



U.S. Department of Housing and Urban
Development

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

Project Information

Project Name: Pioneer Drive Affordable Housing Rental Project

Responsible Entity: County of Kern

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

State/Local Identifier: California

Preparer: Lonnie Bell, AICP, Supervising Planner

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

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

Consultant (if applicable): N/A

Direct Comments to: Lonnie Bell, AICP, Supervising Planner

Project Location: South side of Pioneer Drive, approximately 1,000 feet east of Oswell Street, Bakersfield, Assessor's Parcel No. 143-050-17.

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]: The Project consists of the design, engineering and construction of a new 84-unit affordable housing development located on the south side of Pioneer Drive, approximately 1,000 feet east of Oswell Street, (zoned R-2, Parcel Number: 143-050-17). The site is close to amenities, including public transit, grocery stores, a pharmacy and parks.

Pioneer Drive Apartments is a new construction development consisting of 84 1-bedroom 500 square foot units. Forty-one (41) of the units will be for residents at 30% AMI and below, forty-two (42) for residents at 60% AMI and one unit will house an on-site manager. Forty-one (41) of the units will be permanent supportive housing for homeless households eligible under Round 4

of the Competitive No Place Like Home (NPLH) funding offered by the State of California, Department of Housing and Community Development (HCD). Kern Behavioral Health & Recovery Services will provide onsite and offsite services to the NPLH eligible tenants and the Housing Authority of the County of Kern (the “Authority”) will provide a case manager to assist all tenants at the site.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]: The Kern County Homeless Collaborative reports 1,330 unduplicated homeless people were counted countywide in both shelters and streets on the night of January 30, 2019. As a part of the Cost Benefit Analysis of the Housing First Approach, 31 homeless people were interviewed to determine if their use of emergency medical services, hospitalization and criminal justice system involvement had changed since they were homeless and first assessed for housing placement. These interviews show that utilization and costs of most services declined dramatically during the first six months that people resided in permanent housing. Combined decreases in the areas surveyed at five different locations in Kern County amounted to a total of \$731,534 for 31 households (containing 37 adults and four children) in a six-month period. Interactions with police also decreased dramatically by 91%, from 260 interactions down to 24 interactions and arrests also dropped by 50%, although cost savings could not be calculated in either case. As can be seen by the information provided above, it is more cost effective to house homeless people than to leave them on the streets or in shelters (Cost Benefit Analysis of the Housing First Approach, 2018).

Existing Conditions and Trends [24 CFR 58.40(a)]: There has been a 50% increase over the 885 homeless people counted in January 2018, a 118% increase in the number of homeless people—typically single adults—who were unsheltered on the night in question. By comparison, there was a 2% increase in the number of people sleeping in emergency shelters and transitional housing programs over the same time period. A lack of available housing has been identified as a major barrier to the local homeless population, limiting opportunities within the community, including education and employment. In 2018, Proposition 2 was approved, which authorized the provision of additional funding for the construction of housing for the homeless. Wherever possible, the developments will utilize sources of funding currently made available for additional homeless housing through local, State and federal resources.

Funding Information

Grant Number	HUD Program	Funding Amount
TBD	HOME-ARP	\$4,500,000

Estimated Total HUD Funded Amount: \$4,500,000

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$25,068,245

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	There are no military airports within 15,000 feet of the Project parcels and no civilian airports within 2,500 feet of the Project. The closest airport is the Meadows Field Airport, a civilian airport approximately ¼ mile away from the site. Thus, the Project complies with this statute.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The County of Kern is located in HUD Region IX. No coastal barrier resources are located in the Region. The site is not located within an identified CBRS zone (see attached map). Therefore, no further evaluation for compliance with this factor required.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	According to NEPAAssist and FEMA's Flood Rate Insurance Map (FIRM) Map No. 06029C2325E, dated effective September 26, 2008, no portion of the Project is located within a Special Flood Hazard Area (SFHA). The site is within an area designated as Zone X, having a less than 2% annual chance of flooding. Consequently, no flood insurance is required to be obtained or maintained for implementation of the project.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	The project will be a new source of Criteria Pollutants. The Project is located within the jurisdiction of the San Joaquin Valley Air Pollution Control District (District). The District is in non-compliance for certain regulated criteria pollutants including; non-attainment status for Particulate Matter (PM)

		<p>2.5 and classified as non-attainment/extreme for the federal Ozone – Eight Hour standard.</p> <p>The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above and was consulted in regards to the project proposal and the area of effect. As to the projects related emissions of any criteria air pollutants, the District noted the following:</p> <p>Based on the proposed scope of activities to be undertaken, project specific annual emissions of criteria pollutants are not expected to exceed any of the following District significance thresholds: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOX), 15 tons per year of particulate matter of 10 microns or less in size (PM 10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM 2.5). Therefore, the District concludes that the Project would have <i>a less than significant impact on air quality</i> when compared to the above-listed annual criteria pollutant emissions significance thresholds. Therefore, the project impacts on air quality are considered “<i>de minimis</i>” since the project will not significantly contribute to a decline in air quality. Nevertheless, the development has the potential to be a source of dust and related air contaminants within and in the vicinity of the project.</p> <p>Furthermore, the District has noted that the Project <i>conforms to the EPA approved State Implementation Plan</i> and the proposed Project would not be subject to District Rule 9510 (Indirect Source Review).</p> <p>Since the project is limited to new construction of vacant lots, the project will not require demolition; nevertheless, the District noted: <i>In the event that any portion of an existing building will be renovated, partially demolished or removed, the Project will be subject to District Rule 4002 (National</i></p>
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		<p><i>Emission Standards for Hazardous Air Pollutants</i>). Prior to any demolition activity, an asbestos survey of existing structures on the Project site may be required to identify the presence of any asbestos containing building material (ACBM).</p> <p>In addition to the above requirements, the District noted the proposed Project may be subject to the following District rules: <i>Regulation VIII (Fugitive PM 10 Prohibitions)</i>, <i>Rule 4002</i>, <i>Rule 4102 (Nuisance)</i>, <i>Rule 4601 (Architectural Coatings)</i>, and <i>Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations)</i>.</p> <p>In addition, the District noted that it recommended that the applicant be provided a copy of the District's comments. Responsible entity Staff will provide the applicant with District comments.</p>
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The County of Kern is located within HUD Region IX. The entire County is landlocked and shares no geographic boundaries with any coastal zone (see attached map). Thus, no further analysis for compliance with this required.
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>Krazan & Associates, Inc. (Krazan) conducted a Phase I Environmental Site Assessment (ESA) of the site. No evidence of recognized environmental conditions (RECs), controlled RECs (CRECs), and historical RECs (HRECs) in conjunction with the subject site as defined by ASTM E-1527-13 was found</p> <p>In addition to Krazan's ESA, three other databases were searched to identify potential hazardous waste generators within 1,000 feet of the site: NEPAassist – federal database that draws data from EPA GIS, EnviroStor Map – State's Department of Toxic Substances Control's data management system, GeoTracker - State Water Boards' data management system for sites that impact, or</p>

		<p>have the potential to impact, water quality in California.</p> <p>There is one RCRA site (Eagle Auto Dismantling, Inc.) identified within 1,000 feet but no violations have been reported at the aforementioned site within the last 24 months.</p>
<p>Endangered Species</p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>In accordance with Section 7 of the Endangered Species Act, the United States Fish and Wildlife Service (FWS) Environmental Conservation Online System (ECOS) generated a species list for each parcel included within the Project, February 2, 2022 (Pioneer Drive Affordable Housing Rental Project) Project Code: 2022-0002642. According to the species lists, there are a total of ten threatened, endangered, or candidate species in the geographic vicinity of the project area: San Joaquin Kit Fox, Tipton Kangaroo Rat, Southwestern Willow Flycatcher, Blunt-nosed Leopard Lizard, Giant Garter Snake, California Red-legged Frog, Delta Smelt, Monarch Butterfly, Vernal Pool Fairy Shrimp, Bakersfield Cactus. The list noted there are no endangered habitats in the Project area. To analyze potential effects of the project on the aforementioned species, a Biological Clearance Survey (BCS) will be performed at the site prior to the commencement of the project. The purpose of the BCS is to document biological resources identified during a field survey of the Area of Potential Effects (APE), and evaluate potential for special-status biological resources not observed during the survey to occur on the property based on the habitat conditions observed. In addition, avoidance and minimization measures are recommended for implementation prior to and during project activities to reduce potential impacts to special-status species that may be encountered.</p> <p>The Project site is located in unincorporated Kern County, and it is within the Metropolitan Bakersfield Habitat</p>

		<p>Conservation Plan area (MBHCP) (City of Bakersfield and County of Kern, 1994). As required by the MBHCP and associated Metropolitan Urban Development Incidental Take Permit (ITP) No. 2081-2013-058-04, Metropolitan Bakersfield is subject to compliance with the take minimization measures defined by the California Department of Fish and Wildlife (CDFW) and the United States Fish and Wildlife Service (USFWS) contained within those documents.</p> <p>In compliance with the plan, mitigation should be included with the project to address the potential for presence of protected species within the area of the project.</p> <p>Consequently, a measure of mitigation shall be applied to the project in order to reduce and or eliminate the potential impact to affect any protected species or their habitats. With inclusion of mitigation for species protection, impacts to protected species will be minimized and/or avoided, as recommended by a qualified and reviewing biologist prior to further development of the site. Where further recommendations or measures are necessary, the steps shall be considered part of the required compliance with this part. Where building or other permits are required, as a result of the project, payment of mitigation fees may be necessary prior to undertaking construction related activities.</p> <p>The Project site is located on a vacant lot with a mixture of wire and wooden fencing on the east, west, and south the property line. The Project site is previously disturbed and is primarily composed of ruderal vegetation. Surrounding land uses are residential to the east, west and north. A railroad track is located to the south.</p>
Explosive and Flammable Hazards	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<p>According to field observation and a review of aerial photos of the area of the project,</p>

24 CFR Part 51 Subpart C		there are no aboveground storage tanks located within one mile of the project sites.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The sites are located in a developed and urbanized residential and commercial area. The proposed project site is contained entirely within an existing residential neighborhood. No farmlands will be affected by the proposal and no further review for compliance with this factor is needed.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	According to NEPA Assist and FEMA's Flood Rate Insurance Map (FIRM) Map No. 06029C2325E, dated effective September 26, 2008, the site is designated Zone X, having no portion of the project area located within a Special Flood Hazard Area (SFHA) or a 100-year flood zone. Consequently, new construction within a 100-year floodplain is not within the scope of proposed project activities.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>According to the Southern San Joaquin Valley Information Center (SSJVC), there are no recorded cultural resources within the site. There are 14 known resources within a one-half mile radius of the site: P-15-002050, 008151, 008202, 011722, 011723, 011724, 011725, 011726, 011727, 011728, 011729, 012181, 013724 and 020549. These resources comprised of historic railroads, roads, canals, single family homes and buildings.</p> <p>There are no recorded cultural resources within the project area or radius 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. If archaeological resources are encountered during the course of construction, a qualified archaeologist should be consulted for further evaluation. If human remains or potential human remains are observed during construction, work in the vicinity of the remains will cease, and they will be treated in accordance with the provisions of State Health and Safety Code Section 7050.5. The protection of human</p>

		<p>remains follows California Public Resources Codes, Sections 5097.94, 5097.98, and 5097.99.</p> <p>Furthermore, Native American Heritage Perservation Council, Kern County was notified of the project; no comments were received.</p> <p>The State Historical Preservation Office (SHPO) was also consulted. The State Historical Preservation Office was consulted 4/18/22 and indicated that pursuant to 36 CFR Part 800.4(d) they do not object to the County of Kern's finding that no historic properties will be affected by the proposed development. However, in the event that that cultural and historical resources are discovered during implementation of the undertaking, further consultation with SHPO would be required pursuant to 36 CFR Part 800.13(b). With the inclusion of the statement as a condition of the project, no further compliance is required at this time. With the inclusion of the statement as a condition of the project, no further evaluation for compliance is required at this time.</p>
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/></p>	<p>The project involves new construction for a residential use. Sources of noise in the area of the project include major roadways (Oswell Street and Edison Hwy), the BNSF railway located immediately to the south of the project and two civilian airports, Bakersfield Municipal Airport and Meadows Field. Consequently, an acoustic analysis was requested and performed for the site in order to assure compliance with the HUD Community Noise Guidelines.</p> <p>An Environmental Noise Assessment was prepared for the project site on June 27, 2022. The existing noise environment in the project area is defined primarily by railroad operations on the BNSF tracks directly to the south of the project site.</p> <p>The U.S. Department of Housing and Urban Development (HUD) establishes an acceptable exterior noise environment of 65</p>

	<p>dBa Ldn (also expressed as “DNL” or Day/Night Level, Ldn) at exterior areas of residential uses. Noise levels in the 65-75 dBA Ldn range are considered Normally Unacceptable.</p> <p>Noise measurements taken on June 20, 2022 demonstrate that the existing background noise at the site measures at 67.3 dB. 67.3 dB is within the range of noise considered normally unacceptable unless an Environmental Assessment is performed and attenuation measures are identified.</p> <p>The improvement is required in addition to “attenuation provided by buildings as commonly constructed in the area, and requiring open windows for ventilation.” Noise levels exceeding 75 dBA Ldn are considered unacceptable and may only be allowed under special circumstances.</p> <p>In addition, HUD established an interior noise level goal of 45 dBA LDN, while assuming a typical exterior-to-interior Ldn interior Ldn of 20 dBA. The Kern County General Plan Noise Element establishes an acceptable exterior noise level of 65 dBA Ldn in outdoor activity area and 45 dBA Ldn within interior living spaces for residential uses. It should be noted that the project buildings do not have individual outdoor activity areas or patios. They will have front entry porches on either side of the four-plex buildings. The site would have a common outdoor activity area. This is the location where the County’s 65 dBA Ldn noise standard would apply.</p> <p>According to data provided by the U.S. Department of Transportation Federal Railroad Administration (FRA), approximately 14 train operations occur per day along the Union Pacific railroad line, adjacent to the project site. Train operations can occur at any time throughout the day and night. For the purpose of this analysis, it was assumed that the 14 daily train operations are evenly distributed throughout the 24-hour day. Using the above-described formula,</p>
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		<p>railroad operations data and project site train operations noise measurement results, the railroad noise exposure level was calculated to be 67.3 dB Ldn, at a setback distance of 220 feet from the railroad line (approximate setback distance of closest proposed residential building facade).</p> <p>Based on the noise contours included in the study, railroad noise levels of up to 67.3 dB (Ldn) are predicted at the two buildings located closest to the tracks. This exterior noise exposure would exceed the HUD exterior noise level standard of 65 dB. Under the HUD criteria, an exterior noise exposure in the 65-70 dB range requires that an additional 5 dB of sound attenuation must be provided over the attenuation provided by standard construction (windows open). HUD assumes that standard construction provides an average of 20 dB of attenuation. Therefore, a total exterior-to-interior noise level reduction of 25 dB would be required for exposure within 65-70 dBA.</p> <p>Based on modern construction methods which include exterior stucco and STC 30 windows, there is typically a minimum exterior-to interior noise level reduction of 25 dBA, assuming that windows are in the closed position.</p> <p>The proposed project is predicted to meet HUD exterior and interior noise level standards assuming the following requirements are incorporated into the project design:</p> <ol style="list-style-type: none"> 1. STC 30 rated windows shall be used; 2. Building facades shall include use of exterior stucco with 5/8" interior gypsum board; 3. Air conditioning or mechanical ventilation should be installed in the units so that it will be possible for windows and doors to remain closed for sound insulation purposes. 4. In lieu of these measures, an interior noise control report may be prepared by
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		<p>a qualified acoustic engineer demonstrating that the proposed building construction would achieve the HUD interior noise reduction requirement of 25 dBA and achieve the Kern County 45 dBA Ldn interior noise standard.</p> <p>5. A six-foot high masonry constructed wall shall be constructed on the along the most southern boundary of the subject property to reduce noise to levels that may be considered acceptable. Consequently the requirement shall be included as a measure of mitigation to ensure noise will be reduced within the project site.</p> <p>6. The height of all residential buildings shall be limited to single story construction within noise impacted areas of the project site with exterior noise levels above 65dB.</p> <p>7. A common outdoor activity area shall be located on the northerly portion of the project site and outside of the noise impacted project area.</p> <p>Under 24 CFR Section 51.103 - Criteria and Standards - Department of Housing and Urban Development (HUD) exterior noise standards require: Quiet space that is ancillary to the principal use of the site which is residential. Kern County General Plan (KCGP) Policy prohibits the establishment of new noise-sensitive land uses within noise-impacted areas, unless effective mitigation measures are incorporated into the project design. Consequently, construction of the project improvements shall <i>not permit an ancillary residential use of the site to be established within the noise impacted area along the south edge of the project site, where exterior noise levels exceed 65dB.</i></p> <p>Figure 1 of the revised report prepared July 1, 2022, shows a <u>planned drainage sump will be located within the noise impacted area of the project site on the south side of the property.</u></p>
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		With the inclusion of the recommended measures noted above to reduce noise in the area of the project, the development may be considered marginally acceptable, as related to noise, as the proposed project modifications will reduce the impact of the project to a less than significant level.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The EPA has not identified any sole source aquifers within Kern County. Therefore, no further evaluation is needed.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	A search of the NWI wetlands database for the radius surrounding the Project area indicated no NWI wetlands. Furthermore, the scope of planned Project activities will not impact any NWI designated areas.
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	No existing or to-be-added national wild or scenic river are located in the vicinity of the project site. No further evaluation is needed.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The project is being undertaken as part of the effort to address the ongoing need to increase the supply of affordable housing in response to the issue of homelessness and "housing instability." The site is located within an existing residential neighborhood. There are numerous bus stops within one-half mile of the project site that connect residents with access to medical services and commercial centers.

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

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

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

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	Metro Bakersfield General Plan Designation: HMR (High Medium-Density Residential); Zoning Designation: R-2 (Medium-Density Residential District)
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	The subject site is located within the San Joaquin Valley, a broad structural trough bound by the Sierra Nevada and Coast Ranges of California. The San Joaquin Valley, which comprises the southern portion of the Great Valley of California, has been filled with several thousand feet of sedimentary deposits. Sediments in the eastern valley, derived from the erosion of the Sierra Nevada, have been deposited by major to minor west-flowing drainages and their tributaries. Near-surface sediments are dominated by sands and silty sands with lesser silts, minor clays, and gravel. The sedimentary deposits in the region form large coalescing alluvial fans with gentle slopes. The groundwater in the area was reported as first encountered at a depth of approximately 200 feet bgs. The groundwater flow direction in the area of the subject site is generally towards the southwest.
Hazards and Nuisances including Site Safety and Noise	1	No hazards or nuisances have been identified within the APE.
Energy Consumption	1	The developments will be designed to maximize energy efficiency. These design features include construction materials and appliances. Due to the combination of these factors and the energy-efficient design, the project should have minimum energy consumption impacts. Each unit will incorporate energy efficient appliances wherever possible. Based on the identification of energy related

	reduction equipment above, no further review for this factor is needed.
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Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	1	The project will likely have a beneficial impact on employment and income patterns. Tenants will contribute to the local economy.
Demographic Character Changes, Displacement	2	The area of the project is generally multi-ethnic and diverse. Although 2010 Census data indicates the area is predominately Hispanic, there is no evidence to suggest that overall demographics of the area would change as a result of implementation. As the project is for construction of new housing, the development will not result in the displacement of persons or populations.

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	<p>The construction of additional affordable housing will provide greater opportunity to access the benefits of educational and cultural facilities for the target population. There are also several elementary schools within two miles of the project.</p> <p>Furthermore, the project is subject to payment of a developer fee for impacts to education facilities and related services under Education Code Section 17620 and Government Code Section 65995 et seq. (all as amended with operative date of November 4, 1998). The developer fee shall be collected at the time building permits are issued.</p>
Commercial Facilities	1	There are grocery stores, a pharmacy, restaurants, a community park and other amenities located within a mile of the project site. The project will provide an expanded customer base which supports growth of businesses.
Health Care and Social Services	1	The site is connected by bus line with low cost/assisted health care services. Furthermore, according to the 2017 "Kern County Point in Time Count", ambulance transport for Homeless patients transport costs over \$100,000 per/year. One chronic homeless individual alone led to \$171,000 in costs. Since most costs are not reimbursable, this debt has to be written-off by the service provider. The reduction of homeless individuals and the provision of medical services should reduce costs for the County itself.

		Additionally, the site is located adjacent to Kern Medical building. These resources are all accessible by foot, bicycle, and wheelchair.
Solid Waste Disposal / Recycling	2	The development plan for the project site includes disposal/recycling several provisions to address solid waste disposal needs. The site development plan shall address the need for adequate trash bins and recycle bins for residents of the development.
Waste Water / Sanitary Sewers	2	As to waste water/sanitary sewer service, East Niles Community Services District provides service in the area of the project. The utility provider's comments include; The property can be served by the East Niles Community Services District subject to the following: Adherence to the District's specifications; Due to the property's sloping terrain, a sewer lift station and force main, owned by the property owner, may need to be constructed to convey sewage to the existing sewer main in Pioneer Drive or to the existing main at the west end of Gardenia Avenue; and Payment to the District for capacity fees.
Water Supply	2	The site is within an area served by East Niles Community Services District. East Niles Community Services District provided a "will serve" letter for the site, valid for one year to serve the development. There is an existing 8-inch water main in Pioneer Drive that may allow for a new water service connection for the property.
Public Safety - Police, Fire and Emergency Medical	1	<p>Extremely impoverished "at-risk" individuals/families often need a greater level of support from police, fire and emergency medical services. Crime, drug use, addiction, and mental illness are often associated with persons who become homeless, and often considered contributing factors to homelessness in general. However, in a study published by the US National Library of Medicine and National Institutes of Health, "well-managed and governed recovery homes pose minimal risks to neighbors in terms of criminal behavior" (The Relationship Between Neighborhood Criminal and Behavior and Oxford Houses, 2009).</p> <p>The project offers the opportunity for increased access to counseling services for the inhabitants of this property. Several studies have shown that properly managed properties for residents recovering from mental illness or substance abuse do not "significantly" increase the risk of crime rates in the neighborhood in the property's immediate vicinity. However, even though counseling services may decrease the level of the support needed by "at-risk"</p>

		<p>individuals over time, in the short term, public safety related resources will be needed to serve residents and ensure public safety continues to be prioritized. Thus, assuming service providers are effective in treating the underlying issues of these “at-risk” individuals, it is likely the project will not cause a significant increase in crime. The conclusion is based on property crime and violent crime; prostitution, DUIs, substance-related crimes were not accounted for in the aforementioned study.</p> <p>The Kern County Fire Department indicated that all new construction will require fire water flowing 1500gpm for 2hrs with 20psi residual within 400ft of the furthest point of the proposed project. Fire sprinklers will be required and a fire alarm must be installed as well.</p>
Parks, Open Space and Recreation	2	<p>Pioneer Park is located less than a mile from the development.</p> <p>The site is within reasonable walking distance from the park. Residents will have easy access to the open space and recreation the park offers.</p>
Transportation and Accessibility	2	<p>For residents with access to a private vehicle, there will be a minor increase in the number of vehicle trips per day in the immediate vicinity of the site. Based on the limited number of new trips, no decline in the current level of services is anticipated as a result of implementation. However, due to income limits required for program eligibility, the majority of residents are likely to be dependent on available public transportation options established in the area of the project. The project area is served by Golden Empire Transit (GET). There are fifteen bus stops located within one mile of the site. According to GET, service is provided seven days a week at 30-minute intervals.</p> <p>Furthermore, Kern Behavioral Health and Recovery Services may provide tenants with Monthly Bus Passes that allow unlimited travel throughout Bakersfield. Tenants with disabilities that limit or prevent the use of regular, fixed route buses will be linked to paratransit resources that provide more personalized services, such as GET-A-LIFT (GAL) and Kern Transit Medical Dial-A-Ride. If necessary, staff on site will use a County vehicle to transport and accompany tenants to critical appointments (such as medical care and other public services) as needed.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	The area surrounding the site is a developed residential neighborhood. A Phase I report was completed for the property and the parcel was completely vacant. The area surrounding the project site is residential to the south, north, east, and west. Therefore, no impact from development on unique natural features or water resources is anticipated.
Vegetation, Wildlife	2	The project is located within the Metropolitan Bakersfield Habitat Conservation Plan (MBHCP) California Department of Fish and Wildlife, Incidental Take Permit No. 2013-058-04 (ITP) boundaries. Any impacts to plant species would likely be mitigated by participation in the MBHCP for the covered species.

Additional Studies Performed:

Phase I ESA Report

Field Inspection (Date and completed by):

5/5/22 by Lonnie Bell, Supervising Planner

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

Please see attached list

List of Permits Obtained: None at this point

Public Outreach [24 CFR 50.23 & 58.43]:

Subsequent to this Environmental Assessment, the public will be notified of the determination of the RROF and RROF notification and, as applicable, any substantial changes to the Project description or anticipated activities.

Cumulative Impact Analysis [24 CFR 58.32]:

Minor cumulative impacts include slight increase in traffic, noise and vibration, in the APE of the project. The site may require minor adjustments to staffing and other resources required to address

the demand for Public Safety services and ensure that residents and their belongings are adequately protected from crime and fire.

If implemented, the project will alleviate cumulative conditions as it relates to housing, which is currently over capacity. Furthermore, the project will increase accessibility to services in the larger metropolitan area. Transit related development will reduce the impacts in traffic typically associated with any residential development. Smart energy, appliances and technologies will ensure that the project has little to no impact on the existing power grid and reduce average energy consumption in the area per unit, translating to potential savings for property owners and project residents.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]:

The Housing Authority of the County of Kern (HA) was provided with a list of parcels that are pre-zoned and designated for multi-family residential use under the County of Kern Metro Bakersfield General Plan. The parcel list was used by HA to determine the location of available sites that would meet its program objectives and general housing guidelines for low-income residents. Individual sites were evaluated based on criteria for selection under the “No Place Like Home” program.

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

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

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

Summary of Findings and Conclusions:

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

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

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<ol style="list-style-type: none"> 1. Where it is determined that any air related permits are needed to proceed with the project, the contractor shall ensure that any required air related permits are obtained from the San Joaquin Valley Air Pollution Control District prior to implementation of the project and that the conditions and/or requirements of which the permits are issued are adhered to during the implementation of the project.
Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<p>The project is located within the administrative boundaries of the Metro Bakersfield Habitat Conservation Plan, and as such, would be subject to both project modifications and/or required mitigation, as applicable. A development fee is collected for participation in the coverage provided by the adopted HCP plan.</p> <ol style="list-style-type: none"> 1. <u>Prior to the issuance of any grading and/or building permits</u>, a development fee shall be collected under the requirements of the Metro Bakersfield Habitat Conservation Plan. The funds collected are utilized for the acquisition of habitat required for species protection and habitat conservation. 2. <u>No more than 30 days prior to initiation of construction activities</u>, preconstruction surveys (or Clearance Survey per MBHCP requirements) shall be conducted within the expansion area and a suitable buffer zone around the perimeter. 3. <u>At all times during the implementation of this permit</u>, SJKF avoidance and minimization techniques identified in the MBHCP must be employed and strictly adhered to. 4. <u>During initial ground disturbing activities</u>, a biological monitor who is knowledgeable regarding the potentially occurring special status species (e.g., SJKF) should be on-call, if needed. If at any time listed species are present within, or immediately adjacent to, the construction area limits or immediately adjacent to the site, the CDFW and the USFWS should be consulted regarding the need to obtain take authorization for

	take of federal- and/or state-listed species. Once initial disturbance has been completed and site vegetation removed, the biological monitor would not be required to monitor grading activities or further construction activities.
Conformance with Plans / Compatible Land Use and Zoning	Metro Bakersfield General Plan Designation: HMR (High Medium-Density Residential); Zoning Designation: R-2 (Medium-Density Residential District)
National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<p>The State Historical Preservation Office (SHPO) was also consulted. The State Historical Preservation Office was consulted 4/18/22 and indicated that pursuant to 36 CFR Part 800.4(d) they do not object to the County of Kern's finding that no historic properties will be affected by the proposed development. However, in the event that that cultural and historical resources are discovered during implementation of the undertaking, the following would be required:</p> <ol style="list-style-type: none"> 1. <u>During implementation of the undertaking</u>, in the event that cultural and historical resources are discovered, further consultation with SHPO would be required pursuant to 36 CFR Part 800.13(b). 2. <u>During implementation of the undertaking</u>, if any archaeological resources are encountered during the course of construction, a qualified archaeologist shall be consulted for further evaluation. 3. <u>If human remains or potential human remains are observed during construction</u>, work in the vicinity of the remains will cease, and the find be treated in accordance with the provisions of State Health and Safety Code Section 7050.5. The protection of human remains follows California Public Resources Codes, Sections 5097.94, 5097.98 and 5097.99.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	<ol style="list-style-type: none"> 1. A plan for the disposal of drainage waters originating on site and from adjacent road rights of way shall be approved by the Kern County Public Works Department - Building & Development - Floodplain, if required. Easements or grant deeds shall be given to the County of Kern for drainage purposes or access thereto, as necessary.
Waste Water / Sanitary Sewers	<ol style="list-style-type: none"> 1. As to waste water/sanitary sewer service, East Niles Community Services District provides

	<p>service in the area of the project. The utility provider's comments include; The property can be served by the East Niles Community Services District subject to the following: Adherence to the District's specifications; Due to the property's sloping terrain, a sewer lift station and force main, owned by the property owner, may need to be constructed to convey sewage to the existing sewer main in Oregon Street; and Payment to the District for capacity fees.; and Payment to the District for capacity fees.</p>
Water Supply	<ol style="list-style-type: none"> 1. <u>Prior to the issuance of any grading or building permits:</u> Installation of facilities through developer funding shall be made in accordance with the current rules and regulations of the CPUC including, among others, Tariff Rules 15 and 16 and General Order 03-A. To provide adequate water for domestic use as well as fire service protection, it may be necessary for the developer to fund the cost of special facilities, such as, but not limited to, booster pumps, storage tanks and/or water wells, in addition to the cost of mains and services. East Niles Community Services District will provide more specific information regarding special facilities and fees after you provide us with your improvement plans, fire department requirements, and engineering fees.
Transportation and Accessibility	<ol style="list-style-type: none"> 1. <u>Prior to final occupancy approval:</u> Under Encroachment Permit, issued by the Kern County Public Works Department, the applicant shall construct Type "A" Subdivision improvements along the northerly project frontage of Douglas Street. These improvements may be, sidewalk, drive approaches, alley paving tie-in to parking lot. 2. <u>Prior to final occupancy approval:</u> All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of way. Compliance with this requirement is the responsibility of the applicant

	and may result in significant financial expenditures.
Education	1. <u>Prior to the issuance of any grading or building permits:</u> A development fee shall be collected as mitigation for construction of new housing, multi-family affordable housing units, as required under Education Code Section 17620 and Government Code Section 65995 et seq. (all as amended with operative date of November 4, 1998). The fees are presently set at \$3.79 per square foot, and are subject to Cost of Living Adjustment (COLA) adjustment every two years.

Determination:

☒ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]

The project will not result in a significant impact on the quality of the human environment.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

Preparer Signature: Lonnie Bell Date: 7/22/22

Name/Title/Organization: Lonnie J. Bell, AICP, Supervising Planner, Kern County Planning and Natural Resources Department – Community Development Division

Certifying Officer Signature: LH Date: 7/22/22

Name/Title: Lorelei H. Oviatt, AICP, Director of County of Kern Planning and Natural Resources Department

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

Mitigation Monitoring Program

CD Activity #35.21.3 – Pioneer Drive Affordable Housing Rental Project

Mitigation Condition No. 1

Issue Addressed: Clean Air

Reasoning: The site is located within the jurisdiction of the San Joaquin Valley Air Pollution Control District (District). The District is in non-compliance for certain regulated criteria pollutants under the following federal air quality standards: District is in non-attainment status for Particulate Matter (PM) 2.5 and classified as non-attainment/extreme for the federal Ozone – Eight Hour standard. Under State of California air quality standards for criteria pollutants, the District has been designated as nonattainment/severe for the Ozone – one hour standard and nonattainment for the Ozone – Eight Hour standard, PM 10 and PM 2.5.

Responsibilities:

The contractor shall be responsible for ensuring the following:

- 1) Prior to issuance of any grading and/or building permits, any permits required for implementation shall be obtained from the San Joaquin Air Pollution Control District (District). The District has noted that the project may be subject to Regulation VIII (Fugitive PM 10 Prohibitions), Rule 4002, Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). Where district permitting is required, all permits shall be obtained prior to implementation of the related project activities and complied with during the implementation of activities.
- 2) During project implementation, any conditions of requirements of permits issued by the district shall be continuously complied with.
- 3) During all on-site grading and construction activities, adequate measures shall be implemented to control fugitive dust.

The contractor has completed its responsibilities as to the requirements above for air related emissions:

(Signed by contractor)

(Date Signed)

Mitigation Condition No. 2

Issues addressed: Endangered Species

Reasoning: The project is located within the administrative boundaries of the Metro Bakersfield Habitat Conservation Plan, and as such, would be subject to both project modifications and/or required

mitigation, as applicable. A development fee is collected for participation in the coverage provided by the adopted HCP plan.

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

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

____ Contractor shall check off area once the mitigation assessment fee required by the Precise Development Plan has been paid. (Attach Receipt)

Biologist Section:

Compliance with Item No. 4 signed off by assigned Biologist

(Date Signed)

Mitigation Condition No. 3

Issues Addressed: Conformance with Plans / Compatible Land Use and Zoning

Reasoning: The EA process requires that project be reviewed for compliance with local zoning, compatible uses and shall be implemented in compliance with the conditions of an adopted Conditional Use Permit issued for the site.

The project site is designated Medium Residential pursuant to the Metro Bakersfield General Plan and zoned R-2 (Medium Residential).

The contractor has completed its responsibilities as to the requirements above for conformance with plans:

(Signed by contractor)

(Date Signed)

Mitigation Condition No. 4

Issued Addressed: National Historic Preservation

Reasoning: To ensure no impacts to historic or cultural resources occur as a result of implementation, the following shall be incorporated to address potential to encounter unknown historic or cultural resources during implementation.

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

Please sign below were appropriate:

With signature below the contractor certifies that either no cultural resources were discovered during implementation:

Name (Date Signed)

In the case findings were made during implementation the Contractor certifies; a) the finds were documented by a qualified cultural resource specialist prior to undertaking work in the area of discovery, b) and that additional consultation requirements with SHPO, if necessary, were satisfied:

Name (Date Signed)

Mitigation Condition No. 5

Issues: Waste Water / Sanitary Sewers

1. As to waste water/sanitary sewer service, East Niles Community Services District provides service in the area of the project. The utility provider's comments include; The property can be served by the East Niles Community Services District subject to the following: Adherence to the District's specifications; Due to the property's sloping terrain, a sewer lift station and force main, owned by the property owner, may need to be constructed to convey sewage to the existing sewer main in Pioneer Drive or to the existing main at the west end of Gardenia Avenue; and Payment to the District for capacity fees.

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

(Signed by Contractor)

(Date Signed)

Mitigation Condition No. 6

Issues: Water Supply

Reasoning: The site is within an area served by the East Niles Community Services District. East Niles Community Services District provided a “will serve” letter for the site, valid for two years to serve the development. However, East Niles Community Services District noted in the letter that to provide adequate water for domestic use as well as fire service protection, Water service will be supplied by the East Niles Community Services District to the parcel upon installation of all water lines necessary to service the parcel and satisfactory completion of all provisions required by the Company and those required by regulating entities at the time of development.

Prior to the issuance of any grading or building permits: Installation of facilities through developer funding shall be made in accordance with the current rules and regulations of the CPUC including, among others, Tariff Rules 15 and 16 and General Order 03-A. To provide adequate water for domestic use as well as fire service protection, it may be necessary for the developer to fund the cost of special facilities, such as, but not limited to, booster pumps, storage tanks and/or water wells, in addition to the cost of mains and services. East Niles Community Services District will provide more specific information regarding special facilities and fees after you provide us with your improvement plans, fire department requirements, and engineering fees.

Once the conditions of the “will-serve” letter have been satisfied and the necessary permissions obtained, the Contractor shall sign below. The provision of signature is an acknowledgement of the conditions of the will serve letter and an agreement to abide to the requirements during the implementation of the permit.

(Signed by Contractor)

(Date Signed)

Mitigation Condition No. 7

Issues: Transportation and Accessibility

Reasoning: For residents with access to a private vehicle, there will be a minor increase in the number of vehicle trips per day in the immediate vicinity of the site.

1. Prior to final occupancy approval: Under Encroachment Permit, issued by the Kern County Public Works Department, the applicant shall construct Type “A” Subdivision improvements along the northerly project frontage of Pioneer Drive. These improvements will be, sidewalk, drive approaches.
2. Prior to final occupancy approval: All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, fences, or similar obstructions, shall be removed from the ultimate road rights-of way. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.

Contractor signature below confirms that the applicable design related issues have been resolved to the satisfaction of the Kern County Public Works Department.

(Contractor Signature)

(Date Signed)

Mitigation Condition No. 8

Issue Addressed: Noise Abatement and Control

Reasoning: Where anticipated community noise levels are in excess of acceptable HUD thresholds for interior and exterior noise for residential units, HUD noise standards and regulations for new construction of residential units require noise attention features be incorporated in the project design. An acoustic report has been prepared for the site and includes recommended modifications that shall be incorporated into design and construction specifications for the project to ensure the development will comply with acceptable local and HUD noise thresholds, within the noise impacted areas of the subject property, nearest to the BNSF railroad.

1. All project design and construction specifications prepared for the project shall include the following minimum design related improvements:
 - a) STC 30 rated windows shall be used;
 - b) Building facades shall include use of exterior stucco with 5/8" interior gypsum board;
 - c) Mechanical ventilation penetrations for exhaust fans shall not face towards the BNSF railroad. Where feasible these vents should be routed towards the opposite side of the building to minimize sound intrusion to sensitive areas of the building.
 - d) Mechanical ventilation shall be provided to allow occupants to keep doors and windows closed in order to achieve acoustic isolation.
2. At all times during the implementation of the project, the height of all residential buildings shall be limited to single story construction within any noise impacted areas of the project site with expected exterior noise levels above 65dB as shown in the applicable Noise Assessment for the site.
3. During construction and prior to the issuance of final occupancy permits, a six-foot tall concrete masonry type sound wall shall be constructed along the entire southernmost boundary of the of the project site which abuts the Burlington Northern Santa Fe (BNSF) Railroad.
4. At no time during the project implementation, shall any ancillary residential use of the site, including but not limited to playgrounds and/or other outdoor activity areas, be established within an area of the property where exterior noise levels are expected to exceed 65dB, as shown in the prepared acoustic noise assessment report. However, where subsequent project modifications and design configurations require the findings of the original study be re-evaluated, the conclusions of the re-evaluation shall subject to best available science and consistent with local and applicable HUD noise regulations.
5. In lieu of these measures noted above, an interior noise control report may be prepared by a qualified acoustic engineer demonstrating that the proposed building construction would achieve the HUD interior noise reduction requirement of 25 dBA and achieve the Kern County 45dBA Ldn interior noise standard.

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

(Signed by Contractor)

(Date Signed)

Mitigation Condition No. 9

Issues: Education

Reasoning: The construction of 84 new residential units will have minor impacts on schools and educational needs in the community.

Prior to the issuance of any grading or building permits: A development fee shall be collected as mitigation for construction of new housing, multi-family affordable housing units, as required under Education Code Section 17620 and Government Code Section 65995 et seq. (all as amended with operative date of November 4, 1998). The fees are presently set at \$3.79 per square foot, and are subject to Cost of Living Adjustment (COLA) adjustment every two years. Contractor signature below confirms that the applicable school related (District) fees have been paid.

(Signed by Contractor)

(Date Signed)