



336 Pacific Avenue, Shafter, CA 93263
Meeting Held In-Person and Via Zoom and Livestream on YouTube.

**AGENDA
REGULAR MEETING
SHAFTER PLANNING COMMISSION
TUESDAY, OCTOBER 8, 2024**

NOTICE TO THE PUBLIC:

Any documents produced by the City and distributed to a majority of the Planning Commission regarding any item on this agenda will be made available in the City Clerk's Office during normal business hours at City Hall located at 336 Pacific Avenue, Shafter CA. In addition, such documents will be posted on the City's website at www.shafter.com.

CALL TO ORDER: 6:00 PM

PLEDGE OF ALLEGIANCE: Vice Chairman Frantz

INVOCATION: Commissioner Piuser

ROLL CALL: Chairman Sanchez
Vice Chairman Frantz
Commissioner Joshan
Commissioner Piuser
Commissioner Wiebe

APPROVAL OF AGENDA:

MINUTES OF PREVIOUS MEETING:

1. Approval of Minutes: September 10, 2024.

PUBLIC COMMENT:

This portion of the meeting is reserved for persons wanting to address the Commission only on matters not listed on this agenda. Speakers are limited to five minutes unless additional time is needed for translation. Please state your name and address for the record before making your presentation.

PUBLIC HEARING:

Should anyone challenge any proposed action which is the subject of a public hearing listed on this agenda, that person challenging any action taken after the public hearing may be limited to raising only those issues addressed at the public hearing described

in this notice, or in written correspondence delivered to the Planning Commission at or prior to this public hearing.

1. **Extension of Time Request for Tentative Tract Map No. 7052:** Planning Commission conduct a public hearing; find the City of Shafter adopted a Negative Declaration for Tentative Tract No. 7052 on September 18, 2007 (Resolution No. 07-1946), therefore no additional CEQA analysis or documentation is required for the extension of time; and adopt Resolution No. 24-447, a Resolution of the Planning Commission of the City of Shafter recommending the City Council approve a two (2) year extension of time for Tentative Tract Map No. 7052 located on the West side of Poplar Avenue between Lerdo Highway and W. Los Angeles Avenue, within the City of Shafter, subject to the conditions approved by the City Council on September 18, 2007, to expire on September 18, 2026. (Planning Director Esselman)

ROLL CALL

2. **Extension of Time Request for Tentative Tract Map No. 6614:** Planning Commission conduct public hearing; find the residential project is exempt from the California Environmental Quality Act, i.e., exempt from the requirements of Division 13 (commencing with Section 21000) of the Public Resources Code, pursuant to California Government Code §65457. The project is within the scope of the Program Environmental Impact Report (EIR) that was certified for the 2005 City of Shafter General Plan Update and related action (SCH No. 2004101029) and the Addendum to the Certified Final Program Environmental Impact Report per Resolution No. 06-1889. The certified Program EIR adequately describes the activity of the residential development proposed in Tentative Tract No. 6614 as adopted in the Orchard Park Specific Plan per Ordinance 06-583; and, adopt Resolution No. 24-448, a Resolution of the Planning Commission of the City of Shafter recommending that the City Council approve a two (2) year extension of time for Tentative Tract Map No. 6614 located East of North Beech Avenue between East Fresno Avenue and East Tulare Avenue, within the City of Shafter, subject to the conditions approved by the City Council on September 19, 2006, to expire on March 19, 2027. **See Exhibit 5** for Resolution No. 24-448. (Planning Director Esselman)

ROLL CALL

3. **Conditional Use Permit No. 24-145:** Planning Commission conduct a public hearing; and adopt Resolution No. 24-450, a Resolution of the Planning Commission of the City of Shafter, (1) approving Conditional Use Permit No. 24-145 to allow for the construction and operation of three solar facilities on three sites (portions of APNs 089-090-30, 091-320-03, and 091-252-34) on 22.6 total acres and (2) adopt a Mitigated Negative Declaration in compliance with the California Environmental Quality Act. (Planning Director Esselman)

ROLL CALL

4. **Tentative Tract Map No. 7461:** Staff recommends the Planning Commission open the public hearing and continue the hearing to a date certain of the November 12, 2024, Planning Commission meeting. (Planning Director Esselman)

ROLL CALL

COMMISSIONER REPORTS:

ADJOURNMENT:

Pursuant to the Americans with Disabilities Act, if you need special assistance to participate in a City Council Meeting, please contact the City Clerk at (661) 746-5000 at least three (3) days prior to the meeting or time the special services are needed to allow City staff in making reasonable arrangements to provide you with access to the meeting. Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection in the City Clerk's Office at Shafter City Hall, 336 Pacific Ave., Shafter, CA 93263. This is to certify that this Agenda notice was posted at City Hall and Police Dept. by 5:00 p.m., October 3, 2024. Yazmina Pallares, S/S, City Clerk

REMOTE PUBLIC PARTICIPATION IS ALLOWED IN THE FOLLOWING WAYS, SEE BELOW FOR INSTRUCTIONS.

1. You are strongly encouraged to observe the Planning Commission meetings live via YouTube <https://www.youtube.com/user/CityofShafter/>
2. If you wish to make a comment on a specific agenda item or public comment, please submit your comment via email by **6:00 PM on October 8, 2024** to the City Clerk at CityClerk@shafter.com
3. If you wish to make a written comment to the City Clerk, 336 Pacific Avenue, Shafter, CA 93263.
4. If you wish to make a comment during the live meeting, callers must first register with the City Clerk at 661-746-5012 before the meeting begins to receive instructions and the call- in number and code. Please call by 5:00pm on the Monday prior to the Planning Commission meeting to allow ample time for sign up. You will need to provide your name, phone number and the item number you wish to address.
5. All public comments are provided to the Planning Commission and applicable Staff, for review and consideration by the Board prior to taking action on any matters listed on the agenda and are incorporated into the official record of the Planning Commission meeting.

**MINUTES OF THE REGULAR MEETING OF THE
SHAFTER PLANNING COMMISSION
COUNCIL CHAMBER, 336 PACIFIC AVENUE
MEETING HELD IN-PERSON AND VIA ZOOM AND LIVESTREAM TO YOUTUBE
TUESDAY, SEPTEMBER 10, 2024**

CALL TO ORDER: 6:00 PM

PLEDGE OF ALLEGIANCE: Commissioner Piuser

INVOCATION: Vice Chairman Frantz

ROLL CALL:

PRESENT(In-Person): Chairman Sanchez, Vice Chairman Frantz, Commissioners Joshan, and Piuser. Absent with an excused absence: Commissioner Wiebe. Also present: Planning Director Esselman, IT Specialist Rogers, and Deputy City Clerk Uribe.

APPROVAL OF AGENDA:

*MOVED (PIUSER) AND SECONDED (FRANTZ) COMMISSIONERS APPROVED THE AGENDA AS PRESENTED.
MOTION CARRIED BY THE FOLLOWING VOTE:*

AYES: FRANTZ, JOSHAN, PIUSER, AND SANCHEZ.

NAYS: NONE.

ABSENT: WIEBE.

ABSTENTIONS: NONE.

MINUTES OF PREVIOUS MEETING:

1. Approval of Minutes: August 13, 2024.

MOVED (FRANTZ) AND SECONDED (JOSHAN) COMMISSIONERS APPROVED THE MINUTES OF THE REGULAR MEETING OF AUGUST 13, 2024, AS PRESENTED. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: FRANTZ, JOSHAN, PIUSER, AND SANCHEZ.

NAYS: NONE.

ABSENT: WIEBE.

ABSTENTIONS: NONE.

PUBLIC COMMENT:

There were no members of the public wishing to speak.

MANAGEMENT REPORTS:

1. **General Plan Advisory Committee Appointment:** Planning Director Esselman made introductory comments.

COMMISSIONERS FOUND THE ACTION IS NOT DEFINED AS A "PROJECT" PER SECTION 15378(B)(5) OF THE CEQA GUIDELINES; AND APPOINTED CHAIRMAN SANCHEZ TO THE GENERAL PLAN ADVISORY COMMITTEE.

COMMISSIONER REPORTS: There were no Commissioner Reports.

ADJOURNMENT:

MOVED (PIUSER) AND SECONDED (JOSHAN) COMMISSIONERS ADJOURNED THE MEETING AT 6:07 P.M. MOTION CARRIED WITH NO OPPOSITION WITH COMMISSIONER WIEBE ABSENT.

John Sanchez, Chairman

ATTEST:

Vanessa Uribe, Deputy City Clerk

DATE: October 8, 2024
TO: Planning Commission
FROM: Planning Department
SUBJECT: Extension of Time Request for Tentative Tract Map No. 7052

RECOMMENDATION:

Planning Commission conduct a public hearing; find the City of Shafter adopted a Negative Declaration for Tentative Tract No. 7052 on September 18, 2007 (Resolution No. 07-1946), therefore no additional CEQA analysis or documentation is required for the extension of time; and adopt Resolution No. 24-447, a Resolution of the Planning Commission of the City of Shafter recommending the City Council approve a two (2) year extension of time for Tentative Tract Map No. 7052 located on the West side of Poplar Avenue between Lerdo Highway and W. Los Angeles Avenue, within the City of Shafter, subject to the conditions approved by the City Council on September 18, 2007, to expire on September 18, 2026.

APPLICANT

HBAg Investments LLC
12300 Panama Lane
Bakersfield, CA 93311

OWNER

Heath Baughman
HBAg Investments LLC
12300 Panama Lane
Bakersfield, CA 93311

LOCATION: Southwest corner of Lerdo Highway and Poplar Ave. **See Exhibit 1.**

PROJECT ANALYSIS:

On September 03, 2024, the current property owner, HB Ag Investments, LLC submitted an application for a two-year extension of time request to extend the time to record a final map for Tentative Tract No. 7052 (**Exhibit 3**). The City Council approved Tentative Tract Map No. 7052 on September 18, 2007 by Resolution No. 07-1946 (**Exhibit 4**). The tract map is located on the west side of Poplar Avenue between Lerdo Highway and W. Los Angeles Avenue and proposes to subdivide 90.18 acres into 94 single-family residential lots with lot sizes ranging from 10,800 square feet to 23,356 square feet, a sump lot, and a 52.6-acre designated remainder (**Exhibit 2**). The existing zoning of the project site is Estate, and the General Plan land use designation is Very Low Density Residential (VLDR).

The original expiration date for the tentative map was September 18, 2009. The tentative map has remained active due to multiple extensions of time approved by the State legislature and several discretionary extensions of time approved by the City Council. The last Extension of Time was a two-year State legislature extension in accordance with Government Code Section 66452.26, which was approved by City Council Resolution No. 2865 on June 07, 2022, and extended the map approval date to September 18, 2024.

PUBLIC HEARING

The applicant has requested approval of a two-year discretionary extension (**Exhibit 3**), which is allowed by the City's Subdivision Ordinance and the Subdivision Map Act section 66452.6.e. Approval of the requested two-year extension would result in Tentative Tract 7052 expiring on September 18, 2026. If the map has still not been recorded by the proposed expiration date, the applicant would be eligible for one more discretionary extension before the map expires.

Staff believes the eventual recordation of the approved subdivision would be beneficial to the City and recommends the Planning Commission approve for recommendation to the City Council, the requested two-year extension of time to file a final map for Tentative Tract Map 7052, subject to the conditions approved by the City Council on September 18, 2007.

CEQA:

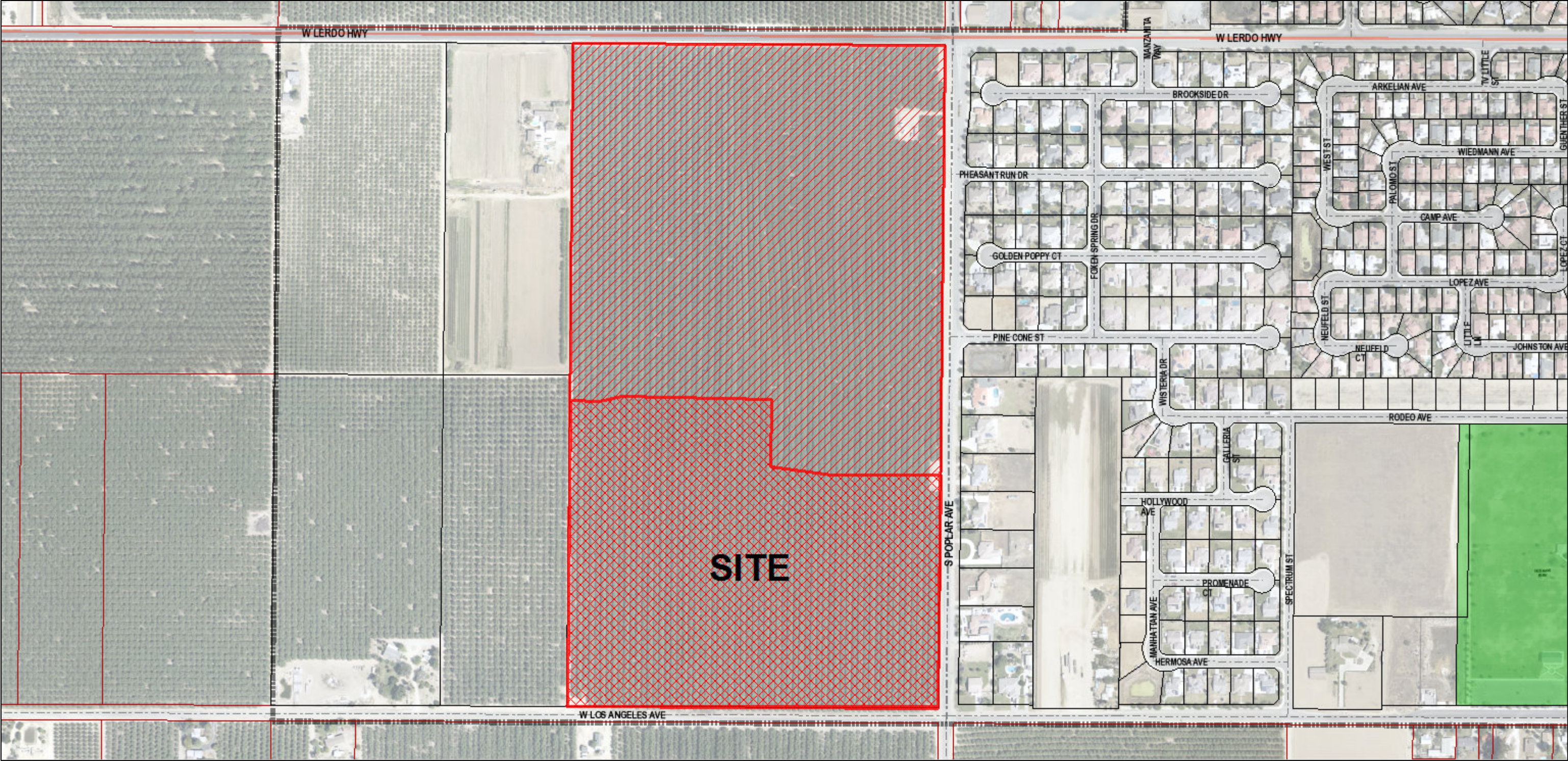
The City of Shafter adopted a Negative Declaration for Tentative Tract Map No. 7052 on September 18, 2007 (Resolution No. 07-1946). Therefore, no additional CEQA analysis or documentation is required for the extension of time.

ATTACHMENTS

EXHIBIT

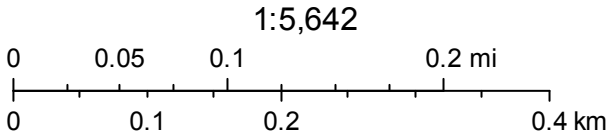
Vicinity Map	1
Tentative Tract Map No. 7052	2
Extension of Time Application	3
Resolution No. 07-1946 with Conditions of Approval	4
Resolution No. 24-447	5

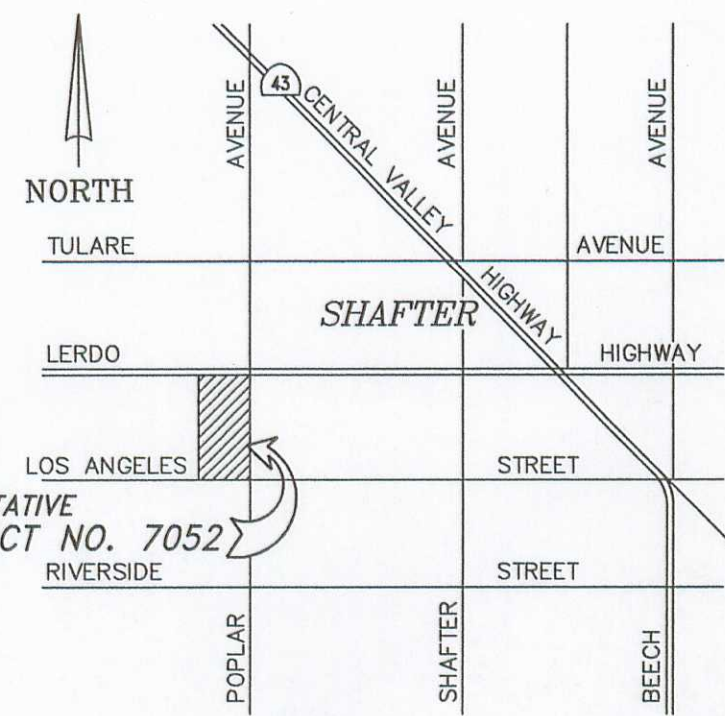
Tentative Tract No. 7052 - Extension of Time



July 9, 2018

City	Highway	Airport - Gated	Ramp	Airport - Secondary	Public Building
County	Ramp	Airport - Secondary	Arterial	Dirt	Recreation
Other	Arterial	Dirt	Collector	Church	School
Airport Roads	Collector	Interstate	Local/Residential	Church/School	City Limits
Interstate	Local/Residential	State Highway	Airport - Primary	Museum	Kern County Boundary
State Highway	Airport - Primary	Highway	Airport - Gated	Park	Red: Band_1





VICINITY MAP

- LEGEND**
- O.R. - OFFICIAL RECORDS
 - K.C.S. - KERN COUNTY SURVEYOR
 - M.B. - MAP BOOK
 - PM. BK. - PARCEL MAP BOOK
 - PG. - PAGE
 - - EXISTING MONUMENT AS DESCRIBED
 - - - EXISTING PAVEMENT
 - - - EXISTING FENCE
 - PP - EXISTING OVERHEAD UTILITY POLE LINE
 - - - EXISTING SEWER PIPELINE
 - - - PROPOSED DRAINAGE FLOW
 - - - PROPOSED CROSS GUTTER
 - - PROPOSED CATCH BASIN
 - - - PROPOSED STORM DRAIN
 - - - PROPOSED 6-FT MASONRY SCREEN WALL

GENERAL NOTES

TOTAL GROSS AREA: 90.18 ACRES
 PHASE 1: 19.52 ACRES
 PHASE 2: 18.06 ACRES
 DESIGNATED REMAINDER: 52.60 ACRES

NUMBER OF LOTS:
 PHASE 1 (2.41 DWELLING UNITS PER ACRE)
 47 RESIDENTIAL LOTS
 1 SUMP LOT
 PHASE 2 (2.60 DWELLING UNITS PER ACRE)
 47 RESIDENTIAL LOTS
 TOTAL: (2.50 DWELLING UNITS PER ACRE)
 94 RESIDENTIAL LOTS
 1 SUMP LOT

MINIMUM LOT SIZE: 10,800 SF.
 ASSESSORS PARCEL NO. 089-160-18
 EXISTING ZONE: E (ESTATE)
 EXISTING USE: AGRICULTURE
 PROPOSED USE: SINGLE FAMILY RESIDENTIAL
 GENERAL PLAN DESIGNATION: VLR (3.5 DU/ACRE)
 PROPOSED LOT DENSITY: 2.52 UNITS UNITS PER ACRE
 WATER: CITY OF SHAFTER
 ELECTRIC: P.G. & E.
 GAS: THE GAS COMPANY
 PHONE: SBC TELEPHONE
 CABLE: BRIGHTHOUSE NETWORKS
 FIRE: KERN COUNTY FIRE DEPARTMENT
 CONTOURS: 1.00' INTERVAL

NOTES

THE BLUE BORDER INDICATES THE BOUNDARY OF LAND TO BE SUBDIVIDED BY THIS MAP.
 ALL DISTANCES AND DIMENSIONS SHOWN ARE IN FEET AND DECIMALS THEREOF.
 ALL LOT AREAS SHOWN ARE NET AREAS UNLESS OTHERWISE NOTED.
 ALL STREET GRADES WILL BE IN ACCORDANCE WITH THE CITY OF SHAFTER DEVELOPMENT STANDARDS.
 THIS MAP WILL BE RECORDED IN PHASES.
 THERE IS AN ABANDONED OIL WELL SHOWN ON LOT 33.
 NO BUILDING IS ALLOWED WITHIN 10 FEET OF THE ABANDONED OIL WELL.

BASIS OF BEARINGS

THE BEARING OF N89°04'06"W, FOR THE NORTH LINE OF SECTION 17, TOWNSHIP 28 SOUTH, RANGE 25 EAST PER SURVEY INVESTIGATION AND PERPETUATION MAP, MAP NO. 7-1, BOOK 7, PAGE 73 DATED JULY - DECEMBER 1978 IN THE OFFICE OF THE KERN COUNTY SURVEYOR WAS TAKEN AS THE BASIS OF BEARING SHOWN HEREON.



Gregory O. Black 5/10/2007
 GREGORY O. BLACK L.S. 8195 EXP. 12/31/08 DATE

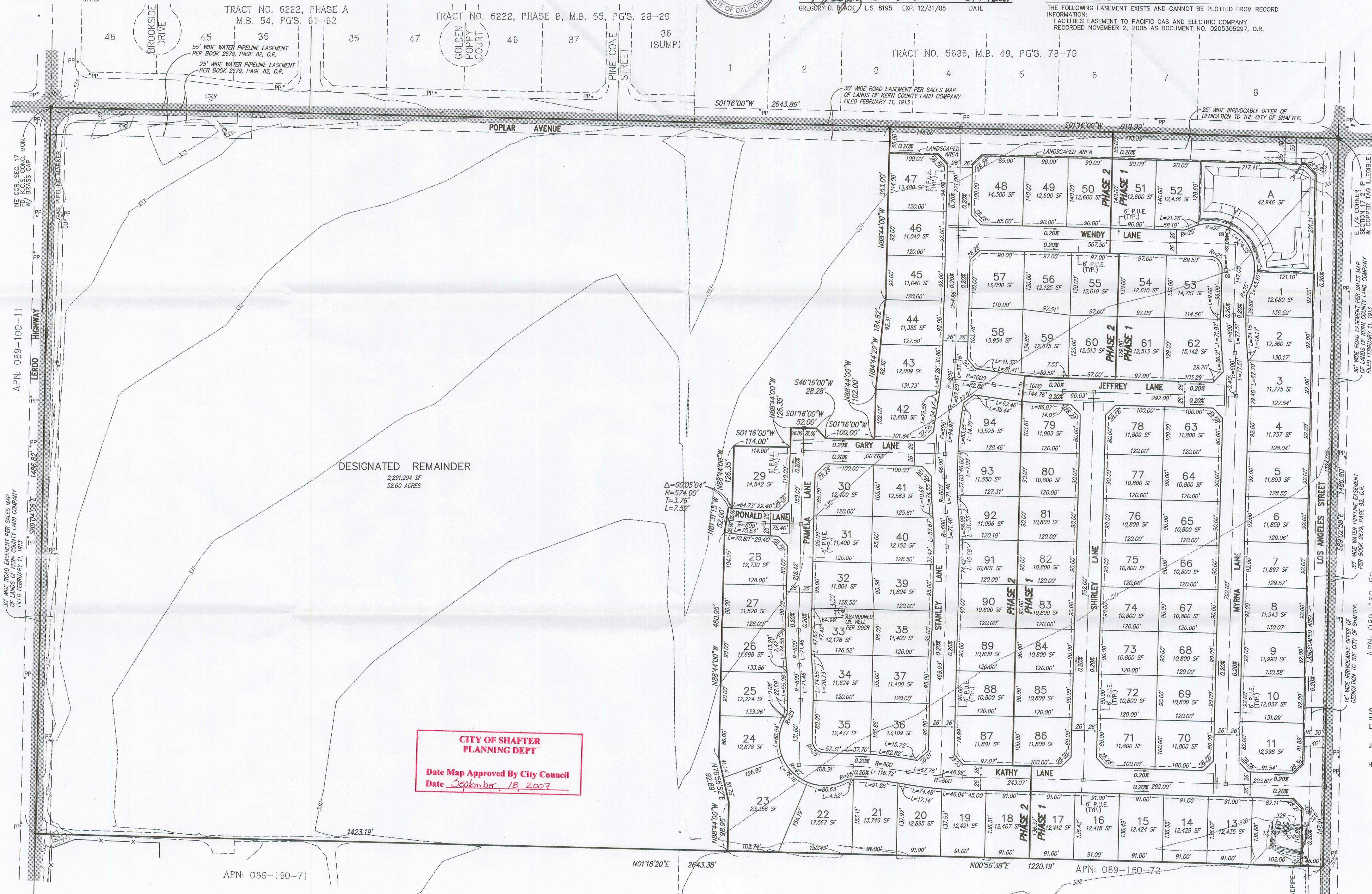
TENTATIVE TRACT NO. 7052

IN THE CITY OF SHAFTER
 CONSISTING OF ONE SHEET
 A PHASED DEVELOPMENT

BEING A DIVISION OF THE E. 1/2 OF THE E. 1/2 OF LOT 3, THE E. 1/2 OF THE E. 1/2 OF LOT 4, AND ALL OF LOTS 1, 2, 15 AND 16 OF SALES MAP OF LANDS OF KERN COUNTY LAND COMPANY IN SECTION 17, TOWNSHIP 25 SOUTH, RANGE 28 EAST MOUNT DIABLO BASE AND MERIDIAN FILED FEBRUARY 11, 1913 IN THE OFFICE OF THE KERN COUNTY RECORDER. ALSO BEING A DIVISION OF A PORTION OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 28 SOUTH, RANGE 25 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF SHAFTER, COUNTY OF KERN, STATE OF CALIFORNIA 90.18 ACRES 94 LOTS 1 DRAINAGE BASIN LOT 1 DESIGNATED REMAINDER

EASEMENT NOTE

THE FOLLOWING EASEMENT EXISTS AND CANNOT BE PLOTTED FROM RECORD INFORMATION:
 FACILITIES EASEMENT TO PACIFIC GAS AND ELECTRIC COMPANY
 RECORDED NOVEMBER 2, 2005 AS DOCUMENT NO. 0205305297, O.R.



PROPERTY OWNER

SHAFTER 88, LLC
 2045 MT. DIABLO STREET, SUITE 105
 CONCORD, CA. 94520

MINERAL RIGHTS OWNERS

ONE FOURTH INTEREST:
 LON V. SMITH
 542 SO. LORRAINE AVE.
 LOS ANGELES, CA. 90020
 THREE EIGHTHS INTEREST:
 ELIZABETH RUSSELL,
 VIRGINIA RUSSELL,
 BEVERLY RUSSELL,
 LAWRENCE RUSSELL,
 PRICE RUSSELL,
 169 14th STREET
 OAKLAND, CA. 94612
 REMAINING INTEREST
 STEPHEN D. MULDER
 AND VICTORIA R. MULDER,
 TRUSTEES OF THE
 STEPHEN V. MULDER
 AND VICTORIA R. MULDER
 FAMILY TRUST
 DATED NOVEMBER 19, 2001
 90 VILLAGE DRIVE
 BRENTWOOD, CA. 94513

SUBDIVIDER

SHAFTER 88, LLC
 2045 MT. DIABLO STREET, SUITE 105
 CONCORD, CA. 94520

SURVEYOR

GREGORY O. BLACK
 DEWALT CORPORATION
 1930 22ND STREET
 BAKERSFIELD, CA. 93301
 (661) 323-4600

EXISTING STREET NAMES

LOS ANGELES STREET
 SHAFTER AVENUE

PROPOSED STREET NAMES

GARY LANE
 JEFFREY LANE
 KATHY LANE
 MYRNA LANE
 PAMELA LANE
 RONALD LANE
 SHIRLEY LANE
 STANLEY LANE
 WENDY LANE

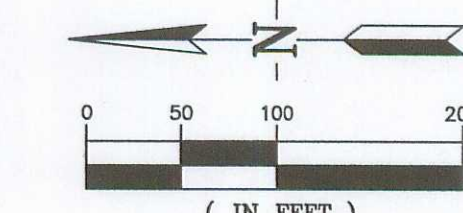
ALTERNATE STREET NAMES

DANIELLE
 ERIK
 ALBERT
 BENJAMIN
 DONALD
 INNA

APN: 089-160-52

SCHOOLS

ELEMENTARY: RICHLAND SCHOOL DISTRICT
 GOLDEN OAK ELEMENTARY SCHOOL
 JR. HIGH: RICHLAND SCHOOL DISTRICT
 RICHLAND JUNIOR HIGH SCHOOL
 HIGH SCHOOL: KERN HIGH SCHOOL DISTRICT
 SHAFTER HIGH SCHOOL



1 inch = 100 ft.

**CITY OF SHAFTER
 PLANNING DEPT**
 Date Map Approved By City Council
 Date September 18, 2007

SHafter 88, LLC
 TENTATIVE TRACT NO. 7052
 SHafter, CALIFORNIA

1930 22nd STREET BAKERSFIELD, CA. 93301
 PH. (661) 323-4600 FAX (661) 323-4674

DEWALT Corporation
 ENGINEERING • PLANNING • SURVEYING • LAND DEVELOPMENT • CONSTRUCTION MANAGEMENT

REVISIONS
 DATE

DATE	BY	REVISION
04/09/07	JWS	1
05-11-14	JWS	2

CHECKED BY: JWS
 APPROVED BY: JWS
 DATE: 04/09/07
 JOB NO.: 05-11-14
 ACAD FILE: 05114.TENT

SHEET

1

OF: 1

CITY OF SHAFTER
Planning Department
336 Pacific Avenue
Shafter, California 93263
(661) 746-5002

**TENTATIVE SUBDIVISION/PARCEL MAP EXTENSION OF TIME
APPLICATION FORM**

Tent. Map No. 7052 Application Fee \$ 500.00 Receipt No. _____ Date Received By Staff 9/3/24

To expedite processing of this Extension of Time Application, and to eliminate unnecessary delays to the applicant, Planning Staff will not accept this application unless all items have been completed and this application form has been signed and dated.

In the event errors or omissions are discovered, the application will be deemed incomplete and will be returned to the applicant for revision.

APPLICATION IS HEREBY MADE TO THE PLANNING DEPARTMENT THAT:

Property Owner (attach sheet if more than one property owner)

Name: HBAg Investments LLC Phone: (661) 832-2467 / 661-747-6041
Address: 12300 Panama Lane
City: Bakersfield State: CA Zip: 93311
E-mail address hbharve@aol.com

Applicant or Agent (attach sheet if more than one applicant)

Name: _____ Phone: () _____
Address: _____
City: _____ State: _____ Zip: _____
E-mail address _____

BE GRANTED AN EXTENSION OF TIME FOR:

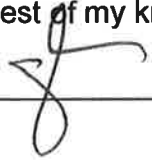
Tentative Subdivision/Parcel Map No: 7052

Reason(s) for and supporting the requested extension: Land is planted in almond trees. Please extend extension of tract 7052

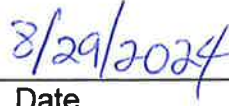
APPLICANT'S SIGNATURE AND DATE INDICATES COMPLETION OF THE APPLICATION.

I certify that I am the record owner or authorized agent and that the information filed is true and correct to the best of my knowledge.

Owner's Signature

A handwritten signature in black ink, appearing to be a stylized 'J' or 'L' with a loop.

Date

A handwritten date in blue ink, reading '8/29/2024'.

Applicant's or Agent's Signature

Date

RESOLUTION NO. 07-1946

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHAFTER
ADOPTING A NEGATIVE DECLARATION AND APPROVING TENTATIVE
TRACT NO. 7052, AS DEPICTED IN EXHIBIT "A"**

WHEREAS, Shafter 88, LLC, 2045 Mt. Diablo Street, Suite 105, Concord, California, filed an application requesting approval of Tentative Tract No. 7052 (TT 7052) on that certain property in the City of Shafter as shown in Exhibit "A"; and

WHEREAS, the Planning Commission did, on August 14, 2007, approve Resolution No. 07-1946; a resolution of the Planning Commission of the City of Shafter recommending that the City Council adopt the Negative Declaration and approve Tentative Tract No. 7052; and

WHEREAS, on August 21, 2007, the City Council continued the public hearing for the project to September 18, 2007, to consider verbal and written comments submitted for TT 7052; and

WHEREAS, the laws and regulations relating to the California Environmental Quality Act (CEQA) and the City of Shafter's CEQA Implementation Procedures, have been duly followed by city staff, Planning Commission, and City Council; and

WHEREAS, a Negative Declaration has been prepared for the above described project; and

WHEREAS, the facts presented in the staff report and evidence at the above referenced public hearing support the findings contained in this resolution; and

WHEREAS, a number of verbal and written comments were submitted to the City of Shafter for TT 7052; and

WHEREAS, the Negative Declaration was presented to the City Council, as the decision making body of the City of Shafter, and the City Council reviewed, evaluated, and considered the information contained in the Negative Declaration and all verbal and written comments submitted for the project; and

WHEREAS, the Negative Declaration for TT 7052 is an accurate and objective statement that has been completed in compliance with the California Public Resources Code, the State California Environmental Quality Act (CEQA) Guidelines, and the City of Shafter's Local CEQA Guidelines; and

WHEREAS, the Negative Declaration reflects the City Council's independent judgment and analysis regarding TT 7052's potential impact on the environment; and

WHEREAS, no potential significant impacts to the environment have been identified in the Negative Declaration and no evidence of such impacts have been provided in the verbal and written comments submitted to the City of Shafter for TT 7052; and

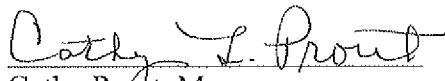
WHEREAS, at said public hearing held on September 18, 2007, the proposed tentative tract map submitted by Shafter 88, LLC, 2045 Mt. Diablo Street, Suite 105, Concord, California, was duly heard and considered and the City Council found as follows:

1. All required public notices have been given. Hearing notices regarding the proposed project were mailed to property owners within 300 feet of the project area and published in a local newspaper of general circulation at least 20 days prior to the hearing.
2. The City Council finds that the Negative Declaration was presented to the City Council, as the decision making body of the City of Shafter, and the City Council reviewed, evaluated, and considered the information contained in the Negative Declaration and all verbal and written comments submitted for TT 7052.
3. The City Council finds that the Negative Declaration for TT 7052 is an accurate and objective statement that has been completed in compliance with the California Public Resources Code, the State California Environmental Quality Act (CEQA) Guidelines, and the City of Shafter's Local CEQA Guidelines.
4. The City Council finds that the Negative Declaration reflects the City Council's independent judgment and analysis regarding TT 7052's potential impact on the environment.
5. The City Council finds that no potential significant impacts to the environment have been identified in the Negative Declaration and no evidence of such impacts have been provided in the verbal and written comments submitted to the City of Shafter for TT 7052.
6. The City Council finds the proposed subdivision is in substantial conformity with the Subdivision Map Act and with Title 16 (Subdivision Ordinance) of the Shafter Municipal Code. The proposed lots are in substantial conformance with the provisions of City Ordinances and all lots have adequate and proper access to public streets, sanitary sewer, water lines, fire hydrants, drainage structures and utilities.
7. The attached Conditions of Approval are deemed necessary for the safety and welfare of the community.
8. Urban services are available for the proposed development. The project is within an area to be served by all necessary utilities and waste disposal systems. Improvements proposed as part of the project will deliver utilities to the individual lots or parcels to be created.
9. The proposed subdivision (Tentative Tract No. 7052), together with the provisions for its design and improvement, is consistent with the General Plan. The proposed

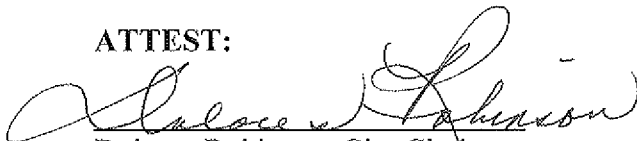
density and intensity of development are consistent with the VLR (Very Low Density Residential) land use designation for the property. Proposed road improvements are consistent with the Circulation Program. The overall design of the project, as conditioned, is consistent with the goals and policies of all elements of the General Plan.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Shafter, in a regular session assembled on the 18th day of September, 2007, hereby adopts the Negative Declaration for Tentative Tract Map No. 7052 and approves Tentative Tract Map No. 7052, as described above and shown in Exhibit "A", with conditions of approval as shown in Exhibit "B"

PASSED AND ADOPTED THIS 18th DAY OF SEPTEMBER, 2007.


Cathy Prout, Mayor

ATTEST:


Dolores Robinson, City Clerk

APPROVED AS TO FORM

Stephen P. Deitsch S/S
Stephen P. Deitsch, City Attorney

CERTIFICATE OF GOVERNING BODY'S ACTION

STATE OF CALIFORNIA)
) ss.
COUNTY OF KERN)

I, Dolores Robinson, City Clerk of the City of Shafter, California, DO HEREBY CERTIFY that the above and foregoing Resolution of the City Council of the City of Shafter was duly passed and adopted at a Regular Meeting held on the 18th day of September, 2007, by the following vote:

AYES:	Colvard, Florez, Johnston, Nelson and Prout
NOES:	None
ABSENT:	None
ABSTAINING:	None

DATED: September 24, 2007

(SEAL)


Dolores Robinson, City Clerk

TENTATIVE
TRACT NO. 7052

EASEMENT NOTE
THE FOLLOWING EASEMENT NOTE AND GRANT BE PLOTTED FROM RECORD INFORMATION:
FACILITIES EASEMENT TO PACIFIC GAS AND ELECTRIC COMPANY
RECORDED NOVEMBER 2, 2003 AS DOCUMENT NO. 2003040197 SAN

SHAFER, CALIFORNIA

[illegible]

SUGGIMPER
 3475 1/2 S.E.
 101st St. S.W. ST. JAMES, ALA 36080
 36080, ALA 36080

CURRENT STREET NAMES
LOS ANGELES STREET
DARTMOUTH AVENUE
PROPOSED STREET NAMES
DARTMOUTH AVENUE

ALTERNATE STREET NAMES
 1000
 1000
 1000
 1000
 1000

SCHOOLS	
ELEMENTARY	ROSLAND SCHOOL DISTRICT SANDY CAY ELEMENTARY SCHOOL
J. HIGHS	ROSLAND SCHOOL DISTRICT ROSLAND JUNIOR HIGH SCHOOL
HIGH SCHOOL	KEENE HIGH SCHOOL DISTRICT SHUTTLE HIGH SCHOOL



DEWALT
Corporation

[illegible]

SHEET
1
OF

Page 16 of 165

EXHIBIT "B"

CONDITIONS OF APPROVAL TENTATIVE TRACT NO. 7052

GENERAL

- 1 The project site shall be annexed to the City of Shafter prior to recordation of Tentative Tract No. 7052.
2. The owners(s) or project proponents (hereinafter referred to as "Developer"), at their sole cost and expense, shall defend, indemnify and hold harmless the City of Shafter (hereinafter referred to as "City"), its agents, legislative body, officers and employees in any legal or administrative action, claim or proceeding concerning approval of Tentative Tract 7052 (hereinafter referred to as "TT 7052") or at its election and in the alternative, shall relinquish such approval. Developer shall assume the defense of the City in any such legal or administrative action, claim or proceeding with legal counsel paid for in the entirety by Developer, but subject to the City's reasonable approvals. Developer shall also reimburse the City, its agents, legislative body, officers and employees for any judgments, amounts paid in settlements, court costs and attorneys' fees which the City, its agents, legislative body, officers and employees may be required to pay at court as a result of such action, claim, or proceeding. The City may, at its sole discretion, participate at its own expense in the defense of any such action, claim or proceeding, but such participation shall not relieve Developer of their obligations under this condition.
3. Developer, or the general contractor, shall submit a list of all contractors and/or subcontractors performing work on Tentative Tract 7052 to the City Administrative Services Department and such contractors and subcontractors shall obtain valid business licences to do business and/or work in the City.
4. Until all portions of Tentative Tract 7052 have been completed, all vacant and undeveloped land shall be maintained within the boundaries of Tentative Tract 7052 in a weed-free and clean and orderly manner by Developer. Should said property not be so maintained, the City shall notify property owner that the property is to be cleaned within thirty days of receipt of said notice. If property owner does not comply within the required time frame, City may then clear the land and bill property owner for the expenses incurred.
5. Tentative Tract 7052 shall expire twenty-four months from the date of approval by the City Council, unless an extension is granted by the City Council. Should an extension be requested, the applicant, not less than sixty days prior to the expiration date, shall submit to the City in writing, a request for an extension of that approval in accordance with the provisions of City Codes.

6. Developer shall pay all development fees and impact fees adopted by the City in effect at the time of issuance of any building permits.
7. Developers shall comply with the latest Uniform Building Code, Uniform Mechanical Code, Uniform Plumbing Code, National Electrical Code, Uniform Fire Code and all other applicable codes, ordinances, regulations, and development standards in effect at the time of issuance of relative permits.

PLANNING

8. Tentative Tract 7052 shall conform to the in-lieu park fee measures (Quimby Act) of the City of Shafter. Said fees shall be paid prior to recordation of the Final Map.
9. In lieu of the construction of alleys, Developer shall pay refuse capacity fee as required by Ordinance No. 351. Refuse capacity fee shall be due and payable prior to recordation of a Final Map.
10. Installation of all improvements for Tentative Tract 7052 shall be completed within one year from the date of filing of the Final Map unless an extension of time is granted by the City Council.
11. The Shafter-Wasco Irrigation District (SWID) has a turnout (4.1-12) on the subject site. Prior to recordation of Tract 7052, or any phase of Tract 7052 adjacent to said turnout pipes, developer must make a request to the SWID Board to remove the outlets at developers expense and in coordination with SWID time frames. Prior to commencing any work, developer should Contact Ron Sutton (Field Superintendent) with SWID to review construction requirements adjacent to and over SWID pipelines.
12. Prior to recordation of Tract Map 7052, the developer shall enter into a development agreement with the City of Shafter, in a form and substance reasonably approved and required by the City, which shall provide for a minimum square footage of residential units within the subdivision, and which shall provide for payment of park fees, traffic fees and other fees established by the City. In the event that the City has not adopted such fees in a timely manner such that the developer would have to make payment at the time of obtaining each building permit for development of the subdivision, then the developer and the City agree that park fees shall be a minimum of \$650 per lot and traffic fees shall be a minium of \$2,346 per lot, and that such fees represent the actual costs pertaining to park and recreation and traffic impacts proportional to and directly related to each lot. Such fees shall be paid regardless of whether the developer and the City enter into a development agreement. In addition, the developer shall cooperate with the City regarding the establishment and formation of a community facilities district for school purposes, and the developer shall require all successors in interest in and to the subdivision, and each portion thereof, to cooperate with the City in the establishment of such a district. For this purpose, the developer and its successors in interest shall not

object to participate in any protest regarding the formation of such a district, and shall affirmatively vote “yes” with respect to all real property within the subdivision for purposes of establishing such a district.

13. Prior to issuance of each building permit for houses within Tentative Tract 7052, Developer shall submit a site plan to the City Planning Department for review and approval. The site plan shall reference the floor plan layout and building elevations, including exterior building materials and colors, for each of the single-family residences to be constructed within Tentative Tract 7052. All architectural features of each single-family residence and all landscaping requirements set forth in Section 2.80, Chapter 2, Title 17 of the Shafter Municipal Code (Design Review) shall be adhered to. All roofs constructed within Tentative Tract 7052 shall be of concrete tile or Prestique I High Definition manufactured by ELK Corporation in Shafter, its equivalent, or better.
14. Developer shall submit landscaping and irrigation plans for review and approval by the City’s Project Assistance Team for the landscape area between the sidewalk and decorative wall along both South Poplar Avenue and West Los Angeles Avenue, prior to recordation of the Final Map, or first phase of the Final Map. Said landscape plans and irrigation plans shall include the following:
 - a. A six-foot-high solid masonry wall with split block faces, columns, or other design features to provide visual relief along the wall face, shall be subject to approval by the City’s Project Assistance Team. Said wall/fence shall be reduced in steps from six feet in height to forty inches in height within the 25-foot front-yard setback line.
 - b. Landscape irrigation plans shall include type, size, and location of the irrigation system, the location and design of all walls; and the size, type, and location of all plant materials.
15. All roof-mounted air conditioning equipment shall be located on the rear portion of the roof ridge line in such a manner as to be screened as much as practical from view from public streets.
16. With the exception of model houses, as provided in Section 3.080, Chapter 3, Title 16 (Subdivision Ordinance) of the Shafter Municipal Code, no building permit shall be issued by the City until Tract 7052 has been recorded pursuant to the requirements of Title 16 (Subdivision Ordinance) and Title 17 (Zoning Ordinance) of the Shafter Municipal Code.
17. The developer of Tract 7052 shall comply with all San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) requirements while grading and developing the site. It is the developers responsibility to contact the SJVUAPCD to determine which requirements/rules the developer must comply with.

18. Fiber to the Home Infrastructure. The City of Shafter intends to deploy a City-owned high-speed "Fiber to the Home" network. Prior to recordation of Tract 7052, or any phase of Tract 7052, the Developer shall provide in ground conduit and necessary appurtenances within the tract and within arterial and collector roads adjacent to Tract 7052, (or any phase of Tract 7052) in order to implement the City's Fiber to the Home infrastructure project.
19. The following disclosure shall be placed upon the final subdivision map and included on all deeds for property transfers within Tract 7052: "If your real property is near property used for agricultural operations and/or keeping of large hooved animals, you may be subject to inconveniences or discomforts arising from such operations on any 24 hour basis. Said discomforts may include, but not be limited to equipment noises, odors from manure or other chemicals, and dust or smoke. The City has determined that the use of real property for agricultural operations is a high priority and favored use to the City and Kern County and will not be considered a nuisance for those inconveniences or discomforts arising from agricultural operations, provided such operations are consistent with accepted customs, standards, and laws."
20. Prior to recordation of Tract 7052, the developer and Richland School District staff shall meet and develop a school bus stop plan to accommodate residents of Tract 7052.
21. Approved street names are: South Poplar Avenue, West Los Angeles Avenue, Jeffrey Lane, Kathy Lane, Myrna Lane, Shirley Lane, Gary Lane, and Pamela Lane. The remaining streets in the tract will need to be renamed from the following list of approved alternative street names: Benjamin Lane, Danielle Lane, Donald Lane, Erik Lane, or Jeffrey Lane.
22. Prior to construction, the developer shall locate and expose for inspection and leak testing by the California Department of Conservation/Division of Oil, Gas, and Geothermal Resources (DOGGR), the abandoned oil well identified as "Russell" 73-17. Written notice of compliance shall be provided to the City of Shafter prior to recordation of the final map.
23. The location of the abandoned well ("Russell" 73-17) shall be plotted on the final map with a 10-foot "no-build" radius identified.
24. Should any previously unknown or unrecorded oil well be uncovered or damaged during excavation or grading, the DOGGR shall be contacted for remediation information and approval.

BUILDING

25. Private drives constructed of Portland cement-concrete shall be constructed at a minimum width of 16 feet from the edge of public roadway pavement to the garage of each house.

26. Prior to permitting occupancy of any lot, building addresses shall be permanently installed and clearly visible from the street.

ENGINEERING: GENERAL

27. Developer shall remove and replace any existing public or private improvements that may become damaged during any phase of construction, as required by the City Engineer. The contractor working within the public right-of-way shall obtain an encroachment permit from the City Engineer prior to commencing any such work.
28. Developer shall relocate and/or install all necessary infrastructure to provide utilities to the proposed project.
29. A six (6) foot public utility easement shall be provided in the front of all lots and on the street side of all corner lots as requested by the utility companies and the City Engineer. Easements shall be granted with the final map.
30. Easements to be given to the City or any other public utility agency for, sewer, water, storm drain, electrical, or any other utility or similar purpose shall not cross private property without prior approval of the City Engineer.
31. Any above ground utility cabinets or facilities to be located within the road right-of-way or public utility easement shall be permitted only upon approval by the City Engineer. Such approval will be made in writing, upon written request of the applicant and/or the affected utility company.
32. Any obstructions including utilities, irrigation lines, etc., shall be removed and/or relocated, if necessary, at the expense of the applicant.
33. Any onsite water wells shall be abandoned per Kern County standards.
34. No final inspection shall be approved until all required improvements have been completed by the applicant and accepted by the City.
35. All new utilities shall be underground service.
36. During construction, vehicular access points shall be covered with decomposed granite, road oil, or some other treatment acceptable to the City Engineer, to prevent generation of dust during periods of vehicular activity and/or windy conditions and tracking of mud and dirt on public roadways.
37. Prior to issuance of a certificate of occupancy on any lot of the proposed tract, all required improvements shall be completed and accepted by the City Council. Additional improvement outside the affected project boundary may be required for orderly development as determined by the City Engineer.

38. All improvements shall be complete within one (1) year from the date of filing of the final map for the development, unless a time extension is granted by the City Engineer.
39. Type and location of centralized mail delivery units shall be determined by the postal service. If the postal service requires special easements for the placement of the delivery units, then said easements shall be shown on the final map.

ENGINEERING: GRADING & DRAINAGE

40. Prior to review of any required improvement plans, both a drainage/hydrology study and a master grading plan for all tract phases shall be submitted to and approved by the City Engineer.
41. The drainage/hydrology study and hydraulic analysis for the project shall be performed by a registered civil engineer and submitted to the City Engineer for review and approval. The study shall demonstrate that any potential run-off will not impact surrounding properties. The study shall focus on the project property and any affected adjacent properties.
42. The grading plan for the project shall be performed by a registered civil engineer and submitted to the City Engineer for review and approval. All grading shall conform to the California Building Code, latest edition, approved by the City and City adopted standards and specifications. Storm drainage protection and disposal of water into and from the affected property shall be by method approved by the City Engineer.
43. A soils report, prepared by a registered civil engineer shall be submitted along with the grading plan. Soils report shall be performed in compliance with California Building Code, Chapter 18, latest edition. In addition, all site grading, earthwork, & building design shall be performed in accordance with the recommendations of the soils report.
44. A grading permit shall be obtained from the City prior to commencement of any grading activity.
45. Prior to issuance of a building permit, the developer shall file a "Rough Grade Certificate" with the City in accordance with the City Engineering and Design Standards. Rough Grade Certificate shall be accompanied by certified soil compaction test data from an acceptable materials testing company and a certification that the rough graded in substantial conformance with the approved grading plan and Chapter 33 of the California Building Code. Developer to obtain Rough Grade Certificate form from the City.
46. Prior to final approval, acceptance of work, or issuance of certificate of occupancy, the applicant's engineer shall file a "Final Grade Certificate" stating that all required grading has been done in accordance with the approved grading plan. Developer to obtain Final Grade Certificate form from the City.

47. The location and frequency of soils compaction testing shall be per the City Engineer. Soils compaction testing shall be provided by the developer/owner.
48. Minimum slopes across any flat surface shall be 1%. For slopes less than 1%, surface drainage shall be channeled into a concrete v-gutter, curb and gutter, underground storm drain, or similar drainage structure.
49. All building pads shall provide a minimum of 2% slope away from each house to an earthen swale, and a minimum of 1% from the highest point in the swale to the street. The minimum pad height shall be twelve (12) inches above the adjacent curb.
50. Street side corner lots shall not have their side yard slope (finish grade to back of sidewalk) exceed 4 horizontal:1 vertical. If maximum slope is exceeded, side yard shall be retained in an approved manner.
51. Wood retaining structures shall not be approved. Developer shall use masonry, concrete, or other approved material.
52. Drainage Basin:
 - a. **Perimeter screening:** The area used for the drainage sump shall be fenced and screened in a manner approved by the City Engineer. The fence is to enclose the entire sump. Masonry wall (or equivalent) conforming to City standards shall be built for all portions of the perimeter fence viewable from the street or adjacent lots.
 - b. **Access Point:** Public works entrance to the drainage sump shall be from an internal local street. Access shall be provided by a residential drive approach and a 16 foot wide gate. Gate construction shall be decorative in nature, shall provide a secure entrance to the basin, and shall prevent visibility of the basin. Gate shall be constructed of steel, or other approved material. Wood or chain link gates shall not be acceptable. Construction, style, and finish are subject to city approval.
 - c. **Easements:** Easements for access and/or storm drains shall be provided on the final map or by separate instrument as approved by the City Engineer.
 - d. **Landscaping:** A landscaping plan, including design of a permanent irrigation system, shall be submitted to and approved by the City Engineer. Said approved landscape and irrigation plan shall be implemented prior to issuance of any building permit for the development.
 - 1) All landscaping is subject to the requirements for landscaping contained herein these conditions and with City Standards.

- 2) Landscaping shall include irrigation pipes, timers, and individual services for electrical and water.
 - (a) Exception: When possible, irrigation pipes shall be extended from the dedicated landscaping areas along arterials, collectors, or other public landscaping, proposed or existing, in lieu of obtaining additional services for water or electrical.
- e. **Landscaping Area:** A minimum setback of eight (8) feet shall be provided between the back of sidewalk of a local road and the back of the perimeter screening wall discussed in (a) above. The minimum depth for landscaping along arterials and collectors shall be governed by the City standards for arterials and collectors.
 - 1) Exception: At the option of the City Engineer, the area between the right of way line and the setback line for the lots containing the sump shall be dedicated to the adjacent lots, and the landscaping usually required for the sump lot shall belong to the lots adjacent to the sump.
 - 2) Exception: The minimum setback shall be increased if the perimeter screening creates a line of site issue for street intersections or residential driveways.
53. The number and location of street based siphons and cross gutters allowed, if any, will be determined during the grading and drainage review process. The minimum grade for allowed cross gutters shall be 0.6%.
54. Grading onto adjacent property shall not be done without written permission from the adjacent property owner.
55. The Office of the City Engineer shall be notified 24 hours in advance of the placement of any fill material.
56. Fill and/or import material shall be subject to the approval of the soils engineer.
57. Contractor is responsible for the grading of lot pad areas to within 0.1' of the design elevations.
58. All areas in the site on which structures are to be placed must be compacted to 90% relative density, for a minimum distance of 5' in all directions from the foundations of the structure.
59. All fill material shall be moisture conditioned to at least 2% above optimum moisture and compacted to 90% relative density, as determined by test methods referenced in

California Building Code. appendix Chapter 33, Section 3305, and so certified by tests and report from the soils engineer.

60. The design engineer shall exercise sufficient supervisory control during grading operations to insure compliance with the plans, specifications, and code within his purview.
61. The placement of fill shall be in 6" maximum lifts, compacted with heavy compaction equipment approved by the City Engineer, unless specifically recommended otherwise in the preliminary soils report.
62. Compaction in proposed pavement areas should be the same as for the building pads, and should extend to a minimum distance of 2' beyond the outside edges of pavements.
63. All cut and fill slopes shall not be steeper than 2 horizontal to 1 vertical.
64. All fill areas to be cleared of all vegetation and other unsuitable material for a structural fill and the areas shall be scarified to a depth of 6", unless specifically noted otherwise in the preliminary soils report.
65. All slopes in excess of three feet shall be prepared and maintained to control against erosion.
66. Grading work shall be supervised as engineered grading in accordance with Chapter 33 of the California Building Code.
67. During grading, reasonable searching should be performed for concealed subsurface obstructions. All abandoned subsurface obstructions should be removed. If the terminus of any abandoned piping is outside the project limits, the piping should be removed within the project and properly capped at the project boundary.
68. Dust Control: It shall be the developer's responsibility to prevent a dust nuisance originating from the site of work as a result of his operations during the effective period of this contract. Preventative measures to be taken by the contractor shall include but not be limited to the following;
 - a. Water shall be applied to all unpaved areas as required to prevent the surfaces from becoming dry enough to permit dust formation.
 - b. Paved surfaces over which vehicular traffic is permitted to travel shall be kept free of dirt.

ENGINEERING: WATER/FIRE

69. Developer shall install a water system for the development together with such equipment, pipeline, and facilities, including individual water services, as may be necessary to ensure the development has a minimum supply of water for the purposes of the development including fire protection. Developer shall submit water improvement plans to the City Engineer for review and approval. Developer shall construct public water systems in accordance with Subdivision and Engineering Design Manual for the subject property.
70. Fire protection shall be provided per Kern County Fire Department Standards for the type of development. A Certificate of Approval shall be obtained by the applicant from the Kern County Fire Department. Evidence of this certificate of approval shall be provided to the City prior to acceptance of the water system by the City.
71. The City Engineer shall recommend hydrant type and location if required.
72. Water line size, location, and materials shall be subject to the approval of the City Engineer. Minimum water line size shall be in accordance with the Subdivision and Engineering Design Manual.
73. Tie-ins to existing water mains shall be constructed in a manner approved by the City Engineer.
74. Whenever possible, the water system shall be looped to minimize dead ends. For cul-de-sacs greater than 330 feet in length, the water main shall be looped through the side lot lines, of the lots near the end of the cul-de-sac, back to adjacent streets, as directed by the City Engineer. Easements shall be provided to the City in a manner consistent with the Subdivision and Engineering Design Manual.
75. Separate water services shall be installed for each residential property.
76. No permanent structures shall be constructed over proposed or existing utility easements.
77. Prior to the issuance of a building permit, water mains and fire hydrants to be installed by applicant shall be completed, tested, and accepted (UFC 10.502,10.503).
78. Developer shall install a new waterline in Los Angeles Avenue parallel to an existing 6" PVC waterline. Developer shall be allowed to tie into the existing 6" diameter water main in Los Angeles Avenue at the western tract boundary only, creating a loop for the existing 6" waterline. Developer shall branch off the new waterline for the development and not use the existing 6" line for any services.

ENGINEERING: SEWER

79. Developer shall install a sewer system for the development together with such materials, pipeline, manholes, and individual services for the purposes of the development. Developer shall submit sewer improvement plans to the City Engineer for review and approval. Developer shall construct public sewer systems in accordance with Subdivision and Engineering Design Manual for the subject property.
80. No properties shall be served by a septic system.
81. Sewer line size, location, slope, and materials shall be subject to the approval of the City Engineer. Minimum sewer line size, location, slope, and materials shall also be in accordance with the Subdivision Engineering Design Manual.
82. Tie-ins to existing sewer mains, manholes, or other structure shall be constructed as directed by the City Engineer.
83. Separate sewer services shall be installed for each property. At no time shall sewer be joint trench with water.
84. The separation of sewer and water mains shall be governed by City standards. If City standards cannot be achieved, Developers' attention is directed to Guidance Memo No. 2003-02: Guidance Criteria for the Separation of Water Mains and Non-Potable Pipelines published by the California Department of Health Services. The recommendations contained within shall govern the construction of adjacent sewer and water. A copy is available from the City Engineer.
85. Sewer lines will not be permitted in easements between the back yards or side yards of single or multi-family lots.
86. No permanent structures shall be constructed over proposed or existing utility easements.
87. Lift station design, location, and construction shall be subject to the approval of the City. Developer shall specify ROMTEC or equivalent pre-manufactured lift station with specifications subject to City approval.
88. Developer shall be responsible for obtaining electrical service for the lift station with sufficient service and panel sizing to accommodate the full capacity and final usage of the lift station.
89. Developer agrees to enter into reimbursement agreements with the City for the oversizing of any sewer line, lift station, force main, or other infrastructure that will enable adjacent properties to develop and utilize the improvements.

ENGINEERING: STREET & TRAFFIC

90. Developer shall construct and provide right-of-way for all streets, curb, gutter, cross gutter, drainage facilities, sidewalks, street lights, drive approaches, intersections, and other related improvements for the purposes of the development. Developer shall submit street improvement plans prepared by a registered civil engineer to the City Engineer for review and approval and shall include:
 - a. preliminary soils report - including R values taken from proposed road locations and infiltration tests taken from any proposed basin site(s);
 - 1) At least two (2) R-value tests will be taken for Poplar Avenue, two (2) R-value tests will be taken for Los Angeles Avenue, and six (6) for local interior streets dedicated for the development.
 - b. preliminary engineer's estimate of construction costs; and
 - c. plan check and inspection fees.
91. The drawings shall include all proposed public street pavement, curb, gutter, driveways, streetlights, cross gutter, catch basins, striping, signage, traffic signals, and sidewalks along the perimeter of all streets adjacent to or within the project site. Said improvement shall be constructed as per the street improvement plans approved by the City Engineer in a manner consistent with the Subdivision and Engineering Design Manual.
92. Street Sections:
 - a. Pavement structural section calculations shall be performed to verify the proposed structural sections and shall be submitted to and approved by the City Engineer with street plans. Calculations shall use the results of the R-value tests from the soils report.
 - b. The minimum allowable structural section for Poplar Avenue shall be 0.38 feet of Asphalt Concrete (3/4" AR-4000) over 0.67 feet of Class II Aggregate Base over 1.0 feet native material moistened and compacted to city standards. Traffic Index = 8.0. Assumed base soil R-Value of 45.
 - c. The minimum allowable structural section for Los Angeles Avenue shall be 0.25 feet of Asphalt Concrete (3/4" AR-4000) over 0.50 feet of Class II Aggregate Base over 1.0 feet native material moistened and compacted to city standards. Traffic Index = 6.0. Assumed base soil R-Value of 45.
 - d. The minimum allowable structural section for all local interior streets shall be 0.17 feet of Asphalt Concrete (1/2" AR-4000) over 0.33 feet of Class II

Aggregate Base over 1.0 feet native material moistened and compacted to city standards. Traffic Index = 4.0

- e. Minimum cross slope shall be 1.5% constructed. A minimum of 2% cross slope shall be designed and shown on plans.

93. Street Dimensions:

- a. Poplar Avenue shall be developed as a arterial, half width, along the entire property line of the subject property, in accordance with standards and specifications of the City as approved by the City Engineer. Poplar Avenue shall be fifty-five (55) feet half right of way with forty-one (41) feet centerline to flowline
 - 1) The existing oil sand paving surface shall be demolished in its entirety, and sufficient grading performed to bring the centerline profile of Poplar Avenue to an acceptable grade.
 - 2) Provisions shall be made for both the design and construction of Poplar Avenue for a future fourteen (14) foot wide landscaped median centered on Poplar Avenue. As such, the east edge of pavement shall be seven (7) feet west of the centerline of Poplar Avenue.
 - 3) Existing drive approaches to homes on the east side of Poplar shall be retained through construction. If necessary, Developer shall extend the drive approaches to the future east edge of paving for Poplar Avenue.
 - 4) Developer shall transition Poplar Avenue to the existing road to the north in a manner acceptable to the City Engineer.
 - 5) Developer shall transition to the intersection with Los Angeles in a manner acceptable to the City Engineer.
- b. Los Angeles Avenue shall be developed as a Major Collector along the entire property line of the subject property, in accordance with standards and specifications of the City as approved by the City Engineer. Developer shall be responsible for developing the north half of Los Angeles Avenue as follows:
 - 1) Los Angeles Avenue shall be forty-six (46) feet half right of way with thirty-four (34) feet centerline to flowline.
 - 2) Portions of the existing cold mix/oil sand road shall be demolished and Los Angeles Avenue shall be reconstructed to its centerline. Demolition and construction beyond the centerline of Los Angeles may be necessary if existing road profile will not accommodate new construction.

- 3) Developer shall pothole existing 6" PVC C-900 waterline in Los Angeles to ensure there will be adequate depth after road construction is complete.
- c. All local streets shall be developed as full width streets in accordance with standards and specifications of the City as approved by the City Engineer. All local streets shall be fifty-two (52) feet full right of way with forty (40) feet flowline to flowline.
94. Should a street transition to another street with a ninety (90) degree turn occur, that transition shall be a street knuckle and shall be shown on the final tract map and in the street improvement plans.
95. Cul-de-sac and street knuckle dimensions and radii to conform to the Subdivision Engineering Design Manual and/or the City Engineer. The use of offset cul-de-sacs is approved provided they meet the requirements of the City.
96. The following streets shall be striped in accordance with the City Engineer and Caltrans Traffic Manual, latest edition. Proposed striping shall be shown on street plans.
 - a. Poplar Avenue
 - b. Los Angeles Avenue
97. Street signs shall be installed per City standards as required by the City Engineer.
98. All utilities proposed under paving shall be installed prior to paving. Cover over utilities shall be a depth as approved by the City Engineer.
99. During construction, the applicant shall maintain the project, including adjacent streets in a dust free condition. This condition applies at all times including weekends, evenings and night time hours. During construction operations, cleanup of soil from the public roadways shall be required, if deemed necessary, by the City Engineer.
100. Driveway approaches shall be constructed in a manner consistent with the requirements for residential approaches as set forth in the City's Subdivision and Engineering Design Manual.
101. Sidewalk, including curb, shall be five (5) feet wide and shall be placed behind the curb on all streets. Transitions at intersections and wheelchair ramps shall be provided and installed per City's Subdivision and Engineering Design Manual.
102. Monument and monument covers shall be set per City Standards.
103. Temporary turnarounds, if required, including right of way, shall be granted, designed, and installed per the Subdivision and Engineering Design Manual.

104. Property line locations shall be marked with a chiseled line on the top of curb for all property lines. The location of all sewer laterals shall be indicated on the top of curb with a stamped "S".
105. Street lighting shall be installed in accordance with the City Engineering & Subdivision Design Manual as directed by the City Engineer. Developer shall coordinate with Pacific Gas & Electric to ensure that the street lights are established under the LS-2B rate schedule.
106. Secondary access easements shall be provided at the request of the City Engineer. Within any given phase of development, secondary access easements and improvements shall be provided in a manner approved by the City Engineer. Access roads shall be twelve (12) feet in width and shall consist of three (3) inches of class II aggregate base over six (6) inches of native material compacted to 90% relative maximum density.
107. A waiver of direct access shall be dedicated and shown on the final map as follows:
 - a. Along the east property lines of lots 47 thru 52, and the lot to be dedicated for the sump.
 - b. Along the south property lines of lots 1 thru 12, and, and the lot to be dedicated for the sump.
108. Blue Botts' dots shall be placed at the center of the street for each fire hydrant.
109. A City benchmark shall be established in the top of curb at either the BCR or the ECR on the northwest corner of Los Angeles and Poplar. Location shall be established with an "X" chiseled or stamped in the top of curb. Developer shall have a California State Licenced Surveyor establish the benchmark elevation and submit calculations to the City for review and approval.

ENGINEERING: LANDSCAPING

110. All landscaping plans including plants, irrigation equipment, points of connection to water lines, electrical services for timers, lighting, etc. shall be approved by the City Engineer prior to construction.
111. A masonry wall, or approved alternative, is to be installed:
 - a. Along the east property lines of lots 47 thru 52, and the lot to be dedicated for the sump.
 - b. Along the south property lines of lots 1 thru 12, and , and the lot to be dedicated for the sump.

- c. Along portions of the proposed sump perimeter as described previously.
- 112. Wall plans, materials, dimensions to be approved by City prior to construction.
- 113. Landscaping plans including irrigation timers, piping, sprinklers, fittings, plants, trees, turf shall be approved by the City.
- 114. Landscaping water service point of connection shall be approved by the City Engineer. Sleeves shall be placed under the proposed paving for landscaping piping per the City Engineer.
- 115. Landscaping plumbing and electrical shall be designed for all phases of the tract.
- 116. Developer shall place the entire subdivision within a new or pre-existing Landscape/Lighting Maintenance District, prior to acceptance of improvements by the City.
 - a. The maintenance district shall be set-up to cover the cost of street lighting, drainage basin maintenance, and landscaping maintenance, as well as all administrative costs associated with the City's management of the district.
 - b. The Developer shall be required to cover the cost of street lighting, maintain all landscaping, including the replacement of any trees or shrubs that do not survive, within public right-of-way and landscape easements for a period of six (6) months after final inspection of the landscape improvements, or until such time as the maintenance district is formed, whichever shall occur last.
 - c. Developer shall be fully responsible for the formation, and formation cost of the Landscape/Lighting Maintenance District, as directed by the City Engineer.
 - d. Developer shall be fully responsible for paying the cost of water for all landscaping and electricity for the street lights until such time as the maintenance district is formed.

RESOLUTION NO. 24-447

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER RECOMMENDING THE CITY COUNCIL APPROVE A TWO (2) YEAR EXTENSION OF TIME FOR TENTATIVE TRACT MAP NO. 7052 LOCATED ON THE WEST SIDE OF POPLAR AVENUE BETWEEN LERDO HIGHWAY AND W. LOS ANGELES AVENUE, WITHIN THE CITY OF SHAFTER

WHEREAS, on September 03, 2024, HB Ag Investments, LLC, the property owner, requested approval of an extension of time to record a final map on that certain property in the City of Shafter as shown on attached Exhibit “A”, citing their existing agricultural operations as the justification for extending the map. The extension of time request was submitted prior to the expiration of the map and is being considered within the 60-day time period allowed by the Subdivision Map Act; and

WHEREAS, Tentative Tract Map 7052, proposing to subdivide an approximate 90.18 acres into 94 single-family residential lots ranging in size from 10,800 square feet to 23,356 square feet, a sump lot, and a 52.6-acre designated remainder, was approved by the City Council on September 18, 2007; and

WHEREAS, the City of Shafter adopted a Negative Declaration for Tentative Tract No. 7052 on September 18, 2007 (Resolution No. 07-1946), therefore no additional CEQA analysis or documentation is required for the extension of time; and

WHEREAS, Tentative Tract Map No. 7052 was approved with a condition requiring the final map to be recorded within two years; and

WHEREAS, on July 15, 2008, the state legislature amended the Subdivision Map Act to provide an additional twelve (12) month extension of time for all approved subdivision maps scheduled to expire before January 1, 2011; and

WHEREAS, on July 15, 2009, the state legislature amended the Subdivision Map Act to provide an additional twenty-four (24) month extension of time for all approved subdivision maps scheduled to expire before January 1, 2012; and

WHEREAS, on July 15, 2011, the state legislature amended the Subdivision Map Act to provide an additional twenty-four (24) month extension of time for all approved subdivision maps scheduled to expire before January 1, 2014; and

WHEREAS, on July 11, 2013, the state legislature amended the Subdivision Map Act to provide an additional twenty-four (24) month extension of time for all approved subdivision maps approved on or after January 1, 2000 and that have not expired on July 11, 2013; and

WHEREAS, on October 10, 2015, the state legislature amended the Subdivision Map Act to provide an additional twenty-four (24) month extension of time for all approved subdivision maps approved between January 1, 2002 and July 11, 2013; and

WHEREAS, on August 14, 2018, the City Council approved Resolution No 18-336 a

EXHIBIT 5

resolution of the City Council of the City of Shafter approving a two (2) year discretionary extension of time; and

WHEREAS, on September 27, 2018, the state legislature amended the Subdivision Map Act to provide an additional twenty-four (24) month extension of time for all tentatively approved subdivision maps approved on or after January 1, 2006, and not later than July 11, 2013; and

WHEREAS, on June 7, 2022, the City Council approved Resolution No. 2865, a resolution of the City Council of the City of Shafter approving a two (2) year legislative extension of time in accordance with Government Code Section 66452.26 for Tentative Tract No. 7052, thereby extending the recordation date of the map to September 18, 2024; and

WHEREAS, Title 16, Section 4.080.B of the City Municipal Code (Subdivision Ordinance) and Government Code §66452.6(e) allow the City Council to approve extensions of time for approved, or conditionally approved, tentative subdivision maps if the request is received prior to the expiration date of the map; and

WHEREAS, the City of Shafter has historically approved subdivision map extensions of time in two-year intervals; and

WHEREAS, at said Planning Commission meeting held October 8, 2024, the proposed extension of time for Tentative Tract Map No. 7052 was duly presented and considered and the Planning Commission determined that Tentative Tract Map No. 7052 is eligible to receive a two-year extension of time for recordation of the final map.

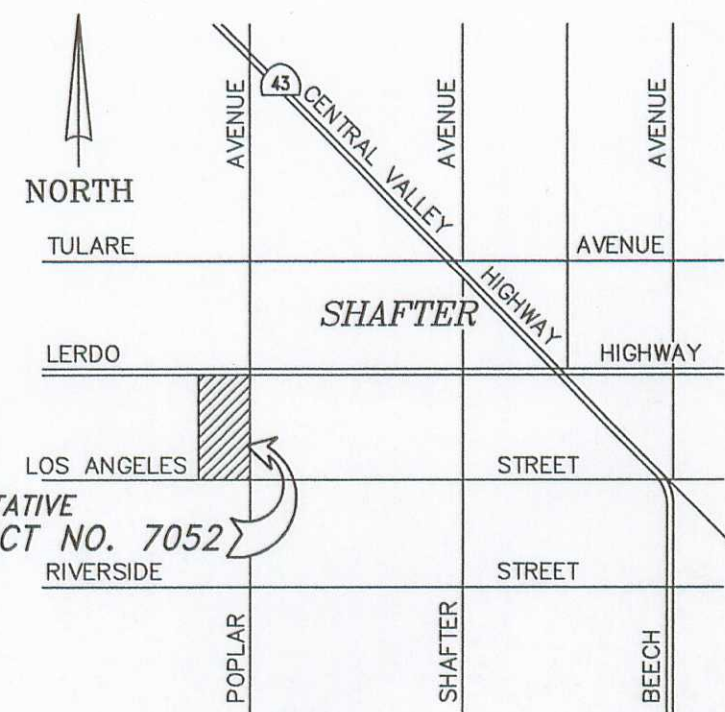
NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Shafter, in a regular session assembled on the 8th day of October, 2024, recommends that the City Council approve a two-year extension of time for Tentative Tract Map No. 7052 (Exhibit “A”) located on west side of Poplar Avenue between Lerdo Highway and W. Los Angeles Avenue, subject to the conditions approved by the City Council on September 18, 2007 (Resolution No. 07-1946), to expire on September 18, 2026.

PASSED AND ADOPTED THIS 8th DAY OF OCTOBER, 2024.

John Sanchez, Chairman

ATTEST

Vanessa Uribe, Deputy City Clerk



VICINITY MAP

- LEGEND**
- O.R. - OFFICIAL RECORDS
 - K.C.S. - KERN COUNTY SURVEYOR
 - M.B. - MAP BOOK
 - PM. BK. - PARCEL MAP BOOK
 - PG. - PAGE
 - - EXISTING MONUMENT AS DESCRIBED
 - - - EXISTING PAVEMENT
 - - - EXISTING FENCE
 - PP - EXISTING OVERHEAD UTILITY POLE LINE
 - - - EXISTING SEWER PIPELINE
 - - - PROPOSED DRAINAGE FLOW
 - - - PROPOSED CROSS GUTTER
 - - PROPOSED CATCH BASIN
 - - - PROPOSED STORM DRAIN
 - - - PROPOSED 6-FT MASONRY SCREEN WALL

GENERAL NOTES

TOTAL GROSS AREA: 90.18 ACRES
 PHASE 1: 19.52 ACRES
 PHASE 2: 18.06 ACRES
 DESIGNATED REMAINDER: 52.60 ACRES

NUMBER OF LOTS:
 PHASE 1 (2.41 DWELLING UNITS PER ACRE)
 47 RESIDENTIAL LOTS
 1 SUMP LOT
 PHASE 2 (2.60 DWELLING UNITS PER ACRE)
 47 RESIDENTIAL LOTS
 TOTAL: (2.50 DWELLING UNITS PER ACRE)
 94 RESIDENTIAL LOTS
 1 SUMP LOT

MINIMUM LOT SIZE: 10,800 SF.
 ASSESSORS PARCEL NO. 089-160-18
 EXISTING ZONE: E (ESTATE)
 EXISTING USE: AGRICULTURE
 PROPOSED USE: SINGLE FAMILY RESIDENTIAL
 GENERAL PLAN DESIGNATION: VLR (3.5 DU/ACRE)
 PROPOSED LOT DENSITY: 2.52 UNITS UNITS PER ACRE
 WATER: CITY OF SHAFTER
 ELECTRIC: P.G. & E.
 GAS: THE GAS COMPANY
 PHONE: SBC TELEPHONE
 CABLE: BRIGHTHOUSE NETWORKS
 FIRE: KERN COUNTY FIRE DEPARTMENT
 CONTOURS: 1.00' INTERVAL

NOTES

THE BLUE BORDER INDICATES THE BOUNDARY OF LAND TO BE SUBDIVIDED BY THIS MAP.
 ALL DISTANCES AND DIMENSIONS SHOWN ARE IN FEET AND DECIMALS THEREOF.
 ALL LOT AREAS SHOWN ARE NET AREAS UNLESS OTHERWISE NOTED.
 ALL STREET GRADES WILL BE IN ACCORDANCE WITH THE CITY OF SHAFTER DEVELOPMENT STANDARDS.
 THIS MAP WILL BE RECORDED IN PHASES.
 THERE IS AN ABANDONED OIL WELL SHOWN ON LOT 33.
 NO BUILDING IS ALLOWED WITHIN 10 FEET OF THE ABANDONED OIL WELL.

BASIS OF BEARINGS

THE BEARING OF N89°04'06"W, FOR THE NORTH LINE OF SECTION 17, TOWNSHIP 28 SOUTH, RANGE 25 EAST PER SURVEY INVESTIGATION AND PERPETUATION MAP, MAP NO. 7-1, BOOK 7, PAGE 73 DATED JULY - DECEMBER 1978 IN THE OFFICE OF THE KERN COUNTY SURVEYOR WAS TAKEN AS THE BASIS OF BEARING SHOWN HEREON.



Gregory O. Black 5/10/2007
 GREGORY O. BLACK L.S. 8195 EXP. 12/31/08 DATE

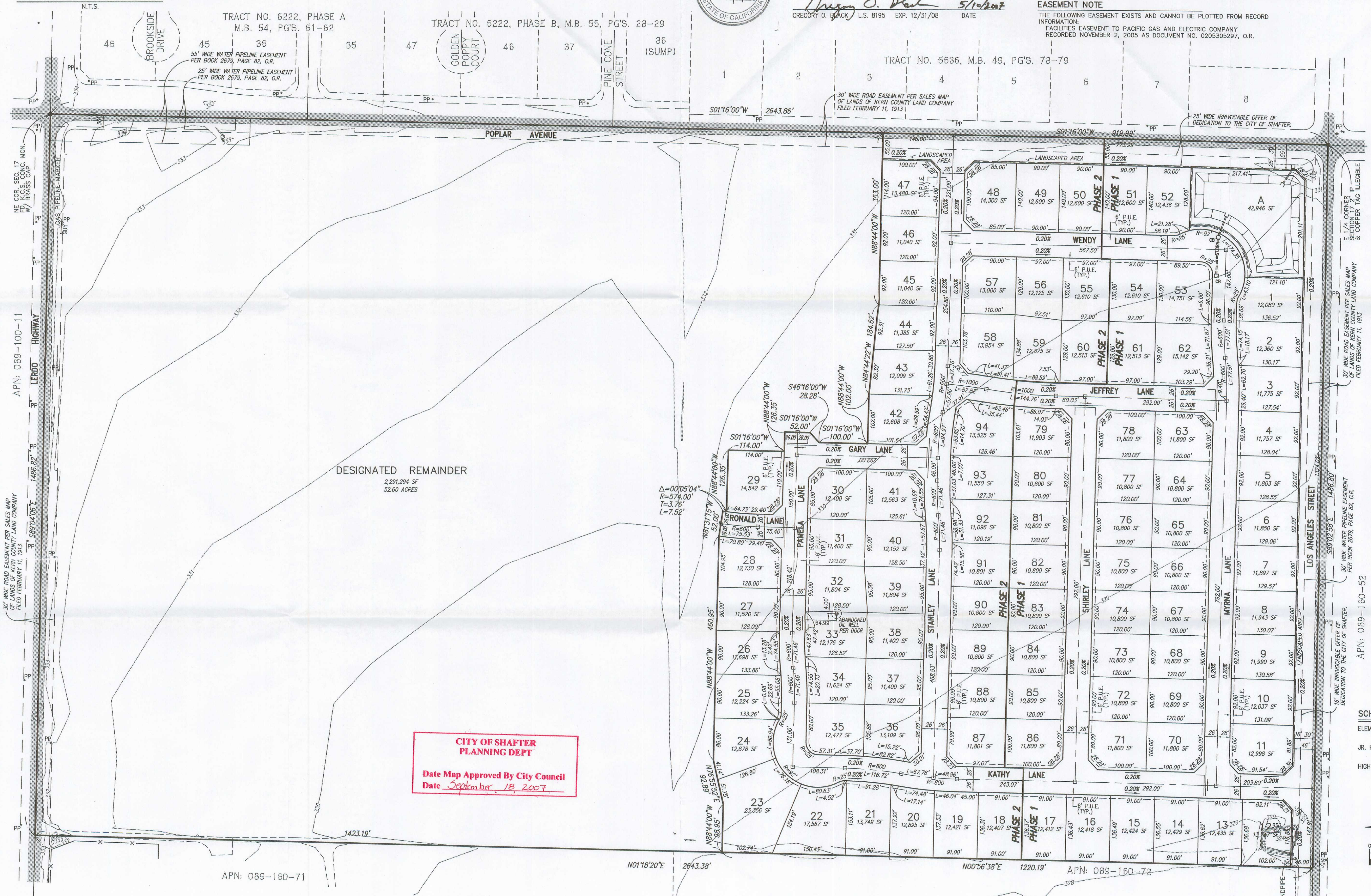
TENTATIVE TRACT NO. 7052

IN THE CITY OF SHAFTER
 CONSISTING OF ONE SHEET
 A PHASED DEVELOPMENT

BEING A DIVISION OF THE E. 1/2 OF THE E. 1/2 OF LOT 3, THE E. 1/2 OF THE E. 1/2 OF LOT 4, AND ALL OF LOTS 1, 2, 15 AND 16 OF SALES MAP OF LANDS OF KERN COUNTY LAND COMPANY IN SECTION 17, TOWNSHIP 25 SOUTH, RANGE 28 EAST MOUNT DIABLO BASE AND MERIDIAN FILED FEBRUARY 11, 1913 IN THE OFFICE OF THE KERN COUNTY RECORDER. ALSO BEING A DIVISION OF A PORTION OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 28 SOUTH, RANGE 25 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF SHAFTER, COUNTY OF KERN, STATE OF CALIFORNIA 90.18 ACRES 94 LOTS 1 DRAINAGE BASIN LOT 1 DESIGNATED REMAINDER

EASEMENT NOTE

THE FOLLOWING EASEMENT EXISTS AND CANNOT BE PLOTTED FROM RECORD INFORMATION:
 FACILITIES EASEMENT TO PACIFIC GAS AND ELECTRIC COMPANY
 RECORDED NOVEMBER 2, 2005 AS DOCUMENT NO. 0205305297, O.R.



PROPERTY OWNER

SHAFTER 88, LLC
 2045 MT. DIABLO STREET, SUITE 105
 CONCORD, CA. 94520

MINERAL RIGHTS OWNERS

ONE FOURTH INTEREST:
 LON V. SMITH
 542 SO. LORRAINE AVE.
 LOS ANGELES, CA. 90020

THREE EIGHTHS INTEREST:
 ELIZABETH RUSSELL,
 VIRGINIA RUSSELL,
 BEVERLY RUSSELL,
 LAWRENCE RUSSELL,
 PRICE RUSSELL,
 169 14th STREET
 OAKLAND, CA. 94612

REMAINING INTEREST
 STEPHEN D. MULDER
 AND VICTORIA R. MULDER,
 TRUSTEES OF THE
 STEPHEN V. MULDER
 AND VICTORIA R. MULDER
 FAMILY TRUST
 DATED NOVEMBER 19, 2001
 90 VILLAGE DRIVE
 BRENTWOOD, CA. 94513

SUBDIVIDER

SHAFTER 88, LLC
 2045 MT. DIABLO STREET, SUITE 105
 CONCORD, CA. 94520

SURVEYOR

GREGORY O. BLACK
 DEWALT CORPORATION
 1930 22ND STREET
 BAKERSFIELD, CA. 93301
 (661) 323-4600

EXISTING STREET NAMES

LOS ANGELES STREET
 SHAFTER AVENUE

PROPOSED STREET NAMES

GARY LANE
 JEFFREY LANE
 KATHY LANE
 MYRNA LANE
 PAMELA LANE
 RONALD LANE
 SHIRLEY LANE
 STANLEY LANE
 WENDY LANE

ALTERNATE STREET NAMES

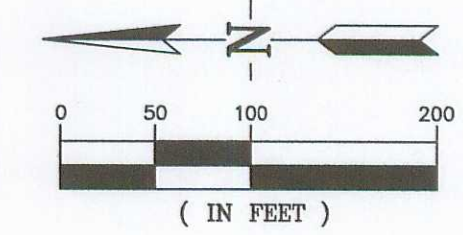
DANIELLE
 ERIK
 ALBERT
 BENJAMIN
 DONALD
 INNA

SCHOOLS

ELEMENTARY: RICHLAND SCHOOL DISTRICT
 GOLDEN OAK ELEMENTARY SCHOOL

JR. HIGH: RICHLAND SCHOOL DISTRICT
 RICHLAND JUNIOR HIGH SCHOOL

HIGH SCHOOL: KERN HIGH SCHOOL DISTRICT
 SHAFTER HIGH SCHOOL



1 inch = 100 ft.

SHAFTER 88, LLC
 TENTATIVE TRACT NO. 7052
 SHAFTER, CALIFORNIA

1930 22nd STREET BAKERSFIELD, CA. 93301
 PH. (661) 323-4600 FAX (661) 323-4674



DATE	JRS	JW	GOB	DATE	JOB NO.	ACAD FILE
				04/09/07	05-114	05114_TENT

SHEET 1
 OF: 1

DATE: October 8, 2024
TO: Planning Commission
FROM: Planning Department
SUBJECT: Extension of Time Request for Tentative Tract Map No. 6614

RECOMMENDATION:

Planning Commission conduct public hearing; find the residential project is exempt from the California Environmental Quality Act, i.e., exempt from the requirements of Division 13 (commencing with Section 21000) of the Public Resources Code, pursuant to California Government Code §65457. The project is within the scope of the Program Environmental Impact Report (EIR) that was certified for the 2005 City of Shafter General Plan Update and related action (SCH No. 2004101029) and the Addendum to the Certified Final Program Environmental Impact Report per Resolution No. 06-1889. The certified Program EIR adequately describes the activity of the residential development proposed in Tentative Tract No. 6614 as adopted in the Orchard Park Specific Plan per Ordinance 06-583; and, adopt Resolution No. 24-448, a Resolution of the Planning Commission of the City of Shafter recommending that the City Council approve a two (2) year extension of time for Tentative Tract Map No. 6614 located East of North Beech Avenue between East Fresno Avenue and East Tulare Avenue, within the City of Shafter, subject to the conditions approved by the City Council on September 19, 2006, to expire on March 19, 2027. **See Exhibit 5** for Resolution No. 24-448.

APPLICANT

San Joaquin Engineering, INC
200 New Stine Road, Suite 175
Bakersfield, CA 93309

OWNER

LGI Homes – California, LLC
2251 Douglas Blvd, Suite 110
Roseville, CA 95661

LOCATION: The east side of North Beech Avenue between East Fresno Avenue and East Tulare Avenue. **See Exhibit 1.**

PROJECT ANALYSIS:

On September 11, 2024, the current property owner, LGI Homes, LLC submitted an application for a two-year extension of time request to extend the time to record a final map for Tentative Tract No. 6614 (**Exhibit 3**). The City Council approved Tentative Tract Map No. 6614 on September 19, 2006 by Resolution No. 06-1890 (**Exhibit 4**). The tract map is located East of North Beech Avenue between East Fresno Avenue and East Tulare Avenue and proposes to subdivide 140 acres into 430 single-family residential lots ranging in size from 8,301 square feet to 16,692 square feet, an approximate 5-acre public park, two drainage basin lots, a paseo, and an oil drilling island (**Exhibit 2**). The subject property is zoned for Specific Plan; and is approved for residential development within the Orchard Park Specific Plan.

The original expiration date for the tentative map was September 19, 2006. The

PUBLIC HEARING

tentative map has remained active due to multiple extensions of time approved by the State legislature and several discretionary extensions of time approved by the City Council. The most recent extension of time was approved on June 21, 2022 by City Council Resolution No. 2874, to comply with Government Code Section 66452.26. The tentative map is currently set to expire on March 19, 2025. The owner of the subject property has begun grading work in Phase 1 of the tract and has an active Phase 1 Final Map application under review. The owner would like additional approval time for the map to have sufficient time to record Phase 1 and to submit an application for Phase 2 in the near future. One more two-year discretionary extension of time is allowed by the City's Subdivision Ordinance and the Subdivision Map Act for this tract. Approval of the requested two-year extension would result in Tentative Tract 6614 expiring on March 19, 2027. If the map has still not been recorded by the new expiration date, the map approval will expire, and the map will be considered null and void. The applicant would thereafter need to submit a new tentative map application for any undeveloped and unrecorded phases of the tract.

Staff believes the eventual recordation and development of the approved subdivision would be beneficial to the City and recommends the Planning Commission approve for recommendation to the City Council, the requested two-year extension of time to file a final map for Tentative Tract Map 6614, subject to the conditions approved by the City Council on September 19, 2006.

CEQA:

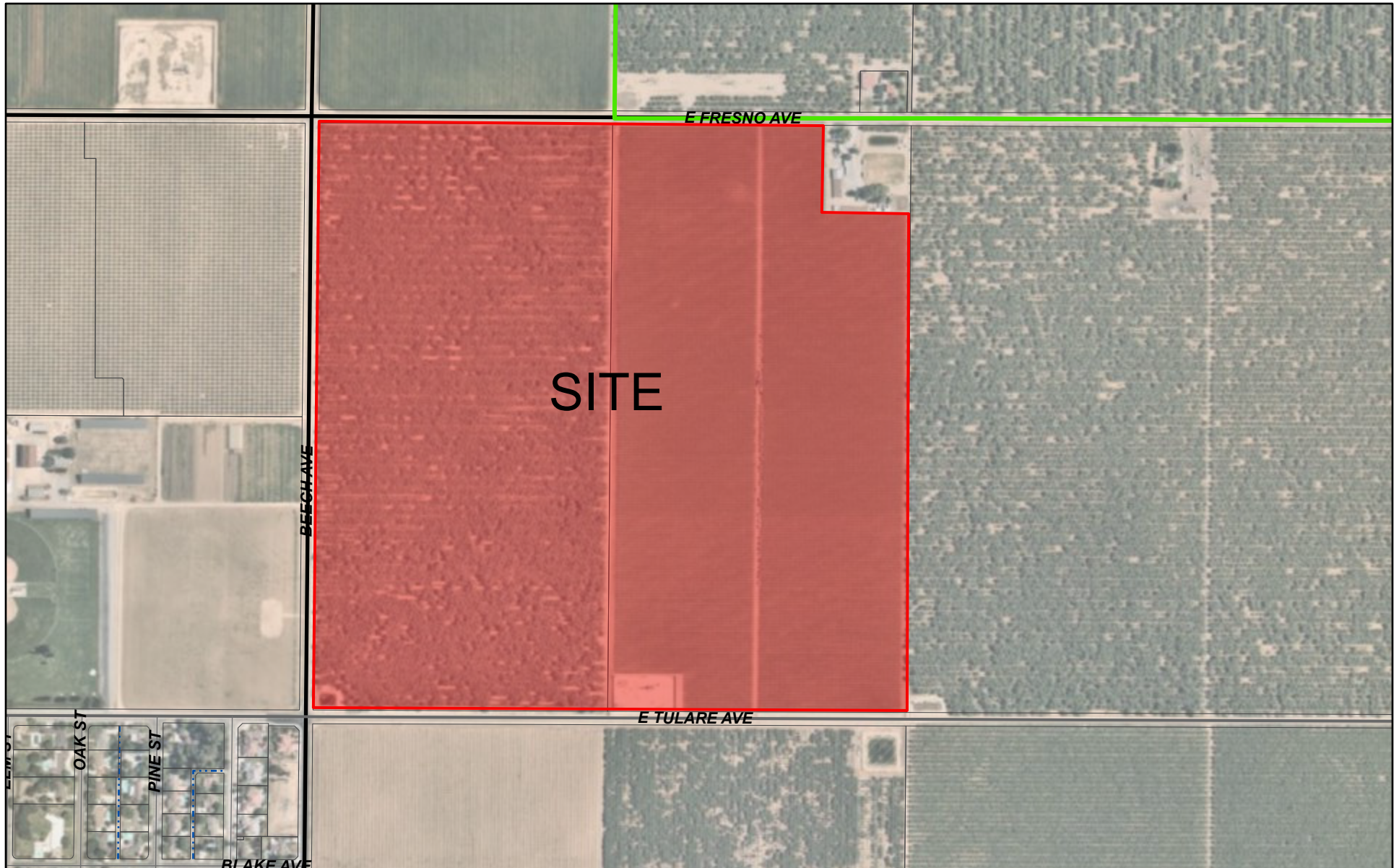
The residential project is exempt from the California Environmental Quality Act, i.e., exempt from the requirements of Division 13 (commencing with Section 21000) of the Public Resources Code, pursuant to California Government Code §65457. The project is within the scope of the Program Environmental Impact report (EIR) that was certified for the 2005 City of Shafter General Plan Update and related action (SCH No. 2004101029) and the Addendum to the Certified Final Program Environmental Impact Report per Resolution No. 06-1889. The certified Program EIR adequately describes the activity of the residential development proposed in Tentative Tract No. 6614 as adopted in the Orchard Park Specific Plan per Ordinance 06-583. Therefore, no additional CEQA analysis or documentation is required for the extension of time.

ATTACHMENTS

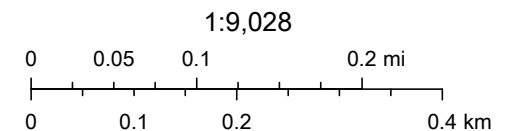
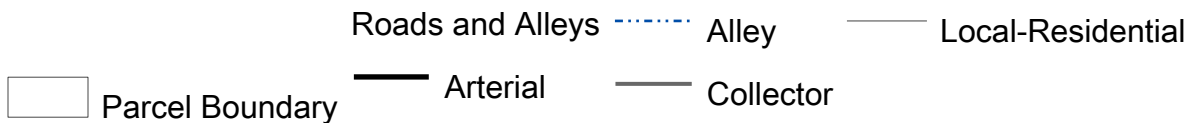
EXHIBIT

Vicinity Map	1
Tentative Tract Map 6614	2
Extension of Time Application	3
Resolution No. 06-1890 with conditions	4
Resolution No. 24-448	5

TENTATIVE TRACT 6614 EXTENSION OF TIME



8/7/2019, 10:25:09 AM



Copyright nearmap 2015, Sources: Esri, HERE, Garmin, FAO, NOAA,

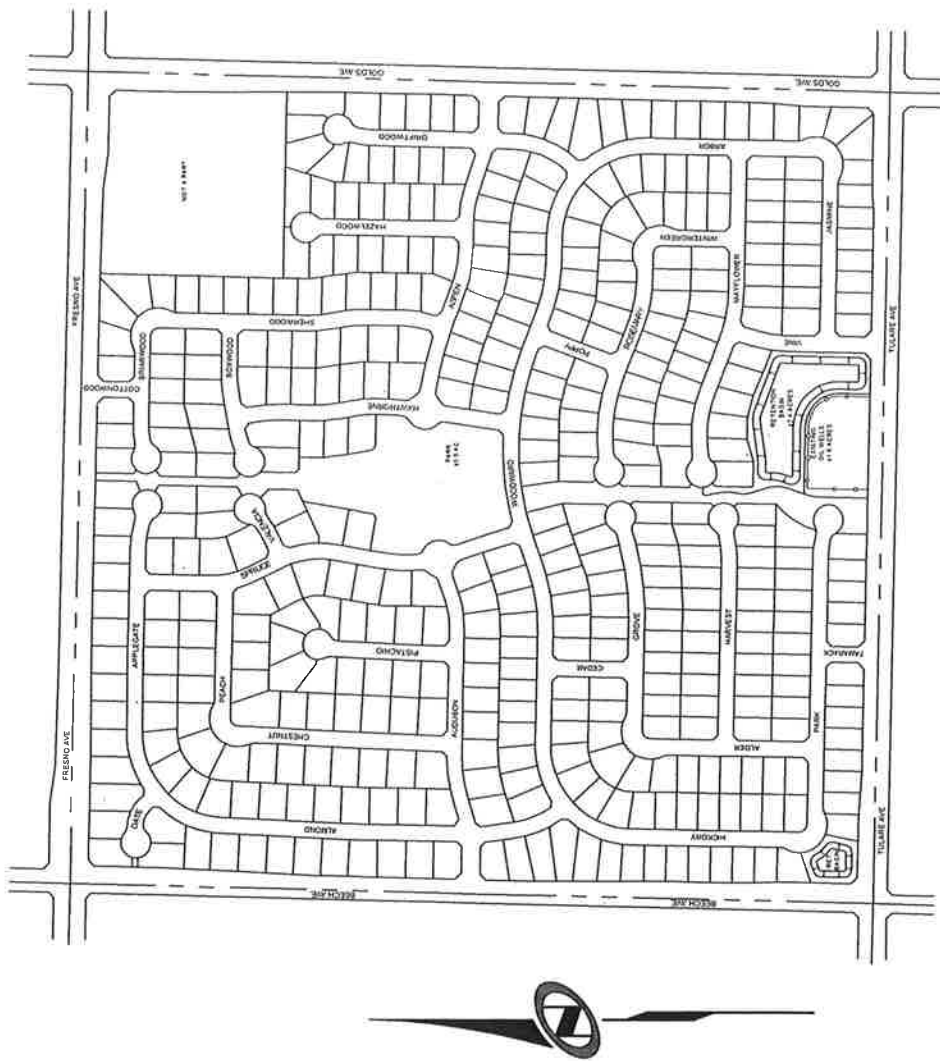
City of Shafter, Planning Department Official

The contents of this map are to be considered unofficial unless granted express consent from the City of Shafter Planning Department. The City of Shafter cannot guarantee the accuracy of this map layout or its contents.

TENTATIVE TRACT NO. 6614 EXTENSION OF TIME

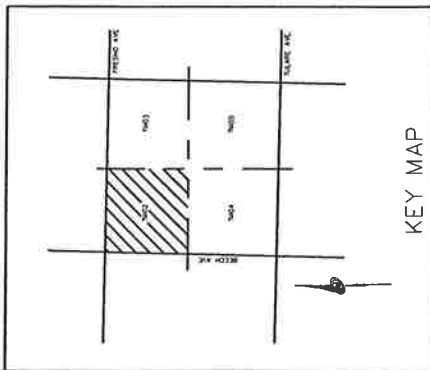
- 2. PLUM
- 3. MAHOGANY
- 4. FIG
- 5. SEQUOIA
- 6. ORCHARD

OF LOTS: 432
#OF BUILDABLE LOTS: 431
APPROX. LOTS/ACRES: 3



TENTATIVE
TRACT
6614

DATE SUBMITTED: 8/17/06
 PREPARED FOR:
 SAGE SHAFTER I, LLC



TENTATIVE
 TRACT
 #6467



- LEGEND:
- PERIMETER BLOCK WALL (LOCATED 1' OUTSIDE R.O.W.)
 - PASEO BLOCK WALL
 - 6" HIGH RETENTION BASIN
 - BLOCK WALL
 - CHAIN LINK FENCE
 - /// WAIVER OF DIRECT ACCESS

NOTICE

BEYOND ENGINEERING
 8530 HOWARD ROAD, SUITE 105
 95061-0220 TEL 530.951.4440 FAX
 MADIRA, CA 95037
 BEE@NOTICE.COM

N

GRAPHIC SCALE
 50 0 50 100
 (IN FEET)
 1 inch = 100' RL

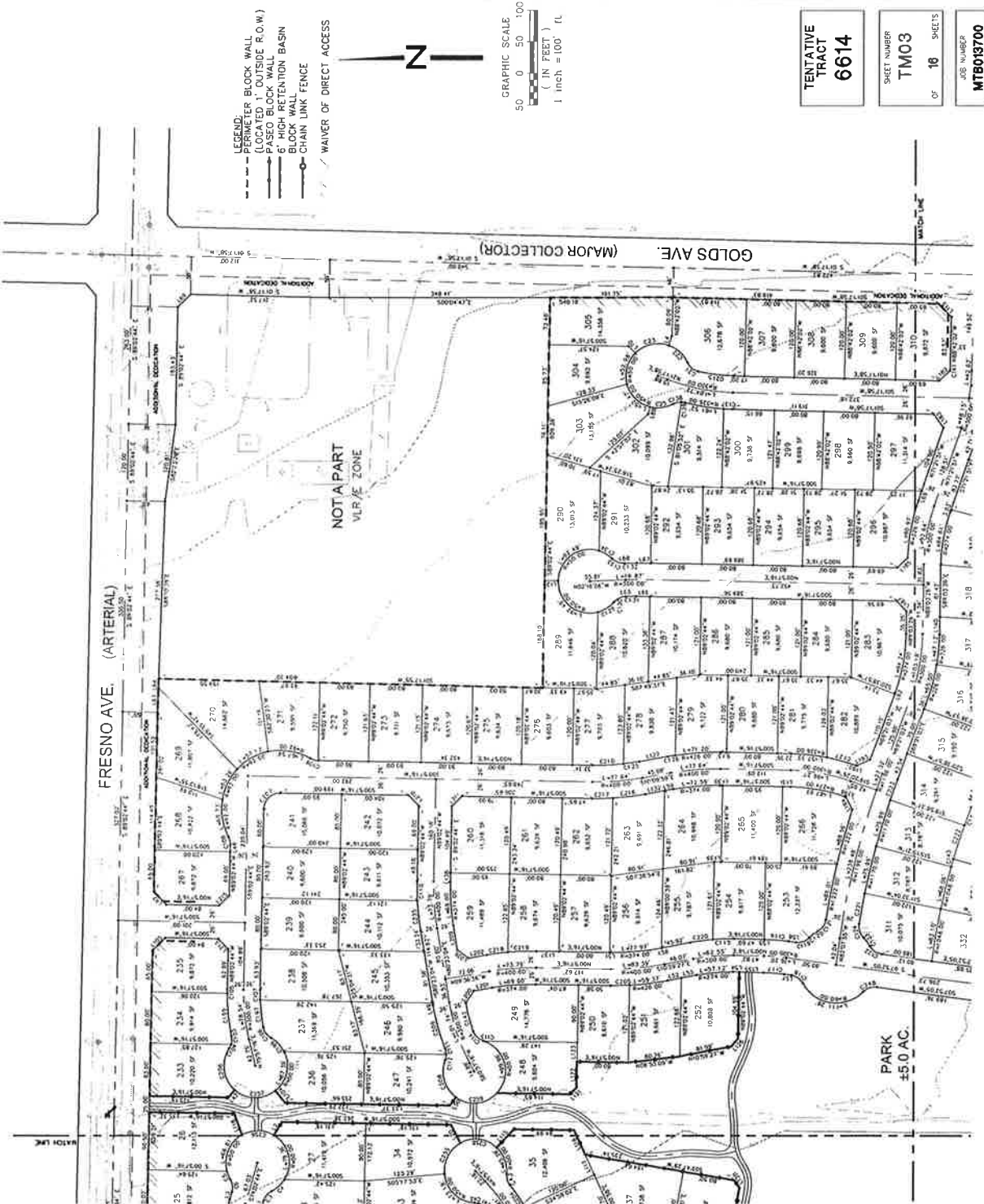
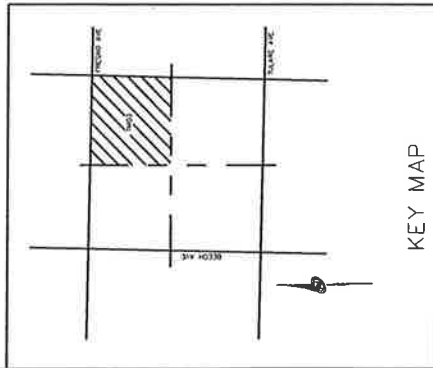
TENTATIVE
 TRACT
6614

SHEET NUMBER
TM02

OF 16 SHEETS

JOB NUMBER
MTB013700

DATE SUBMITTED: 8/17/06
 PREPARED FOR:
 SAGE SHAFTER I, LLC



TENTATIVE
 TRACT
 6614

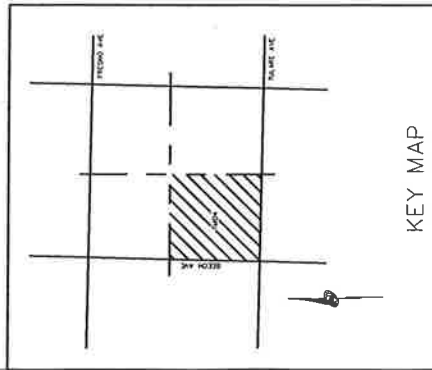
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OF 16 SHEETS

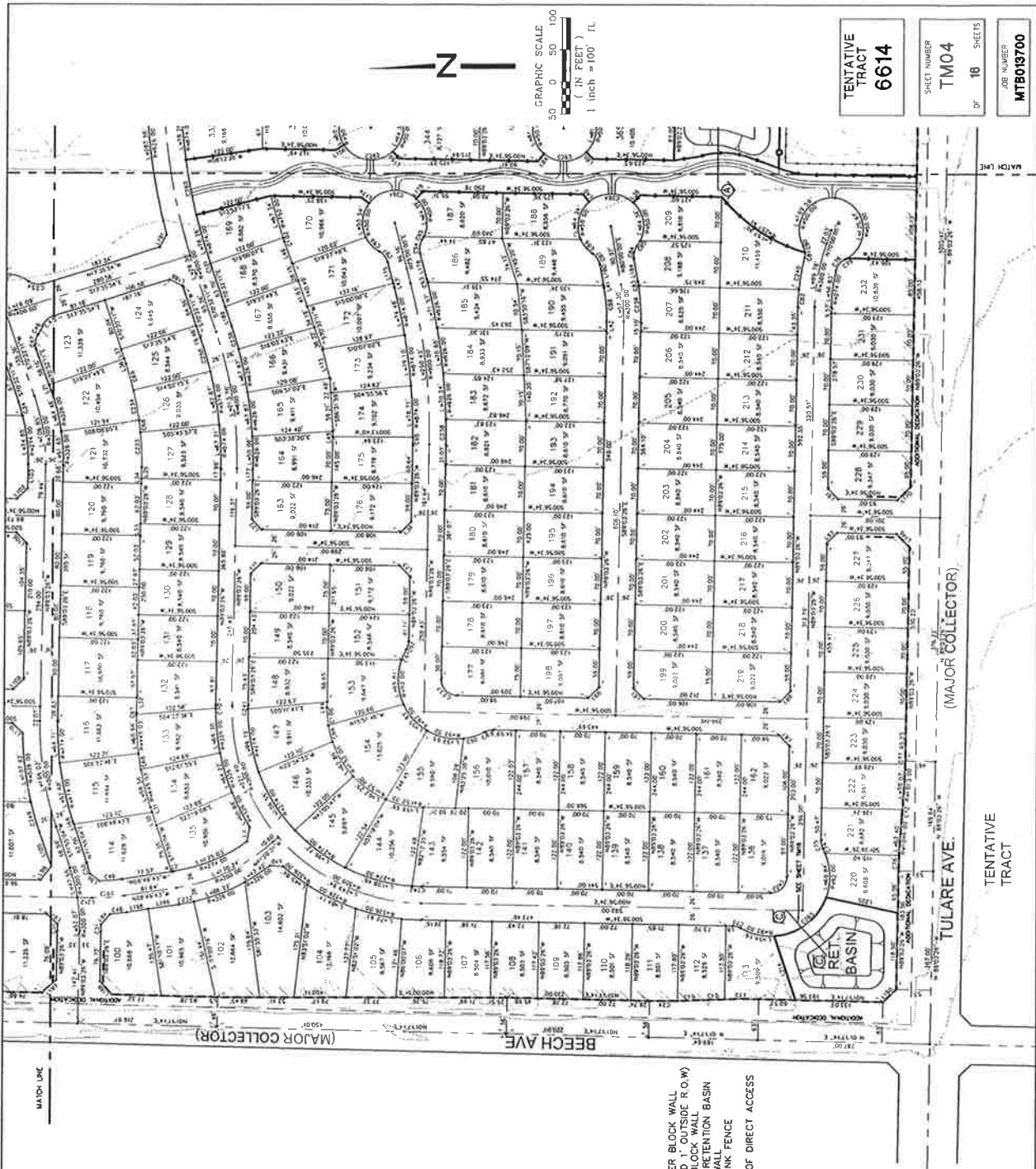
JOB NUMBER
 MTB03700

NOTTE
 BEYOND ENGINEERING
 1830 HOWARD ROAD, SUITE 105
 MADERA, CA 93637
 559.661220 TEL 559.661440 FAX
 WWW.NOLTE.COM

DATE SUBMITTED: 8/17/06
 PREPARED FOR:
 SAGE SHAFTER I, LLC



- LEGEND:
- PERIMETER BLOCK WALL (GRADE R.O.W)
 - PASSED BLOCK WALL
 - 6' HIGH RETENTION BASIN
 - BLOCK WALL
 - CHAIN LINK FENCE
 - WAIVER OF DIRECT ACCESS



TENTATIVE TRACT 6614

SHEET NUMBER TM04

16 SHEETS

JOB NUMBER MTB019700

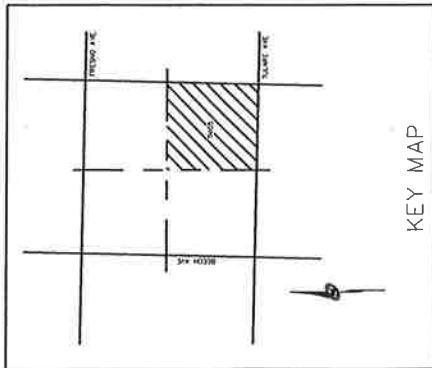
NOLTE

BEYOND ENGINEERING

1630 HOWARD ROAD, SUITE 205
 MADERA, CA 93647
 559.8615220 TEL. 559.8614445 FAX

WWW.NOLTE.COM

DATE SUBMITTED: 8/17/06
 PREPARED FOR:
 SAGE SHAFTER I, LLC



NOLTE
 BEYOND ENGINEERING
 1800 HOWARD ROAD, SUITE 225
 MADERA, CA 93637
 559-8616220 TEL. 559-8614449 FAX
 WWW.NOLTE.COM

CITY OF SHAFTER

Planning Department
336 Pacific Avenue
Shafter, California 93263
(661) 746-5002

TENTATIVE SUBDIVISION/PARCEL MAP EXTENSION OF TIME
APPLICATION FORM

Tent. Map No. 6614 Application Fee \$ 500.00 Receipt No. _____ Date Received By Staff 9/11/24

To expedite processing of this Extension of Time Application, and to eliminate unnecessary delays to the applicant, Planning Staff will not accept this application unless all items have been completed and this application form has been signed and dated.

In the event errors or omissions are discovered, the application will be deemed incomplete and will be returned to the applicant for revision.

APPLICATION IS HEREBY MADE TO THE PLANNING DEPARTMENT THAT:

Property Owner (attach sheet if more than one property owner)

Name: LGI Homes - California, LLC Phone: (310) 560-1487
Address: 2251 Douglas Blvd, STE 110
City: Roseville State: CA Zip: 95661
E-mail address evan.licht@lgihomes.com

Applicant or Agent (attach sheet if more than one applicant)

Name: San Joaquin Engineering, INC. Phone: (661) 336-0977
Address: 200 New Stine Rd, STE 175
City: Bakersfield State: CA Zip: 93309
E-mail address htroxel@sieinc.net

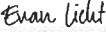
BE GRANTED AN EXTENSION OF TIME FOR:

Tentative Subdivision/Parcel Map No: 6614

Reason(s) for and supporting the requested extension: _____
The tentative map expires in March 2025, and the map currently has additional discretionary extensions of
time. LGI Homes has begun mass grading on the project site and processing the final for the first phase
concurrent to this application. Extending this map will allow development to continue and provide in-demand
housing for the city of Shafter.

APPLICANT'S SIGNATURE AND DATE INDICATES COMPLETION OF THE APPLICATION.

I certify that I am the record owner or authorized agent and that the information filed is true and correct to the best of my knowledge.

DocuSigned by:  DocuSign Envelope ID: 970035BD-7F79-4536-A1D4-EE2EE928590D Owner's Signature	8/28/2024 Date
 Applicant's or Agent's Signature	09-10-24 Date

RESOLUTION NO. 06-1890

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
SHAFTER RECOMMENDING TO THE CITY COUNCIL APPROVAL OF
TENTATIVE TRACT NO. 6614 ON CERTAIN PROPERTY LOCATED
ON THE EAST SIDE OF BEECH AVENUE BETWEEN TULARE
AVENUE AND FRESNO AVENUE**

WHEREAS, Nolte Engineering, filed an application requesting approval of Tentative Tract Map No. 6614 on that certain property in the City of Shafter as shown on attached Exhibit 4; and

WHEREAS, the City Council of the City of Shafter, at its regularly scheduled meeting on September 19, 2006, studied and considered the Addendum to the Final Program Environmental Impact Report (Exhibit 6) for the 2005 General Plan Update and related actions (SCH No. 2004101029) for Tentative Tract 6614; and

WHEREAS, no new information or conditions have been submitted or identified that would require the preparation of a subsequent EIR, pursuant to Section 15162 of the State CEQA Guidelines, for the proposed project; and

WHEREAS, the 2005 General Plan Update was a comprehensive revision to the City of Shafter 1993 General Plan that expanded the General Plan Study Area, updated the seven mandatory elements of the General Plan, including the Housing Element, provided an explicit statement of community vision, Coberly West Specific Plan, Mission Lakes Specific Plan, annexation of 5,233.68 acres (Annexation No. 77), pre-zoning for Annexation No. 77, and cancellation of two Williamson Act contracts for 1007 acres; and

WHEREAS, the expansion of the North of River Municipal Water District was not proposed for adoption by the City of Shafter under the 2005 General Plan Update but addressed and analyzed under the Certified Final Program EIR regarding water service to Annexation No. 77; and

WHEREAS, in the initial stages of preparing the 2005 General Plan Update, the City of Shafter determined that an Environmental Impact Report (EIR) would be required for the project, and, therefore, a Notice of Preparation (NOP) was prepared in accordance with the California Environmental Quality Act (CEQA) to study the environmental impacts of the project, and

WHEREAS, the NOP for the General Plan Update was sent to all agencies having involvement in the project per Section 15082 of the CEQA Guidelines; and

WHEREAS, the Draft Program Environmental Impact Report for the 2005 General Plan Update and related actions was made available for a forty-five (45) day review period in accordance with Section 15087 of the CEQA Guidelines which began on April 13, 2005, and ended on May 27, 2005; and

WHEREAS, on June 9, 2005, the Final Program Environmental Impact Report was completed pursuant to Section 15132 of the CEQA Guidelines and notice of its availability was published in the Shafter Press and Bakersfield Californian and provided to interested parties and commenting agencies.

WHEREAS, the environmental record prepared in conjunction with the project included the following:

1. The Notice of Preparation, the Draft Program Environmental Impact Report, and the Final Program Environmental Impact Report; and
2. All staff reports, memoranda, maps, letters, minutes of meetings, and other documents prepared by the consultant relating to the project; and
3. All testimony, documents, and evidence presented by the City of Shafter and consultant working with the City relating to the project; and
4. The proceedings before the Planning Commission relating to the project and Draft Program Environmental Impact Report including testimony and documented evidence introduced at the May 10, 2005 public hearing; and

WHEREAS, the laws and regulations relating to the preparation and certification of an environmental impact report, as set forth in the City's Local Guidelines Implementing the California Environmental Quality Act were adhered to and duly followed by City Staff, the Planning Commission, and City Council; and

WHEREAS, in accordance with Sections 15090 and 15151 of the CEQA Guidelines, the Final Program Environmental Impact Report for the 2005 General Plan Update was considered for adequacy, completeness and good faith effort at full disclosure and completed in compliance with CEQA; and

WHEREAS, on June 21, 2005, the City Council of the City Shafter certified the Final Program Environmental Impact Report for the 2005 General Plan Update and related actions in Resolution No. 05-1738; and

WHEREAS, in accordance with Sections 15091 of the CEQA Guidelines, findings and supporting rationale regarding identified significant environmental effects and related mitigation measures in the Certified Final Program Environmental Impact Report for the 2005 General Plan Update and related actions (State Clearinghouse #2004101029) were adopted by the City of Shafter on June 21, 2005, under Resolution Nos. 05-1739, 05-1740, 05-1741, 05-1742, 05-1743, 05-1744, and 05-1745 and Ordinance No. 05-567; and

WHEREAS, in accordance with Sections 15093 of the CEQA Guidelines, regarding the Certified Final Program Environmental Impact Report for the 2005 General Plan Update and related actions (State Clearinghouse #2004101029), a Statement of Overriding Considerations with supporting reasons for Aesthetics and Visual Resources, Air Quality, Water Resources,

Agricultural Resources, and Population and Housing was adopted by the City of Shafter on June 21, 2005, under Resolution Nos. 05-1739, 05-1740, 05-1741, 05-1742, 05-1743, 05-1744, and 05-1745 and Ordinance No. 05-567; and

WHEREAS, in accordance with Sections 15097 of the CEQA Guidelines, regarding the Certified Final Program Environmental Impact Report for the 2005 General Plan Update and related actions (State Clearinghouse #2004101029), a Mitigation Monitoring and Reporting Program for the mitigation measures referenced above was adopted by the City of Shafter on June 21, 2005, under Resolution Nos. 05-1739, 05-1740, 05-1741, 05-1742, 05-1743, 05-1744, and 05-1745 and Ordinance No. 05-567; and

WHEREAS, on June 13, 2006, the Planning Commission of the City of Shafter recommended that the City Council certify the Addendum to the Final Program Environmental Impact Report for the 2005 General Plan Update and related actions (SCH No. 2004101029) for Tentative Tract 6614; and

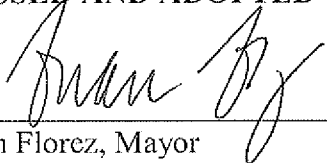
WHEREAS, based on the absence of evidence in the record as required by Section 21082.2 of the State of California Public Resources Code for the purpose of documenting significant effects, it is the conclusion of the City of Shafter that this project will result in impacts that fall below the threshold of significance with regard to wildlife resources and, therefore, must be granted a "de minimis" exemption in accordance with Section 711.4 of the State of California Department of Fish and Game Code. Additionally, the assumption of adverse effect is rebutted by the above-referenced evidence and the conclusion of the Addendum to the Certified Final Program Environmental Impact Report that the implementation of the mitigation measures and general plan policies would reduce the project and cumulative impacts on biological resources to a level that is less than significant; and

WHEREAS, the Planning Commission did, on September 12, 2006, approve Resolution No. 06-119; a resolution of the Planning Commission of the City of Shafter recommending that the City Council approve Tentative Tract 6614; and

WHEREAS, a timely and properly noticed public hearing for Tentative Tract 6614 was held by the City Council of the City of Shafter at a regular meeting on September 19, 2006, at which hearing evidence, oral and documentary, was admitted on behalf of said project; and

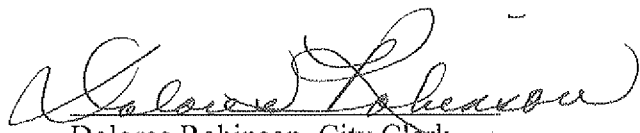
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Shafter, in a regular session assembled on the 19th day of September, 2006, hereby adopts the Addendum and approves Tentative Tract 6614.

PASSED AND ADOPTED THIS 19TH DAY OF SEPTEMBER, 2006.



Fran Florez, Mayor

ATTEST:



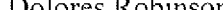
Dolores Robinson, City Clerk

APPROVED AS TO FORM

Stephen P. Deitsch S/S
Stephen P. Deitsch, City Attorney

STATE OF CALIFORNIA)
) ss.
COUNTY OF KERN)

AYES: Colvard, Prout, Johnston, Nelson & Florez
NOES: None
ABSENT: None
ABSTAINING: None


Dolores Robinson, City Clerk

**TENTATIVE TRACT NO. 6614
CONDITIONS OF APPROVAL
EXHIBIT 3**

ENGINEERING: GENERAL

REFERENCES ARE MADE HEREIN TO THE APPROVED "ORCHARD PARK SPECIFIC PLAN", ACCEPTED BY THE CITY OF SHAFER CITY COUNCIL ON July 18, 2006. ANY AND ALL IMPROVEMENTS REQUIRED BY THE "ORCHARD PARK SPECIFIC PLAN" SHALL ALSO BE REQUIRED BY THESE CONDITIONS OF APPROVAL. ADDITIONAL REQUIREMENTS FOR THE DESIGN AND CONSTRUCTION OF IMPROVEMENTS REQUIRED BY THE ORCHARD PARK SPECIFIC PLANS ARE INCLUDED HEREIN.

1. Developer shall remove and replace any existing public or private improvements that may become damaged during any phase of construction, as required by the City Engineer. The contractor working within the public right-of-way shall obtain an encroachment permit from the City Engineer prior to commencing any such work.
2. Developer is hereby notified that any existing street improvements damaged or removed during the construction of improvements shall be replaced with acceptable temporary paving prior to the contractor leaving the site of work.
 - (a.) Exceptions: Temporary paving shall not be required to be replaced where acceptable two way traffic can still be maintained in each direction.
3. Acceptable traffic control, including signs and personnel, shall be utilized whenever construction of required improvements requires the contractor to work within existing vehicular paths of travel. If determined necessary by the City Engineer, contractor shall include provisions to allow for pedestrian traffic through or past the construction site. The latest edition of the Caltrans Traffic Manual shall be the standard for all construction related traffic control.
4. Developer shall relocate and/or install all necessary infrastructure to provide utilities to the proposed project.
5. A six (6) foot public utility easement shall be provided in the front of all lots and on the street side of all corner lots as requested by the utility companies and the City Engineer. Easements shall be granted with the final map.
6. Easements to be given to the City or any other public utility agency for, sewer, water, storm drain, electrical, or any other utility or similar purpose shall not cross private property, except as provided in 5 above, without prior approval of the City Engineer.
7. Any above ground utility cabinets or facilities to be located within the road right-of-way or public utility easement shall be permitted only upon approval by the City Engineer. Such approval will be made in writing, upon written request of the applicant and/or the affected utility company.
8. Any obstructions including utilities, irrigation lines, etc., shall be removed and/or relocated, if necessary, at the expense of the applicant.

9. Any onsite wells shall be abandoned per Kern County standards.
10. No final inspection shall be approved until all required improvements have been completed by the applicant and accepted by the City.
11. All new utilities shall be underground service.
12. During construction, vehicular access points shall be covered with decomposed granite, road oil, or some other treatment acceptable to the City Engineer, to prevent generation of dust during periods of vehicular activity and/or windy conditions and tracking of mud and dirt on public roadways.
13. Prior to issuance of a certificate of occupancy on any lot in any quadrant of the proposed tract, all required improvements in that quadrant shall be completed and accepted by the City Council. Additional improvement outside the affected project boundary as specifically defined herein may be required for orderly development as determined by the City Engineer.
14. All improvements shall be complete within one (1) year from the date of filing of the final map for the development, unless a time extension is granted by the City Engineer.
15. Type & location of centralized mail delivery units shall be determined by the postal service. If the postal service requires special easements for the placement of the delivery units, then said easements shall be shown on the final map.

ENGINEERING: GRADING & DRAINAGE

16. All grading and drainage shall conform to a master grading & drainage plan to be performed by the developer's engineer for Tract 6614.
17. Prior to review of any required improvement plans, both a drainage/hydrology study and a grading plan shall be submitted to and approved by the City Engineer.
18. The drainage/hydrology study and hydraulic analysis for the project shall be performed by a registered civil engineer and submitted to the City Engineer for review and approval. The study shall demonstrate that any potential run-off will not impact surrounding properties. The study shall focus on the project property and any affected adjacent properties.
19. The grading plan for the project shall be performed by a registered civil engineer and submitted to the City Engineer for review and approval. All grading shall conform to the California Building Code, latest edition approved by the City, and City adopted standards and specifications. Storm drainage protection and disposal of water into and from the affected property shall be by method approved by the City Engineer.
20. A soils report, prepared by a registered civil engineer shall be submitted along with the grading plan. Soils report shall be performed in compliance with California Building Code, Chapter 18, latest edition. In addition, all site grading, earthwork, & building design shall be performed in accordance with the recommendations of the soils report.
21. A grading permit shall be obtained from the City prior to commencement of any grading activity.

22. Prior to issuance of a building permit, the developer shall file a "Rough Grade Certificate" with the City in accordance with the City Engineering & Design Standards. Rough Grade Certificate shall be accompanied by certified soil compaction test data from an acceptable materials testing company and a certification that the rough graded in substantial conformance with the approved grading plan and Chapter 33 of the California Building Code . Developer to obtain Rough Grade Certificate form from the City.
23. Prior to final approval, acceptance of work, or issuance of certificate of occupancy, the applicant's engineer shall file a "Final Grade Certificate" stating that all required grading has been done in accordance with the approved grading plan. An as built grading plan shall be submitted showing the as-built condition. Developer to obtain Final Grade Certificate form from the City.
24. The location & frequency of soils compaction testing shall be per the City Engineer. Soils compaction testing shall be provided by the developer/owner.
25. Minimum slopes across any flat surface shall be 1%. For slopes less than 1%, surface drainage shall be channeled into a concrete v-gutter, curb & gutter, underground storm drain, or similar drainage structure.
26. At a minimum, building finish pad elevation shall be established so that the finish floor elevation is a minimum of twelve (12) inches plus 2% slope from the lowest adjacent flowline to the finish floor. Slope away from the structure shall be a minimum of 2%. Building pads shall drain to a earth swale beginning at the rear of the lot and terminating at the front yard street improvements. Corner lots shall not be permitted to drain to the side street. The earth swale shall provide a minimum of 1% from the highest point in the swale to the street.
 - (a.) Exception: Lots that are over 10,800 sq ft in size and have a lot depth in excess of 120 feet can have a minimum of 0.5% from the highest point in the swale to the street.
27. Street side corner lots shall not have their side yard slope (finish grade to back of sidewalk) exceed 4 horizontal:1 vertical. If maximum slope is exceeded, side yard shall be retained in an approved manner.
28. Wood retaining structures shall not be approved. Developer shall use masonry, concrete, or other approved material.
29. Storm drainage shall be contained within the development unless approved otherwise by the City Engineer. Street drainage shall be mitigated in a manner approved by the City Engineer.
30. Drainage Basin:
 - (a.) **Perimeter screening**: The area used for the drainage sump shall have a masonry wall built around its perimeter, including along property lines between the basin and adjacent residential lots. For all portions of the perimeter wall viewable from the street or the front yards of adjacent lots, the wall shall be decorative in nature.
 - i.) Exception: Masonry Wall shall not be required between the sump and the area identified as the "EXISTING OIL WELLS". A chain link fence shall be required here.
 - (b.) **Access Point**: Public works entrance to the drainage sump shall be from an internal local

street. Access shall be provided by a commercial drive approach and a 16 foot wide gate. Gate construction shall be decorative in nature (wrought iron with screen), shall provide a secure entrance to the basin, and shall prevent visibility of the basin. Gate shall be constructed of steel, or other approved material. Wood or chain link gates shall not be acceptable. Construction, style, and finish are subject to city approval.

- (c.) **Easements:** Easements for access and/or storm drains shall be provided on the final map or by separate instrument as approved by the City Engineer.
 - (d.) **Landscaping:** A landscaping plan for each drainage basin required for each final map, including design of a permanent irrigation system, shall be submitted to and approved by the City Engineer. Said approved landscape and irrigation plan shall be implemented prior to issuance of any building permit for the affected final map.
 - i.) All landscaping is subject to the requirements for landscaping contained herein these conditions and with City Standards.
 - ii.) Landscaping shall include irrigation pipes, timers, and individual services for electrical and water.
 - (1) Exception: When possible, irrigation pipes shall be extended from the dedicated landscaping areas along arterials, collectors, or other public landscaping, proposed or existing, in lieu of obtaining additional services for water or electrical.
 - (e.) **Landscaping Area:** A minimum setback of eight (8) feet shall be provided between the back of sidewalk of a local road and the back of the perimeter screening wall discussed in (a) above. The minimum depth for landscaping along arterials and collectors shall be governed by the City standards for arterials and collectors.
 - i.) Exception: The minimum setback shall be increased if the perimeter screening creates a line of site issue for street intersections or residential driveways.
31. The number and location of street based siphons and cross gutters allowed, if any, will be determined during the grading and drainage review process. The minimum grade for allowed cross gutters shall be 0.6%.
32. Grading onto adjacent property shall not be done without written permission from the adjacent property owner.
33. The Office of the City Engineer shall be notified 24 hours in advance of the placement of any fill material.
34. Fill and/or import material shall be subject to the approval of the soils engineer.
35. Contractor is responsible for the grading of lot pad areas to within 0.1' of the design elevations.
36. All areas in the site on which structures are to be placed must be compacted to 90% relative density, for a minimum distance of 5' in all directions from the foundations of the structure.
37. All fill material shall be moisture conditioned to at least 2% above optimum moisture and compacted to 90% relative density, as determined by test methods referenced in California Building Code. appendix Chapter 33, Section 3305, and so certified by tests and report from the soils engineer.

38. The design engineer shall exercise sufficient supervisory control during grading operations to insure compliance with the plans, specifications, and code within his purview.
39. The placement of fill shall be in 6" maximum lifts, compacted with heavy compaction equipment approved by the City Engineer, unless specifically recommended otherwise in the preliminary soils report.
40. Compaction in proposed pavement areas should be the same as for the building pads, and should extend to a minimum distance of 2' beyond the outside edges of pavements.
41. All cut and fill slopes shall not be steeper than 2 horizontal to 1 vertical.
42. All fill areas to be cleared of all vegetation and other unsuitable material for a structural fill and the areas shall be scarified to a depth of 6", unless specifically noted otherwise in the preliminary soils report.
43. All slopes in excess of three feet shall be prepared and maintained to control against erosion.
44. Grading work shall be supervised as engineered grading in accordance with Chapter 33 of the California Building Code.
45. During grading, reasonable searching should be performed for concealed subsurface obstructions. All abandoned subsurface obstructions should be removed. If the terminus of any abandoned piping is outside the project limits, the piping should be removed within the project and properly capped at the project boundary.
46. Dust Control: It shall be the developer's responsibility to prevent a dust nuisance originating from the site of work as a result of his operations during the effective period of this contract. Preventative measures to be taken by the contractor shall include but not be limited to the following;
 - (a.) Water shall be applied to all unpaved areas as required to prevent the surfaces from becoming dry enough to permit dust formation.
 - (b.) Paved surfaces over which vehicular traffic is permitted to travel shall be kept free of dirt.

ENGINEERING: WATER/FIRE

47. Developer shall install a water system for the development together with such equipment, pipeline, and facilities, including individual water services, as may be necessary to ensure the development has a minimum supply of water for the purposes of the development including fire protection. Developer shall submit water improvement plans to the City Engineer for review and approval. Developer shall construct public water systems in accordance with Subdivision Engineering Design Manual for the subject property.
48. Fire protection shall be provided per Kern County Fire Department Standards for the type of development. A Certificate of Approval shall be obtained by the applicant from the Kern County Fire Department. Evidence of this certificate of approval shall be provided to the City prior to acceptance of the water system by the City.
49. The City Engineer shall recommend hydrant type and location if required.

50. Water line size, location, and materials shall be subject to the approval of the City Engineer. Minimum water line size shall be in accordance with the Subdivision Engineering Design Manual.
51. Tie-ins to existing water mains shall be constructed in a manner approved by the City Engineer.
52. Whenever possible, the water system shall be looped to minimize dead ends. For cul-de-sacs greater than 330 feet in length, the water main shall be looped through the side lot lines, of the lots near the end of the cul-de-sac, back to adjacent streets, as directed by the City Engineer. Easements shall be provided to the City in a manner consistent with the Subdivision Engineering & Design Manual.
53. Separate water services shall be installed for each residential property.
54. No permanent structures shall be constructed over proposed or existing utility easements.
55. Prior to the issuance of a building permit, water mains and fire hydrants to be installed by applicant shall be completed, tested, and accepted (UFC 10.502,10.503).
56. **Park Water Well:** Developer shall make provisions in the development of Tract 6614 for a city owned, operated, and maintained domestic water well located in the proposed five (5) acre park.
 - (a.) Developer shall ensure Pacific, Gas, and Electric provides adequate three phase power to the proposed park at a location approved by the City of Shafter. Preliminary estimates shows the City will require sufficient electrical power to provide 2,000 gpm against a 65 psi head.
 - (b.) Developer shall ensure 12 inch diameter pipe for all waterlines (minimum of two) extending from the well location to the tract boundary. City to pay cost of any over sizing of pipes that lead to or from the water well site.
 - (c.) This condition of approval is subject to the approval of the City Manager.

ENGINEERING: SEWER

57. Developer shall install a sewer system for the development together with such materials, pipeline, manholes, and individual services for the purposes of the development. Developer shall submit sewer improvement plans to the City Engineer for review and approval. Developer shall construct public sewer systems in accordance with Subdivision Engineering Design Manual for the subject property.
58. No properties shall be served by a septic system.
59. Sewer line size, location, slope, and materials shall be subject to the approval of the City Engineer. Minimum sewer line size, location, slope, and materials shall also be in accordance with the Subdivision Engineering Design Manual.
60. Tie-ins to existing sewer mains, manholes, or other structure shall be constructed as directed by the City Engineer.
61. Separate sewer services shall be installed for each property. At no time shall sewer be joint trench with water.
62. Sewer lines will not be permitted in easements between the back yards or side yards of single or multi-family lots.

63. No permanent structures shall be constructed over proposed or existing utility easements.
64. **SEWER IMPROVEMENT AGREEMENT:**
- (a.) Developer shall use reasonable efforts to enter into an agreement with the City of Shafter and other participating property owners to extend a sanitary sewer line along Beech Avenue that will provide service for each of the 431± buildable lots of Tract 6614 and the area labeled "NOT A PART"
 - (b.) This agreement between the developer and the City shall provide for extending the City's sewer system northerly along Beech Street to serve the City's upper east side area, of which Tract 6614 shall be considered a part thereof.
 - (c.) Tract 6614 will not be recorded until the applicant has entered into said sewer service agreement with the City of Shafter.
 - (d.) Other developers shall be required to enter into the same agreement with the City of Shafter for the extension of sewer facilities along Beech Street.
 - (e.) This agreement shall distribute the costs of the infrastructure improvement to each development based upon the number of Equivalent Dwelling Units (EDUs) within each development. One (1) residence is considered one (1) EDU.
 - (f.) This agreement shall provide for reimbursement to the developer and other property owners from non-participating property owners through a standard City reimbursement agreement.
 - (g.) Costs of the infrastructure improvement shall include all surveying, engineering, design, construction, testing, construction management, and administration.
65. Developer shall extend the proposed sewer system into the area labeled NOT A PART from one of the two cul-de-sac locations directly south of the area labeled NOT A PART. Developer shall provide easements for the sewer from the adjacent lots in accordance with these conditions.

ENGINEERING: STREET & TRAFFIC

66. "Redwood" shall be renamed.
67. Developer shall construct and provide right of way for all streets, curb, gutter, cross gutter, drainage facilities, sidewalks, street lights, drive approaches, intersections, and other related improvements for the purposes of the development. Developer shall submit street improvement plans prepared by a registered civil engineer to the City Engineer for review and approval and shall include:
- (a.) preliminary soils report - including R values taken from proposed road locations and infiltration tests taken from any proposed basin site(s);
 - i.) At least two (2) R-value tests will be taken for Beech Street, two (2) for Golds Street, two (2) for Tulare Avenue, two (2) for Fresno Avenue, and eight (8) for local interior streets dedicated for the development.
 - (b.) preliminary engineer's estimate of construction costs; and
 - (c.) plan check and inspection fees.
68. The drawings shall include all proposed public street pavement, curb, gutter, driveways, streetlights, cross gutter, catch basins, striping, signage, traffic signals, and sidewalks along the perimeter of all streets adjacent to or within the project site. Said improvement shall be constructed as per the street improvement plans approved by the City Engineer in a manner consistent with the Subdivision

69. Street Sections:

- (a.) The minimum allowable structural section for Golds Avenue shall be 0.27 feet of Asphalt Concrete (3/4" AR-4000) over 0.50 feet of Class II Aggregate Base over 1.0 feet native material moistened and compacted to city standards. Traffic Index =6.0. Assumed base soil R-Value of 45.
- (b.) The minimum allowable structural section for Beech Street shall be 0.38 feet of Asphalt Concrete (3/4" AR-4000) over 0.67 feet of Class II Aggregate Base over 1.0 feet native material moistened and compacted to city standards. Traffic Index =8.0. Assumed base soil R-Value of 45.
- (c.) The minimum allowable structural section for Tulare Avenue shall be 0.38 feet of Asphalt Concrete (3/4" AR-4000) over 0.67 feet of Class II Aggregate Base over 1.0 feet native material moistened and compacted to city standards. Traffic Index = 8.0. Assumed base soil R-Value of 45.
- (d.) The minimum allowable structural section for Fresno Avenue shall be 0.38 feet of Asphalt Concrete (3/4" AR-4000) over 0.67 feet of Class II Aggregate Base over 1.0 feet native material moistened and compacted to city standards. Traffic Index = 8.0. Assumed base soil R-Value of 45.
- (e.) The minimum allowable structural section for the following interior streets shall be 0.17 feet of Asphalt Concrete (3/4" AR-4000) over 0.33 feet of Class II Aggregate Base over 1.0 feet native material moistened and compacted to city standards. Traffic Index = 4.5. Assumed base soil R-Value of 45:
 - i.) Vine
 - ii.) Briarwood, including the roundabout
 - iii.) Audubon, including the roundabout
 - iv.) Woodward (from Almond to Driftwood)
 - v.) Almond (from Woodward to Audubon)
 - vi.) Driftwood (from Woodward to Briarwood)
 - vii.) Cottonwood
 - viii.) Redwood (to be renamed) (from Cottonwood to Sherwood)
 - ix.) Sherwood
 - x.) Tamarack
 - xi.) Park (from Tamarack to Alder)
- (f.) The minimum allowable structural section for all other local interior streets shall be 0.17 feet of Asphalt Concrete (1/2" AR-4000) over 0.33 feet of Class II Aggregate Base over 1.0 feet native material moistened and compacted to city standards. Traffic Index = 4.0
- (g.) Pavement structural section calculations shall be performed to verify the proposed structural sections and shall be submitted to and approved by the City Engineer with street plans. Calculations shall use the results of the R-value tests from the soils report.
- (h.) Minimum cross slope shall be 1.5% constructed. A minimum of 2% cross slope shall be designed and shown on plans.

70. Street Dimensions:

- (a.) Golds Street shall be developed as a major collector, half width, along the entire property line of the subject property, in accordance with standards and specifications of the City as approved by the City Engineer. Golds Street shall be forty-six (46) feet half right of way with thirty-four (34) feet centerline to flowline.

- (b.) Beech Street shall be developed as a modified arterial along the entire property line of the subject property, in accordance with standards and specifications of the City as approved by the City Engineer. A portion of Beech Street shall be offset ten (10) feet to the east at the intersection of Beech Street and Tulare Avenue. Beech Street shall be granted forty-six (46) feet of right of way from the development with an addition ten (10) feet as it approaches Tulare Avenue from the north. Flowline shall be constructed at thirty-four (34) feet centerline to flowline.
 - i.) Portions of the existing road shall be demolished and Beech Street shall be reconstructed to its centerline. Reconstruction beyond the centerline may be necessary if existing road profile will not accommodate new construction.
 - ii.) Final layout subject to the approval of the City Engineer.
- (c.) Tulare Avenue shall be developed as a major collector, half width, along the entire property line of the subject property, in accordance with standards and specifications of the City as approved by the City Engineer. Tulare Avenue shall be forty-six (46) feet half right of way with thirty-four (34) feet centerline to flowline.
 - i.) Portions of the existing road shall be demolished and Tulare Avenue shall be reconstructed to its centerline. Reconstruction beyond the centerline may be necessary if existing road profile will not accommodate new construction.
- (d.) Fresno Avenue shall be developed as a arterial, half width, along the entire property line of the subject property, in accordance with standards and specifications of the City as approved by the City Engineer. Fresno Avenue shall be fifty-five (55) feet half right of way with forty-one (41) feet centerline to flowline.
 - i.) The existing edge of paving of Fresno Avenue shall be sawcut and Fresno Avenue shall be constructed to match the paving at the sawcut line.
 - ii.) Provisions shall be made for both the design and construction of Fresno Avenue for a future fourteen (14) feet wide landscaped median centered on Fresno Avenue.
 - iii.) Developer shall transition Fresno Avenue back to a two lane road in a manner acceptable to the City Engineer.
- (e.) The following intersections shall be expanded to provide additional right of way for turning lanes in accordance with City standards. Dimensions are subject to approval by the City Engineer.
 - i.) Beech Street at Tulare Avenue
 - ii.) Golds Street at Tulare Avenue
 - iii.) Beech Street at Fresno Avenue
- (f.) All local streets shall be developed as full width streets in accordance with standards and specifications of the City as approved by the City Engineer. All local streets shall be fifty-two (52) feet full right of way with forty (40) feet flowline to flowline.
- (g.) Construction of the developers half of the median along Fresno Avenue may be eliminated upon developers payment of their half of the median costs along Fresno Avenue to the City of Shafter in satisfaction of Section 3.4.1 of the Orchard Park Specific Plan.

71. Developer shall proposed grades and locations for all curb & gutter located on the north and east sides of the area labeled NOT A PART inside the future rights of way. Developer shall not be required to construct street improvement along the frontages of the area labeled NOT A PART, but he shall be required to show that the street improvements required with the development of Tract 6614 will work with any future development of the area labeled NOT A PART.

72. Should a street transition to another street with a ninety (90) degree turn occur, that transition shall be a street knuckle and shall be shown on the final tract map and in the street improvement plans.

73. Cul-de-sac and street knuckle dimensions & radii to conform to the Subdivision Engineering Design Manual and/or the City Engineer. The use of offset cul-de-sacs is approved provided they meet the requirements of the City.
74. **Roundabouts:** Roundabout design including proposed rights of way, curb locations and radii, center landscaped area and radii, transitions, crosswalk locations, etc. are subject to the approval of the city engineer. For reference, the City Engineer will be analyzing submitted roundabout designs using the Federal Highway Administration document entitled "Roundabouts: An Informational Guide", FHWA-RD-00-67, June 2000.
75. **Enhanced Paved Drives:**
- (a.) Those areas identified within the Orchard Park Specific Plan as having "ENHANCED PAVED DRIVES" shall have their street sections designed in accordance with the previously listed TI's above and the R-Values from the soils testing.
 - (b.) Design sections and exact location of the "ENHANCED PAVED AREAS" shall be shown on the approved street plans.
 - (c.) Design samples shall be provided to the planning director for approval prior to construction of any "ENHANCED PAVED DRIVES".
 - (d.) Developer shall protect the decorative nature of any "ENHANCED PAVED DRIVES" from damage or abnormal wear & tear due to construction traffic. If "ENHANCED PAVED DRIVES" have been damaged or suffered abnormal wear and tear from construction traffic, then "ENHANCED PAVED DRIVES" shall be repaired or replaced at the discretion of the City Engineer.
76. The following streets shall be striped in accordance with the City Engineer and Caltrans Traffic Manual, latest edition. Proposed striping shall be shown on street plans.
- (a.) Tulare Avenue
 - (b.) Beech Street
 - (c.) State Avenue
 - (d.) Fresno Avenue
 - (e.) Roundabouts, if required by the City Engineer
77. In addition, the following streets shall be equipped with a bicycle lane per the City of Shafter Planning Circulation Element:
- (a.) Tulare Avenue
78. Street signs shall be installed per City standards as required by the City Engineer.
79. All utilities proposed under paving shall be installed prior to paving. Cover over utilities shall be a depth as approved by the City Engineer.
80. During construction, the applicant shall maintain the project, including adjacent streets in a dust free condition. This condition applies at all times including weekends, evenings and night time hours. During construction operations, cleanup of soil from the public roadways shall be required, if deemed necessary, by the City Engineer.
81. Driveway approaches shall be constructed in a manner consistent with the requirements for residential approaches as set forth in the City's Subdivision and Engineering Design Manual.

82. Sidewalk, including curb, shall be five (5) feet wide and shall be placed behind the curb on all streets. Transitions at intersections and wheelchair ramps shall be provided and installed per City's Subdivision and Engineering Design Manual.
83. Monument and monument covers shall be set per City Standards.
84. Temporary turnarounds, if required, including right of way, shall be granted, designed, & installed per the Subdivision and Engineering Design Manual.
85. Property line locations shall be marked with a chiseled line on the top of curb for all property lines. The location of all sewer laterals shall be indicated on the top of curb with a stamped "S".
86. Street lighting shall be installed in accordance with the City Engineering & Subdivision Design Manual as directed by the City Engineer. Developer shall coordinate with Pacific Gas & Electric to ensure that the street lights are established under the LS-2 rate schedule.
87. Secondary access easements shall be provided at the request of the City Engineer. Within any given phase of development, secondary access easements and improvements shall be provided in a manner approved by the City Engineer. Access roads shall be twelve (12) feet in width and shall consist of three (3) inches of class II aggregate base over six (6) inches of native material compacted to 90% relative maximum density.
88. A waiver of direct access shall be dedicated and shown on the final map along:
 - (a.) Along all proposed wall locations
 - (b.) Along the proposed rights of way for the proposed roundabouts.
89. Blue Botts' dots shall be placed at the center of the street for each fire hydrant.

ENGINEERING: LANDSCAPING

90. All landscaping plans including plants, irrigation equipment, points of connection to water lines, electrical services for timers, lighting, etc. shall be approved by the City Engineer prior to construction.
91. Masonry walls are to be installed at all locations shown in the approved specific plan. Developer shall provide landscape easements from adjacent lots where proposed walls are not constructed in side proposed or existing city rights of way. Wall layout and appearance shall adhere to Detail 9a of the Orchard Park Specific Plan. Steel tubular fencing shall be primed & painted or powder-coated in accordance with City requirements.
92. Wall plans, materials, dimensions, and construction shall be per the Orchard Park Specific Plans and shall be approved by City prior to construction.
93. All plants shall be from the approved list located within the Orchard Park Specific Plan or shall be approved by the planning director prior to installation. If any trees are to be planted under or near overhead utilities, then the trees shall be approved for use by the affected utility company.
94. Landscaping plans including irrigation timers, piping, sprinklers, fittings, plants, trees, turf shall be

approved by the City.

95. Landscaping plumbing & electrical shall be designed for all phases of the tract.
96. Plastic sleeves, minimum four (4) inches diameter schedule 40 pipe, shall be installed under proposed streets where landscaping waterlines or control wires pass under the street.
97. Developer shall place the entire subdivision within a new or pre-existing Landscape/Lighting Maintenance District, prior to recordation of the final map.
 - (a.) The maintenance district shall be set-up to cover the cost of street lighting, drainage basin maintenance, and landscaping maintenance, as well as all administrative costs associated with the City's management of the district.
 - (b.) The Developer shall be required to cover the cost of street lighting, maintain all landscaping, including the replacement of any trees or shrubs that do not survive, within public right-of-way and landscape easements for a period of six (6) months after final inspection of the landscape improvements, or until such time as the maintenance district is formed, whichever shall occur last.
 - (c.) Developer shall be fully responsible for the formation, and formation cost of the Landscape/Lighting Maintenance District, as directed by the City Engineer.
 - (d.) Developer shall be fully responsible for paying the cost of water for all landscaping and electricity for the street lights until such time as the maintenance district is formed.

PLANNING

98. All development shall be in conformance with the Orchard Park Specific Plan and Shafter Development Code, as applicable.
99. In lieu of the construction of alleys, Developer shall pay refuse capacity fee as required by Ordinance No. 351. Refuse capacity fee shall be due and payable prior to recordation of a Final Map.
100. The Shafter-Wasco Irrigation District (SWID) has two turnouts (2-1.6s and 2.1.8s) on the subject site. Prior to recordation of Tract 6614, or any phase of Tract 6614 adjacent to said turnout pipes, developer must make a request to the SWID Board to remove the outlets at developers expense and in coordination with SWID time frames. Prior to commencing any work, developer should Contact Ron Sutton (Field Superintendent) with SWID to review construction requirements adjacent to and over SWID pipelines.
101. All architectural features and house sizes of each single-family residence shall be in compliance with the Orchard Park Specific Plan and approved by the Shafter Planning Department prior to issuance of each building permit. All landscaping requirements set forth in Section 2.80, Chapter 2, Title 17 of the Shafter Municipal Code (Design Review) shall be adhered to. All roofs constructed within TT 6614 shall be of concrete tile or Prestique I High Definition manufactured by ELK Corporation in Shafter, its equivalent, or better.
102. All roof-mounted air conditioning equipment shall be located on the rear portion of the roof ridge line in such a manner as to be screened as much as practical from view from public streets.

103. With the exception of model houses, as provided in Section 3.080, Chapter 3, Title 16 (Subdivision Ordinance) of the Shafter Municipal Code, no building permit shall be issued by the City until TT 6614 has been recorded pursuant to the requirements of Title 16 (Subdivision Ordinance) and Title 17 (Zoning Ordinance) of the Shafter Municipal Code.
104. "Park Lane" and "Aspen" are street names currently used in City limits. "Tamarack" is similar to "Tamara" which is a current street name. Prior to recordation of Tract 6614, or any phase which includes the noted street names, developer shall provide additional street names to City staff for checking with the Shafter Police Department.
105. The developer of Tract 6614 shall comply with all San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) requirements while grading and developing the site. It is the developers responsibility to contact the SJVUAPCD to determine which requirements/rules the developer must comply with.
106. At the time of issuance of building permits for single family dwellings within Tract 6614, developer shall pay \$5,700 per single family dwelling unit or an amount that may subsequently be adopted by the Shafter City Council, whichever is less as a traffic impact fee.
107. Fiber to the Home Infrastructure. CITY intends to deploy a CITY-owned high-speed "Fiber to the Home" network. Prior to recordation of Tract 6614, or any phase of Tract 6614, the Developer shall provide in ground conduit and necessary appurtenances within the tract and within arterial and collector roads adjacent to Tract 6614, (or any phase of Tract 6614) in order to implement the City's Fiber to the Home infrastructure project.
108. Public Safety Funding Mechanism. At the time of building permit issuance for single family dwellings within Tract 6614, developer shall pay to City the following public safety fees, consisting of the following two (2) components: (1) a one-time public safety fee of three hundred dollars (\$300.00) per dwelling unit, plus twenty cents (\$.20) per square foot of such dwelling unit; and 2) an ongoing, annual levy of: (a) three hundred fifty (\$350.00) per dwelling unit for single family dwelling units. Developer will cooperate with CITY in the formation of one or more funding mechanisms, including without limitation, one or more assessment districts, community facilities districts, capital facility fee program, or other financing mechanism (individually a "Funding Mechanism") for the purpose of financing such public safety fees for the Project. The Funding Mechanism shall be formed prior to the recordation of the first final map for the Project or all acts necessary to be taken by the Developer to cause to be formed or joined the Funding Mechanism shall have been taken prior to the recordation of the first final map for the Project. Any such Funding Mechanism shall for the ongoing annual levy, including, at a minimum, an automatic increase over the levy for the immediately preceding levy, to the extent permitted under applicable law.
109. At the time of issuance of the 50th building permit for the tract or any combination of phases related to Tract 6614, the developer shall begin construction of the park improvements. The park shall be fully constructed by Developer within 8 months of beginning construction on the park. The term "fully constructed" used above shall include the supply & construction of the following amenities:
- (a) Fully automatic irrigation system including water services, backflow preventers, pumps, timers, automatic control valves, piping, fittings, sprinklers, all supplied and installed in accordance with city standards.
 - (b) Grass, turf, and plants in dedicated landscaping areas.

- ©) Sewer & water service for future public restroom facilities at locations approved by the City Engineer
- (e.) 24 inch box trees
- (f.) Playground areas
- (g.) Covered Picnic tables / Barbeque equipment

The term "fully operable" used above shall mean that all hardware or equipment supplied has been installed in accordance with City Standards or manufacturer's requirements, has been inspected for conformance with applicable codes and passed, and is ready for use by the city of the public in general.

Development of the park by developer shall be considered 100% credit for all City park and Quimby fees.

- 110. The term "accepted by the City of Shafter City Council" shall mean that a NOTICE OF COMPLETION AND ACCEPTANCE OF WORK has been filed and recorded on behalf of the park project via action by the City Council of the City of Shafter.
- 111. Developer shall submit plans for the park to the Planning Director and City Engineer showing all amenities required by the Orchard Park Specific Plan. Park Plans, including grading and landscaping plans, shall be sufficiently detailed to allow the city to approved the design and equipment or materials specified.
- 112. Prior to recordation of Tract 6614, or any phases of Tract 6614 adjacent to Fresno Avenue and/or Beech Avenue, developer shall contact Jerry Alvarez with Southern California Gas Company to determine the impact of this tract map upon southern California Gas company facilities located within Beech Avenue and Fresno Avenue.
- 113. Prior to any excavation work on site, developer shall contact Vintage Petroleum and the State of California Department of Oil, Gas, and Geothermal Resources (DOGGR) to determine the location of any/all pipelines and/or abandoned or plugged oil wells. If any oil wells are discovered during grading, the developer shall be responsible to plug the wells pursuant to DOGGR standards and by DOGGR permit.
- 114. The following disclosure shall be placed upon the final subdivision map and included on all deeds for property transfers within Tract 6614: "If your real property is near property used for agricultural operations and/or keeping of large hoofed animals, you may be subject to inconveniences or discomforts arising from such operations on any 24 hour basis. Said discomforts may include, but not be limited to equipment noises, odors from manure or other chemicals, and dust or smoke. The City has determined that the use of real property for agricultural operations is a high priority and favored use to the City and Kern County and will not be considered a nuisance for those inconveniences or discomforts arising from agricultural operations, provided such operations are consistent with accepted customs, standards, and laws."

115. Prior to recordation of Tract 6614, the master developer of Tract 6614 and Richland School District staff shall meet and come up with a school bus stop plan to accommodate residents of Tract 6614.

BUILDING

116. At least two access points for ingress and egress of emergency vehicles to the subdivision are required. The Kern County Fire Department requests that the phase line be moved to the east to the back of the lots on the east side of Sparkleberry Lane.
117. Private drives constructed of Portland cement-concrete shall be constructed at a minimum width of 16 feet from the edge of public roadway pavement to the garage of each house.
118. Prior to permitting occupancy of any lot, building addresses shall be permanently installed and clearly visible from the street.

MITIGATION MEASURES FROM THE ADDENDUM

MM3b-1. Incorporate Control Measures to Reduce Construction-Generated Fugitive Dust and Exhaust Emissions. The project applicant and contractor(s) shall adhere to the following measures during all phases of construction:

1. Properly and routinely maintain all construction equipment, as recommended by manufacturer manuals, to control exhaust emissions.
2. Shut down equipment when not in use for extended periods of time to reduce emissions associated with idling engines.
3. Encourage ride sharing and use of transit transportation for construction employee commuting to the project sites.
4. Use electric equipment for construction whenever possible in lieu of fossil fuel-fired equipment.
5. Curtail construction during periods of high ambient pollutant concentrations; this may include ceasing of construction activity during the peak-hour of vehicular traffic on adjacent roadways.
6. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover, or vegetative ground cover.
7. All onsite unpaved roads and offsite-unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
8. All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.
9. When materials are transported off site, all material shall be covered or effectively wetted to limit visible

dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.

10. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.)

11. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.

12. Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday.

13. Any site with 150 or more vehicle trips per day shall prevent carryout and trackout.

14. Asphalt and concrete paving shall comply with San Joaquin Valley Air Pollution Control District Rule 4641 and restrict the use of cutback, slow-cure, and emulsified asphalt paving materials.

15. Cease grading activities during periods of high winds (greater than 20 mph over a one-hour period).

16. Limit construction-related vehicle speeds to 15 mph on all unpaved areas at the construction site.

17. Implementation of carryout/trackout mitigation measures, such as gravel pads, in accordance with the requirements of the SJVAPCD Regulation VIII.

MM3b-2. Develop and Implement Emissions Offset Program to Compensate for Project-Related Emissions. Prior to the issuance of the first building permit, the project applicant shall enter into an agreement with the SJVAPCD for the mitigation of NOx and ROG emissions. This agreement may include, but is not limited to, the payment of fees to the district for the purpose of offsetting project emissions. Examples of such a program would be the purchase of new diesel engines for heavy-duty trucks and agricultural equipment, retrofitting diesel engines with controls (e.g., oxidation catalyst, diesel particulate filter), and conversion of City-owned vehicles from gasoline and diesel to compressed natural gas engines. This emissions offset program shall be coordinated with and approved by the SJVAPCD and based on estimates of achievable emissions reductions.

This offset program would reduce emissions in sufficient quantities such that the net increase in regional emissions would be below significance thresholds.

MM5b-1. During construction, if archaeological resources, or specimens suspected of being archaeological resources, are encountered, alteration of earth material in the vicinity of the find shall be halted until a qualified archaeologist can evaluate the find and record significant cultural resources. Construction activity in the vicinity of the find may be halted until the find can be appropriately excavated and recovered. Areas found to contain significant artifacts shall be examined by a qualified archaeologist for recommendations concerning protection and preservation.

MM5c-1. During construction, if fossils or other paleontological resources are encountered, alteration of earth material in the vicinity of the find shall be halted until a qualified paleontologist can evaluate the find

and record significant resources. Construction activity in the vicinity of the find may be halted until the find can be appropriately excavated and recovered. Areas found to contain significant fossils shall be examined by a qualified paleontologist for recommendations concerning protection and preservation.

MM5d-1. If human remains are encountered during a public or private construction activity, State Health and Safety Code 7050.5 states that no further disturbance shall occur until the Kern County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The Kern County Coroner must be notified within 24 hours. If the coroner determines that the burial is not historic, but prehistoric, the Native American Heritage Commission (NAHC) must be contacted to determine the most likely descendant (MLD) for this area. The MLD may become involved with the disposition of the burial following scientific analysis.

MM7b-1. Prior to construction of residential units adjacent to the existing oil sump, the sump shall be excavated and cleaned up in accordance with DOGGR regulations.

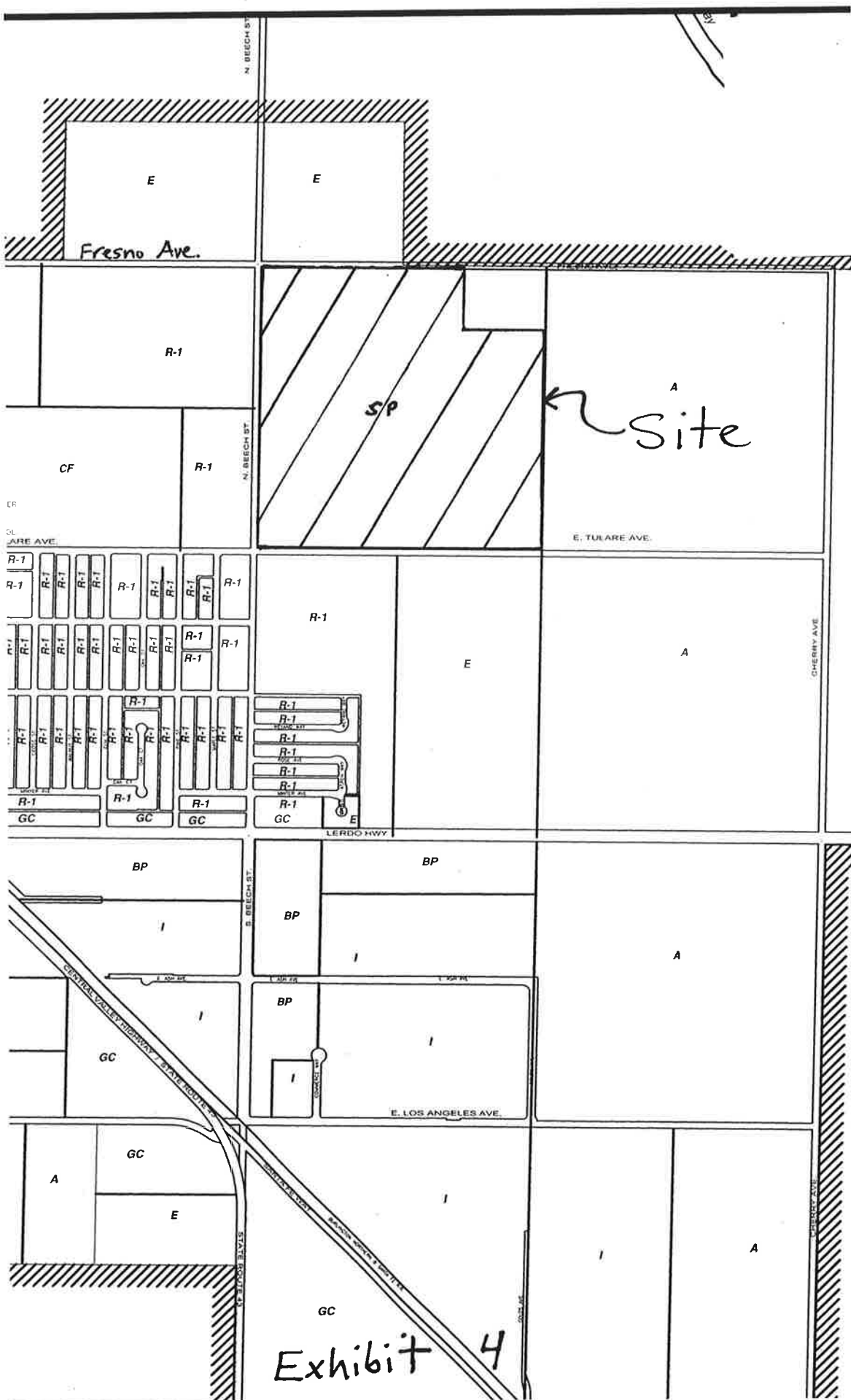
MM7b-2. Prior to the approval of grading permits, transformers associated with onsite powerpoles shall be removed by a qualified hazardous materials specialist as coordinated by PG&E to the satisfaction of the City of Shafter.

MM15a-1. Prior to occupancy of the residential units, a traffic signal shall be installed at the intersection of Santa Fe Way and Beech Avenue. This improvement may be provided by the project applicant or by the City. In the latter case, the developer would be required to pay a proportionate share of the cost for installation of the traffic signal. This development's proportionate share of the overall cost would be 8.86 percent of the total cost for the traffic signal. Because the proportionate share is so low, it is recommended that this improvement be provided by the City with the applicant to pay the fair share, and the City to collect the remaining share of the cost from other future developers. Alternatively, should the applicant provide this improvement, the developer shall be credited for the costs above and beyond the fair share contribution.

MM15a-2. Prior to occupancy of the residential units, a traffic signal shall be installed at the intersection of Beech Avenue and Tulare Avenue. This improvement may be provided by the project applicant or by the City. In the latter case, the developer would be required to pay a proportionate share of the cost for installation of the traffic signal. This development's proportionate share of the overall cost would be 47 percent of the total cost for the traffic signal. Because the proportionate share is so low, it is recommended that this improvement be provided by the City with the applicant to pay the fair share, and the City to collect the remaining share of the cost from other future developers. Alternatively, should the applicant provide this improvement, the developer shall be credited for the costs above and beyond the fair share contribution.

MM15a-3. Prior to occupancy of the residential units, a westbound left turn pocket shall be constructed at project entrance and Fresno Avenue and a southbound left turn pocket shall be constructed at Beech Avenue and project entrance.

****** Signalization improvements contained in Mitigation Measures 15a-1 & 15a-2 (above) are part of the City of Shafter's Transportation Impact Fee (TIF) Program being prepared at this time. Once the TIF program has been adopted by the City of Shafter, the developer is relieved from payment of a percentage for the signal noted in Mitigation Measures 15a-1 & 15a-2.

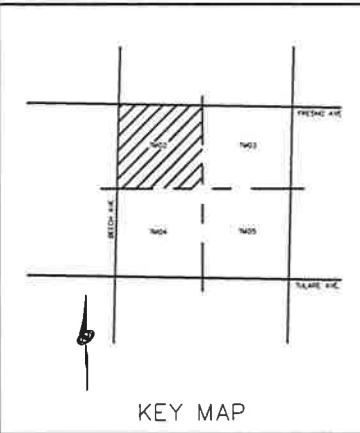


[illegible]

- # OF LOTS: 432
#OF BUILDABLE LOTS: 431
APPROX. LOTS/ACRES: 3

Exhibit 5

DATE SUBMITTED: 8/17/06
 PREPARED FOR:
 SAGE SHAFTER I, LLC



TENTATIVE
 TRACT
 #6467

- LEGEND:
- PERIMETER BLOCK WALL
 (LOCATED 1' OUTSIDE R.O.W.)
 - PASEO BLOCK WALL
 - 6' HIGH RETENTION BASIN
 - BLOCK WALL
 - CHAIN LINK FENCE
 - WAIVER OF DIRECT ACCESS

TENTATIVE
 TRACT
 #6704

FRESNO AVE. (ARTERIAL)

(ARTERIAL)

BEECH AVE. (MAJOR COLLECTOR)



GRAPHIC SCALE
 50 0 50 100
 (IN FEET)
 1 inch = 100' ft.



TENTATIVE
 TRACT
 6614

SHEET NUMBER
 TM02
 OF 18 SHEETS

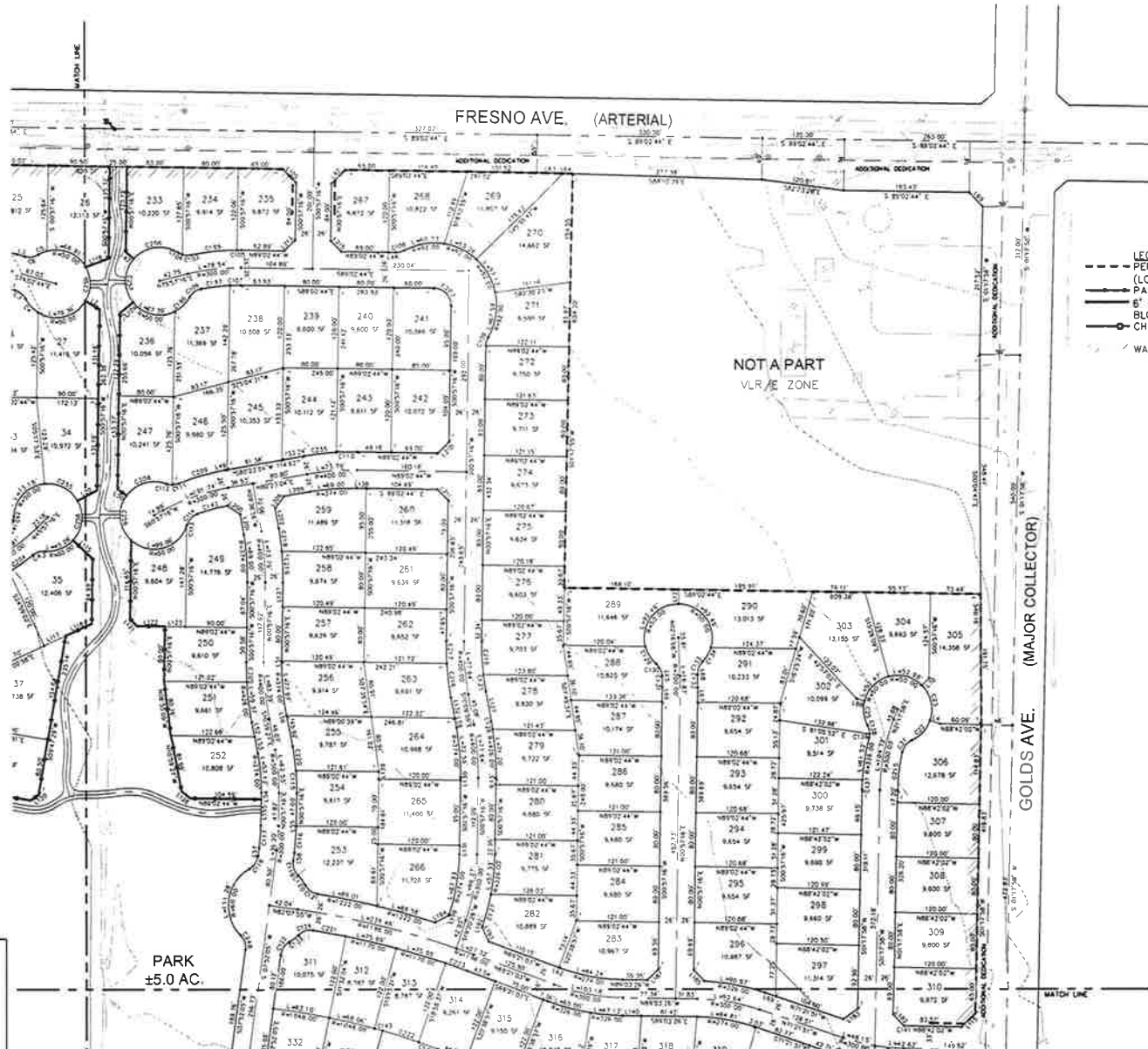
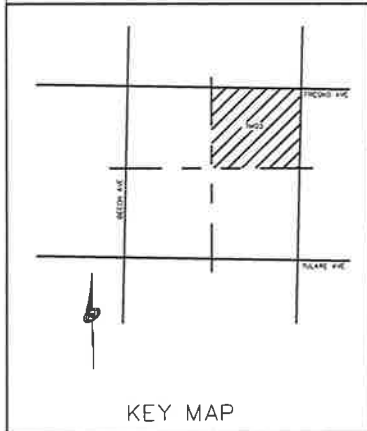
JOB NUMBER
 MTB013700

NOLTE
 BEYOND ENGINEERING

1930 HOWARD ROAD, SUITE 125
 MADERA, CA 93637
 558.8615220 TEL. 558.8614440 FAX
 WWW.NOLTE.COM

Exhibit 5 - Sheet 2

DATE SUBMITTED: 8/17/06
 PREPARED FOR:
 SAGE SHAFTER I, LLC



TENTATIVE
TRACT
6614

SHEET NUMBER
TM03
OF 16 SHEETS

JOB NUMBER
MTB013700

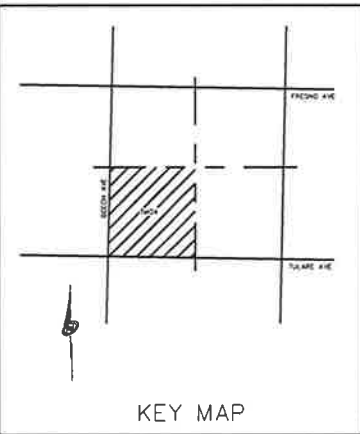
NOLTE
BEYOND ENGINEERING

1830 HOWARD ROAD, SUITE 125
 950.0916220 TEL 558.6614440 FAX

MADERA, CA 93637
 WWW.NOLTE.COM

Exhibit 5 - Sheet 3

DATE SUBMITTED: 8/17/06
 PREPARED FOR:
 SAGE SHAFTER I, LLC



- LEGEND:
- PERIMETER BLOCK WALL (LOCATED 1' OUTSIDE R.O.W)
 - PASEO BLOCK WALL
 - 6" HIGH RETENTION BASIN
 - BLOCK WALL
 - CHAIN LINK FENCE
 - WAIVER OF DIRECT ACCESS

NOLTE
 BEYOND ENGINEERING

1930 HOWARD ROAD, SUITE 125
 559.061.5220 TEL 559.061.4440 FAX

MADERA, CA 93637
 WWW.NOLTE.COM



GRAPHIC SCALE
 50 0 50 100
 (IN FEET)
 1 inch = 100' PL

TENTATIVE
 TRACT
 6614

SHEET NUMBER
 TM04
 OF 18 SHEETS

JOB NUMBER
 MTB013700

Exhibit 5 - sheet 4

DATE SUBMITTED: 8/17/06
 PREPARED FOR:
 SAGE SHAFTER I, LLC

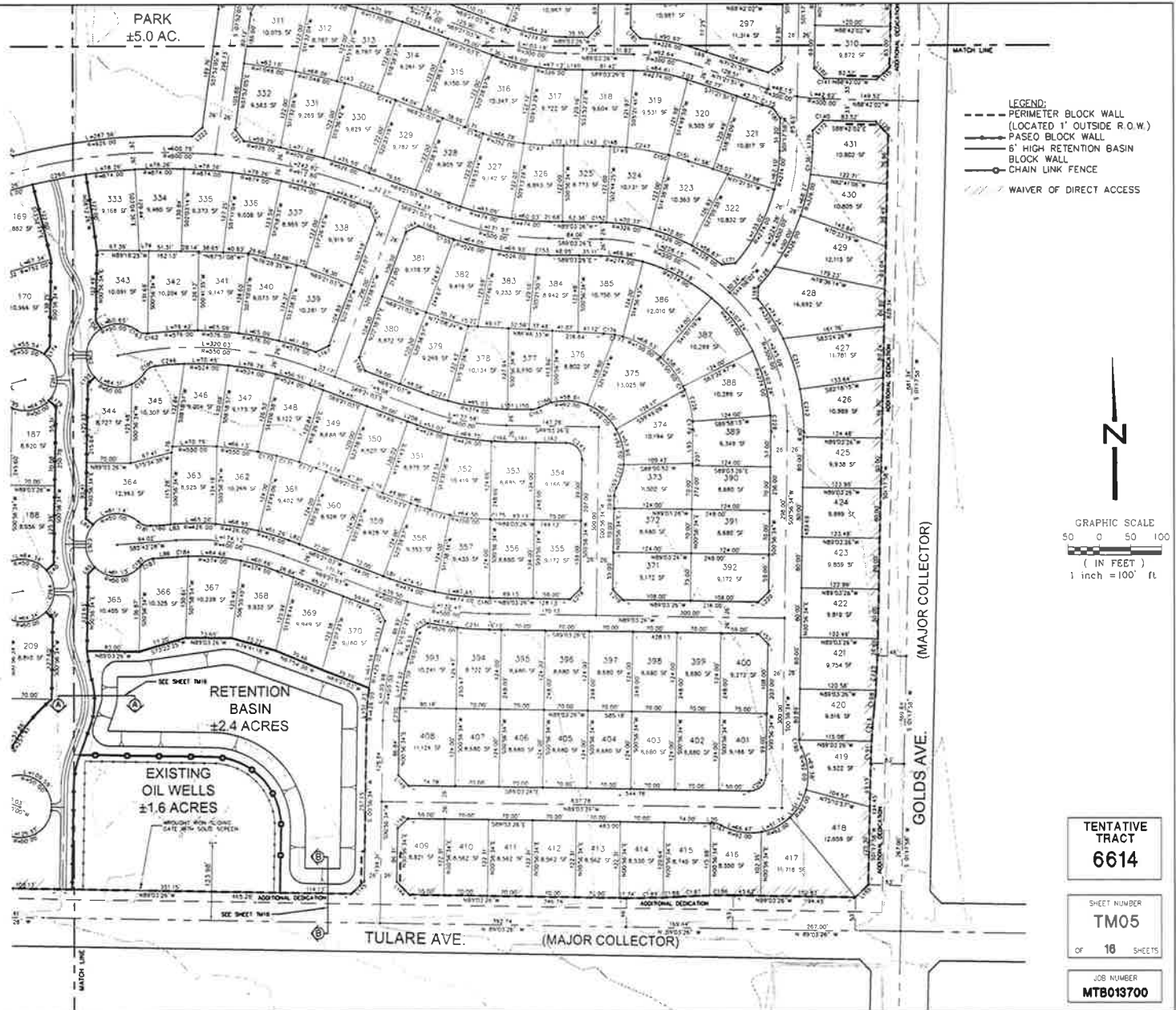
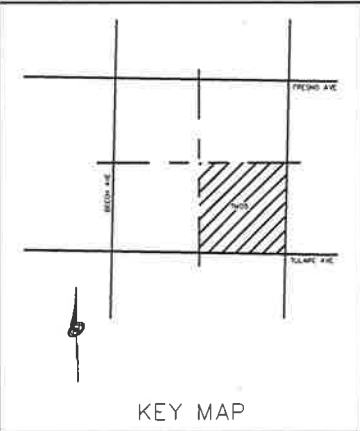


Exhibit 5 - sheet 5

RESOLUTION NO. 24-448

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER RECOMMENDING THE CITY COUNCIL APPROVE A TWO (2) YEAR EXTENSION OF TIME FOR TENTATIVE TRACT MAP NO. 6614 LOCATED EAST OF NORTH BEECH AVENUE BETWEEN EAST FRESNO AVENUE AND EAST TULARE AVENUE, WITHIN THE CITY OF SHAFTER

WHEREAS, on September 11, 2024, LGI Homes, the property owners, requested approval of an extension of time to record a final map on that certain property in the City of Shafter as shown on attached Exhibit “A”. The extension of time request was submitted prior to the expiration of the map and is being considered within the 60-day time period allowed by the Subdivision Map Act; and

WHEREAS, Tentative Tract Map No. 6614, as illustrated in Exhibit A, proposing to subdivide 140 acres into 430 single-family residential parcels, two public park parcels, two drainage basin parcels, and an oil well site, was approved by the City Council on September 19, 2006 per Resolution No. 1890; and

WHEREAS, Tentative Tract No. 6614 is exempt from the California Environmental Quality Act, i.e., exempt from the requirements of Division 13 (commencing with section 21000) of the Public Resources Code, pursuant to California Government Code §65457; and

WHEREAS, Tentative Tract No. 6614 is within the scope of the Program Environmental Impact Report (EIR) that was certified for the 2005 City of Shafter General Plan Update and related actions (SCH No. 2004101029) pursuant to Resolution No. 05-1738 and the Addendum that was certified for the final Orchard Park Specific Plan pursuant to Resolution 06-1889; and

WHEREAS, the certified program EIR and Addendum adequately describes the activity of the residential development proposed in Tentative Tract No. 6614 as adopted in the amended Orchard Park Specific Plan under Ordinance No. 06-583; and

WHEREAS, Tentative Tract Map No. 6614 was approved with a condition requiring the final map to be recorded within two years; and

WHEREAS, on July 15, 2008, the state legislature amended the Subdivision Map Act to provide a twelve (12) month extension of time for qualifying approved subdivision maps, thereby extending the expiration date of the map to September 19, 2009; and

WHEREAS, on July 15, 2009, the state legislature amended the Subdivision Map Act to provide an additional twenty-four (24) month extension of time for qualifying approved subdivision maps thereby extending the expiration date of the map to September 19, 2011; and

WHEREAS, on July 13, 2011, the state legislature amended the Subdivision Map Act to provide an additional twenty-four (24) month extension of time for qualifying approved subdivision maps, thereby extending the expiration date of the map to September 19, 2013; and

WHEREAS, on July 13, 2013, the state legislature amended the Subdivision Map Act to provide an additional twenty-four (24) month extension of time for qualifying approved subdivision maps, thereby extending the expiration date of the map to September 19, 2015; and

WHEREAS, on September 1, 2015, the City Council approved a two (2) year discretionary extension of time, extending the expiration date of the map to September 19, 2017; and

WHEREAS, on October 1, 2015, the state legislature amended the Subdivision Map Act to provide an additional twenty-four (24) month extension of time for qualifying approved subdivision maps, thereby extending the expiration date of the map to September 19, 2019; and

WHEREAS, on September 27, 2018, the state legislature amended the Subdivision Map Act to provide an additional twenty-four (24) month extension of time for qualifying approved subdivision maps, thereby extending the expiration date of the map to September 19, 2021; and

WHEREAS, on September 28, 2020, the state legislature amended the Permit Streamlining Act to provide an additional eighteen (18) month extension of time for qualifying entitled projects, thereby extending the expiration date of the map to March 19, 2023; and

WHEREAS, on June 21, 2022, the City Council approved a two (2) year extension of time authorized by Government Code §66452.26 for active residential subdivision maps approved between January 1, 2006 and July 11, 2013, thereby extending the expiration date of the map to March 19, 2025; and

WHEREAS, Title 16, Section 4.080.B of the City Municipal Code (Subdivision Ordinance) and Government Code §66452.6(e) allow the City Council to approve extensions of time for approved, or conditionally approved, tentative subdivision maps if the request is received prior to the expiration date of the map; and

WHEREAS, the City of Shafter has historically approved subdivision map extensions of time in two-year intervals; and

WHEREAS, at said Planning Commission meeting held October 08, 2024, the proposed extension of time for Tentative Tract Map No. 6614 was duly presented and considered and the Planning Commission determined that Tentative Tract Map No. 6614 is eligible to receive a two-year extension of time for recordation of the final map.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Shafter, in a regular session assembled on the 8th day of October, 2024, recommends that the City Council approve a two-year extension of time for Tentative Tract Map No. 6614 (Exhibit “A”) located east of North Beech Avenue between East Fresno Avenue and East Tulare Avenue, subject to the conditions approved by the City Council on September 19, 2006 (Resolution No. 06-1890), to expire on March 19, 2027.

PASSED AND ADOPTED THIS 8th DAY OF OCTOBER, 2024.

John Sanchez, Chairman

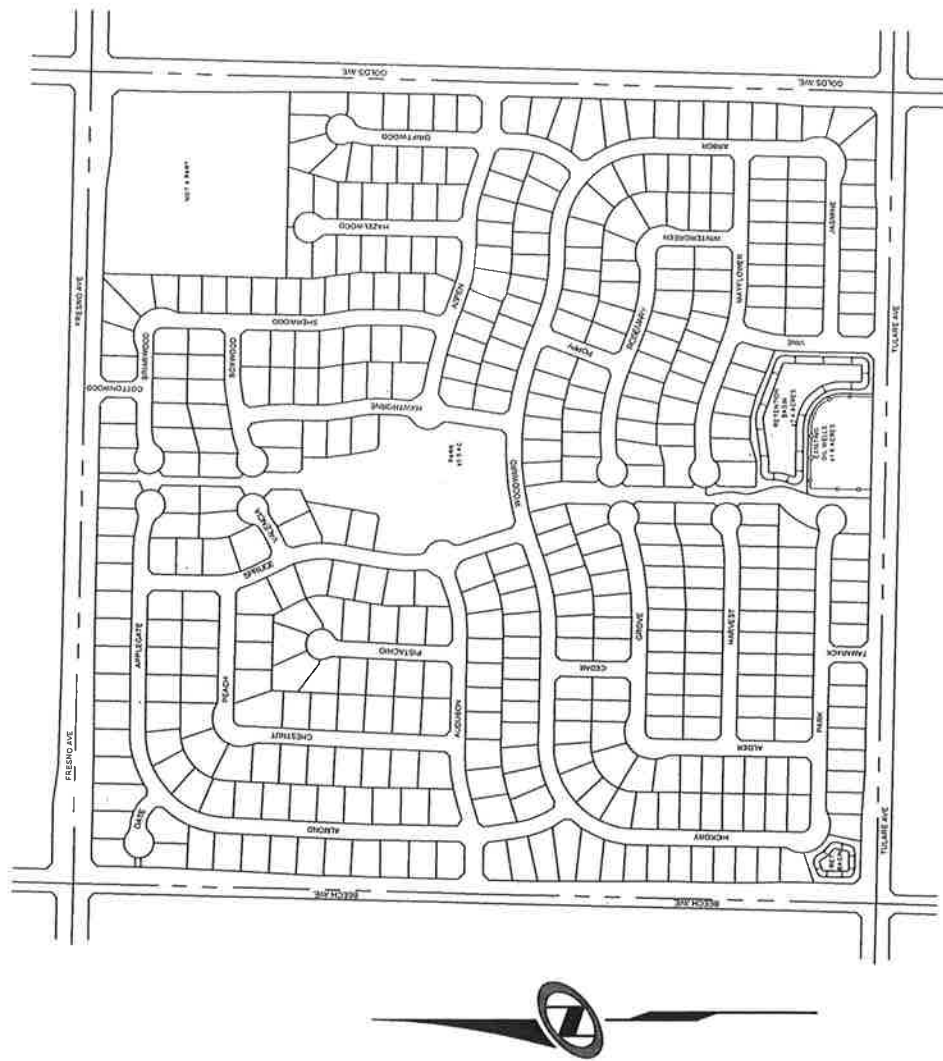
ATTEST

Vanessa Uribe, Deputy City Clerk

TENTATIVE TRACT NO. 6614 EXTENSION OF TIME

- 2. PLUM
- 3. MAHOGANY
- 4. FIG
- 5. SEQUOIA
- 6. ORCHARD

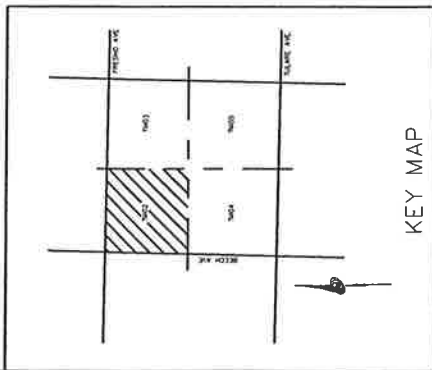
OF LOTS: 432
#OF BUILDABLE LOTS: 431
APPROX. LOTS/ACRES: 3



TENTATIVE
TRACT
6614

EXHIBIT A

DATE SUBMITTED: 8/17/06
 PREPARED FOR:
 SAGE SHAFTER I, LLC



- LEGEND:
- PERIMETER BLOCK WALL (LOCATED 1' OUTSIDE R.O.W.)
 - PASEO BLOCK WALL
 - 6" HIGH RETENTION BASIN
 - BLOCK WALL
 - CHAIN LINK FENCE
 - WAIVER OF DIRECT ACCESS

NOTICE

BEYOND ENGINEERING
 8530 HOWARD ROAD, SUITE 105
 MADERA, CA 93637
 559.6616220 TEL 559.6614440 FAX
 BEE@NOTICE.COM

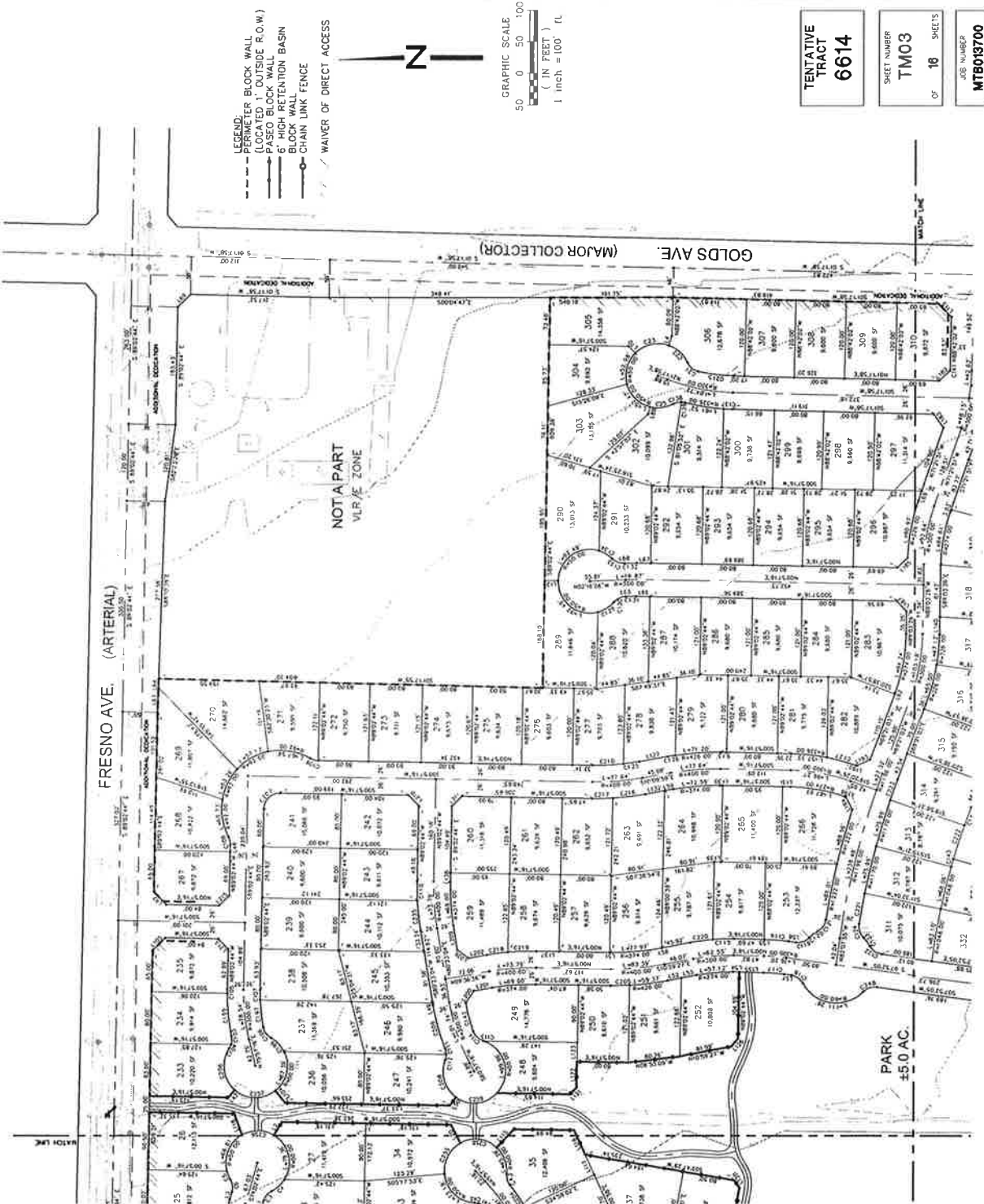
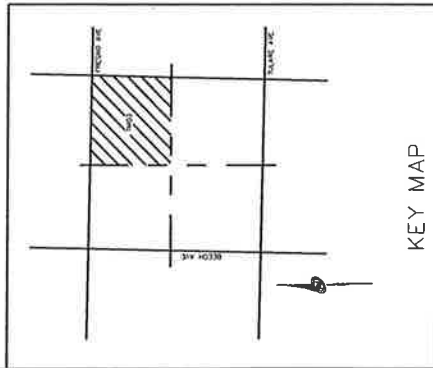
TENTATIVE TRACT
6614

SHEET NUMBER
TM02

OF 16 SHEETS

JOB NUMBER
MTB013700

DATE SUBMITTED: 8/17/06
 PREPARED FOR:
 SAGE SHAFTER I, LLC



TENTATIVE
 TRACT
 6614

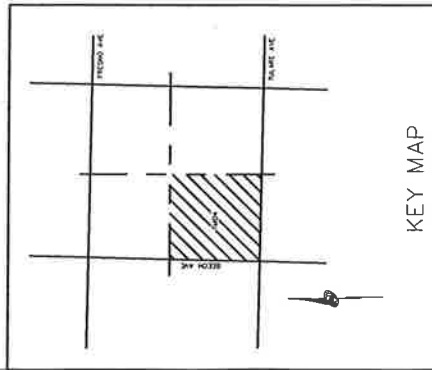
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OF 16 SHEETS

JOB NUMBER
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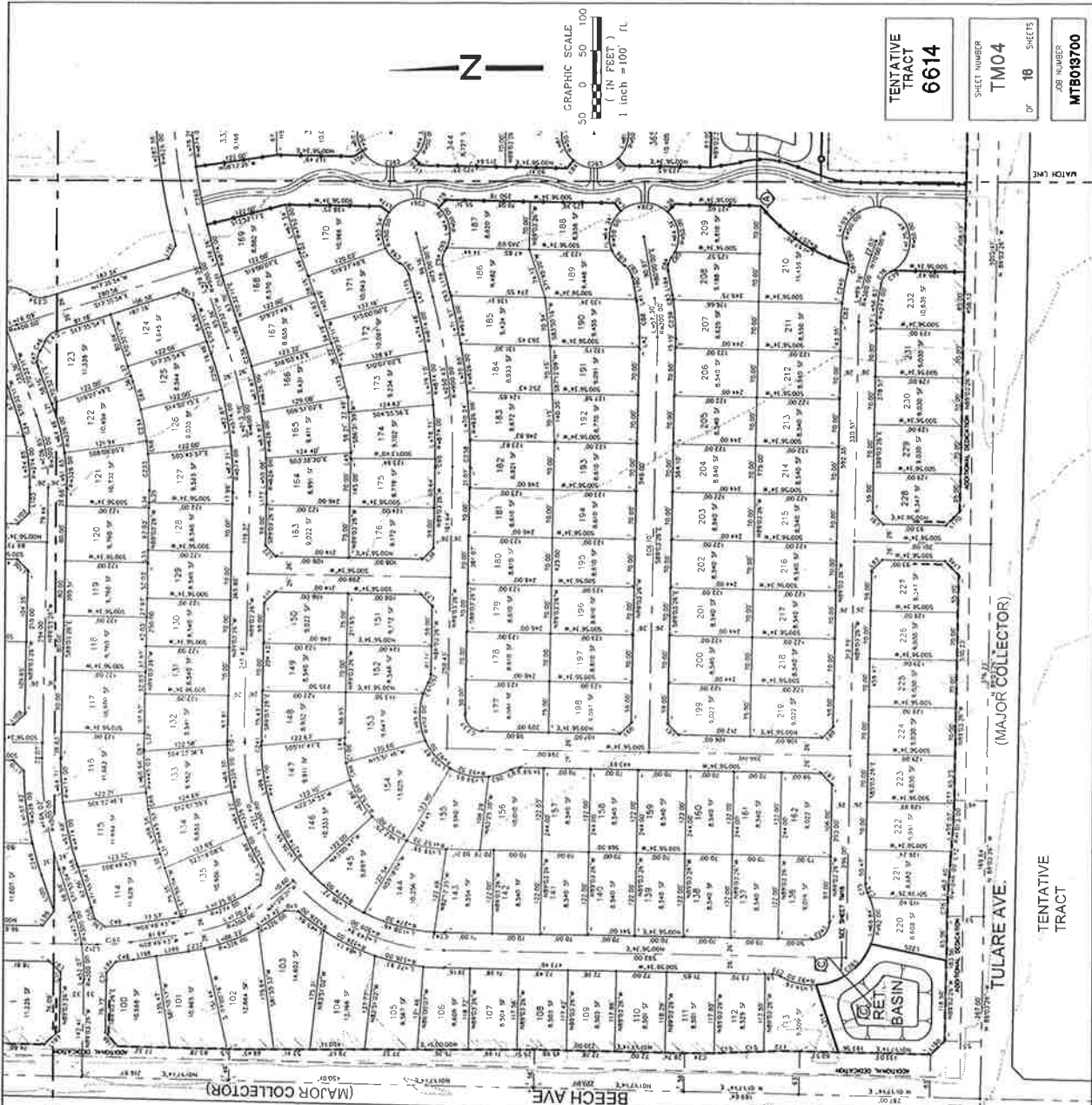
NOTTE
 BEYOND ENGINEERING
 1830 HOWARD ROAD, SUITE 105
 MADERA, CA 93637
 559.661.5220 TEL 559.661.4440 FAX
 WWW.NOLTE.COM

DATE SUBMITTED: 8/17/06
 PREPARED FOR:
 SAGE SHAFTER I, LLC



KEY MAP

- LEGEND:
- PERIMETER BLOCK WALL (GRADE R.O.W)
 - PASSED BLOCK WALL
 - 6" HIGH RETENTION BASIN
 - BLOCK WALL
 - CHAIN LINK FENCE
 - WAIVER OF DIRECT ACCESS



TENTATIVE TRACT
6614

SHEET NUMBER
TM04

16 SHEETS

JOB NUMBER
MTB019700

NOLTE
 BEYOND ENGINEERING
 1630 HOWARD ROAD, SUITE 205
 MADERA, CA 93647
 559.861.6220 TEL. 559.861.4445 FAX
 WWW.NOLTE.COM

ETON

B E Y O N D E N G I N E E R I N G

HOWARD ROAD, SUITE 125
MADERA, CA 9
15220 TEL: 569.691.4440 FAX: 569.691.4440
WWW.NOLTE

LEGEND:

- PERIMETER BLOCK WALL (LOCATED 1' OUTSIDE R.O.W.)
- PASEO BLOCK WALL
- BLOCK WALK
- BLOCK WALK FENCE
- CHAIN LINK FENCE
- WAIVER OF DIRECT ACCESS

GRAPHIC SCALE:
50 0 50 100
(IN FEET)
1 inch = 100 ft

TITLE BLOCK:
TENTATIVE TRACT 6614
SHEET NUMBER TM05
OF 16 SHEETS
JOB NUMBER MTB013700

Map Labels:
PARK ±50 AC.
RETENTION BASIN ±2.4 ACRES
EXISTING OIL WELLS ±1.6 ACRES
TULARE AVE.
GOLDS AVE.
(MAJOR COLLECTOR)
(MAJOR COLLECTOR)

Map Features:
The map shows a grid of lots, many of which are numbered (e.g., 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500). The map also shows various streets, including Tulare Ave. and Golds Ave., and a retention basin. The map is oriented with North at the top.

DATE: October 8, 2024
TO: Planning Commission
FROM: Planning Department
SUBJECT: Conditional Use Permit No. 24-145

RECOMMENDATION:

Planning Commission conduct a public hearing; and adopt Resolution No. 24-450, a Resolution of the Planning Commission of the City of Shafter, (1) approving Conditional Use Permit No. 24-145 to allow for the construction and operation of three solar facilities on three sites (portions of APNs 089-090-30, 091-320-03, and 091-252-34) on 22.6 total acres and (2) adopt a Mitigated Negative Declaration in compliance with the California Environmental Quality Act.

APPLICANT

Bob Swanson
Swanson Engineering,
Inc.
2000 Oak Street, Suite 150
Bakersfield, CA 93301

OWNER

Wonderful Nut Orchards LLC
6801 E. Lerdo Highway
Shafter, CA 93263

LOCATION: The project is located on portions of APNs 089-090-30, 091-320-03, and 091-252-34. See **Exhibit 1**.

PROJECT DATA:

1. General Plan Designation: The current land use designation of the three sites is AOS (Agricultural/Open Space). The properties surrounding the site are also designated AOS.
2. Zoning: The sites are zoned A (Agricultural). The properties surrounding the site are also zoned A.
3. Acreage: 22.6 total acres

PROJECT ANALYSIS:

Bob Swanson, representing Wonderful Nut Orchards LLC, is requesting a conditional use permit (CUP) to allow for the construction of three solar facilities on three sites (APNs 089-090-30, 091-320-03, and 091-252-34).

The 2.3-acre Lerdo West site [portion of Assessor's Parcel Number (APN) 089-090-30] is located northeast of the intersection of Cherry Avenue and Lerdo Highway (at coordinates 35.504149, -119.232113) and would include a 716-kilowatt (kW) fixed ground mount solar photovoltaic (PV) system. See **Exhibit "A" of Exhibit 2**.

The 8.6-acre Lerdo Middle site (portion of APN 091-320-03) is located southwest of the intersection of Wallace Road and Road 5039 (at coordinates 35.506220, -119.162031) and would include a 2,537-kW tracker solar PV system. See **Exhibit “A” of Exhibit 2.**

The 11.7-acre Ranch 3461 site (portion of APN 091-252-34) is located east of Mendota Street (at coordinates 35.456388, -119.225118) and would include a 3,412-kW tracker solar PV system. See **Exhibit “A” of Exhibit 2.**

The City reviewed the Shafter Municipal Code Title 17 (Zoning Ordinance) and determined that “solar energy electrical generators, commercial or domestic, exceeding five kilowatts capacity” are conditionally allowed within the A District. Therefore, a CUP is required.

CEQA:

Based upon an initial study, Staff determined that the project, with mitigation measures, would not have a significant effect on the environment. Therefore, a Mitigated Negative Declaration (MND) was prepared for this project in accordance with the California Environmental Quality Act (CEQA). The MND was circulated for a 30-day public and agency review period from September 6, 2024 to October 6, 2024. The MND is provided as **Exhibit “C” of Exhibit 2.**

The State CEQA Guidelines have been followed in the evaluation of the environmental effects of this project. Significant environmental impacts were not identified with the project proposal. Therefore, a MND was prepared for the project. Compliance with the mitigation measures in the MND, local ordinances, state laws, and construction to the standards of the California Building Codes would reduce impacts to a less-than-significant level.

Staff finds that the applicable provisions of CEQA have been complied with, and the proposal is compatible with the surrounding area, land use designation, and zoning ordinance.

FINDINGS:

1. The Planning Commission finds that the proposed use is permitted within the A District, is consistent with the goals, policies, and objectives of the General Plan, and is consistent with the applicable development policies and standards of the City.
2. The Planning Commission finds the proposed use would not impair the integrity and character of the A District in which the conditional use permit is to be established.
3. The Planning Commission finds that the project is suitable for the type and intensity of the use proposed for the conditional use permit.
4. The Planning Commission finds that there is adequate provision for water, sanitation, public utilities and services to ensure public health and safety.

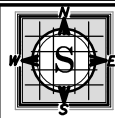
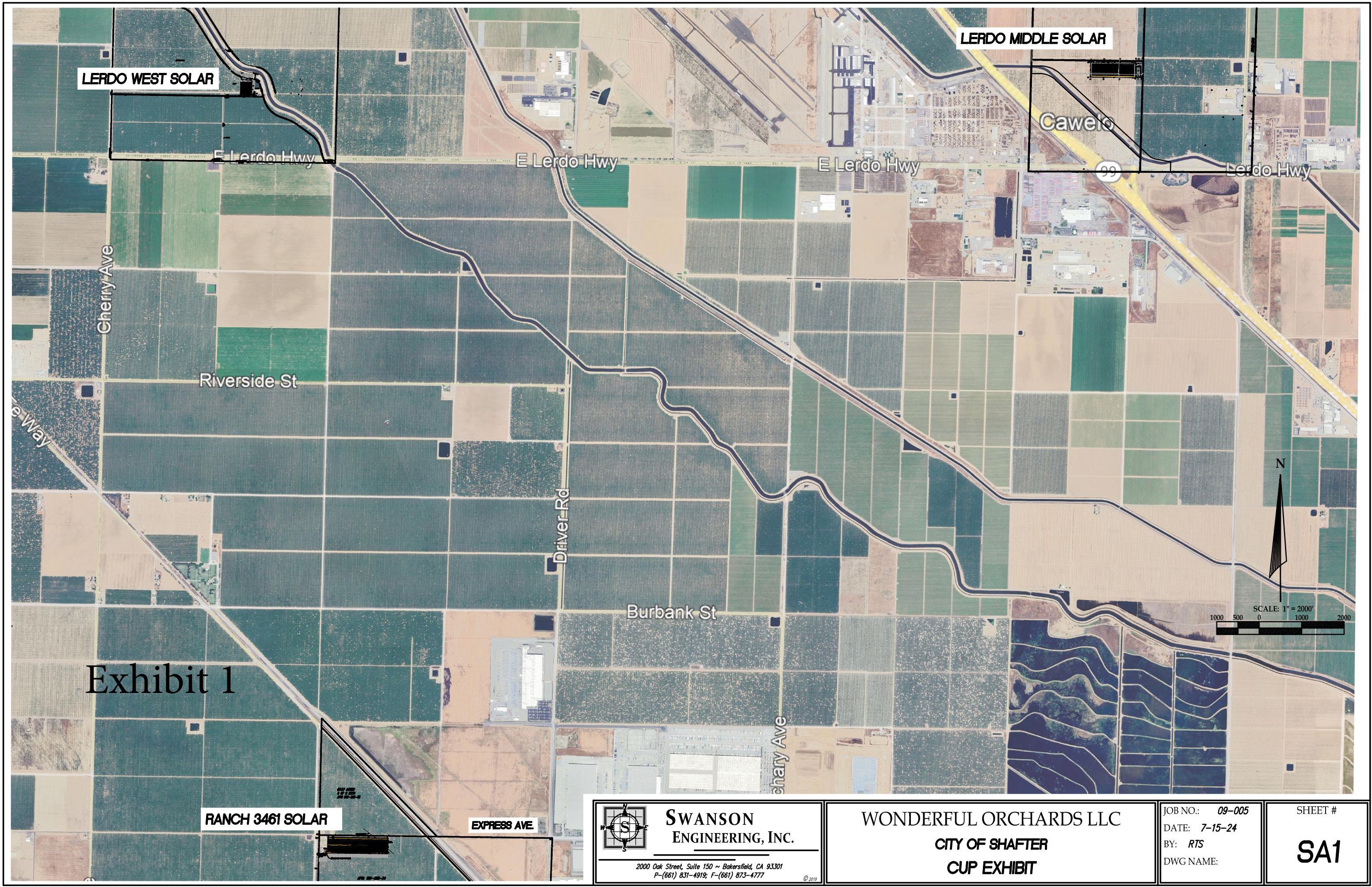
5. The proposed conditional use permit will not be detrimental to the public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity.
6. The Planning Commission finds that the proposed conditional use permit (CUP No. 24-145) mitigated its impacts to a level of less than significant and therefore, will not have a significant impact on the environment.
7. The attached Conditions of Approval are deemed necessary for the safety and welfare of the community.

ATTACHMENTS

Site Map
Resolution No. 24-450

EXHIBIT

1
2



**SWANSON
ENGINEERING, INC.**

2000 Oak Street, Suite 150 ~ Bakersfield, CA 93301
P-(661) 831-4919; F-(661) 873-4777

© 2019

WONDERFUL ORCHARDS LLC
CITY OF SHAFTER
CUP EXHIBIT

JOB NO.: 09-005
DATE: 7-15-24
BY: RTS
DWG NAME:

SHEET #
SA1

RESOLUTION NO. 24-450

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHAFTER APPROVING CONDITIONAL USE PERMIT NO. 24-145 TO (1) ALLOW FOR THE CONSTRUCTION AND OPERATION OF THREE SOLAR FACILITIES ON THREE SITES (PORTIONS OF APNS 089-090-30, 091-320-03, AND 091-252-34) ON 22.6 TOTAL ACRES AND (2) ADOPT A MITIGATED NEGATIVE DECLARATION IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, the Planning Commission has, at its regularly scheduled meeting on October 8, 2024, studied and considered the proposed request for a conditional use permit (CUP No. 24-145) to allow for the construction and operation of three solar facilities on three sites (portions of APNs 089-090-30, 091-320-03, and 091-252-34) (the “Project”) as shown in Exhibit “A”; and

WHEREAS, it was determined that the Project, with mitigation, would not have a significant effect on the environment and therefore, a Mitigated Negative Declaration was prepared in accordance with the California Environmental Quality Act (“CEQA”); and

WHEREAS, the Mitigated Negative Declaration includes enforceable mitigation described in the Mitigation, Monitoring, and Reporting Program (“MMRP”); and

WHEREAS, the Planning Commission has determined that the provisions of CEQA and the State CEQA Guidelines have been followed; and

WHEREAS, the City of Shafter Planning Department (336 Pacific Avenue, Shafter, California) is the custodian of all documents and other materials upon which the environmental determination is based; and

WHEREAS, a timely and properly noticed public hearing for CUP No. 24-145 was held by the Planning Commission of the City of Shafter at a regular meeting on October 8, 2024, at which hearing evidence, oral and documentary, was admitted on behalf of said Project; and

WHEREAS, the Planning Commission finds that the proposed use is permitted within the A (Agricultural) District, is consistent with the goals, policies, and objectives of the General Plan, and is consistent with the applicable development policies and standards of the City; and

WHEREAS, the Planning Commission finds the proposed use would not impair the integrity and character of the A (Agricultural) District in which the conditional use permit is to be established; and

WHEREAS, the Planning Commission finds that the Project site is suitable for the type and intensity of use proposed under the conditional use permit; and

WHEREAS, the Planning Commission finds that there is adequate provision for water, sanitation, public utilities, and services to ensure public health and safety for the conditional use permit; and

WHEREAS, the conditional use permit will not be detrimental to the public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity of the project site; and

WHEREAS, the Planning Commission finds that the attached Conditions of Approval are deemed necessary for the safety and welfare of the community.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Shafter, in a regular session assembled on the 8th day of October, 2024, approves Conditional Use Permit No. 24-145 to allow for the construction and operation of three solar facilities on three sites (portions of APNs 089-090-30, 091-320-03, and 091-252-34) as provided in Exhibit “A”, with conditions of approval as provided in Exhibit “B”, and (2) adopt Mitigated Negative Declaration in compliance with the California Environmental Quality Act as provided in Exhibit “C”.

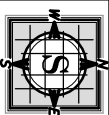
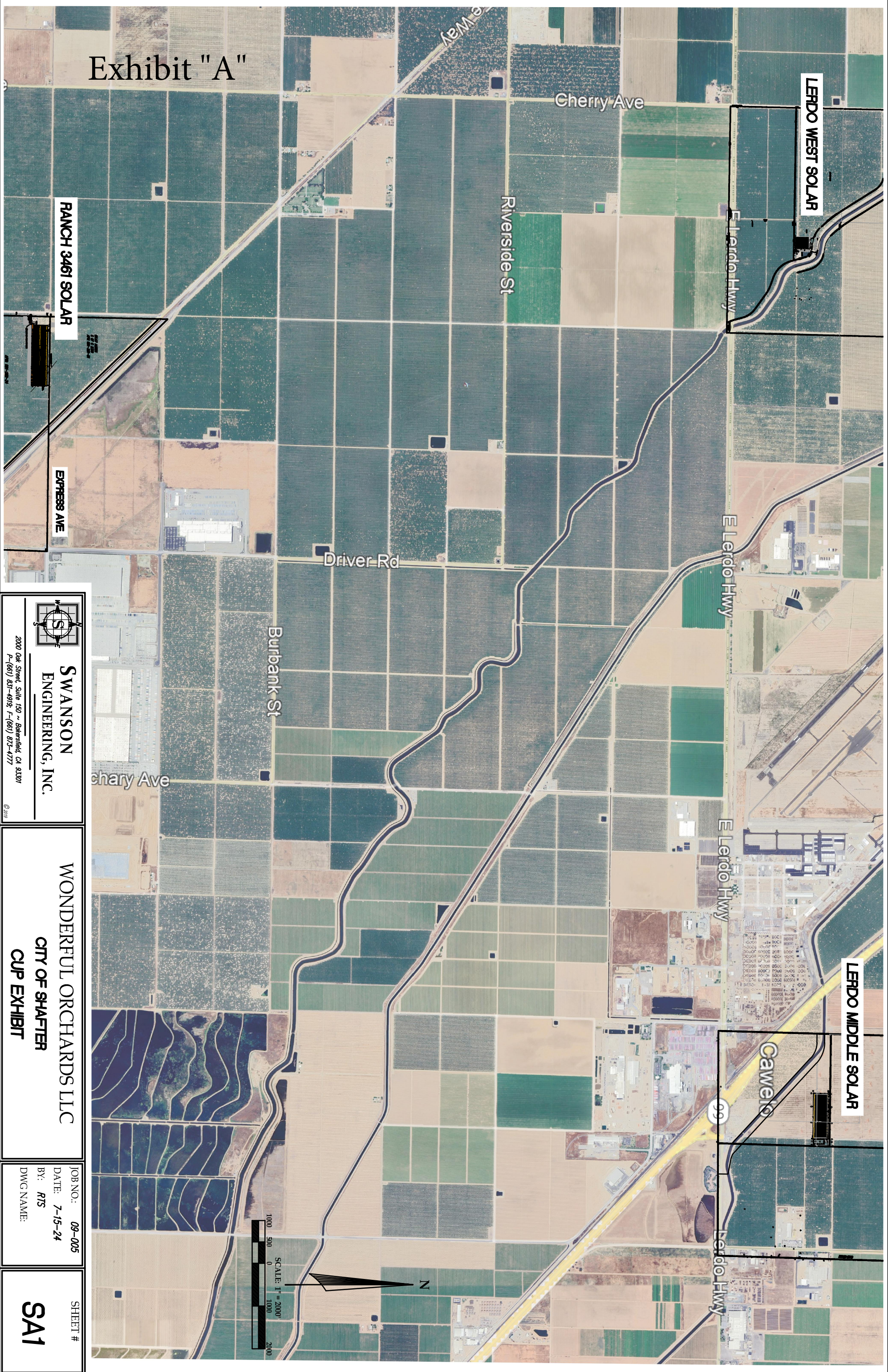
PASSED AND ADOPTED THIS 8th DAY OF OCTOBER, 2024.

John Sanchez, Chairman

ATTEST

Vanessa Uribe, Deputy City Clerk

Exhibit "A"



SWANSON
ENGINEERING, INC.

2000 Oak Street, Suite 150 ~ Bakersfield, CA 93301
P-(661) 831-4919, F-(661) 873-4777

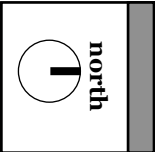
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WONDERFUL ORCHARDS LLC
CITY OF SHAFTER
CUP EXHIBIT

JOB NO.: 09-005
DATE: 7-15-24
BY: RTS
DWG NAME:

SHEET #

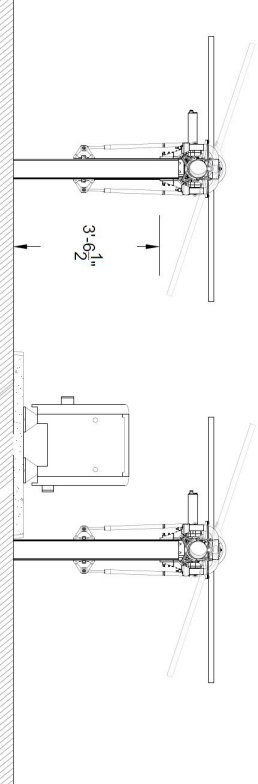
SA1



716.04 kW - Fixed Ground Mount
Approximate Area: 2.30 Acres
Site Address:
35.504149, -119.232113
AHJ: Kern County

System Components
Aggregated
(1,326) 540 watt modules
(17) 33.3 kW SMA inverters
Tie-In: 1009442728
Service Voltage: 480 Volts

MOUNTING DETAIL



SCALE

1" = 100'

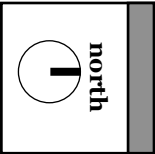
LEGEND

	Emergency Vehicle Access (EVA) Route
	Gate
	Knox Box
	Sub Panel
	AC Line
	Trench Line

PRELIMINARY DESIGN FOR BUDGET PURPOSES - NOT FOR CONSTRUCTION

***Layout is an illustrative design primarily used for sales presentation only. Official site plan and design will be presented after contract signing.**

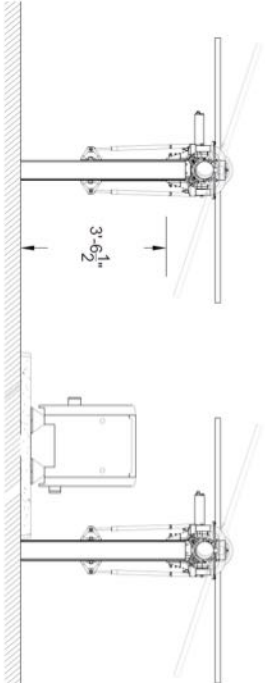
***All content is subject to change due to final site survey and engineering inspection**



2,536.92 kW - Tracker
Approximate Area: 8.57 Acres
Site Address:
35.506220, -119.162031
AHJ: Kern County

System Components
Aggregated
(4,698) 540 watt modules
(16) 125 kW SMA inverters
Tie-In: 1010760703
Service Voltage: 480 Volts

MOUNTING DETAIL



SCALE

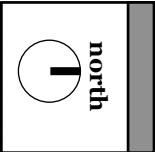
1" = 500'

LEGEND

	Emergency Vehicle Access (EVA) Route
	Gate
	Knox Box
	Sub Panel
	AC Line
	Trench Line

***Layout is an illustrative design primarily used for sales presentation only. Official site plan and design will be presented after contract signing.**
***All content is subject to change due to final site survey and engineering inspection**

PRELIMINARY DESIGN FOR BUDGET PURPOSES - NOT FOR CONSTRUCTION



3,411.72 kW - Tracker Approximate Area: 11.66 Acres Site Address: 35.456388, -119.225118 AHJ: Kern County		Preliminary Design													
System Components Aggregated (6,318) 540 watt modules (22) 125 kW SMA inverters Tie-In: 1010434578 Service Voltage: 480 Volts		3461													
MOUNTING DETAIL															
SCALE 1" = 300'															
LEGEND <table><tr><td> </td><td>Emergency Vehicle Access (EVA) Route</td></tr><tr><td> B </td><td>Gate</td></tr><tr><td> </td><td>Knox Box</td></tr><tr><td> </td><td>Sub Panel</td></tr><tr><td> </td><td>AC Line</td></tr><tr><td> </td><td>Trench Line</td></tr></table>					Emergency Vehicle Access (EVA) Route	B	Gate		Knox Box		Sub Panel		AC Line		Trench Line
	Emergency Vehicle Access (EVA) Route														
B	Gate														
	Knox Box														
	Sub Panel														
	AC Line														
	Trench Line														
JKB Energy 2310 W. Monte Vista Ave Turlock, CA 95380		JKBENERGY LEADER IN AG & COMMERCIAL SOLAR													

*Layout is an illustrative design primarily used for sales presentation only. Official site plan and design will be presented after contract signing.

*All content is subject to change due to final site survey and engineering inspection

PRELIMINARY DESIGN FOR BUDGET PURPOSES - NOT FOR CONSTRUCTION

EXHIBIT “B”

CONDITIONAL USE PERMIT NO. 24-145 CONDITIONS OF APPROVAL

1. The owner(s) or project proponent(s) (hereinafter referred to as “Developer”), solely at their cost and expense, shall defend, indemnify, and hold harmless the City of Shafter (hereinafter referred to as “City”), its agents, legislative bodies, officers, and employees regarding any legal or administrative action, claim, or proceeding concerning approval of Conditional Use Permit (“CUP”) No. 24-145 (hereinafter referred to as “CUP No. 24-145”) and/or related actions including, without limitation, actions taken or not taken with respect to the California Environmental Quality Act (hereinafter referred to as “CEQA”); or, at its election and in the alternative, shall relinquish such approval. Developer shall assume the defense of the City in any such legal or administrative action, claim, or proceeding with legal counsel paid for in the entirety by Developer, but subject to the City’s reasonable approvals. Developer shall also reimburse the City, its agents, legislative bodies, officers, and employees for any judgments, amounts paid in settlements, court costs, and attorneys’ fees which the City, its agents, legislative bodies, officers, and employees may be required to pay or otherwise pay because of such action, claim, or proceeding. The City may, at its sole discretion, participate at its own expense in the defense of any such action, claim or proceeding, but such participation shall not relieve Developer’s obligations under these conditions of approval (hereinafter referred to as “Conditions”).
2. The following disclosure shall be given as part of and at any time of or prior to transfer of properties: “If the project, referred to as CUP No. 24-145, is near property used for agricultural operations, tenants may be subject to inconveniences or discomforts rising from such operations on any 24-hour basis. Said discomforts may include, but not be limited to, equipment noise, odors from manure or other chemicals, and dust and smoke. The City of Shafter has determined that the use of real property for agricultural operations is a high priority and favored use to the City and County of Kern and will not be considered a nuisance for those inconveniences or discomforts arising from agricultural operations, provided such operations are consistent with accepted norms, standards, and laws.”
3. Developer, or general contractor, shall submit a list of all contractors and/or subcontractors performing work on this project to the City’s Administrative Services Department and such contractors and subcontractors shall obtain valid business licenses to do business and/or work in the City prior to the commencement of work.
4. Until all portions of the project have been completed, all vacant and undeveloped land within the boundaries of the project area shall be maintained in a weed-free, clean, and orderly manner by Developer. Should said property not be so maintained, City shall notify Developer that the property is to be cleaned within fourteen (14) days of receipt of said

notice. If Developer does not comply within the required time frame, City may then clear the land and bill Developer for expenses incurred and Developer shall promptly pay the City for such expenses.

5. Developer shall comply with all provisions of the City's Zoning Ordinance, Subdivision and Engineering Design Manual, the latest adopted California Building Code, California Mechanical Code, California Plumbing Code, California Electrical Code, California Fire Code, and all other applicable codes, ordinances, regulations, and development standards in effect at the time of issuance of relative permits. Identification of specific sections of any of the City documents does not negate the Developer's responsibility to conform to unmentioned sections of the City's Zoning Ordinance, Subdivision and Engineering Design Manual, California Building Code, and all other applicable ordinances, resolutions, standards, and requirements of the City.
6. Approval of CUP No. 24-145 shall not vest until all Conditions are met. If within one year after the approval by the City, the development has not been initiated, the procedures and actions which have taken place up to that time shall be null and void and the development project shall be subject to the processing of new permits if it is the Developer's intent to proceed with construction unless Developer applies for and receives approval of an extension of time from the City Planning Commission. One extension of time, not to exceed one additional year, may be granted by the Planning Department not less than 30 days prior to the date of expiration. PLEASE NOTE: This will be the only notice given for the above specific expiration date. The Developer is responsible for initiating an extension request.
7. Construction of the development identified as CUP No. 24-145 shall be in substantial accordance with all City approved submittals to the City by Developer, including, but not limited to all Conditions of CUP No. 24-145 and Exhibit "A" (Site Plans) except as otherwise set forth in these conditions of approval.
8. The Developer is responsible for maintaining the facility in an appropriate manner consistent with the original approval of this CUP. Should the use be replaced or discontinued for a period of six months, the approval will lapse, and the Developer shall remove the facility from the project site and shall repair any damage to the premises or other land caused by such removal. Upon removal of the facility, the Developer shall restore the premises or other land affected by such removal to its original condition.
9. No new construction, or improvements to the property, shall be permitted without first obtaining the proper permits from Planning, Building, and Engineering Departments of the City.

10. The property and any proposed building(s), as well as any architectural features, shall be kept free of graffiti and shall be maintained in a clean and orderly manner.
11. The project shall comply with the lighting standards for non-residential development per Section 10.140 of the Shafter Zoning Ordinance.
12. Unless otherwise stated, all Conditions shall be completed prior to a final inspection and prior issuance of an occupancy permit.
13. CUP No. 24-145 shall not become effective for any purpose unless an "Acceptance of Conditions" form has been signed by the Developer and returned to the Planning Department.
14. Developer shall remove and replace any existing public or private improvements that may become damaged during any phase of construction, as required by the City Engineer.
15. Any contractor working within the public right-of-way shall obtain an encroachment permit from the City Engineer prior to commencing any such work.
16. Developer shall relocate and/or install all necessary infrastructure to provide utilities to the proposed project.
17. Easements to be given to the City or any other public utility agency for, sewer, water, storm drain, electrical, or any other utility or similar purpose shall not cross private property without prior approval of the City Engineer.
18. Any above-ground utility cabinets or facilities to be located within the road right-of-way or public utility easement shall be permitted only upon approval by the City Engineer. Such approval will be made in writing, upon written request of the Developer and/or the affected utility company.
19. Any obstructions including utilities, irrigation lines, etc., shall be removed and/or relocated, if necessary, at the expense of the Developer.
20. No final inspection shall be approved until all required improvements have been completed by the Developer and accepted by the City.
21. Prior to the issuance of any Occupancy Permit, all public improvements (street, sewer, water) shall be constructed and approved by the City Engineer and ready for final acceptance.

22. Prior to review of any required improvement plans, a grading plan shall be submitted to and approved by the City Engineer.
23. Developer shall submit detailed drawings for all existing and proposed utility connections to the City Engineer for review and approval prior to issuance of a building permit. No permanent structures shall be constructed over proposed or existing utility easements.
24. During construction, the Developer shall maintain the project, including the adjacent streets in a dust free condition. This condition always applies including weekends, evenings, and nighttime hours. During construction operations, cleanup of soil from public roadways shall be required, if deemed necessary, by the City Engineer.
25. All utilities proposed under paving shall be installed prior to paving. Cover over utilities shall be a depth as approved by the City Engineer.
26. Prior to issuance of any Occupancy Permit, an address shall be permanently installed and clearly visible from the street in a manner approved by the Planning Director.
27. All conditions of the Kern County Fire Department shall be met prior to occupancy of the building. If no conditions are required, a letter so stating shall be submitted to the City Building Department.
28. Prior to issuance of building permit, the Developer shall provide proof of an interconnect agreement with the applicable utility company. If no agreement is required, a letter so stating shall be submitted to the City Building Department.
29. Prior to issuance of building permit, the Developer shall provide proof of approval of project by the San Joaquin Valley Air Pollution Control District.
30. If a sump is greater than 18-inches deep, then 6-foot-tall fencing shall be required around the perimeter of the sump.
31. For the Lerdo West site, the Developer shall dedicate half-width of a future commercial/industrial roadway or 36 feet from the southern property line of the proposed solar facility.
32. For the Lerdo Middle site, the Developer shall dedicate half-width of a future major collector roadway or 46 feet from the northern and eastern property lines of the proposed solar facility.

33. For the Ranch 3461 site, the Developer shall dedicate half-width of a future arterial roadway or 55 feet from the northern property line of the proposed solar facility.
34. The following biological resources best management practices during construction activities shall be implemented for the project:
- a. A biological resource pre-activity survey conducted by a qualified biologist no more than 30-days before the start of construction activities,
 - b. Biological resource monitoring during each initial phase of ground disturbance,
 - c. Compliance reporting provided to the required oversight agencies for all biological resource field surveys, monitoring, and additional tasks, as warranted,
 - d. If known or natal San Joaquin kit fox dens are identified at any time during construction, protocols enumerated in the USFWS Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (2011) should be implemented, and the appropriate agencies contacted for guidance,
 - e. Vertical sided trenching deeper than 2 feet will include escape ramps at no more than a 1:1 ratio every 100 feet,
 - f. Vertical sided holes that are not capable of being ramped should be covered or otherwise secured to the greatest extent practicable, and
 - g. Pipes, conduit and similar material 3 inches or greater should be capped to prevent wildlife from becoming inadvertently trapped in the piping.
35. If ground-disturbing activities are planned during the nesting season for migratory birds that may nest on or near the site (generally February 1 through August 31), nesting bird surveys shall occur prior to the commencement of ground disturbance for project activities. If nesting birds are present, no new construction or ground disturbance should occur within an appropriate avoidance area for that species until young have fledged, unless otherwise approved and monitored by a qualified onsite biologist. Appropriate avoidance should be determined by a qualified biologist. In general, minimum avoidance zones for active nests should be implemented as follows:
- a. Ground or low-shrub nesting non-raptors – 300 feet (91 meters),
 - b. Burrowing owl – as appropriate based on nest location, existing surrounding activity, and evaluation of owl behavior (coordination with CDFW may be warranted),
 - c. Sensitive raptors (e.g., prairie falcon, golden eagle) – 0.5 miles (0.8 kilometers), and
 - d. Other raptors – 500 feet (152 meters).
36. If cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources

such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.

37. If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the county coroner.
38. If any paleontological resources are encountered during ground disturbance activities, all work within 25 feet of the find shall halt until a qualified paleontologist as defined by the Society of Vertebrate Paleontology Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources, can evaluate the find and make recommendations regarding treatment. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. The qualified paleontologist shall contact the Natural History Museum of Los Angeles County or other appropriate facility regarding any discoveries of paleontological resources.
39. If the qualified paleontologist determines that the discovery represents a potentially significant paleontological resource, additional investigations and fossil recovery may be required to mitigate adverse impacts from project implementation. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, they shall be avoided to ensure no adverse effects, or such effects must be mitigated. Construction in that area shall not resume until the resource appropriate measures are recommended or the materials are determined to be less than significant. If the resource is significant and fossil recovery is the identified form of treatment, then the fossil shall be deposited in an accredited and permanent scientific institution. Copies of all correspondence and reports shall be submitted to the Lead Agency.

Exhibit "C"



CITY OF SHAFTER, CALIFORNIA

Mitigated Negative Declaration

CUP 24-145

(Wonderful Solar Facilities Project)

City of Shafter
336 Pacific Avenue
Shafter, CA 93263

CONTENTS

MITIGATED NEGATIVE DECLARATION	4
Mitigation Measures	4
Biological Resources Impact Mitigation Measures	4
Cultural Resources Impact Mitigation Measures	5
INITIAL STUDY CHECKLIST (CEQA APPENDIX G: ENVIRONMENTAL CHECKLIST FORM).....	7
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED.....	9
Determination	9
EVALUATION OF ENVIRONMENTAL IMPACTS	10
ENVIRONMENTAL ISSUE	12
Aesthetics	12
Evaluation of Environmental Effects	12
Agriculture and Forestry Resources	14
Evaluation of Environmental Effects	14
Air Quality.....	16
Evaluation of Environmental Effects	16
Biological Resources.....	24
Evaluation of Environmental Effects	24
Cultural Resources.....	27
Evaluation of Environmental Effects	27
Energy.....	28
Evaluation of Environmental Effects	28
Geology and Soils	29
Evaluation of Environmental Effects	29
Greenhouse Gas Emissions	34
Evaluation of Environmental Effects	34
Hazards and Hazardous Materials.....	35
Evaluation of Environmental Effects	35
Hydrology and Water Quality	38
Evaluation of Environmental Effects	38

Land Use and Planning	41
Evaluation of Environmental Effects	41
Mineral Resources	42
Evaluation of Environmental Effects	42
Noise.....	43
Evaluation of Environmental Effects	43
Population and Housing	45
Evaluation of Environmental Effects	45
Public Services	46
Evaluation of Environmental Effects	46
Recreation	48
Evaluation of Environmental Effects	48
Transportation/Traffic.....	49
Evaluation of Environmental Effects	49
Tribal Cultural Resources	52
Evaluation of Environmental Effects	52
Utilities and Service Systems.....	53
Evaluation of Environmental Effects	53
Wildfires	55
Evaluation of Environmental Effects	55
Mandatory Findings of Significance	57
Evaluation of Environmental Effects	57
BIBLIOGRAPHY	59

CITY OF SHAFTER

MITIGATED NEGATIVE DECLARATION

The City of Shafter (City) has completed an initial study (attached) of the possible environmental effects of the following-described project and has determined that a Mitigated Negative Declaration is appropriate. It has been found that the proposed project, as described and proposed to be mitigated (if required), would not have a significant effect on the environment. This determination has been made according to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines.

Project Title: Conditional Use Permit No. 24-145

Comment Period Begins: September 6, 2024

Comment Period Ends: October 6, 2024

Mitigation Measures

Mitigation Measures (included in the project to avoid potentially significant effects) are as follows:

Biological Resources Impact Mitigation Measures

1. The following biological resources best management practices during construction activities shall be implemented for the project:
 - A biological resource pre-activity survey conducted by a qualified biologist no more than 30-days before the start of construction activities,
 - Biological resource monitoring during each initial phase of ground disturbance,
 - Compliance reporting provided to the required oversight agencies for all biological resource field surveys, monitoring, and additional tasks, as warranted,
 - If known or natal San Joaquin kit fox dens are identified at any time during construction, protocols enumerated in the USFWS Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (2011) should be implemented, and the appropriate agencies contacted for guidance,
 - Vertical sided trenching deeper than 2 feet will include escape ramps at no more than a 1:1 ratio every 100 feet,
 - Vertical sided holes that are not capable of being ramped should be covered or otherwise secured to the greatest extent practicable, and

- Pipes, conduit and similar material 3 inches or greater should be capped to prevent wildlife from becoming inadvertently trapped in the piping.
2. If ground-disturbing activities are planned during the nesting season for migratory birds that may nest on or near the site (generally February 1 through August 31), nesting bird surveys shall occur prior to the commencement of ground disturbance for project activities. If nesting birds are present, no new construction or ground disturbance should occur within an appropriate avoidance area for that species until young have fledged, unless otherwise approved and monitored by a qualified onsite biologist. Appropriate avoidance should be determined by a qualified biologist. In general, minimum avoidance zones for active nests should be implemented as follows:
- Ground or low-shrub nesting non-raptors – 300 feet (91 meters),
 - Burrowing owl – as appropriate based on nest location, existing surrounding activity, and evaluation of owl behavior (coordination with CDFW may be warranted),
 - Sensitive raptors (e.g., prairie falcon, golden eagle) – 0.5 miles (0.8 kilometers), and
 - Other raptors – 500 feet (152 meters).

Cultural Resources Impact Mitigation Measures

3. If cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.
4. If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the county coroner.

Geology and Soils Impact Mitigation Measures

5. If any paleontological resources are encountered during ground disturbance activities, all work within 25 feet of the find shall halt until a qualified paleontologist as defined by the

Society of Vertebrate Paleontology Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources, can evaluate the find and make recommendations regarding treatment. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. The qualified paleontologist shall contact the Natural History Museum of Los Angeles County or other appropriate facility regarding any discoveries of paleontological resources.

If the qualified paleontologist determines that the discovery represents a potentially significant paleontological resource, additional investigations and fossil recovery may be required to mitigate adverse impacts from project implementation. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, they shall be avoided to ensure no adverse effects, or such effects must be mitigated. Construction in that area shall not resume until the resource appropriate measures are recommended or the materials are determined to be less than significant. If the resource is significant and fossil recovery is the identified form of treatment, then the fossil shall be deposited in an accredited and permanent scientific institution. Copies of all correspondence and reports shall be submitted to the Lead Agency.

INITIAL STUDY CHECKLIST

(CEQA APPENDIX G: ENVIRONMENTAL CHECKLIST FORM)

1. Project title: Conditional Use Permit No. 24-145
(Wonderful Solar Facilities Project)
2. Lead Agency name and address: City of Shafter
336 Pacific Avenue
Shafter, CA 93263
3. Contact Person and phone number: Steve Esselman
Planning Director
661-746-5002
4. Project location: See Attachment A
5. Project sponsor's name and address: Wonderful Nut Orchards, LLC
6801 E. Lerdo Highway
Shafter, CA 93263
6. General Plan Designation: AOS (Agricultural/Open Space)
7. Zoning: A (Agricultural)
8. Description of project (describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation):

The project consists of a requested Conditional Use Permit (CUP) to allow for the construction of three solar facilities on three sites (project). The three solar facilities include: 1) Lerdo West, 2) Lerdo Middle, and 3) Ranch 3461.

The 2.3-acre Lerdo West site [Assessor's Parcel Number (APN) 089-090-30] is located northeast of the Cherry Avenue and Lerdo Highway (at coordinates 35.504149, -119.232113) and would include a 716-kilowatt (kW) fixed ground mount solar photovoltaic (PV) system.

The 8.6-acre Lerdo Middle site (APN 091-320-03) is located southwest of the intersection of Wallace Road and Road 5039 (at coordinates 35.506220, -119.162031) and would include a 2,537-kW tracker solar PV system.

The 11.7-acre Ranch 3461 site (APN 091-252-34) is located east of Mendota Street (at coordinates 35.456388, -119.225118) and would include a 3,412-kW tracker solar PV system.

Preliminary site plans for each facility are found in Attachment A.

Since each proposed facility would generate greater than 5 kilowatts of electricity, these uses are conditionally allowed within the A (Agricultural) zone and therefore, a CUP is required. A CUP is a discretionary action and therefore triggers California Environmental Quality Act (CEQA) review.

9. Surrounding land uses and setting:

Each of the three solar facility sites are surrounded by agricultural uses consisting of orchards and/or row crops.

10. Other public agencies whose approval is anticipated to be required (e.g., permits, financing approval, or participation agreement):

- City of Shafter—Mitigated Negative Declaration consideration and adoption
- City of Shafter—Grading permit
- City of Shafter—Building permit
- City of Shafter—Site Plan Review
- San Joaquin Valley Air Pollution Control District—Air Quality Plan compliance, including Regulation VIII
- Central Valley Regional Water Quality Control Board – National Pollutant Discharge Elimination System General Permit for Construction Activities compliance

11. 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, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

No, California Native American tribes traditionally and culturally affiliated with the project area have not requested consultation.

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 in the following pages:

- | | | |
|--|---|---|
| ☐ Aesthetics | ☐ Agriculture & Forestry Resources | ☐ Air Quality |
| ☐ Biological Resources | ☐ Cultural Resources | ☐ Energy |
| ☐ Geology/Soils | ☐ G.H.G. Emissions | ☐ Hazards/Haz. Mat. |
| ☐ Hydrology/W.Q. | ☐ Land Use/Planning | ☐ Mineral Resources |
| ☐ Noise | ☐ Population/Housing | ☐ Public Services |
| ☐ Recreation | ☐ Transportation | ☐ Tribal Cultural Res. |
| ☐ Utilities/Service Systems | ☐ Wildfire | ☐ Mandatory Findings |

Determination

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION would be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there would 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 would 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 has been 1) adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) addressed by mitigation measures based on the earlier analysis as described on the 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 legal 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.



Steve Esselman, Planning Director

September 6, 2024

Date

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (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 would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL ISSUE

Aesthetics

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcrops, 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 the applicable zoning or other 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?	☐	☐	☒	☐

Evaluation of Environmental Effects

- a) Less than significant impact. The project proposes three solar facilities on three different sites nested within existing agricultural parcels. Each of the three solar facility sites are surrounded by agricultural uses consisting of orchards and/or row crops.

According to the City of Shafter General Plan, the site is not within or in the vicinity of an identified scenic vista, and no known aesthetic resources exist on or near the site. The project does not lie near or within a State Designated or Eligible State Scenic Highway (Caltrans 2024). Furthermore, development of the project would not block or preclude views to any area containing important or what would be considered visually appealing landforms. The project does not include the removal of trees determined to be scenic or of scenic value, the destruction of rock outcroppings or degradation of any historic building(s). Therefore, the project would not have a substantial adverse effect on a scenic vista.

- b) No impact. Please see response to a. above. Therefore, the project would not substantially damage scenic resources, including, but not limited to, trees, rock outcrops, and historic buildings within a state scenic highway.

- c) Less than significant impact. The three solar facility sites are nested within existing agricultural parcels. The sites are accessible via existing private dirt roads and currently surrounded by existing orchards. The project would not be visible from passing motorists on

nearby roads. Changes to the visual quality and character of the project site would be compatible. Therefore, the project would not substantially degrade the existing visual character or quality of the site and its surroundings in a non-urban area or conflict with the applicable zoning or other regulations governing scenic quality in an urban area.

- d) Less than significant impact. Construction of the project would generally occur during daytime hours, typically from 7:00 a.m. to 7:00 p.m. All lighting would be directed downward and shielded to focus illumination on the desired work areas only and prevent light spillage onto adjacent properties. Additionally, the sites are located in remote agricultural areas and are not surrounded by urban uses that could be adversely affected by the construction-related light and glare. Increased truck traffic and the transport of construction materials to the project site would temporarily increase glare conditions during construction. However, this increase in glare would be minimal. Construction activity would focus on specific areas on the sites, and any sources of glare would not be stationary for a prolonged period.

During operations, security lighting at the sites would be minimal. All lighting would be directed downward and shielded to focus illumination within the sites and prevent light spillage onto off-site properties. Therefore, the project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Agriculture and Forestry Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
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 nonagricultural 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 forestland 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?	☐	☐	☒	☐

Evaluation of Environmental Effects

- a) Less than significant impact. The three sites have agricultural land use designations and zoning and are surrounded by agricultural uses. CEQA uses the California Department of Conservation Division of Land Resource Protection's Farmland Mapping project (FMMP) categories of "Prime Farmland," "Farmland of Statewide Importance," and "Unique Farmland" to define "agricultural land" for the purposes of assessing environmental impacts

(PRC Section 21060.1[a]). The three sites are designated as “Prime Farmland” (DOC 2024) and make up 22.6 total acres. The solar facilities would produce solar power solely to support the energy needs for nearby agricultural operations. While the project does take out 22.6 acres of productive orchards, the solar facilities could be removed in the future and the orchards could be restored. The loss of 22.6 acres of orchards because of the project is nominal in comparison to the thousands of acres within the Shafter city limits that remain in active agricultural production. Therefore, the project would not significantly convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use.

- b) Less than significant impact. With the approval of a CUP, the project would not conflict with existing zoning for agricultural use. The three sites are not subject to Williamson Act contracts. Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract.
- c) No impact. The Public Resources Code Section 12220 (g) and Section 4526 defines “forest land” as land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. There is no forest lands identified on the three sites or within their vicinity. Therefore, the project would not conflict with existing zoning for, or cause rezoning of forest land or timberland, or timberland zoned Timberland Production.
- d) No impact. Please see response to c. above. Therefore, the project would not result in the loss of forestland or conversion of forest land to non-forest.
- e) Less than significant impact. Please see responses to a. through d. above. Therefore, the project would not 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.

Air Quality

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
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) adversely affecting a substantial amount of people?	☐	☐	☒	☐

Evaluation of Environmental Effects

The discussion in this section is based on an air quality analysis prepared specifically for the project (LSA 2024).

- a) Less than significant impact. An air quality plan describes air pollution control strategies to be implemented by a city, county, or region classified as a non-attainment area. The main purpose of the air quality plan is to bring the area into compliance with the requirements of the federal and State air quality standards. To bring the San Joaquin Valley into attainment, the San Joaquin Valley Air Pollution Control District (SJVAPCD) adopted the 2022 Plan for the 2015 8-Hour Ozone Standard in December 2022 to satisfy Clean Air Act requirements and ensure attainment of the 70 parts per billion (ppb) 8-hour ozone standard.

To assure the SJVAB's continued attainment of the U.S. Environmental Protection Agency particulate matter less than 10 microns (PM10) standard, the SJVAPCD adopted the 2007 PM10 Maintenance Plan in September 2007. SJVAPCD Regulation VIII (Fugitive PM10 Prohibitions) is designed to reduce PM10 emissions generated by human activity. The SJVAPCD adopted the 2018 Plan for the 1997, 2006, and 2012 particulate matter less than 2.5 microns (PM2.5) standards to address the USEPA annual PM2.5 standard of 12 µg/m3, established in 2012.

CEQA requires that certain projects be analyzed for consistency with the applicable air quality plan. For a project to be consistent with SJVAPCD air quality plans, the pollutants emitted from a project should not exceed the SJVAPCD emission thresholds or cause a significant

impact on air quality. In addition, emission reductions achieved through implementation of offset requirements are a major component of the SJVAPCD air quality plans.

Construction of the project would not result in the generation of criteria air pollutants that would exceed SJVAPCD thresholds of significance. Implementation of SJVAPCD Regulation VIII would further reduce construction dust impacts.

Operational emissions associated with the project would not exceed SJVAPCD established significance thresholds for reactive organic gases (ROG), nitrogen oxides (NOX), carbon monoxide (CO), sulfur oxides (SOX), PM10, or PM2.5 emissions (LSA 2024). Therefore, the project would not conflict with or obstruct implementation of SJVAPCD air quality plans.

- b) Less than significant impact. The San Joaquin Valley Air Basin (Basin) is currently designated nonattainment for the federal and State standards for O3 and PM2.5. In addition, the Basin is in nonattainment for the PM10 standard. The Basin's nonattainment status is attributed to the region's development history. Past, present, and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of an ambient air quality standard. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant.

In developing thresholds of significance for air pollutants, the SJVAPCD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. The following analysis assesses the potential construction- and operation-related air quality impacts.

Construction Emissions

During construction, short-term degradation of air quality may occur due to the release of particulate matter emissions (i.e., fugitive dust) generated by grading and building activities. Emissions from construction equipment are also anticipated and would include CO, NOX, ROG, directly emitted PM2.5 or PM10, and toxic air contaminants such as diesel exhaust particulate matter.

Project construction would include site preparation, grading, building construction, paving, and architectural coating activities. Construction-related effects on air quality from the project would be greatest during the disturbance of soils. If not properly controlled, these activities would temporarily generate particulate emissions. Sources of fugitive dust would include disturbed soils at the construction site. Unless properly controlled, vehicles leaving the site would deposit dirt and mud on local streets, which could be an additional source of

airborne dust after it dries. PM10 emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather conditions. PM10 emissions would depend on soil moisture, silt content of soil, wind speed, and amount of operating equipment. Larger dust particles would settle near the source, whereas fine particles would be dispersed over greater distances from the construction site.

Water or other soil stabilizers can be used to control dust, resulting in emission reductions of 50% or more. The SJVAPCD has established Regulation VIII measures for reducing fugitive dust emissions (PM10). With the implementation of Regulation VIII measures, fugitive dust emissions from construction activities would not result in adverse air quality impacts.

In addition to dust-related PM10 emissions, heavy trucks and construction equipment powered by gasoline and diesel engines would generate CO, SOX, NOX, ROG, and some soot particulate (PM2.5 and PM10) in exhaust emissions. If construction activities were to increase traffic congestion in the area, CO and other emissions from traffic would increase slightly while those vehicles idle in traffic. These emissions would be temporary in nature and limited to the immediate area surrounding the construction site.

Construction emissions were estimated for the project and are summarized in the table below.

Construction Emissions						
Construction Year	Annual Pollutant (tons/year)					
	ROG	NOX	CO	SOX	PM10	PM2.5
Lerdo West						
2024	<0.1	0.3	0.3	<0.1	<0.1	<0.1
2025	<0.1	0.6	0.7	<0.1	0.1	<0.1
Lerdo Middle						
2025	<0.1	1.1	1.2	<0.1	0.1	0.1
Ranch 3461						
2025	0.1	1.3	1.4	<0.1	0.1	0.1
Total Project						
2024	<0.1	0.3	0.3	<0.1	<0.1	<0.1
2025	0.1	3.0	3.3	<0.1	0.3	0.2
Maximum Annual Emissions	0.1	3.0	3.3	<0.1	0.3	0.2
SJVAPCD Threshold	10	10	100	27	15	15
Significant?	No	No	No	No	No	No

Source: LSA 2024.

As shown in the table above, construction emissions associated with the project would not exceed the SJVAPCD's thresholds for ROG, NOX, CO, SOX, PM10, and PM2.5 emissions. In addition to the construction period thresholds of significance, the SJVAPCD has implemented Regulation VIII measures for dust control during construction. As required by law, the project would have to comply with Regulation VIII measures.

Operational Emissions

Long-term air pollutant emission impacts associated with the project are those related to mobile sources (e.g., vehicle trips), energy sources (e.g., natural gas), and area sources (e.g., architectural coatings and the use of landscape maintenance equipment).

Mobile source emissions include ROG and NOX emissions that contribute to the formation of ozone. Additionally, PM10 emissions result from running exhaust, tire and brake wear, and the entrainment of dust into the atmosphere from vehicles traveling on paved roadways. Once operational, maintenance activities would require two workers for one week every quarter for solar panel cleaning and one visit per month to check on the equipment. To be conservative, this analysis assumes up to one visit per day, resulting in two vehicle trips per day. Thus, the project would result in minimal mobile source emissions.

Typically, area source emissions consist of direct sources of air emissions located at the project site, including architectural coatings and the use of landscape maintenance equipment. Area source emissions associated with the project would be minimal and would include emissions from the use of landscaping equipment and the use of consumer products.

Energy source emissions typically would result from activities in buildings for which natural gas is used. The project's energy requirements would be provided through the multi-site solar PV system, which generates its own power. Furthermore, the solar PV array would offset future emissions, which would otherwise be produced by non-renewable sources of electricity. The proposed project would not generate energy source emissions.

The table below provides the project's estimated operational emissions.

Operational Emissions						
Emission Type	Annual Pollutant (tons/year)					
	ROG	NOX	CO	SOX	PM10	PM2.5
Lerdo West						
Mobile Sources	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1
Area Sources	<0.1	0.0	0.0	0.0	0.0	0.0
Energy Sources	0.0	0.0	0.0	0.0	0.0	0.0
Total Emissions	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1
Lerdo Middle						
Mobile Sources	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1
Area Sources	<0.1	0.0	0.0	0.0	0.0	0.0
Energy Sources	0.0	0.0	0.0	0.0	0.0	0.0
Total Emissions	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1
Ranch 3461						
Mobile Sources	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1
Area Sources	<0.1	0.0	0.0	0.0	0.0	0.0
Energy Sources	0.0	0.0	0.0	0.0	0.0	0.0
Total Emissions	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1
Total Project						
Total Project Emissions	<0.1	<0.1	0.1	<0.1	<0.1	<0.1

SJVAPCD Threshold	10	10	100	27	15	15
Significant?	No	No	No	No	No	No

Source: LSA 2024.

The results shown in table above indicate the project would result in very minimal emissions that would not exceed the significance criteria for annual ROG, NOX, CO, SOX, PM10, or PM2.5 emissions.

CO Hotspot Analysis

Vehicular trips associated with the project would contribute to congestion at intersections and along roadway segments in the vicinity of the project sites. Localized air quality impacts would occur when emissions from vehicular traffic increase because of the project. The primary mobile-source pollutant of local concern is CO, a direct function of vehicle idling time and, thus, of traffic flow conditions. CO transport is extremely limited; under normal meteorological conditions, it disperses rapidly with distance from the source. However, under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthful levels, affecting local sensitive receptors (e.g., residents, schoolchildren, the elderly, and hospital patients).

Typically, high CO concentrations are associated with roadways or intersections operating at unacceptable levels of service or with extremely high traffic volumes. In areas with high ambient background CO concentrations, modeling is recommended to determine a project's effect on local CO levels.

An assessment of project-related impacts on localized ambient air quality requires that future ambient air quality levels be projected. Existing CO concentrations in the immediate project vicinity are not available. Ambient CO levels monitored at the Bakersfield Monitoring Station, the closest station to the project site, showed a 1-hour concentration of 1.5 parts per million (ppm) (the State standard is 20 ppm) and an 8-hour concentration of 0.9 ppm (the State standard is 9 ppm) in 2022. The highest CO concentrations would normally occur during peak traffic hours; hence, CO impacts calculated under peak traffic conditions represent a worst-case analysis. Reduced speeds and vehicular congestion at intersections result in increased CO emissions.

Once operational, maintenance activities would require two workers for one week every quarter for solar panel cleaning and one visit per month to check on the equipment. To be conservative, this analysis assumes up to one visit per day, resulting in two vehicle trips per day. Therefore, given the limited daily vehicle trips and anticipated lack of traffic impacts at any intersections, project-related vehicles are not expected to result in CO concentrations exceeding the State or federal CO standards. No CO hot spots would occur, and the project would not result in any project-related impacts on CO concentrations.

Cumulative Impacts

The project would contribute criteria pollutants to the area during temporary project construction. Several individual projects in the area may be under construction simultaneously with the project. Depending on construction schedules and actual implementation of projects in the area, generation of fugitive dust and pollutant emissions during construction could result in substantial short-term increases in air pollutants. However, each project would be required to comply with SJVAPCD's standard construction measures. Additionally, as discussed above, the project's short-term construction emissions would not exceed the significance thresholds. Therefore, the project's contribution to cumulative impacts associated with short-term construction emissions would not be cumulatively considerable.

Furthermore, discussed above, the project's long-term operational emissions would be minimal and would not exceed the SJVAPCD criteria pollutant thresholds. As such, the project would result in a less than significant impact related to long-term air quality emissions. Because air pollutants impacts are cumulative in nature, no typical single project can result in emissions of such a magnitude that it, in and of itself, would be significant on a project basis. Based on the project's less than significant air quality emissions, the project would not result in a significant cumulative impact related to air quality criteria emissions. In addition, the project would not result in an increase in population or employment; therefore, the project would also be consistent with the growth assumptions within the SJVAPCD's Air Quality Management Plans. Therefore, the project's contribution to long-term cumulative impacts associated with long-term emissions during project operations would not be cumulatively considerable.

In summary, the project would not 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) Less than significant impact. Sensitive receptors are defined as residential uses, schools, daycare centers, nursing homes, and medical centers. Individuals particularly vulnerable to diesel particulate matter are children, whose lung tissue is still developing, and the elderly, who may have serious health problems that can be aggravated by exposure to diesel particulate matter. The three project sites are in rural areas surrounded by agricultural uses. There are no sensitive receptors within 1,000 feet of the three project sites.

Construction of the project may result in airborne particulates, as well as a small quantity of construction equipment pollutants (i.e., usually diesel-fueled vehicles and equipment). However, construction contractors would be required to implement SJVAPCD Regulation VIII. With implementation of Regulation VIII, project construction pollutant emissions would be below the SJVAPCD significance thresholds and therefore are not expected to result in the exposure of sensitive receptors to substantial pollutant concentrations.

Once operational, the project would include three solar array projects. Project operational emissions of criteria pollutants would be below SJVAPCD significance thresholds; thus, they are not likely to have a significant impact on sensitive receptors. As such, once the project is constructed, the project would not be a source of substantial emissions and implementation of the project would not result in new sources of toxic air contaminants.

Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations.

- d) Less than significant impact. This section discusses whether the project would result in other emissions (such as those leading to odors) adversely affecting a substantial amount of people.

Odors

The SJVAPCD has not established a rule or standard regarding odor emissions, rather, the district has a nuisance rule: “Any project with the potential to frequently expose members of the public to objectionable odors should be deemed to have a significant impact.”

During project construction, some odors may be present due to diesel exhaust. However, these odors would be temporary and limited to the construction period. The uses are not anticipated to emit any objectionable odors. Any odors in general would be confined mainly to the project sites and would readily dissipate.

Naturally Occurring Asbestos

The project is in Kern County, which is among the counties found to have serpentine and ultramafic rock in their soils. However, according to the California Geological Survey, no such rock has been identified in the project vicinity. When demolition is proposed during construction, the demolition of existing buildings may expose asbestos used in building materials. The project would not involve any demolition or renovation as no current development exists on the project sites. Therefore, the potential risk for naturally occurring asbestos during project construction is small and would not be significant.

Valley Fever

The three project sites are in rural areas surrounded by agricultural uses. There are no sensitive receptors within 1,000 feet of the three project sites. Except under high wind conditions, this distance is sufficient that particulate matter would settle prior to reaching the nearest sensitive receptor. In addition, crosswinds influenced by the adjacent roadways would help dissipate any particulate matter associated with the construction phase of the project. Therefore, any Valley fever spores suspended with the dust would not be anticipated to reach the sensitive receptors. However, during project construction, it is possible that workers could be exposed to Valley fever through fugitive dust. Dust control measures, consistent with SJVAPCD Regulation VIII, would reduce the exposure to the workers and

sensitive receptors. Therefore, dust from the construction of the project is not anticipated to significantly add to the existing exposure of people to Valley fever.

Therefore, the project would not result in other emissions (such as those leading to odors) adversely affecting a substantial amount of people.

Biological Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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 Wildlife 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 Wildlife or US 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 an established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
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?	☐	☐	☐	☒

Evaluation of Environmental Effects

The discussion in this section is based on a biological resource evaluation prepared specifically for the project (Pruett 2024).

- a) Less than significant with mitigation incorporated. Reviews of agency-maintained databases were conducted to determine the potential presence of sensitive biological resources and special-status species. The results indicated that 19 special-status plant species and 27 special-status wildlife species have the potential to occur in the vicinity of the project. The reconnaissance-level field survey was conducted to identify sensitive biological resources on-site and to document the suitability of the habitat on the project to support special-status species.

No listed or otherwise special-status plant species was observed. No listed or otherwise special-status plant species has been recorded as occurring within the project sites. Intensive farming limits the potential for presence of any listed plant species.

Of the 27 special-status wildlife species with the potential to occur within the vicinity of the project sites, none were observed during the field study. The biological resource evaluation determined that there is a 1) low probability of occurrence in the vicinity of the project sites for tricolored blackbird, 2) moderate probability of occurrence for burrowing owl, 3) low probability of occurrence for Swainson's hawk, 4) low probability of occurrence for California condor, 5) low probability of occurrence for pallid bat, 6) low probability of occurrence for Tipton kangaroo rat, and 7) moderate to high probability of occurrence for San Joaquin kit fox.

For the tricolored blackbird, the field study determined that no suitable nesting habitat is present but there is marginal foraging habitat at the project sites. For the burrowing owl, suitable habitat for nesting and foraging is present. For Swainson's hawk and California condor, no suitable nesting habitat is present but there is marginal foraging habitat. For pallid bat, no suitable roosting habitat is present but there is marginal foraging habitat. For Tipton kangaroo rat, suitable burrows were observed scattered across the project sites. For San Joaquin kit fox, no potential, known, or natal dens were observed, but suitable foraging habitat is present.

To reduce potential impacts to the above special-status species to a level of less than significant, Mitigation Measures 1 and 2 will be implemented. With mitigation, the project would not 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 Wildlife or U.S. Fish and Wildlife Service.

- b) No impact. No riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service (USFWS) were found on the project sites during the field study for the project. Therefore, the project would have no impact on any riparian habitat or other sensitive natural community.
- c) No impact. No features, identified in wetland categories, appear on the USFWS National Wetlands Inventory mapping on the project sites. No federally protected wetlands as defined by Section 404 of the Clean Water Act were identified during the field study for the project. Therefore, the project would have no impact on federally protected wetlands.
- d) Less than significant impact. Wildlife movement corridors, also referred to as dispersal corridors or landscape linkages, are generally defined as linear features along which animals can travel from one habitat or resource area to another. Wildlife movement corridors can be large tracts of land that connect regionally important habitats that support wildlife in general,

such as stop-over habitat that supports migrating birds or large contiguous natural habitats that support animals with very large home ranges [e.g., coyotes (*Canis latrans*), mule deer (*Odocoileus hemionus californicus*)]. They can also be small scale movement corridors, such as riparian zones, that provide connectivity and cover to support movement at a local scale. No migratory wildlife corridors were identified during the literature search or field study.

Therefore, the project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

- e) No impact. The project does not conflict with the adopted 2005 City of Shafter General Plan Update and is not subject to any local ordinances. Therefore, the project would not conflict with any local policies or ordinances protecting biological resources.
- f) No impact. The project is within the range of the PG&E San Joaquin Valley Operations and Maintenance Habitat Conservation Plan, but this Plan applies only to PG&E operations and maintenance projects and does not apply to this project. Therefore, the project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Cultural Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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 dedicated cemeteries?	☐	☒	☐	☐

Evaluation of Environmental Effects

- a) No impact. The project sites are currently orchards and no structures, including potentially historic structures, are located at the project sites. Therefore, the project would not cause a substantial adverse change in the significance of a historical resource.
- b) Less than significant with mitigation incorporated. The project would only require minimal ground disturbance related to the construction of the PV solar arrays. However, there is still the potential to unearth previously unknown archeological resources at the site and grading and other ground-disturbing activities have the potential to damage or destroy such resources. Mitigation Measure 3 requires that if cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required, and these additional studies may include avoidance, testing, and evaluation or data recovery excavation. With mitigation, the project would not cause a substantial adverse change in the significance of an archaeological resource.
- c) Less than significant with mitigation incorporated. There are no known cemeteries or burials on or near the project. Although unlikely, subsurface construction activities associated with the project could potentially disturb previously undiscovered human remains. Mitigation Measure 4 requires ceasing work and contacting the County coroner and Native American tribal representatives, if needed, if previously undiscovered human remains are found. With mitigation, the project would not disturb any human remains, including those interred outside of dedicated cemeteries.

Energy

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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?	☐	☐	☐	☒

Evaluation of Environmental Effects

- a) Less than significant impact. The development of the three PV solar arrays would require temporary energy demands typical of other such projects that occur throughout the state and construction would not result in wasteful, inefficient, or unnecessary consumption of energy resources beyond typical PV solar array construction. During operations, the PV solar arrays would reduce the consumption of energy delivered by an electrical provider that is necessary for existing nearby agricultural activities. Therefore, the project would not result in impacts due to wasteful, inefficient, or unnecessary consumption of energy resources.
- b) No impact. There is no adopted plan by the City of Shafter for renewable energy or energy efficiency. The project is a renewable energy project and therefore, by its very nature, does not conflict with any state plan for renewable energy or energy efficiency. Therefore, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Geology and Soils

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial 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 & Geology Special Publication No. 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 Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Evaluation of Environmental Effects

- a) The following discusses the potential for the project to expose people or structures to substantial adverse effects because of various geologic hazards. Potential seismic hazards in the planning area involve strong ground shaking, fault rupture, liquefaction, and landslides.
- i. No impact. The City of Shafter is subject to moderate to severe ground shaking because of the alluvial soils that underlie the area and its proximity to active faults. Additionally, the thick sedimentary deposits in the City create the likelihood that a strong earthquake or other disturbance in the area could cause ground subsidence (typically a gradual settling or sinking of the ground surface with little or no horizontal movement). The General Plan policy 7.1.1. requires that all new construction comply with the most recent Uniform Building Code's seismic design standards.

The project sites are not located within an Alquist-Priolo Earthquake Fault Zone. Per the Department of Conservation, California Geologic Survey Regulatory Maps (DOC 2020), the nearest fault line is the North of Oildale premier fault, which lies approximately 10 to 12 miles east of the project sites. The greatest potential for substantial geologic adverse effects in the City is posed by the San Andres Fault, which is located approximately 4 miles west of the Kings County boundary line within Monterey County. The distance from the nearest active faults precludes the possibility of fault rupture on the project sites. Although the project area could potentially experience ground shaking, the magnitude of the hazard would not be severe as indicated by the General Plan and project construction will comply with the applicable local and State requirements. Therefore, the project would not directly or indirectly cause potential substantial effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault.

- ii. Less than significant impact. See response to a. above. The City is surrounded on three sides by active fault systems, several of which are less than 10 miles from the City boundaries. In addition, there are faults outside the San Joaquin Valley, but close enough that a major earthquake could affect Shafter. The General Plan policy 7.1.1. requires that all new developments comply with the most recent Uniform Building Code's seismic design standards.

The project site lies within the vicinity of five earthquake fault lines – North of Oildale, Oildale, Pond, Oil Center, and Rio Bravo Ranch. Given the high seismicity of the southern San Joaquin Valley region, moderate to severe ground shaking associated with earthquakes on the nearby faults can be expected within the project area and throughout Kern County. In the event of an earthquake on one of the nearby faults, it is likely that the project would experience ground shaking.

While such seismic shaking would be less severe from an earthquake that originates at a greater distance from the project sites, the side effects could potentially be damaging to the PV solar arrays. The project is required to design structures and infrastructure to withstand substantial ground shaking in accordance with all applicable State law and applicable codes included in the California Building Code. The project shall adhere to all applicable local and State regulations to reduce any potentially significant impacts to structures resulting from strong seismic ground shaking at the project site. Therefore, the project would not directly or indirectly cause potential substantial effects, including the risk of loss, injury, or death involving strong seismic ground shaking.

- iii. Less than significant impact. Liquefaction is defined as a phenomenon where earthquake-induced ground vibrations increase the pore pressure in saturated, granular soils until it is equal to the confining, overburden pressure. When this occurs, the soil can completely lose its shear strength and enter a liquefied state. The possibility of liquefaction is dependent upon grain size, relative density, confining

pressure, saturation of the soils, and intensity and duration of ground shaking. For liquefaction to occur, three criteria must be met: “low density,” coarse-grained (sandy) soils, a groundwater depth of less than about 50 feet, and a potential for seismic shaking from nearby large magnitude earthquake.

The project subsurface area soils generally consist of Lewkalb, Milhalm, and Wasco sandy loam, with permeability and low permeability layers continuous beneath the site. The depth-to-groundwater at the sites are likely greater than 250 feet below ground surface (bgs), and the site is in an area of minimal rainfall. Because the depth of the groundwater at the project site is much greater than 50 feet, there is a negligible risk of liquefaction occurring at the project site during a seismic event.

Structures constructed as part of the project would be required by State law to be constructed in accordance with California Building Code construction standards. Therefore, the project would not expose people or structures to potential substantial adverse effects involving seismic-related ground failure, including liquefaction.

- iv. No impact. The project site is located on the floor of the San Joaquin Valley, west of the Sierra Nevada foothills. The topography is flat with no significant topological features. As such, there is no potential for rock fall and landslides to impact the project in the event of a major earthquake, as the area has no significant elevation changes. Based on the predicted maximum horizontal accelerations at the project site and the soil types, minor subsurface settlement may occur onsite during a major earthquake, and this is considered less than significant. The property is flat and there is a no potential for landslides. Therefore, the project would not expose people or structures to potential substantial adverse effects involving landslides.
- b) Less than significant impact. The Shafter area generally contains sandy loam soils. Due to the characteristics of the on-site soil types and the relatively flat terrain, implementation of the project would not result in significant erosion, displacement of soils or soil expansion problems. The project would be subject to City ordinances and standards relative to soils and geology. Standard compliance requirements include detailed site-specific soil analysis prior to issuance of building permits and adherence to applicable building codes in accordance with the California Building Code.

Construction of the site would temporarily disturb soils, which could loosen soil, and the removal of vegetation could contribute to future soil loss and erosion by wind and storm water runoff. The project would have to request coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activities (No. 2012-0006-DWQ) (General Permit) because the project would result in one or more acres of ground disturbance. To conform to the requirements of the General Permit, a Storm Water Pollution Prevention Plan (SWPPP) would need to be prepared that specifies best management practices (BMPs) to prevent construction pollutants, including eroded soils (such as topsoil), from moving offsite. Implementation of

the General Permit and BMPs requirements would mitigate erosion of soil during construction activities.

During operation, the soils would be sufficiently compacted to required engineered specifications such that the soils at the site would not be particularly susceptible to soil erosion. Therefore, the project would not result in substantial soil erosion or the loss of topsoil.

- c) Less than significant impact. See Geology and Soils responses above. As indicated in previous responses, the site is flat and does not have slopes. Additionally, the site is not located near any areas with sufficient slope that could result in off-site landslides. Moreover, the project will be designed by an engineer as to resist potential side-effects of spreading, subsidence, liquefaction, or collapse. Therefore, the project would not be located on a geologic unit or soil that is unstable, or that would become unstable because of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.
- d) Less than significant impact. See Geology and Soils responses above. Expansive clay soils are subject to shrinking and swelling due to changes in moisture content over the seasons. These changes can cause damage or failure of foundations, utilities, and pavements. During periods of high moisture content, expansive soils under foundations can heave and result in structures lifting. In dry periods, the same soils can collapse and result in settlement of structures. According to Physical and Chemical Properties of the Soils in the USDA Kern County Soil Survey, the upper five feet of the onsite soil (sandy loam) is considered to have low shrink-swell or expansion potential. In addition, the site is not located in an area of expansive soils. Compliance with applicable City of Shafter General Plan policies, Municipal Code, and the California Building Code, would reduce potential site-specific impacts to less-than-significant levels. Therefore, the project would not be located on expansive soil creating substantial risks to life or property.
- e) No impact. The project would not use septic systems. Therefore, the project would not result in soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.
- f) Less than significant with mitigation incorporated. The project is underlain by late Holocene-age alluvial fan deposits and middle to late Pleistocene-age older alluvial fan deposits. These deposits generally consist of unconsolidated silt, sand, gravel, cobbles, and boulders eroded from the surrounding highlands and deposited by the action of streams or rivers. In general, late Holocene-age alluvial deposits are considered unlikely to contain preserved remains of organisms that are not conspecific with modern species living in the southern San Joaquin Valley region.

The General Plan confirms that the City of Shafter has received sediments from the Coast Ranges to the west, the Sierra Nevada to the east, and to a lesser degree from activity on the San Andreas Fault system. These sediments contain different species of fossils, reflecting the

different periods of deposition. General Plan policy 6.6.3. includes a standard condition of approval for new development projects. The policy requires that if cultural or paleontological resources are encountered during grading, alteration of earth materials in the vicinity of the find be halted until a qualified expert has evaluated the find and recorded identified cultural resources. With implementation of Mitigation Measure 5, the project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Greenhouse Gas Emissions

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Evaluation of Environmental Effects

- a) Less than significant impact. Construction of the project would temporarily generate greenhouse gas (GHG) emissions from construction activities. However, as shown in the Air Quality responses above, construction of the project would generate emissions well below the thresholds for criteria pollutants in nonattainment and it is assumed that the project would also generate nominal GHG emissions during construction. Once construction is finished, then GHG emissions would cease. During operations, the project would not generate any GHG emissions, and the energy generated by the PV solar arrays would offset energy currently needed from a traditional powerplant that generates GHG emissions. Therefore, the project would have a beneficial impact by reducing GHG emissions in comparison to the baseline condition. Therefore, the project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
- b) Less than significant impact. See response to a. above. Therefore, the project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHG.

Hazards and Hazardous Materials

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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 material 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 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?	☐	☐	☒	☐

Evaluation of Environmental Effects

- a) Less than significant impact. The project would not involve the routine transport, use, or disposal of hazardous materials as defined by the Hazardous Materials Transportation Uniform Safety Act. However, construction activities would require the transport, storage, use, and/or disposal of hazardous materials such as fuels and greases for the fueling/servicing of construction equipment, and there is the potential for upset and accident conditions that could release such material into the environment. Such substances would be stored in temporary storage tanks/sheds that would be located at the site. Although these types of materials are not acutely hazardous, they are classified as hazardous materials and create the potential for accidental spillage, which could expose construction workers. All transport, storage, use, and disposal of hazardous materials used in the construction of the project would be in strict accordance with federal and state laws and regulations. During construction

of the project, Material Safety Data Sheets (MSDS) for all applicable materials present at the site would be made readily available to onsite personnel. During construction, non-hazardous construction debris would be generated and disposed of at approved facilities for handling such waste. Also, during construction, waste disposal would be managed using portable toilets located at reasonably accessible onsite locations.

Once the project is operational, there may be maintenance activities that utilize gasoline and other vehicle-related chemicals that, if handled improperly, may result in spills. Day-to-day activities at PV solar arrays do not involve the routine transport, use, or disposal of hazardous materials as defined by the Hazardous Materials Transportation Uniform Safety Act. Maintenance would require the transport, storage, use, and/or disposal of hazardous materials such as paints, cleaners, oils, batteries, and pesticides. Users should follow any instructions for use and storage provided on product labels carefully to prevent any accidents at home. Users should also read product labels for disposal directions to reduce the risk of products exploding, igniting, leaking, mixing with other chemicals, or posing other hazards on the way to a disposal facility. Additionally, residential hazardous waste can be dropped off at Metro Kern County Special Waste Facility located at 4951 Standard Street or at one-day hazardous waste collection events that take place throughout the year. Therefore, the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

- b) Less than significant impact. Please refer to response a. above. Therefore, the project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous material into the environment.
- c) No impact. There are no schools within 2.0 miles of the three project sites. Given the distance and the intervening uses there is a very limited potential for the project to affect the schools in the vicinity. Therefore, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 miles of an existing or proposed school.
- d) No impact. The project is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would not create a significant hazard to the public or the environment. The project site is not within the immediate vicinity of a hazardous materials site and would not impact a listed site. There is no data identifying any facilities in the vicinity that might reasonably be anticipated to emit hazardous air emissions or handle hazardous materials, substances, or wastes that might affect the proposed park. Therefore, the project would not 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) No impact. The project is not located within the boundaries of the adopted Airport Land Use Plan area. Therefore, the project would not result in a safety hazard for people residing or working in the project area because of a public airport or public use airport.
- f) Less than significant impact. The City of Shafter maintains an emergency plan for response to disasters, including but not limited to earthquakes, floods, fires, hazardous spills or leaks, major industrial accidents, major transportation accidents, major storms, airplane crashes, civil unrest, and national security emergencies. In a disaster, Shafter could experience significant casualties, property damage, and utility service interruptions, potentially exceeding the response capabilities of both the City and the County. The plan outlines the general authority, organization, and response actions for City staff to undertake, in compliance with existing law, when disasters happen. The objectives of the plan are to reduce loss of life, injury, and property losses through effective management of emergency forces (Shafter 2005). The emergency plan includes objectives and policies that would prevent new development from interfering with emergency response of evacuation plans. The project will comply with all local regulations related to the construction of new development that is consistent with the emergency plan. The project would also comply with the appropriate local and State requirements regarding emergency response plans and access. The proposed project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. Therefore, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- g) Less than significant impact. According to data from the Cal Fire, there are no fire hazard severity zones on the project site or within the City boundaries (Cal Fire 2007). The City of Shafter maintains an emergency plan for response to disasters, including fires. The objectives of the plan are to reduce loss of life, injury, and property losses through effective management of emergency forces (Shafter 2005). The emergency plan includes objectives and policies that would prevent new development from interfering with emergency response of evacuation plans. The project will comply with all local regulations related to the construction of new development that is consistent with the emergency plan. The project would also comply with the appropriate local and State requirements regarding emergency response plans and access. The proposed project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. Therefore, the project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.

Hydrology and Water Quality

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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 of runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage system or provide substantial additional sources of polluted runoff;				
or	☐	☐	☒	☐
iv. Impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk of release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Evaluation of Environmental Effects

- a) Less than significant impact. As discussed in Geology and Soils above, the project site's soil types have a low-to-medium susceptibility to sheet and rill erosion by rainfall and a low susceptibility to wind erosion at the ground surface. Disturbance of onsite soils during construction could result in soil erosion and siltation, and subsequent water quality degradation through increased turbidity and sediment deposition during storm events to offsite locations. Additionally, disturbed soils have an increased potential for fugitive dust to be released into the air and carried offsite. As described in Geology and Soils, the project would be required to comply with the General Permit. To conform to the requirements of the General Permit, a SWPPP would need to be prepared that specifies BMPs to prevent construction pollutants from moving offsite. The project is required to comply with the General Permit because project-related construction activities would disturb at least 1 acre

of soil. Therefore, the project would violate any water quality standards or waste discharge requirements.

- b) Less than significant impact. The project would not require irrigation or potable water, including groundwater, and the project would not include the appreciable construction of impervious surfaces, such as asphalt or concrete surfaces, that could impede percolation of surface water into the ground. Therefore, the project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.
- c) The following discusses whether the project would 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.
 - i. Less than significant impact. The project sites are flat and grading would be minimal. The topography of the sites would not appreciably change because of grading activities. The sites do not contain any water features, streams, or rivers. The project would not develop significant areas of impervious surfaces that could significantly reduce the rate of percolation at the sites or concentrate and accelerate surface runoff in comparison to the baseline condition.

The project is not within the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, the project outside of a 100-year flood zone. The project sites are located within the FEMA Flood Hazard Zone X: Area of Minimal Flood Hazard, and therefore the potential for flooding at the sites appears to be very low. The project would comply with all City codes and regulations related to flooding.

The project requires development of a SWPPP and the use of BMPs and limit the amount of grading where feasible to reduce impacts to water quality during construction.

Therefore, the project would not substantially alter the existing drainage pattern of the sites or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or offsite.

- ii. Less than significant impact. Refer to response c.i above. Therefore, the project would not substantially alter the existing drainage pattern of the sites or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or offsite.
- iii. Less than significant with mitigation incorporated. Refer to response c.i above. Therefore, the project would not create or contribute runoff water that would exceed

the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

- iv. Less than significant impact. The project sites are located outside the 500-year floodplain and is not located within a 100-year flood hazard area (FEMA 2021). Therefore, the project would not impede or redirect flood flows.
- d) No impact. As noted above, the project sites are not within a FEMA flood hazard zone, nor are they located near the ocean or a steep topographic feature (i.e., mountain, hill, bluff, etc.). Tsunamis are waves generated in oceans from seismic activity. Due to the inland location of the sites, tsunamis are not considered a hazard for the sites. Therefore, there is no potential for the sites to be inundated by tsunami or mudflow.

A seiche is a wave generated by the periodic oscillation of a body of water whose period is a function of the resonant characteristics of the containing basin as controlled by its physical dimensions. There is no body of water within the vicinity of the project sites. There is no potential for inundation of the project sites by seiche.

There are no nearby levees that would be susceptible to failure or flooding of the sites. The project site is not located within the Lake Isabella flood inundation area (Kern County 2017), which is the area that would experience flooding if there was a catastrophic failure of the Lake Isabella Dam. In the event of flooding, the City would utilize the Evacuation Plan to support its Emergency Operations Plans (EOPs). With implementation of the Evacuation Plan, the project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

- e) Less than significant impact. Refer to a. through d. responses above. Therefore, the project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Land Use and Planning

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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 and environmental effect?	☐	☐	☐	☒

Evaluation of Environmental Effects

- a) No impact. The project does not include the construction of roads or any other physical barrier. Therefore, the project would not physically divide an established community.
- b) No impact. The project consists of a CUP to construct three PV solar arrays on three sites on land zoned Agricultural. With the approval of a CUP, the project is allowed within this zone. Therefore, the project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

Mineral Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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 that is delineated in a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Evaluation of Environmental Effects

- a) No impact. The California Department of Conservation, Geological Survey classifies lands into Aggregate and Mineral Resource Zones (MRZs) based on guidelines adopted by the California State Mining and Geology Board, as mandated by the Surface Mining and Reclamation Act of 1974. These MRZs identify whether known or inferred significant mineral resources are present in areas. Lead agencies are required to incorporate identified MRZs resource areas delineated by the State into their General Plans. The principal mineral resources within the City are oil and natural gas. The southern portion of Kern County is a major oil producing region, with oil fields extending into the southern portion of Shafter's Planning Area (Shafter 2005).

No oil or gas resources have been identified in or extracted from the project sites. According to the California Geologic Energy Management [formerly called Division of Oil, Gas and Geothermal Resources (DOGGR)], the project site is not located in an identified oilfield and there are no known wells located on the site. The project would not result in the loss of availability of mineral resources as the project does not propose the extraction of mineral resources. Additionally, the project would not restrict the ability of mineral rights' holders in the area to exercise their legal rights to access surrounding sites for the exploration and/or extraction of underlying oil research or other natural resources. Therefore, the project would not 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) No impact. As noted above, the project is not designated as a mineral recovery area. The project would not alter any existing plans that protect mineral resources. As a result, the project would not interfere with known mining operations and would not result in the loss of land designated for mineral and petroleum. Therefore, the project would not result in the loss of availability of a locally important mineral resource recovery site that is delineated in a local general plan, specific plan or other land use plan.

Noise

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
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 from other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project 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?	☐	☐	☐	☒

Evaluation of Environmental Effects

- a) Less than significant impact. Project construction would generate temporary increases in noise levels. Chapter 8.24 (Noise Control Regulations) of the City of Shafter Municipal Code establishes regulations and enforcement procedures for construction noise generated in the City. The project would comply with all applicable policies, regulations, and standards and policies within the Municipal Code. Therefore, the project would not generate 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) Less than significant impact. The project is expected to create temporary groundborne vibration because of the construction activities (during site preparation and grading). According to the U.S. Department of Transportation, Federal Railroad Administration, vibration is sound radiated through the ground. The rumbling sound caused by the vibration is called groundborne noise. The ground motion caused by vibration is measured as particle velocity in inches per second and is referenced as vibration decibels (VdB). For example, the background vibration velocity level in residential areas is usually around 50 VdB. A list of typical vibration-generating equipment is shown in following table, although construction of the project may not use all these equipment types.

Different Levels of Groundborne Vibration	
Vibration Velocity Level	Equipment Type
104 VdB	Pile Driver (impact), typical
94 VdB	Vibratory roller
93 VdB	Pile Driver (sonic), typical
87 VdB	Large bulldozer

87 VdB	Caisson drilling
86 VdB	Loaded trucks
79 VdB	Jackhammer
58 VdB	Small bulldozer
Note: 25 feet from the corresponding equipment	

The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity level of 75 VdB is the approximately dividing line between barely perceptible and distinctly perceptible levels for many people. Typical outdoor sources of perceptible groundborne vibration are construction equipment and traffic on rough roads. For example, if a roadway is smooth, the groundborne vibration from traffic is rarely perceptible. Typically, groundborne vibration generated by construction activity attenuates rapidly with distance from the source of the vibration. Therefore, vibration issues are generally confined to distances of less than 500 feet (FTA 2006). There are no urban uses within the surrounding area of the project site. Potential sources of temporary vibration during construction of the project would be minimal and would include transportation and use of equipment on the site. Construction activity would include various site preparation, grading, in fabrication, and site cleanup work. Once constructed, the project would not have any components that would generate high vibration levels. Therefore, the project would not expose persons to or generation of excessive ground-borne vibration or ground-borne noise levels.

- c) No impact. As noted in the Hazards and Hazardous materials section, the project is not located within the airport land use compatibility plan boundaries for Shafter Airport/Minter Field. Therefore, the project would not expose people residing or working in the project area to excessive noise levels for a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport.

Population and Housing

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project;				
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?	☐	☐	☐	☒

Evaluation of Environmental Effects

- a) No impact. The project does not include any new homes, businesses, or roads. Therefore, the project will not induce unplanned population growth in the area, either directly or indirectly.
- b) No impact. See response to a. above. Construction of the project would likely be done by construction workers residing in the City or the surrounding area who would not require new housing. The project site is undeveloped and will not involve demolition of existing housing, or construction of new housing, and will not require the construction of replacement housing elsewhere. Therefore, the project would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

Public Services

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Public Services:				
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:				
i. Fire protection?	☐	☐	☒	☐
ii. Police protection?	☐	☐	☒	☐
iii. Schools?	☐	☐	☐	☒
iv. Parks?	☐	☐	☐	☒
v. Other public facilities?	☐	☐	☐	☒

Evaluation of Environmental Effects

- a) The following discusses whether the project would result in substantial adverse physical impacts to public services. The need for additional public service is generally directly correlated to population growth and the resultant additional population's need for services beyond what is currently available.
- i. Less than significant impact. Construction and operation of the project would result in a nominal increase in demand of fire protection and police protections services leading to the construction of new or physically altered facilities. The City of Shafter will ensure that construction activities are conducted in accordance with local and State fire codes. Services are adequately planned for within the City's General Plan through policies to ensure the City maintains fire department performance and response standards by allocating the appropriate resources. The project applicant is responsible for constructing any infrastructure needed to serve the project. Therefore, the project would not 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 fire protection.
 - ii. Less than significant impact. See response to a.i above. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or 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 police protection.

- iii. No impact. The project would not have any impacts on school facilities because it would not generate land uses that increase the number of students within the City. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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 schools.
- iv. No impact. The project would not have any impacts on parks because it would not generate land uses that increase the number of residents within the City. Therefore, the project would not 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 parks.
- v. No impact. See response to a.iv above. Therefore, the project would not 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 other public facilities.

Recreation

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) 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?	☐	☐	☐	☒

Evaluation of Environmental Effects

- a) No impact. See Public Services responses above. Therefore, the project would not increase of the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would not occur or be accelerated.
- b) No impact. See Public Services responses above. Therefore, the project would not include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

Transportation/Traffic

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	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) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?	☐	☐	☐	☒
d) Result in inadequate emergency access?	☐	☐	☒	☐

Evaluation of Environmental Effects

The discussion in this section is based on a traffic investigation and vehicle miles travelled (VMT) evaluations prepared specifically for the project (R&S 2024).

- a) Less than significant impact. The City of Shafter General Plan's Transportation Program (or Circulation Element) provides policies regarding streets. One of the main objectives for streets in the Circulation Element includes ensuring that streets operate at a level of service C.

Construction Phase

During construction, traffic will consist of worker passenger vehicles/light trucks and heavy trucks delivering parts, equipment, and materials to the project sites. Construction activities would take place primarily Monday through Friday during daylight hours. Project construction is estimated to take approximately six months to complete and would involve an average daily workforce of approximately 15 personnel. The maximum daily workforce is anticipated to be 22 personnel during the peak of project construction. Heavy truck trip deliveries will be approximately two per week during the project construction phase. A conservative estimate of two deliveries per day was assumed in the trip generation calculation. The table below provides the project's estimated construction trip generation.

Trip Generation Construction Phase							
			ADT	AM Peak Hour		PM Peak Hour	
			Daily Trips	IN	OUT	IN	OUT
Trip Type	Vehicle Type	Variable		% Split Trips	% Split Trips	% Split Trips	% Split Trips
Worker	Passenger	22 Workers	36	100% 18	0 0	0 0	100% 18

Trip Generation Construction Phase							
			ADT	AM Peak Hour		PM Peak Hour	
				IN	OUT	IN	OUT
Trip Type	Vehicle Type	Variable	Daily Trips	% Split Trips	% Split Trips	% Split Trips	% Split Trips
Delivery	Heavy Truck	2 Deliveries	4	100% 2	0 0	0 0	100% 2
Total			40	20	0	0	20

Source: R&S 2024.

Operations Phase

Upon completion, the project would be operated and monitored remotely 24 hours a day, seven days a week. The facility's regular maintenance program would be conducted onsite primarily during daylight hours. It is anticipated that washing of the PV panels would generate the greatest volume of project traffic during the operations phase. Panel washing would occur monthly for approximately one week. It is expected that maintenance workers would commute from local communities. It is estimated that the washing of PV panels would require a daily workforce of two maintenance personnel. The table below provides the project's estimated operations trip generation.

Trip Generation Operations Phase							
			ADT	AM Peak Hour		PM Peak Hour	
				IN	OUT	IN	OUT
Trip Type	Vehicle Type	Variable	Daily Trips	% Split Trips	% Split Trips	% Split Trips	% Split Trips
Worker	Passenger	2 Workers	4	100% 2	0 0	0 0	100% 2
Total			4	2	0	0	2

Source: R&S 2024.

Conclusion

In compliance with California Department of Transportation traffic impact study guidelines, dated December 2002, the threshold for requiring a traffic impact analysis is the addition of 50 project trips to one or more intersections during the peak hour of adjacent street traffic. The peak hour of adjacent street traffic typically occurs on weekdays during the AM or PM peak hour for commuter traffic.

The project is estimated to generate 20 peak hour trips during the peak of construction and two peak hour trips during the peak period of operation, as shown in the two tables above. Since both trip generation estimates are below the traffic impact analysis threshold of 50 peak hour trips, the project does not require further level of service analysis and is expected that the project sites would have a less than significant level of service impact.

Therefore, the project would not cause an impact and would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system.

- b) Less than significant impact. An evaluation of VMT was conducted based on applicable CEQA Guidelines for the project. The VMT evaluation included both project construction and operations.

Guidelines for assessing project VMT as part of a transportation impact analysis under CEQA are contained in the State of California, Office of Planning and Research's "Technical Advisory on Evaluating Transportation Impacts in CEQA," dated December 2018. This advisory includes methodology recommendations for analyzing project VMT.

The Technical Advisory contains screening thresholds for identifying whether a land use project should be expected to result in a less than significant transportation impact under CEQA. One such threshold pertains to project size. According to the Advisory, a project that generates fewer than 110 trips per day may be assumed not to cause a significant transportation impact.

As shown in the two tables above, the number of daily passenger vehicle trips generated during the construction phase and operation and maintenance (40 and 4, respectively) satisfies the small project screening threshold of 110 daily trips. The project is expected to have a less than significant transportation impact during these phases. Therefore, the project would not be in conflict or be inconsistent with CCR Section 15064.3(b).

- c) No impact. The project does not create any new roads, including roads that have a hazardous geometric design or result in incompatible uses. Therefore, the project would not substantially increase hazards due to a design feature or incompatible uses.
- d) Less than significant impact. See response to c. above. The project would be required to comply with all emergency access requirements adopted and set forth in the City of Shafter Municipal Code. These requirements and all others required to be included in the project design will be verified by the City prior to project approval. Therefore, the project would not result in inadequate emergency access.

Tribal Cultural Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 the 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:				
a) 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)?	☐	☐	☐	☒
b) 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 5021.1. In applying the criteria set forth in subdivision (c) of Public Resources Code 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

Evaluation of Environmental Effects

- a) No impact. The three project sites are not listed or eligible for listing on the California Register of Historical Resources or in a local register of historical resources. Therefore, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed in the California Register of Historical Resources or in a local register of historical resources.
- b) No impact. See response to a. above and in the Cultural Resources section. Therefore, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency to be significant.

Utilities and Service Systems

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electrical power, natural gas, or telecommunication 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 the 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 regulation related to solid waste?	☐	☐	☒	☒

Evaluation of Environmental Effects

- a) No impact. Refer to Geology and Soils and Hydrology and Water Quality responses above regarding potable and irrigation water, wastewater, and stormwater. The above analysis concluded that the project would not require the relocation or construction of new or expanded facilities for water potable and irrigation water, wastewater, and stormwater facilities. The project would generate its own electricity and additional electricity is not needed. No natural gas or telecommunication facilities are proposed for the project. Therefore, the project would not 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) No impact. Operations of the project would not require water. Therefore, the project has sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.
- c) No impact. Operations of the project would not require wastewater treatment. Therefore, the project would not result in the need for a determination by the wastewater treatment

provider which serves or may serve the project has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

- d) Less than significant impact. The project would generate a nominal amount of solid waste, mainly due to periodic replacement of solar PV array components as needed. Therefore, the project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.
- e) Less than significant impact. See response to d. above. The 1989 California Integrated Waste Management Act (AB 939) requires Kern County to attain specific waste diversion goals. The Shafter/Wasco Landfill is the City's primary landfill, while the Bena Landfill accepts some refuse from industrial uses within the City. Both facilities have the capacity to serve projected solid waste disposal needs through 2056 and 2046, respectively. Therefore, the project would comply with federal, state, and local management and reduction statutes and regulation related to solid waste.

Wildfires

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or areas classified as very high hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) Due to slope, prevailing winds, or other factors, exacerbate wildfire risk, and thereby expose project occupants to, pollutant concentrations from a wildfire or uncontrolled spread of 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?	☐	☐	☐	☒

Evaluation of Environmental Effects

- a) Less than significant impact. See Hazards and Hazardous Materials section regarding emergency response. According to data from the Cal Fire, there are no fire hazard severity zones on the project sites or within the City boundaries. The City of Shafter maintains an emergency plan for response to disasters, including fires. The objectives of the plan are to reduce loss of life, injury, and property losses through effective management of emergency forces (Shafter 2005). The emergency plan includes objectives and policies that would prevent new development from interfering with emergency response of evacuation plans. The project will comply with all local regulations related to the construction of new development that is consistent with the emergency plan. The project would also comply with the appropriate local and State requirements regarding emergency response plans and access. The proposed project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan.
- b) Less than significant impact. The project sites are in a region dominated by agricultural. The topography of the area is flat. Development of the project will not increase the need for fire protection services or expand the service area of the local Fire Department, and the project will comply with all applicable fire codes and regulations. Therefore, the project would not exacerbate wildfires and expose project occupants to pollutant concentrations from a

wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors.

- c) Less than significant impact. The project would develop three solar PV arrays surrounded by irrigated orchards, which pose little risk for wildfires. Therefore, the project would not 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) No impact. The site is topographically flat land, as is the surrounding area. There are no slopes on or near the property and the project would not expose the people or structures to significant risks from downslope or downstream flooding or landslides due to a result of runoff, post fire instability or drainage changes. According to FEMA Flood Insurance Rate Maps the project is within an area of minimal flood hazards (FEMA 2021). Therefore, the project would not 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.

Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Mandatory Findings of Significance:				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☒	☐	☐
c) Does the project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Evaluation of Environmental Effects

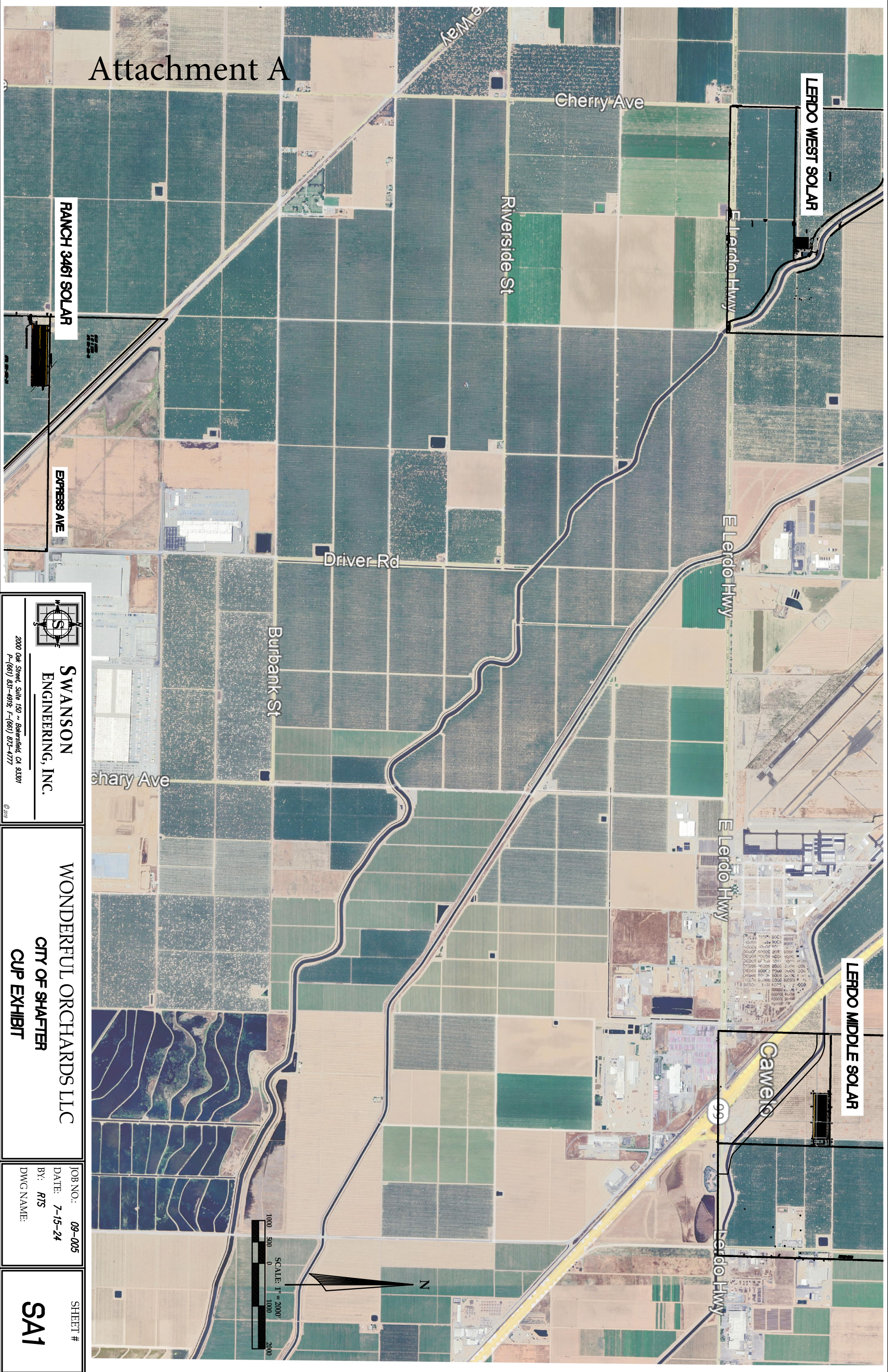
- a) Less than significant with mitigation incorporated. As evaluated in this document, the project would not substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory. With implementation of the mitigation measures recommended in this document, the project would not have the potential to degrade the quality of the environment, significantly impact biological resources, or eliminate important examples of the major periods of California history or prehistory. Therefore, with the following mitigation measures the project would have a less-than-significant impact. Therefore, the project, with the implementation of the identified conditions of approval, best management practices, and mitigation measures, would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

- b) Less than significant impact with mitigation incorporated. As described in the impact analyses in this document, any potentially significant impacts of the project would be reduced to a less-than-significant level through implementation of the project as described and by mitigation measures. The project would not otherwise combine with impacts of related development to add considerably to any cumulative impacts in the region. With mitigation, the project would not have impacts that are individually limited, but cumulatively considerable. Therefore, the project would have a less than cumulatively considerable impact with mitigation incorporated. There is no substantial evidence that with the implementation of the identified conditions of approval, best management practices, and mitigation measures, there are any cumulative effects associated with this project.
- c) Less than significant with mitigation incorporated. All the project's impacts, both direct and indirect, that are attributable to the project were identified and mitigated. The project mitigation measures will substantially reduce or eliminate impacts of the project. Therefore, the project, with mitigation, would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

BIBLIOGRAPHY

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2. Caltrans (California Department of Transportation). 2024. California State Scenic Highway Mapping System. Available: <<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>>.
3. DOC (Department of Conservation). 2024. Kern County Important Farmland Data Availability. Available:<<https://www.conservation.ca.gov/dlrp/fmmp/Pages/Kern.aspx>>.
4. DOC. 2020. CGS Information Warehouse: Regulatory Maps. Available:<<http://maps.conservation.ca.gov/cgs/informationwarehouse/>>.
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9. Pruett (Pruett Biological Resource Consulting). 2024. Conditional Use Permit Application, County of Kern, Shafter, California. August.
10. R&S (Ruettggers & Schuler Civil Engineers). 2024. Traffic Investigation and VMT Evaluation for Proposed Wonderful Solar Projects at Three Locations in Kern County. July.
11. Shafter (City of Shafter). 2005. General Plan.

Attachment A



SWANSON
ENGINEERING, INC.

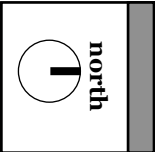
2000 Oak Street, Suite 150 ~ Bakersfield, CA 93301
P-(661) 831-4919, F-(661) 873-4777

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WONDERFUL ORCHARDS LLC
CITY OF SHAFTER
CUP EXHIBIT

JOB NO.: 09-005
DATE: 7-15-24
BY: RTS
DWG NAME:

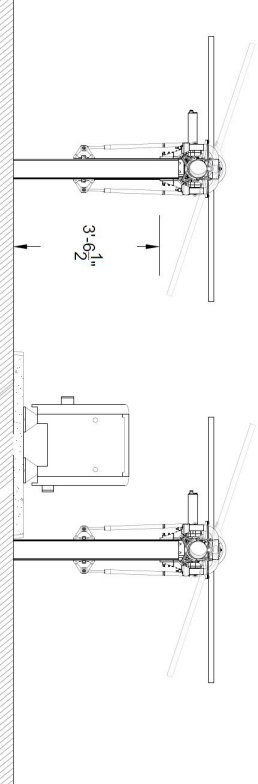
SHEET #
SA1



716.04 kW - Fixed Ground Mount
Approximate Area: 2.30 Acres
Site Address:
35.504149, -119.232113
AHJ: Kern County

System Components
Aggregated
(1,326) 540 watt modules
(17) 33.3 kW SMA inverters
Tie-In: 1009442728
Service Voltage: 480 Volts

MOUNTING DETAIL



SCALE

1" = 100'

LEGEND

	Emergency Vehicle Access (EVA) Route
	Gate
	Knox Box
	Sub Panel
	AC Line
	Trench Line

JKB Energy
2310 W. Monte Vista Ave
Turlock, CA 95380



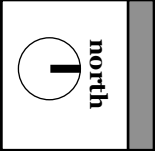
Preliminary Design

Lerdo West

*Layout is an illustrative design primarily used for sales presentation only. Official site plan and design will be presented after contract signing.

*All content is subject to change due to final site survey and engineering inspection

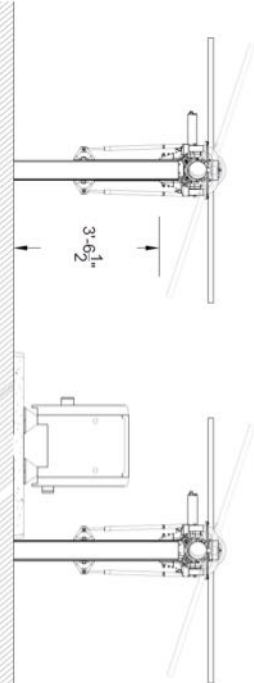
PRELIMINARY DESIGN FOR BUDGET PURPOSES - NOT FOR CONSTRUCTION



2,536.92 kW - Tracker
Approximate Area: 8.57 Acres
Site Address:
35.506220, -119.162031
AHJ: Kern County

System Components
Aggregated
(4,698) 540 watt modules
(16) 125 kW SMA inverters
Tie-In: 1010760703
Service Voltage: 480 Volts

MOUNTING DETAIL



SCALE

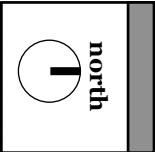
1" = 500'

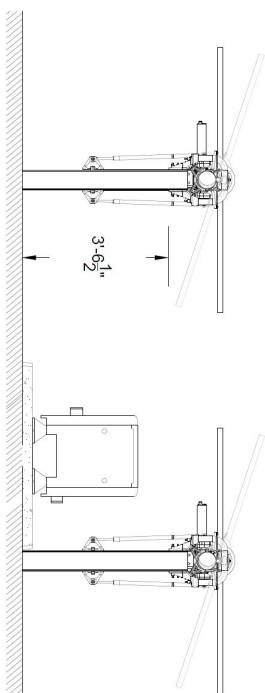
LEGEND

	Emergency Vehicle Access (EVA) Route
	Gate
	Knox Box
	Sub Panel
	AC Line
	Trench Line

***Layout is an illustrative design primarily used for sales presentation only. Official site plan and design will be presented after contract signing.**
***All content is subject to change due to final site survey and engineering inspection**

PRELIMINARY DESIGN FOR BUDGET PURPOSES - NOT FOR CONSTRUCTION



3,411.72 kW - Tracker Approximate Area: 11.66 Acres Site Address: 35.456388, -119.225118 AHJ: Kern County		Preliminary Design													
System Components Aggregated (6,318) 540 watt modules (22) 125 kW SMA inverters Tie-In: 1010434578 Service Voltage: 480 Volts		3461													
MOUNTING DETAIL 															
SCALE 1" = 300'															
LEGEND <table><tr><td> </td><td>Emergency Vehicle Access (EVA) Route</td></tr><tr><td> B </td><td>Gate</td></tr><tr><td> </td><td>Knox Box</td></tr><tr><td> </td><td>Sub Panel</td></tr><tr><td> </td><td>AC Line</td></tr><tr><td> </td><td>Trench Line</td></tr></table>					Emergency Vehicle Access (EVA) Route	B	Gate		Knox Box		Sub Panel		AC Line		Trench Line
	Emergency Vehicle Access (EVA) Route														
B	Gate														
	Knox Box														
	Sub Panel														
	AC Line														
	Trench Line														
JKB Energy 2310 W. Monte Vista Ave Turlock, CA 95380		JKBENERGY LEADER IN AG & COMMERCIAL SOLAR													

*Layout is an illustrative design primarily used for sales presentation only. Official site plan and design will be presented after contract signing.

*All content is subject to change due to final site survey and engineering inspection

PRELIMINARY DESIGN FOR BUDGET PURPOSES - NOT FOR CONSTRUCTION

ATTACHMENT "B" - Mitigation Monitoring and Reporting Program – CUP 24-145 (Wonderful Solar Facilities)

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
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#1	The following biological resources best management practices during construction activities shall be implemented for the project: - A biological resource pre-activity survey conducted by a qualified biologist no more than 30-days before the start of construction activities, - Biological resource monitoring during each initial phase of ground disturbance, - Compliance reporting provided to the required oversight agencies for all biological resource field surveys, monitoring, and additional tasks, as warranted, - If known or natal San Joaquin kit fox dens are identified at any time during construction, protocols enumerated in the USFWS Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (2011) should be implemented, and the appropriate agencies contacted for guidance, - Vertical sided trenching deeper than 2 feet will include escape ramps at no more than a 1:1 ratio every 100 feet, - Vertical sided holes that are not capable of being ramped should be covered or otherwise secured to the greatest extent practicable, and - Pipes, conduit and similar material 3 inches or greater should be capped to prevent wildlife from becoming inadvertently trapped in the piping.	Prior to grading plan approval and during construction	Qualified Biologist; City of Shafter Planning Department		
		Steps to Compliance: - This mitigation measure shall be incorporated as a condition of approval for any site plan review. - Contract a qualified biologist to perform a pre-construction survey within 30 days prior to ground disturbance activities. - Provide results of survey to the Planning Department for the record. - Contract a qualified biologist to perform monitoring during each initial phase of ground disturbance. - Provide results of monitoring to the Planning Department for the record, including any compliance reporting. - Qualified biologist implements necessary avoidance buffers and monitoring for Sann Joaquin kit fox, if needed. - Provide summary of the avoidance buffer activities to the Planning Department for the record. - During construction, place escape ramps; cover holes that cannot be ramped; and cap pipes, conduit, and similar material 3 inches or greater.			

#2	If ground-disturbing activities are planned during the nesting season for migratory birds that may nest on or near the site (generally February 1 through August 31), nesting bird surveys shall occur prior to the commencement of ground disturbance for project activities. If nesting birds are present, no new construction or ground disturbance should occur within an appropriate avoidance area for that species until young have fledged, unless otherwise approved and monitored by a qualified onsite biologist. Appropriate avoidance should be	Prior to ground disturbance	Qualified Biologist; City of Shafter Planning Department		
		Steps to Compliance: - This mitigation measure shall be incorporated as a condition of approval for any site plan review. - Contract a qualified biologist to perform nesting birds surveys prior to ground disturbance activities.			

ATTACHMENT "B" - Mitigation Monitoring and Reporting Program – CUP 24-145 (Wonderful Solar Facilities)

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	determined by a qualified biologist. In general, minimum avoidance zones for active nests should be implemented as follows: • Ground or low-shrub nesting non-raptors – 300 feet (91 meters), • Burrowing owl – as appropriate based on nest location, existing surrounding activity, and evaluation of owl behavior (coordination with CDFW may be warranted), • Sensitive raptors (e.g., prairie falcon, golden eagle) – 0.5 miles (0.8 kilometers), and • Other raptors – 500 feet (152 meters).	3. Qualified biologist implements necessary avoidance buffers, if needed. 4. Provide results of avoidance buffer activities to the Planning Department for the record.			
#3	If cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.	During construction Steps to Compliance: 1. This mitigation measure shall be incorporated as a condition of approval for any site plan review. 2. If prehistoric or historic-era cultural materials are discovered, halt all work, and contact a qualified archaeologist to assess finds and recommend procedures. 3. If necessary, implement recommended procedures. 4. Provide summary of all relevant activities to the Planning Department for the record.	Qualified Archaeologist; City of Shafter Planning Department		
#4	If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American	During construction Steps to Compliance: 1. This mitigation measure shall be incorporated as a condition of approval for any site plan review.	City of Shafter Planning Department; Kern County Coroner (if needed); Native American Heritage Commission (if needed)		

ATTACHMENT "B" - Mitigation Monitoring and Reporting Program – CUP 24-145 (Wonderful Solar Facilities)

No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
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	involvement, in the event of discovery of human remains, at the direction of the county coroner.	- If human remains are uncovered, halt all work and contact the Kern County Coroner to evaluate the remains and follow the appropriate procedures and protocols. - If the County Coroner determines that the remains are Native American, the applicant/developer shall contact the Native American Heritage Commission. - If Native American human remains are located, the applicant/developer shall implement and comply with the requirements listed in this mitigation measure. - Provide summary of all relevant activities to the Planning Department for the record.

#5 If any paleontological resources are encountered during ground disturbance activities, all work within 25 feet of the find shall halt until a qualified paleontologist as defined by the Society of Vertebrate Paleontology Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources, can evaluate the find and make recommendations regarding treatment. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. The qualified paleontologist shall contact the Natural History Museum of Los Angeles County or other appropriate facility regarding any discoveries of paleontological resources.	If the qualified paleontologist determines that the discovery represents a potentially significant paleontological resource, additional investigations and fossil recovery may be required to mitigate adverse impacts from project implementation. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, they shall be avoided to ensure no adverse effects, or such effects must be mitigated. Construction in that area shall not resume until the resource	Steps to Compliance: - This mitigation measure shall be incorporated as a condition of approval for any site plan review. - Contract a qualified paleontologist, if needed. - Perform additional investigations and fossil recovery, if needed. - Perform significance evaluation and effectuate recommendations, if needed. - Provide summary of all relevant activities to the Planning Department for the record.

ATTACHMENT "B" - Mitigation Monitoring and Reporting Program – CUP 24-145 (Wonderful Solar Facilities)				
No.	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date Initials
	appropriate measures are recommended or the materials are determined to be less than significant. If the resource is significant and fossil recovery is the identified form of treatment, then the fossil shall be deposited in an accredited and permanent scientific institution. Copies of all correspondence and reports shall be submitted to the Lead Agency.			

DATE: October 8, 2024
TO: Planning Commission
FROM: Planning Department
SUBJECT: Tentative Tract Map No. 7461

RECOMMENDATION:

Staff recommends the Planning Commission open the public hearing and continue the hearing to a date certain of the November 12, 2024, Planning Commission meeting.

APPLICANT

OWNER

LOCATION: