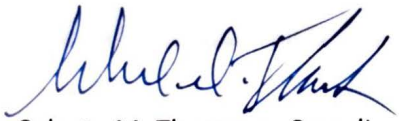
There are no recorded cultural resources within the project area that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, or the California State Historic Landmarks.

COMMENTS AND RECOMMENDATIONS

We understand this project consists of development of a 138-acre master planned community composed of single family and multi-family housing units on undeveloped vacant land. Because a cultural resources study has not been conducted on this project area, it is unknown if any cultural resources are present. Therefore, prior to any ground disturbing activities, we recommend a qualified, professional consultant conduct a field survey to determine if any cultural resources are present. A list of qualified consultants can be found at www.chrisinfo.org.

We also recommend that you contact the Native American Heritage Commission in Sacramento. They will provide you with a current list of Native American individuals/organizations that can assist you with information regarding cultural resources that may not be included in the CHRIS Inventory and that may be of concern to the Native groups in the area. The Commission can consult their "Sacred Lands Inventory" file in order to determine what sacred resources, if any, exist within this project area and the way in which these resources might be managed. Finally, please consult with the lead agency on this project to determine if any other cultural resource investigation is required. If you need any additional information or have any questions or concerns, please contact our office at (661) 654-2289.

By:



Celeste M. Thomson, Coordinator **Date:** June 3, 2019

Please note that invoices for Information Center services will be sent under separate cover from the California State University, Bakersfield Accounting Office.