SUPPLEMENTAL DRAFT
ENVIRONMENTAL ASSESSMENT

Proposed Bakersfield Community-Based Outpatient Clinic

Bakersfield, California

U.S. Department of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420

~~July~~ October 2024

EXECUTIVE SUMMARY

In this Supplemental Draft Environmental Assessment (EA), the United States Department of Veterans Affairs (VA) identifies, analyzes, and documents the potential physical, environmental, cultural, and socioeconomic impacts associated with VA's proposed new community-based outpatient clinic (CBOC) in Bakersfield, California. This Supplemental Draft EA has been prepared in accordance with the National Environmental Policy Act of 1969 (42 United States Code 4321-4370~~h~~), the President's Council on Environmental Quality National Environmental Policy Act Implementing Regulations (40 Code of Federal Regulations 1500-1508), and Environmental Effects of the Department of Veterans Affairs Actions (38 Code of Federal Regulations Part 26). This EA and the analysis herein are required to determine if VA's Proposed Action would have significant environmental impacts.

This Supplemental Draft EA identifies and evaluates an additional element of the Proposed Action compared to the elements evaluated in the Draft EA that was previously published for public comment. Differences in the content of this Supplemental Draft EA from the July 2024 Draft EA are identified by "tracked changes": new text is underlined, deleted text is struck out, and a vertical bar in the right margin identifies the locations of revisions.

Purpose and Need

The purpose of the Proposed Action is to provide enhanced and expanded primary care and mental health services, and add a comprehensive array of specialty care outpatient services to serve Veterans in Bakersfield and the surrounding communities in a modern, state-of-the art facility. The Proposed Action would provide area Veterans timely, convenient access to health care and mental health services in a facility that provides specialty treatment programs and has the current and future capacity to serve an increasing patient population.

The Proposed Action is needed to address current and future projected health care needs of Veterans in Kern County. VA market analysis data indicate a growing need for ambulatory care and mental health services in the area. The existing clinic at 1801 Westwind Drive was established in 1992 and operated under a previous long-term lease that has now expired, which required a new lease procurement. Currently, many elderly or disabled Veterans must travel to the West Los Angeles or Sepulveda VA Medical Centers, which are 3 hours and 1.5 hours away from Bakersfield, respectively, to receive specialized care. Expanding the specialty care and mental health services at Bakersfield would ensure that Veterans can access these services closer to home. A new outpatient clinic would further help to decompress the overloaded health care delivery system at the West Los Angeles and Sepulveda VA Medical Centers. In addition, the new outpatient clinic, with expanded services and advanced equipment, would substantially improve patient outcomes and support greater employee satisfaction, thus increasing the clinic's ability to attract and retain high-quality health care staff.

Proposed Action and Alternatives

Under the Proposed Action, VA would establish and operate a new CBOC in Bakersfield, California. The facility would be constructed on a build-to-suit basis and then leased to VA for up to 20 years. The proposed project site is approximately 10 acres of vacant, undeveloped land in the northern portion of the City of Bakersfield, east of Knudsen Street, west of Landco Drive, north of Hageman Road, and south of Olive Drive. The proposed clinic building would have a gross building floor area of approximately 40,000 square feet with a net usable area of 30,100 square feet, and associated surface parking and other site improvements. The Proposed Action would also include street development and improvements along all frontages. The developer (lessor) would be responsible to design and construct the facility in compliance with VA design requirements and applicable federal, state, and local regulations. The Proposed Action may include the developer of the proposed new clinic providing an interim location in an existing building from which clinic services would be offered until construction of the proposed new CBOC is complete. The Proposed Action includes no further operation of the existing leased VA CBOC at 1801 Westwind Drive after clinic services are moved to the proposed new CBOC or to a potential interim location ~~is constructed~~.

Under the No Action alternative, VA would not construct the new CBOC at the project site in Bakersfield. Because the lease for the existing VA Bakersfield CBOC at 1801 Westwind Drive has expired, clinic services would still cease to be provided from that location, and Veterans would have to either travel to other VA clinics in the region or seek health care from community providers. The Proposed Action site likely would remain vacant in the near term and ultimately may be developed by others in accordance with local zoning. This No Action alternative would limit VA's ability to provide health care services to Veterans in the region, and thus does not meet the purpose of or need for the Proposed Action. However, the No Action alternative is analyzed in detail in this EA in accordance with the Council on Environmental Quality regulations and serves as a baseline against which the potential effects of the Proposed Action can be compared.

Summary of Affected Environment and Environmental Consequences

The EA describes the baseline physical, environmental, cultural, and socioeconomic conditions at the project site and the general vicinity. Table ES-1 summarizes the potential environmental impacts associated with implementing the Proposed Action or the No Action alternative.

Table ES-1. Summary of Impact Analysis

Resource	Impacts of Proposed Action	Impacts of No Action
Aesthetics	Less than significant: Minor impacts to aesthetics due to change from a vacant lot to a developed site. No impact on scenic resources. Consistent with urban characteristics of surrounding area.	No impacts anticipated.

Resource	Impacts of Proposed Action	Impacts of No Action
Air Quality	Less than significant: Estimated construction and operational emissions of criteria pollutants and hazardous air pollutants are below applicable federal and regional thresholds.	Less than significant: Adverse effects from Veterans having to travel to the West Los Angeles or Sepulveda VA Medical Centers to receive specialized care, resulting in increased mobile emissions affecting regional air quality.
Greenhouse Gases and Climate Change	Less than significant: Construction would have a minor contribution to global greenhouse gas (GHG) emissions. No net increase in GHG emissions from operations.	Less than significant: Increased transportation-related GHG emissions from Veterans having to travel to the West Los Angeles or Sepulveda VA Medical Centers to receive outpatient care, partially offset by the lack of GHG emissions from no operation of a clinic in Bakersfield.
Cultural and Historic Resources	No impacts anticipated: There are no historic properties identified in the area of potential effects for the Proposed Action; therefore, no historic properties would be affected. If cultural resources are discovered during ground disturbing activities, finds will be assessed for eligibility and VA will seek consulting party input.	No impacts anticipated.
Geology and Soils	Less than significant: Potential for soil erosion and sedimentation impacts during construction would be managed through permit and regulatory compliance. There are no known paleontological resources in the project area, although there is a low to moderate potential for their presence; impacts would be managed through measures for identification and treatment of such resources.	No impacts anticipated.
Hydrology and Water Quality	Less than significant: Short-term, adverse impact from construction activity would be managed through permit and regulatory compliance. Project design and regulatory compliance would ensure no significant impacts during operation.	No impacts anticipated.
Wildlife and Habitat	Less than significant: Mitigation measures will address adverse effects to protected species, including the federally listed endangered San Joaquin kit fox.	No impacts anticipated.
Noise	Less than significant: Construction, operational, and traffic noise and vibration levels are expected to be below levels of concern for receptors near the project site.	No impacts anticipated.

Resource	Impacts of Proposed Action	Impacts of No Action
Land Use	No impacts anticipated: Proposed use of the project site is allowable under current zoning provisions and is consistent with surrounding uses.	No impacts anticipated.
Floodplains, Wetlands, and Coastal Zone	No impacts anticipated: The project site contains no wetlands and is outside of floodplains and the coastal zone.	No impacts anticipated.
Community Services	No adverse impacts anticipated: Replacing the existing clinic with the new CBOC is not expected to increase demand for community services. Continued beneficial impact based on continued local availability of outpatient health care services for Veterans.	Significant adverse effect: Loss of local VA outpatient health care services for Veterans. Slight beneficial impact based on decreased demand for community police, fire, and emergency services availability for clinic operations.
Solid Waste and Hazardous Materials	Less than significant: Generation, handling, and disposal of solid waste and petroleum and hazardous substances during construction and operation would comply with federal and local requirements, including recycling.	No adverse impacts anticipated. Minor beneficial impact from ceasing VA clinic operations, which would decrease the area's waste generation and use/storage of hazardous materials.
Traffic and Transportation	Less than significant: Short-term effects from construction traffic. No long-term operational impact anticipated to level of service, roadway capacity, or vehicle miles traveled.	No impacts anticipated.
Utilities	Less than significant: Utilities adequate for the CBOC already service the site area. Utility consumption levels for the new CBOC would be similar to or less than those of the existing clinic.	Minor beneficial effect due to reduction in utility consumption once VA clinic operations at Bakersfield cease.
Socioeconomics	Short-term localized beneficial impact to the local economy from construction employment and material purchases. No impact from operations anticipated.	Less than significant adverse effects due to loss of clinic jobs.
Environmental Justice	No significant disproportionate impacts to communities with environmental justice concerns.	Potential disproportionately adverse effects to low-income Bakersfield area Veterans, who may have limited means to access VA health care services by traveling to Los Angeles or Sepulveda.

Cumulative Impacts

This EA also examines the potential cumulative effects of implementing the alternatives. This analysis finds that neither the Proposed Action nor No Action alternative would result in significant adverse cumulative impacts on the environment.

Agency Coordination and Public Involvement

VA reached out to federal, state, and local agencies; Native American tribes; and elected officials for input on the scope of the EA, the range of alternatives, and environmental issues for in-depth analysis. A scoping notice was also published on the VA website at www.cfm.va.gov/environmental/ and in ~~the~~ *The Bakersfield Californian* on October 20 and 22, 2023, to announce VA's intent to develop an EA and request scoping input. Copies of correspondence and newspaper notices are provided in Appendix B.

The Draft EA was published for public comment on July 21, 2024, through September 19, 2024. A notice of availability was sent to federal, state, and local agencies; Native American tribes; elected officials; and other stakeholders. A notice of availability was published on the VA website at www.cfm.va.gov/environmental/ and in *The Bakersfield Californian* on July 21 and 23, 2024. Copies of the Draft EA stakeholder and newspaper notices of availability are provided in Appendix B.

This Supplemental Draft EA is published for an additional 30-day public review and comment period. VA is notifying stakeholders, publishing a notice of availability of the Supplemental Draft EA in ~~the~~ *The Bakersfield Californian*, and inviting comments on the Supplemental Draft EA. Comments submitted on the Draft EA do not have to be resubmitted. Comments on both the Draft EA and the Supplemental Draft EA will be addressed in the Final EA.

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ACRONYMS AND ABBREVIATIONS

APE	area of potential effects
BMC	Bakersfield Municipal Code
CalEEMod	California Emissions Estimator Model
CalGreen	California Green Building Standards Code
CARB	California Air Resources Board
CBOC	community-based outpatient clinic
CCR	California Code of Regulations
CEQ	Council on Environmental Quality
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CNEL	community noise equivalent level
CO_2	carbon dioxide
CUPA	Certified Unified Program Agency
dBA	A-weighted decibels
EA	environmental assessment
EIR	environmental impact report
GHG	greenhouse gas
KernCOG	Kern Council of Governments
Leq	equivalent continuous sound level
LOS	level of service
MBGP	Metropolitan Bakersfield General Plan
MBHCP	Metropolitan Bakersfield Habitat Conservation Plan
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NEPA	National Environmental Policy Act of 1969
NHPA	National Historic Preservation Act
NPDES	National Pollutant Discharge Elimination System
PM_{10}	particulate matter with aerodynamic diameter less than or equal to 10 micrometers
$PM_{2.5}$	particulate matter with aerodynamic diameter less than or equal to 2.5 micrometers
PPV	peak particle velocity
RWQCB	Regional Water Quality Control Board
SASD	SASD Development Group, LLC
SF	square feet
SSJVIC	San Joaquin Valley Information Center
SJVAPCD	San Joaquin Valley Air Pollution Control District
SHPO	State Historic Preservation Officer
SR	State Route
SWPPP	stormwater pollution prevention plan
U.S.	United States
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service

VA	U.S. Department of Veterans Affairs
VMT	vehicle miles traveled
VOC	volatile organic compound

1 INTRODUCTION AND PURPOSE OF AND NEED FOR ACTION

1.1 Introduction

The United States (U.S.) Department of Veterans Affairs (VA) prepared this environmental assessment (EA) in accordance with the National Environmental Policy Act of 1969 (NEPA; 42 U.S. Code 4321-4370) and the regulations implementing NEPA from the Council on Environmental Quality (CEQ) (40 Code of Federal Regulations [CFR] 1500–1508) and VA (38 CFR Part 26). NEPA requires federal agencies to consider the environmental effects of their proposed actions.

This EA evaluates the potential effects on the natural and built environment from the proposed construction and operation, under a long-term build-to-suit lease, of a new VA community based-outpatient clinic (CBOC) east of Knudsen Street and south of Olive Street with the city limits of Bakersfield, California (see

Figure 1). The new CBOC would replace the existing leased Bakersfield CBOC located at 1801 Westwind Drive, Bakersfield, California.

This EA considers public, agency, and tribal input into the decision-making process; provides the federal decision-maker with an understanding of potential environmental effects of the decision before making it; identifies measures to reduce potential environmental effects; and documents the NEPA process. At the conclusion of the EA process, VA will determine whether this EA supports a finding of no significant impact or if an environmental impact statement is required.

The federal agency decision is not subject to the California Environmental Quality Act (CEQA). However, a related CEQA environmental impact report (EIR) evaluated and documented the potential environmental effects that would be associated with discretionary approvals of this development by the City of Bakersfield's Planning Commission, City Council, and Development Services Director. The Draft EIR (City of Bakersfield, 2023a) was published for public review on May 4, 2023, and the Final EIR (City of Bakersfield, 2023b) was published on August 28, 2023. This EA is not a "joint" NEPA-CEQA document as defined in the state regulations.

1.2 Background

The VA Greater Los Angeles Healthcare System serves the health care needs of more than 86,000 Veterans in a five-county area of southern California. Greater Los Angeles Healthcare System facilities include medical centers in West Los Angeles and Sepulveda, and nine outpatient clinics in Arcadia, Bakersfield, Commerce, Lancaster, Los Angeles, San Luis Obispo, Santa Barbara, Santa Maria, and Ventura.

In 2010, through Public Law 111–82, Congress authorized VA to procure a replacement clinic lease in Bakersfield for a term of up to 20 years. This process extended over several years while protest and appeal actions within the federal procurement process were resolved, and a new lease was awarded to SASD Development Group, LLC (SASD) in April 2021. The lease for the current

Bakersfield CBOC at 1801 Westwind Drive has expired, and VA is operating the clinic under the terms of an underlying clause in the expired lease.

(City of Bakersfield, 2023a)

Figure 1. Project Location

Prior to lease award, VA reviewed the potential environmental effects of the project, completed formal consultation with the U.S. Fish and Wildlife Service (USFWS) under Section 7 of the Endangered Species Act, and consulted with the California State Historic Preservation Officer (SHPO) under Section 106 of the National Historic Preservation Act (NHPA). VA signed a categorical exclusion on January 5, 2021, documenting compliance with VA's NEPA regulations (38 CFR Part 26). The categorical exclusion relied upon compliance with the Metropolitan Bakersfield Habitat Conservation Plan (MBHCP), consistent with the outcome of the Endangered Species Act Section 7 consultation, to address the extraordinary circumstance of potential effects to the San Joaquin kit fox, a federally listed endangered species. The MBHCP provided a straightforward and unambiguous method to mitigate potential impacts to the San Joaquin kit fox via paying a fee that funded specific conservation measures implemented by the area-wide program.

As stated above, the City of Bakersfield determined that an EIR was required for their compliance with CEQA and, during that process, the MBHCP expired in January 2023. With this programmatic mitigation measure no longer available, VA has re-initiated Section 7 consultation with USFWS and determined that an EA is now the appropriate level of NEPA review for determining project-specific mitigation measures to ensure that potential effects to the San Joaquin kit fox are less than significant. This EA also documents VA's updated review of the existing environment, incorporates analysis of the project that was developed in the CEQA EIR, and complies with the May 20, 2022, updates to the CEQ regulations for implementing NEPA.

1.3 Purpose and Need

The purpose of the Proposed Action is to provide enhanced and expanded primary care and mental health services, and add a comprehensive array of specialty care outpatient services to serve Veterans in Bakersfield and the surrounding communities in a modern, state-of-the art facility. The Proposed Action would provide area Veterans timely, convenient access to health care and mental health services in a facility that provides specialty treatment programs and has the current and future capacity to serve an increasing patient population.

The Proposed Action is needed to address current and future projected health care needs of Veterans in Kern County. VA market analysis data indicate a growing need for ambulatory care and mental health services in the area. The existing clinic at 1801 Westwind Drive was established in 1992 and operated under a previous long-term lease that has now expired, which required a new lease procurement. Currently, many elderly or disabled Veterans must travel to the West Los Angeles or Sepulveda VA Medical Centers, which are 3 hours and 1.5 hours away from Bakersfield, respectively, to receive specialized care. Expanding the specialty care and mental health services at Bakersfield would ensure that Veterans can access these services closer to home. A new outpatient clinic would further help to decompress the overloaded health care delivery system at the West Los Angeles and Sepulveda VA Medical Centers. In addition, the new outpatient clinic, with expanded services and advanced equipment, would substantially improve patient outcomes and support greater employee satisfaction, thus increasing the clinic's ability to attract and retain high-quality health care staff.

2 DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

VA reviewed alternative approaches for meeting the purpose of and need for action. Section 2.1 describes in detail the Proposed Action. Section 2.2 describes the No Action alternative as required by the CEQ regulations. Alternatives that were identified but eliminated from further consideration are briefly discussed in Section 2.3.

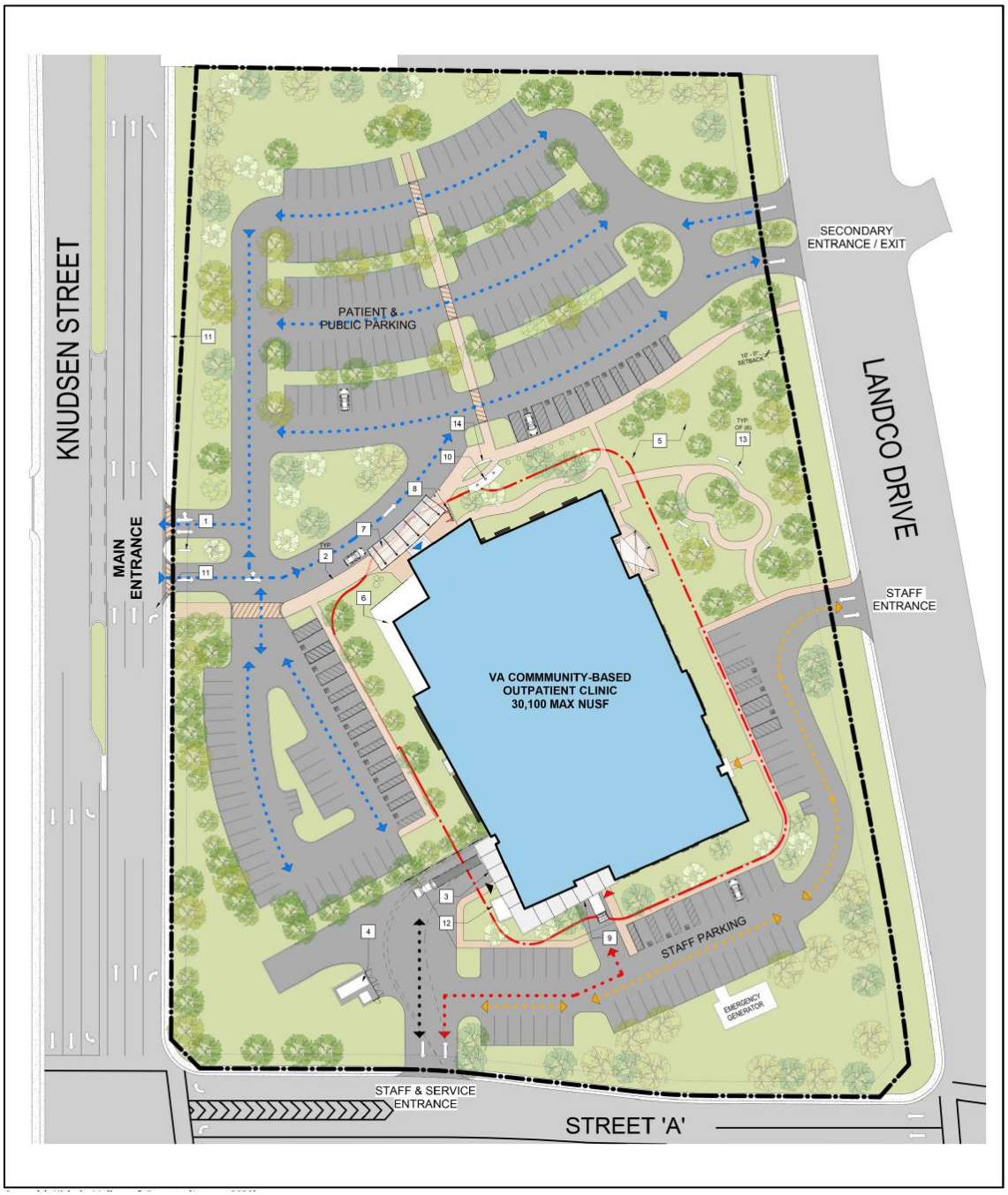
2.1 Proposed Action

VA's Proposed Action is to establish and operate a new CBOC in Bakersfield, California. The facility would be constructed on a build-to-suit basis and then leased to VA for up to 20 years. The proposed project site is approximately 10 acres of vacant, undeveloped land in the northern portion of the City of Bakersfield, east of Knudsen Street, west of Landco Drive, north of Hageman Road, and south of Olive Drive (
Figure 1).

The new CBOC would provide enhanced primary care, mental health, and specialty care outpatient services to Veterans in the Bakersfield area and surrounding communities. The proposed clinic would provide services from approximately 7:00 am to 5:00 pm, Monday through Friday, although the operating hours are subject to change. Services are anticipated to include audiology, mental health, telehealth, ambulatory care, an eye clinic, physical and occupational therapy, prosthetics, dental services, a lab and pharmacy, and ancillary and diagnostic services.

The proposed clinic building would have a building floor area of approximately 40,000 gross square feet (SF) with a net usable area of 30,100 SF, and associated surface parking and other site improvements. Landscaping would be installed along the perimeter of the project site, around the building, and throughout the parking areas. Traffic improvements would be implemented along the project site's frontage with Knudsen Drive. Along the project site's eastern boundary, Landco Drive would be extended to run adjacent to the east side of the project. Along the project site's southern boundary, new Street A would be constructed to connect Knudsen Drive and Landco Drive. Vehicle access to the project site would be via one main entrance on Knudsen Drive, one entrance on Street A, and two entrances on Landco Drive (Figure 2).

The Proposed Action may include the developer of the proposed new clinic providing an interim location in an existing building from which clinic services would be offered until construction of the proposed new CBOC is complete. A potential interim clinic location has not been identified but would consist of an existing structure requiring only interior renovations and with existing adequate onsite parking for patients and staff. The health care services would include some or all of those proposed for the new CBOC. Operating hours would be approximately 8:00 am to 4:30 pm, Monday through Friday. Staff and patients would be the same or fewer than for the new clinic: 110 staff (67 full-time) and an estimated average of 161 daily patient visits, with an estimated average of 169 additional patients served each day through virtual visits and secure messaging.



(City of Bakersfield, 2023a)

Figure 2. Proposed Development

The developer would design and construct the facility in compliance with VA design requirements and applicable federal, state, and local regulations. The developer would be responsible for obtaining all applicable federal, state, and local permits from appropriate government authorities.

VA anticipates the design and construction of the proposed CBOC to require approximately two years, starting in 2024 or as soon as all review, regulatory, and permit requirements are met.

The Proposed Action includes short-term continued clinic operations at 1801 Westwind Drive, potentially including repair work to bring the building up to modern healthcare standards. ~~After the new CBOC is constructed, t~~The Proposed Action includes no further operation of the existing leased VA CBOC at 1801 Westwind Drive after clinic services are moved to the proposed new CBOC or to a potential interim location.

2.2 No Action

Under the No Action alternative, VA would not construct the new CBOC at the project site in Bakersfield. Because the lease for the existing VA Bakersfield CBOC at 1801 Westwind Drive has expired, clinic services would cease to be provided from that location, and Veterans would have to either travel to other VA clinics in the region or seek health care from community providers. The Proposed Action site likely would remain vacant in the near term and ultimately may be developed by others in accordance with local zoning.

This No Action alternative would limit VA's ability to provide health care services to Veterans in the region, and thus does not meet the purpose of or need for the Proposed Action. However, the No Action alternative is analyzed in detail in this EA in accordance with the CEQ regulations and serves as a baseline against which the potential effects of the Proposed Action can be compared.

2.3 Alternatives Identified but Eliminated from Further Consideration

As part of the prospectus for Congressional approval of the new Bakersfield CBOC, VA considered additional options for providing enhanced and expanded health care services, including:

- Acquiring an existing facility or land for new construction in the Bakersfield area through purchase. However, a VA-owned facility would limit VA's ability to relocate services in the future and adapt to changes in regional Veterans' health care needs.
- Contracting out all primary, mental health, and specialty care outpatient services to private health care providers in the Bakersfield area. However, this alternative is not cost-effective and would not guarantee clear access and consistent standards and continuity of care. There also may not be sufficient, qualified, private-sector providers in the Bakersfield area to accommodate the demand for Veterans healthcare.

During the procurement process for the long-term CBOC lease that concluded with award to the developer SASD (described in Section 1.2), VA received and evaluated several offers. The SASD offer was selected as best meeting VA's criteria for a new CBOC in the area. That procurement process has concluded, and thus the other offers are no longer considered feasible alternatives for detailed review in this EA.

For the reasons stated above, these other alternatives were eliminated from further consideration and not evaluated in detail in this EA.

3 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

This section describes the existing conditions at the project site and presents an analysis of the potential consequences of implementing the Proposed Action or the No Action alternative. Each alternative was evaluated for its potential impacts on physical, biological, and socioeconomic resources in accordance with CEQ regulations at 40 CFR 1500-1508.

The environmental impacts (or effects) of implementing each alternative are identified for each resource and described in terms of significance. Where possible, impacts are described as short-term (temporary) or long-term in relation to the length of the effect of the impact. Impacts are also identified as adverse or beneficial where relevant.

This EA follows CEQ regulations that direct agencies to focus on important environmental issues, commensurate with the importance of the effect, with less important material summarized, consolidated, or simply referenced (40 CFR 1502.1(b), 1502.15(c)).

3.1 Aesthetics

3.1.1 Affected Environment

The project site is in the northwest area of the city approximately 0.05 miles (250 feet) southeast of the intersection of Knudsen Drive and Olive Drive and is within the boundaries of the Census-defined Bakersfield urban area (U.S. Census Bureau, 2023). The surrounding area is a mix of commercial and institutional uses and vacant land. The project site adjoins commercial development to the north; vacant land to the east with State Route (SR) 99 further east; vacant land to the south with commercial uses further south; and Knudsen Drive to the west with public facilities across the road and a public school south of those buildings.

The project site is vacant and undeveloped other than a rough-cut stormwater catchment basin in the northeastern portion of the site and a stormwater retention basin surrounded by chain link fencing covered with worn privacy panels in the southwestern portion of the site. The project site is devoid of trees and shrubs; existing vegetation consists of non-native species typical of disturbed sites.

The project site is relatively flat and has no unique topographic or aesthetic features. The project site does not contribute to any prominent scenic vistas and there are no designated or eligible state scenic highways in the vicinity (Caltrans, 2023).

The project site contains no sources of artificial, exterior lighting. Artificial lighting sources in the vicinity of the project site include illumination of the 7-Eleven store, Taco Bell restaurant, and Chevron gas station to the immediate north.

3.1.2 Effects of the Proposed Action

Under the Proposed Action, development of a new CBOC on the project site would produce visual changes through the introduction of a new building, surface parking, and landscaping on previously vacant land. The conceptual design of the Proposed Action includes a clinical building of approximately 40,000 gross SF with a height of approximately 31 feet that would be visually similar and consistent with the surrounding uses.

The Proposed Action's conceptual landscaping plan calls for planting a mix of trees, shrubs, and groundcover along the perimeter of the site, in the parking areas, and around the perimeter of the building (
Figure 3). Project landscaping will make the site more visually attractive, reduce solar heat gain, and serve as a vegetative barrier to improve air quality and minimize noise.

As stated in the EIR, prior to the approval of building permits and other permits and approvals that authorize construction, the City of Bakersfield would review the construction documents and plans to assure the following:

a. All lighting fixtures shall comply with applicable City of Bakersfield Municipal Code requirements pertaining to lighting and illumination of buildings, parking areas, and signs.
b. All landscaping shall be installed to comply with all applicable City of Bakersfield Municipal Code standards pertaining to perimeter landscaping and minimum shade cover.

VA provides the following clarifying details for measure (a), above: the developed project site would be illuminated at night for safety and security. Exterior lighting would comply with Bakersfield Municipal Code (BMC) Section 17.71, Outdoor Lighting, which among other things requires that all outdoor lighting be fully shielded and aimed downward so as to not shine onto adjacent property or streets and produce a nuisance or disabling glare.

VA provides the following clarifying details for measure (b), above: the project would comply with the landscaping requirements of BMC Section 17.61, Landscape Standards, which establishes requirements for landscape design, automatic irrigation system design, and water-use efficiency.

The Proposed Action is expected to have only minor impacts on aesthetics due to changes to the site from a vacant lot to a developed site. There would be no impact on scenic resources, as there are no prominent scenic vistas, state scenic highways, or any other notable visual resources in the vicinity. The proposed development is consistent with the urban characteristics of the surrounding area and would comply with applicable zoning and municipal code requirements pertaining to visual impacts.

A potential interim clinic location in an existing building would have no aesthetic effects.

Ceasing operations at the existing clinic would have no immediate effect on local aesthetics and unknown long-term effects, depending on future land use of the site.

Figure 3. Conceptual Site Plan

(City of Bakersfield, 2023a)

3.1.3 Effects of the No Action Alternative

Under the No Action alternative, the project site would remain vacant, at least in the near term, resulting in no changes to the aesthetics of the project area. Ceasing operations at the existing clinic would have no immediate effect on local aesthetics and unknown long-term effects, depending on future land use of the site.

3.2 Air Quality

3.2.1 Affected Environment

The U.S. Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) regulate air quality in California. The project site is in the San Joaquin Valley air basin, which is within the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). These agencies develop rules, regulations, and policies for regulating air quality in accordance with applicable legislation. USEPA regulations may not be superseded; however, state and local regulations may be more stringent.

3.2.1.1 Federal Air Quality Standards

The Clean Air Act of 1970 (42 U.S. Code 7401 et seq.) authorizes the USEPA to establish National Ambient Air Quality Standards (NAAQS) (40 CFR Part 50) that set acceptable upper concentration limits for the following criteria pollutants: particulate matter with an aerodynamic diameter less than or equal to 10 micrometers (PM_{10}), particulate matter with an aerodynamic diameter less than or equal to 2.5 micrometers ($PM_{2.5}$), sulfur dioxide, carbon monoxide, nitrogen dioxide, ozone, and lead.

Areas that violate a NAAQS are designated as nonattainment areas; areas with levels below NAAQS are designated as attainment areas. An area may also be classified as a maintenance area if it was once classified as nonattainment but has since reached attainment through implementation of a maintenance plan. The San Joaquin Valley air basin is designated as extreme nonattainment for the 8-hour ozone standard and serious nonattainment for $PM_{2.5}$.

The USEPA General Conformity Rule requires federal agencies to demonstrate that actions that they undertake, approve, permit, or support in nonattainment and maintenance areas will conform to the appropriate USEPA-approved State Implementation Plan (40 CFR Parts 51 and 93). A conformity applicability analysis is the first step to assess if a federal action must be supported by a full conformity determination. If the results of the applicability analysis indicate that the total emissions of a proposed project would not exceed *de minimis* emissions thresholds, then the conformity evaluation process is complete. If total emissions would equal or exceed federal *de minimis* thresholds, then a full conformity determination is required to ensure that federal actions do not cause or contribute to violations of the NAAQS or affect NAAQS attainment. Table 1 summarizes the NAAQS status for the project site and applicable *de minimis* thresholds.

Table 1. Federal Criteria Pollutant Attainment Status and Relevant *de minimis* Thresholds

Criteria Pollutant	NAAQS Status for the San Joaquin Valley Air Basin	Relevant Federal *de minimis* Threshold
8-hour ozone (2015)	Nonattainment (extreme)	10 tons per year of nitrogen oxides or volatile organic compounds
Carbon monoxide	Attainment (maintenance)	100 tons per year
Lead	Attainment	25 tons per year
Nitrogen dioxide	Attainment	100 tons per year
Sulfur dioxide	Attainment	100 tons per year
$PM_{2.5}$ (2012)	Nonattainment (serious)	70 tons per year of emissions of $PM_{2.5}$, sulfur dioxide, nitrogen oxides, volatile organic compounds, and ammonia
PM_{10}	Attainment (maintenance)	100 tons per year

(USEPA, 2023a) (40 CFR 93.153)

3.2.1.2 State and Local Air Quality Standards

CARB has developed California Ambient Air Quality Standards that are generally more stringent than the corresponding federal USEPA NAAQS and incorporate additional standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility reducing particles. The San Joaquin Valley air basin is in nonattainment of the California Ambient Air Quality Standards for ozone (one-hour and eight-hour), $PM_{2.5}$, and PM_{10} (SJVAPCD, 2024).

SJVAPCD has adopted the thresholds listed in Table 2 to promote consistency in assessing the significance of project-specific impacts within the environmental review process.

Table 2. SJVAPCD Air Quality Thresholds of Significance – Criteria Pollutants

Pollutant/ Precursor	Construction Emissions (tons/year)	Operational Emissions (tons/year)	
		Permitted Equipment and Activities	Non-Permitted Equipment and Activities
Carbon monoxide	100	100	100
Nitrogen oxides	10	10	10
Reactive organic gases [a]	10	10	10
Sulfur oxides	27	27	27
PM_{10}	15	15	15
$PM_{2.5}$	15	15	15

[a] The term "reactive organic gases" is often used interchangeably with volatile organic compounds. These compounds are precursors to the formation of ground-level ozone.
(SJVAPCD, 2015)

3.2.1.3 Site Conditions

Regulated sources of air emissions do not currently exist on the project site. Non-regulated sources of air emissions at the site include those associated with site maintenance such as mowing.

CEQ's NEPA regulations require evaluation of the degree to which a Proposed Action affects public health. Children, elderly people, and people with illnesses are especially sensitive to the effects of air pollutants; therefore, hospitals, schools, convalescent facilities, and residential areas are sensitive receptors for air quality impacts. The sensitive receptors near the project site include:

- San Lauren Elementary School, approximately 0.09 miles southwest.
- Single-family homes on Nomi St., approximately 0.2 miles west (closest residences to the project site).
- Kern River Transitional Care (nursing home), approximately 0.2 miles south.
- Legacy Christian Academy, approximately 0.35 miles southwest.
- Beardsley Elementary School and Beardsley Junior High School, approximately 0.82 miles southwest.
- Becca's Buccaneers (daycare), approximately 0.5 miles southwest.
- Little Red School House (daycare), approximately 1 mile southwest.
- Good Samaritan Hospital, approximately 1 mile east.

3.2.2 Effects of the Proposed Action

3.2.2.1 Criteria Pollutants

SJVAPCD has developed a screening tool, Small Project Analysis Level, to streamline the process of assessing the significance of the impact of criteria pollutant emissions from common projects. Using project type and size, SJVAPCD has pre-quantified emissions and determined a size below which it is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants. The Proposed Action includes a clinic of approximately 40,000 gross SF, which does not exceed the established Small Project Analysis Level size limit for a "Medical Office Building," which is 52,000 SF (SJVAPCD, 2020). Therefore, the Proposed Action is deemed under the screening tool's guidelines to have a less than significant impact on air quality.

As part of the development of the EIR for the project, criteria pollutant emissions were quantified for construction and long-term operation of the Proposed Action using the California Emissions Estimator Model (CalEEMod) version 2020.4.0 (Trinity Consultants, 2022). Construction-related emissions would consist mainly of exhaust emissions (nitrogen oxides and PM) from construction equipment and other mobile sources, and fugitive dust (PM) emissions from earth moving activities. Modeled results indicate that emissions of criteria pollutants and precursors are not anticipated to exceed federal or state thresholds during construction (Table 3).

Similarly, modeled emissions from long-term operation of the Proposed Action are also not anticipated to exceed federal or state thresholds for annual operational emissions of criteria pollutants (Table 4). Long-term operations emissions are expected to be generated primarily from mobile sources traveling to and from the project area, but also include area sources from energy and water use and waste generation emissions. Emissions were modeled with and without reduction measures that included accessibility and walkability to the site. Project emissions were estimated to be less than significant even without the reduction measures.

Table 3. Project Construction Emissions of Criteria Pollutants

Parameter	Pollutant (tons/year)					
	Reactive organic gases [a]	Nitrogen oxides	Carbon monoxide	Sulfur oxides	PM_{10}	$PM_{2.5}$
Year 1 construction emissions	0.19	1.68	1.67	0.00	0.25	0.14
Year 2 construction emissions	0.58	1.98	2.41	0.01	0.25	0.12
Federal *de minimis* thresholds	10	100	100	100	100	70
SJVAPCD construction emissions thresholds	10	10	100	27	15	15
Is threshold exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

[a] The term "reactive organic gases" is often used interchangeably with volatile organic compounds. These compounds are precursors to the formation of ground-level ozone.
(Trinity Consultants, 2022) (40 CFR 93.153)

Table 4. Project Operational Emissions of Criteria Pollutants

Parameter	Pollutant (tons/year)					
	Reactive organic gases [a]	Nitrogen oxides	Carbon monoxide	Sulfur oxides	PM_{10}	$PM_{2.5}$
UNREDUCED						
Annual operational emissions	0.69	0.56	3.99	0.01	0.78	0.21
Federal *de minimis* thresholds	10	100	100	100	100	70
SJVAPCD operational emissions thresholds	10	10	100	27	15	15
Is threshold exceeded?	**No**	**No**	**No**	**No**	**No**	**No**
CONSIDERING TRANSIT ACCESSIBILITY AND WALKABILITY						
Annual operational emissions	0.67	0.50	3.65	0.01	0.69	0.19
Federal *de minimis* thresholds	10	100	100	100	100	70
SJVAPCD operational emissions thresholds	10	10	100	27	15	15
Is threshold exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

[a] The term "reactive organic gases" is often used interchangeably with volatile organic compounds. These compounds are precursors to the formation of ground-level ozone.
(Trinity Consultants, 2022) (40 CFR 93.153)

As stated in the EIR, the project is required to be constructed and operated in compliance with all applicable SJVAPCD rules, including but not limited to the following:

- SJVAPCD Rule 4601, *Architectural Coatings*, which limits volatile organic compound (VOC) emissions from architectural coatings.
- SJVAPCD Rule 4102, *Nuisance*, which prohibits the discharge of air contaminants and other materials which cause injury, detriment, nuisance. or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health, or safety of any such person or the public or which cause or have a natural tendency to cause injury or damage to business or property.

- SJVAPCD Rule 4641, *Cutback, Slow Cure and Emulsified Asphalt, Paving and Maintenance Operations*, which limits VOC emissions by restricting the application and manufacturing of certain types of asphalt for paving and maintenance operations.

The project would also comply with SJVAPCD Rule 8021, *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*, which limits fugitive dust emissions from these activities.

As also stated in the EIR, in compliance with SJVAPCD Rule 9510 (Indirect Source Review), the Project Applicant or its successor in interest shall submit an Air Impact Assessment application to the SJVAPCD, which will identify emission reduction measures for emissions of nitrogen oxides and PM_{10}. The performance measures listed below can be met through any combination of on-site emission reduction measures or off-site fees.

a. Related to construction-related emissions, the exhaust emissions for construction equipment greater than 50 horsepower used or associated with the project shall be reduced by the following amounts from the statewide average as estimated by the Air Resources Board: 20 percent of the total nitrogen oxides emissions, and 45 percent of the total PM_{10} exhausts emissions. Construction emissions can be reduced by using less polluting construction equipment, which can be achieved by utilizing addon controls, cleaner fuels, or newer lower emitting equipment.
b. Related to operational emissions, nitrogen oxides emissions shall be reduced by 33.3 percent of the project's operational baseline nitrogen oxides emissions over a period of ten years as quantified in the approved Air Impact Assessment. PM_{10} emissions shall be reduced by 50 percent of the project's operational baseline PM_{10} emissions over a period of ten years as quantified in the approved Air Impact Assessment.

In compliance with this requirement, the developer submitted an Air Impact Assessment application to the SJVAPCD on July 14, 2023. SJVAPCD approved the application on September 21, 2023 (ISR Project Number: C-20230239).

Based on the predicted construction and operational emissions, the Proposed Action is not expected to have significant adverse impacts related to criteria pollutants on air quality nor would it negatively affect known sensitive receptors. A potential interim clinic location would have negligible air emissions from interior renovations, with criteria pollutant emissions during operation similar to or less than those of the existing clinic with no net impact to local or regional air quality.

3.2.2.2 Hazardous Air Pollutants

Toxic air emissions from the Proposed Action are expected to be generated primarily by diesel fuel combustion by on-site construction equipment. Diesel particulate matter emissions were calculated using CalEEMod for onsite construction equipment. USEPA's AERMOD (AMS/EPA Regulatory Model) was used to predict dispersion of those emissions. To predict the potential

health risk to the population attributable to emissions of hazardous air pollutants from the Proposed Action, ambient air concentrations were analyzed using the California HARP2 model. Discrete receptor locations were modeled at residences and businesses in proximity to the project site and receptor grids over more densely populated areas. A total of 550 discrete off-site receptors were analyzed. All receptors were modeled with a two-year exposure to the construction activities (Trinity Consultants, 2022).

SJVAPCD has set the level of significance for carcinogenic risk at 20 in one million, which is the possibility of causing 20 additional cancer cases in a population of one million people over their lifetimes. The level of significance for chronic non-cancer risk is a hazard index of 1.0. As modeled for the Proposed Action, the carcinogenic risk and the hazard index for chronic non-cancer risk at the maximum exposed individual resident and worker do not exceed SJVAPCD significance levels. The maximum predicted cancer risk for the Proposed Action is 0.752 in one million. The maximum chronic non-cancer hazard index for the Proposed Action is 0.00672. Therefore, potential risk to the population attributable to emissions of hazardous air pollutants from the Proposed Action would be less than significant (Trinity Consultants, 2022). A potential interim clinic location would have negligible air emissions from interior renovations, with hazardous air pollutant emissions during operation similar to or less than those of the existing clinic with no net impact to local or regional air quality.

Ceasing operations at the existing clinic would eliminate mobile source emissions and regional utility emissions for electricity supply; future emissions at that location would depend on future land use of the site.

3.2.3 Effects of the No Action Alternative

Under the No Action alternative, no air quality impacts associated with construction and operation of VA's Proposed Action would result. However, criteria pollutant emissions from mobile sources associated with Veterans travelling farther (including to the Los Angeles and Sepulveda VA Medical Centers) to obtain healthcare in the absence of expanded medical services at Bakersfield would result in continued long-term, minor adverse impacts on regional air quality. Ceasing operations at the existing clinic would eliminate mobile source emissions and regional utility emissions for electricity supply; future emissions would depend on future land use of the site.

3.3 Greenhouse Gases and Climate Change

3.3.1 Affected Environment

Greenhouse gases (GHGs) trap heat in the atmosphere, and rising global atmospheric GHG concentrations are substantially affecting the Earth's climate. GHGs include carbon dioxide (CO_2), methane, nitrous oxide, sulfur hexafluoride, hydrofluorocarbons, and perfluorocarbons. The global warming potential of these GHGs is measured relative to CO_2, the most abundant GHG, and GHG emissions are typically expressed in terms of pounds or tons of "CO_2 equivalents". CEQ directs that, where feasible, NEPA reviews quantify proposed actions' GHG emissions, place GHG emissions in

appropriate context, disclose relevant GHG emissions and relevant climate impacts, and identify alternatives and mitigation measures to avoid or reduce GHG emissions (40 CFR 1502.16(a)(6)) (CEQ, 2023).

Under Senate Bill 32, California codified a midterm 2030 target of 40 percent below 1990 levels by 2030. The California Climate Crisis Act (Assembly Bill [AB] 1279), signed in September 2022, further established the state's GHG emissions reduction target as an 85 percent reduction in anthropogenic emissions below 1990 levels by 2045 and net zero GHG emissions by 2045. The state's target is in line with the scientifically established levels needed to limit the rise in global temperature to no more than 2 degrees Celsius, the warming threshold at which major climate disruptions, such as mega-droughts, are projected (City of Bakersfield, 2023c).

At a regional level, the average annual temperature in the San Joaquin Valley is projected to continue to increase steadily over time, and precipitation patterns and events are expected to become increasingly volatile. These changes are anticipated to influence many of the hazards that the city faces, including extreme heat, extreme precipitation and flooding, wildfire, and drought, which can all result in adverse effects on human health and safety, economic prosperity, infrastructure, and provision of public services in the city. The City of Bakersfield has drafted (but not yet finalized) a Climate Action Plan that aims to reduce GHG emissions in proportion to the state's targets and goals. The draft plan does not provide project-specific GHG thresholds of significance, but identifies strategies and measures to reduce GHG emissions (City of Bakersfield, 2023c).

3.3.2 Effects of the Proposed Action

The Proposed Action's construction and operational CO_2 equivalent emissions were estimated using CalEEMod Table 1Table 5). Construction GHG emissions are primarily the result of operating construction equipment and other mobile sources. Operational GHG emissions are the result of operation of the area sources (such as building operations), energy sources (from supplying power to the project), mobile sources (from vehicles traveling to and from the project site), waste sources (from decomposition of waste discarded from project operations), and water sources (from supplying water to the project).

Table 5. Estimated Annual Greenhouse Gas Emissions

Project Phase	CO_2 Emissions (metric tons)	Methane Emissions (metric tons)	Nitrous Oxide Emissions (metric tons)	CO_2 equivalent Emissions (metric tons)
Construction (max annual)	494.06	0.07	0.02	501.73
Operational (first year)	801.72	5.35	0.04	946.85

(Trinity Consultants, 2022)

While estimated project-related GHG emissions can be quantified, the direct impacts of such emissions on global climate change cannot be determined based on available science. There is no

evidence that would indicate that the emissions from a project the size of the Proposed Action would directly or indirectly affect the global climate, other than contributing to cumulative GHG emissions. For context, the estimated GHG emissions from construction of the Proposed Action are roughly equivalent to the energy used by 65 homes over a year, or the emissions of 119 gasoline-powered passenger vehicles driven for a year (USEPA, 2024a). While not negligible, VA has concluded this estimated level of GHG emissions from construction would be less than significant. Because the new clinic would replace an existing VA clinic that is assumed to be less energy efficient, there would be no net increase in global GHG emissions from operation of the Proposed Action.

To minimize contributions to global GHG emissions from the Proposed Action, the construction contractor will implement the following measures:

- Construction contractors shall assure that construction equipment greater than 150 horsepower achieves or is equivalent to or better than USEPA/CARB Tier 4 emissions standards, or Tier 3 standards if Tier 4 equipment is not available at the time of construction. Prior to grading and building permit issuance, the construction contractor(s) shall submit an equipment list to the City of Bakersfield's Development Services Director confirming that the equipment used is compliant.
- Construction contractors shall assure that hand tools, forklifts, and pressure washers used for construction are electric-powered and shall designate an area of the construction site where electric-powered construction vehicles and equipment can charge. The City of Bakersfield shall verify the location of the designated charging area in association with grading and building permit issuance.
- Project construction contractors shall tune and maintain all construction equipment in accordance with the equipment manufacturer's recommended maintenance schedule and specifications. Maintenance records for all pieces of equipment shall be kept on-site for the duration of construction activities and shall be made available for periodic inspection by City of Bakersfield or its designee.

In addition, as stated in the EIR, the building shall be constructed to minimize the total consumption of energy. Specifically, the project would be constructed in compliance with 2022 California Green Building Standards Code (CalGreen, Part 11 of California Code of Regulations [CCR] Title 24) or any subsequent version of the Title 24 in effect at the time of building permit issuance, which requires building construction to minimize total consumption of energy and water, and thereby would limit GHG operational emissions (as further described in Section 3.14, Utilities). The City of Bakersfield shall confirm Title 24 compliance prior to the issuance of building permits.

If VA approves a design modification to do so, the clinic roof would be outfitted with a solar photovoltaic system of the maximum size feasible to provide power to the building and given the constraints of applicable Building Code requirements, clearance requirements around roof-mounted equipment, electric utility interconnection regulations, and other code compliance

requirements. If VA does not approve the design modification, the building would be constructed and operated without a photovoltaic system. A potential solar photovoltaic system would eliminate GHG emissions, if any, from clinic operations due to use of utility-supplied electricity that is generated using fossil fuels.

Interior renovations to prepare a potential interim clinic would have minor emissions from vehicles (materials and equipment deliveries, worker commuting) during interior renovations, with emissions during operation similar to or less than those of the existing clinic with no net impact to local or regional GHG emissions.

3.3.3 Effects of the No Action Alternative

Under the No Action alternative, no increases in GHG emissions would result from construction and operation of a new CBOC, although GHG emissions from operation of the existing clinic would cease and future GHG emissions at that location would depend on future land use of the site. However, in the absence of expanded medical services at Bakersfield, Veterans may be travelling farther (including to the Los Angeles and Sepulveda VA Medical Centers) to obtain healthcare, resulting in increased GHG emissions from mobile sources. Overall, GHG emissions from the No Action alternative are expected to be less than significant.

3.4 Cultural and Historic Resources

3.4.1 Affected Environment

Section 106 of the NHPA and its implementing regulations, 36 CFR Part 800, require an assessment of the potential effects of an undertaking on historic properties that are within the proposed project's area of potential effects (APE), which is defined as the geographic area "within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist."

Because the Proposed Action includes both new construction and the closure of the existing CBOC, VA has determined that the APE for potential impacts to historic resources includes two non-contiguous areas: the existing CBOC site and the proposed new CBOC site. The historic resources APE for the existing clinic includes the footprint of the existing facility, including parking. The APE for the proposed CBOC is the existing approximately 10-acre site, plus a 250-foot buffer to address any potential effects due to the construction of above-ground features. However, ground disturbance is limited to the area within the parcel.

Previous record searches conducted by VA in 2018 at the Southern San Joaquin Valley Information Center (SSJVIC) and the Native American Heritage Commission (NAHC) identified no historic properties at the project site. In October 2023, VA renewed requests to both the SSJVIC and the NAHC to ensure the most up-to-date information regarding historic or sacred sites within the defined APE. The records search included a review of all recorded cultural resources and reports

within a one half-mile radius of the proposed project. The SSJVIC and NAHC did not identify any cultural resources or historic properties within the APE.

During the NEPA scoping process for the Proposed Action, VA reached out to federally recognized Indian tribes and state-recognized Native American tribes with known cultural ties to the project site (see Appendix B). VA also published a notice in the *Bakersfield Californian* on October 30, 2023, soliciting public input on potential effects to historic properties pursuant to 36 CFR 800.2(d). No comments were received regarding identification of historic properties effects to historic properties.

The project developer (SASD) also conducted its own cultural resources assessment in 2022 and identified no tribal cultural resources associated with the project site. SASD completed outreach to state-recognized tribes in accordance with Assembly Bill 52 and CEQA requirements, but no tribes requested consultation regarding the project (City of Bakersfield, 2023a).

Paleontology resources are addressed in Section 3.5 Geology and Soils.

3.4.2 Effects of the Proposed Action

VA initiated a previous NHPA Section 106 consultation with the SHPO and consulting parties in June 2018 on potential construction of a new Bakersfield CBOC at two alternative site locations, one of which was the project site at Knudsen Drive analyzed in this EA. Because no historic properties were identified in the APE for the project, VA determined that construction and operation of a new CBOC would result in a finding of no historic properties affected pursuant to 36 CFR 800.4(d)(1). The SHPO concurred with this finding on October 3, 2018. No other consulting parties expressed an interest in consulting on the project at the time.

On November 22, 2023, VA submitted new invitations for NHPA Section 106 consultation regarding the current Proposed Action to the SHPO, Native American tribes identified through the Tribal Directory Assessment Tool and NAHC, and other consulting parties, including all parties invited to the 2018 consultation (see Appendix C). The invitation identified the defined APE and reiterated VA's finding that the Proposed Action had no potential to affect historic properties. The SHPO concurred with this finding of no historic properties affected on December 18, 2023. Only one tribe, the Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation, California, expressed interest in the project. The tribe confirmed their affiliation to this area and requested to be kept informed on the project. VA acknowledged this response on January 16, 2024. No other parties responded to VA's outreach.

While no historic properties have been identified at the proposed project site, the contractor will be required to implement the following measures:

- Prior to construction and as needed throughout the construction period involving ground disturbing construction activities, a construction worker cultural awareness training

program shall be provided to all new construction workers within one week of employment at the project site. The training shall be prepared and conducted by a qualified cultural resources specialist that meets the U.S. Secretary of the Interior's Professional Qualification Standards. Workers attending the training shall sign a form that shall be kept by the Project Applicant and made available to the City of Bakersfield upon request.

- If suspected historical or archaeological resources are encountered during ground disturbance activities, the construction contractor(s) shall be required by their contract to immediately cease work within 100 feet of the resources and have the area partitioned off until a qualified cultural resource specialist that meets the U.S. Secretary of the Interior's Professional Qualification Standards can evaluate the resources found and make recommendations. If the specialist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required. If cultural resources are discovered that may have relevance to Native Americans, the specialist or Project Applicant must provide written notice to the City of Bakersfield, Tejon Indian Tribe, NAHC, and any other appropriate individuals, agencies, and/or groups as determined by the specialist in consultation with the City of Bakersfield to receive input regarding treatment and disposition of the resource, which may include avoidance, testing, and/or excavation to prevent destruction of the resource and/or to allow documentation of the resource for research potential. All reports, correspondence, and determinations regarding the discovery shall be submitted to the California Historical Resources Information System's SSJVIC at California State University Bakersfield.
- During construction, if human remains are discovered, further ground disturbance shall be prohibited pursuant to California Health and Safety Code Section 7050.5. The specific protocol, guidelines, and channels of communication outlined by the NAHC, in accordance with Health and Safety Code Section 7050.5, Public Resources Code 5097.97, and Senate Bill 447 shall be followed. In the event of the discovery of human remains, at the direction of the county coroner, Health and Safety Code Section 7050.5(c) shall guide Native American consultation. Unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The coroner, pursuant to the specific exemption set forth in California Government Code Section 6254(r), parties, and lead agencies will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code Section 6254(r).

A potential interim clinic location in an existing building that is not listed or eligible for listing on the National Register of Historic Places, requiring only internal renovations, would have no effects to historic or cultural resources.

No impacts to historic or cultural resources are anticipated from the proposed project. Potential future impacts at the existing clinic site are unknown depending on redevelopment.

3.4.3 Effects of the No Action Alternative

Under the No Action alternative, the continued status of the proposed project site as unimproved land would not result in cultural resource impacts. Potential future impacts at the existing clinic site are unknown depending on redevelopment.

3.5 Geology and Soils

3.5.1 Affected Environment

Bakersfield is in the southern Great Valley geomorphic province, which encompasses the entire San Joaquin Valley. This province is a large northwesterly trending structural trough between the Coast Range and the Sierra Nevada Mountains. Erosion from both mountain systems resulted in the deposition of thick sediments in the Valley floor. Heavily laden streams from the Sierra Nevada Mountains built very prominent alluvial fans along the margins of the San Joaquin Valley, resulting in flat topography in the vicinity of the project site. Based on findings from a 2019 geotechnical investigation, subsurface conditions of the project site appear to be typical of the geologic region (Krazan & Associates, 2019).

The project site is not located in an earthquake fault zone, liquefaction zone, or landslide zone. However, the project site is located within a seismically active region and is subject to ground shaking during seismic events. The nearest active fault to the project site is the Kern Front Fault, located approximately 2.6 miles to the northeast (California Department of Conservation, 2023a).

The project site is located within the Fruitvale oil field, one of several productive oil and gas fields in Kern County. Kern County accounted for approximately 70 percent of the oil and 85 percent of gas production in California in 2020 (California Department of Conservation, 2020). According to the California Geologic Energy Management Division, there are no active oil and gas wells at the project site or within a 500-foot radius, but there are several plugged, inactive wells in the vicinity of the site (CalGEM, 2023) (Figure 4).

The project site is immediately underlain by late Holocene-age alluvial fan and floodplain deposits at the surface. Holocene-age alluvial fan deposits are assigned a low paleontological potential based on their relatively young age (less than about 11,700 years old) and the lack of known, scientifically significant paleontological resources from similar Holocene-age deposits in the southern San Joaquin Valley. However, the Holocene-age alluvial deposits likely transition to older, Pleistocene-age deposits in the subsurface, which, following a conservative approach, are considered potentially fossil-bearing. Therefore, excavations that will extend greater than about six feet in depth have a low to moderate potential to impact paleontological resources (City of Bakersfield, 2023a).

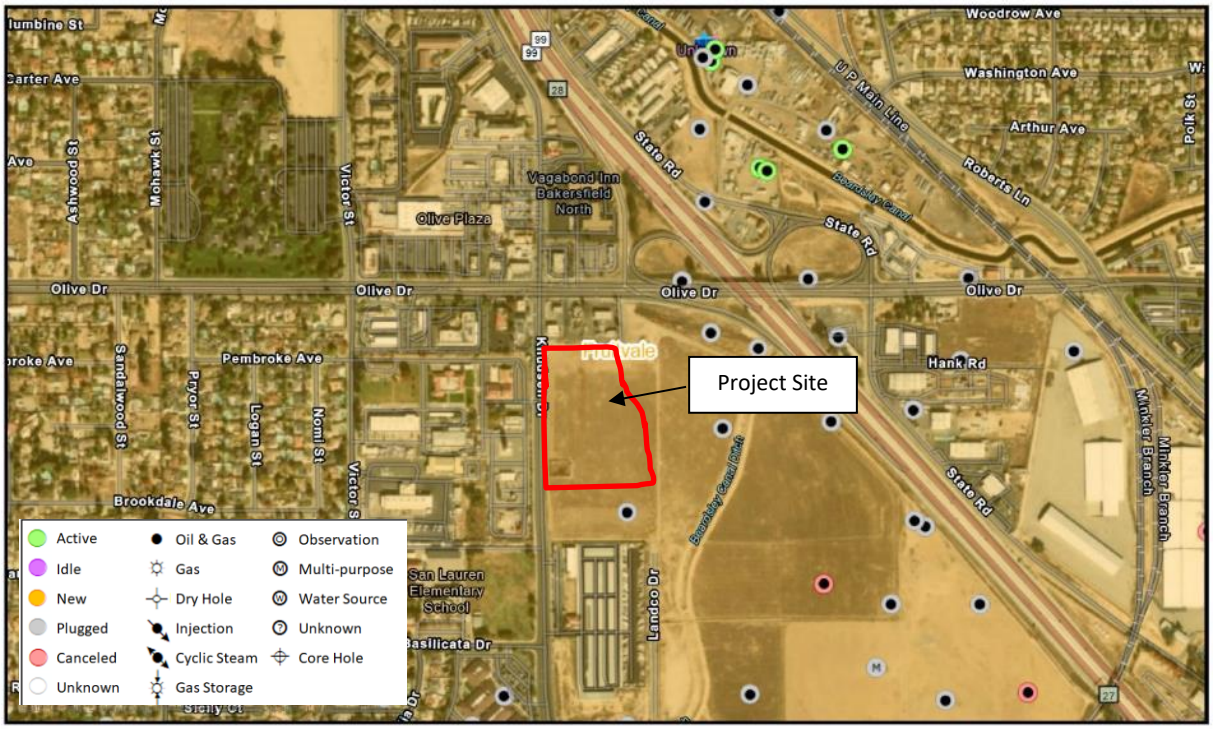


Figure 4. Oil and Gas Wells in the Project Area

3.5.2 Effects of the Proposed Action

The entire project site would be disturbed for construction of the Proposed Action, in addition to off-site areas along Knudsen Drive, Landco Drive, and proposed Street A for the construction of roadway improvements and utility connections. These construction activities would disturb the soil surface and make soils susceptible to erosion by wind and surface runoff. Exposure of the soils during construction also has the potential to result in increased sedimentation to existing stormwater management systems and offsite discharges of sediment-laden runoff. To minimize potential soil erosion caused by construction activities, the construction contractor is required to comply with the following measures:

- In compliance with City of Bakersfield Municipal Code Chapter 15.05, California Building Code, construction of the Project is required to adhere to the California Building Standards Code and its requirement to prepare and adhere to site-specific recommendations contained in a geotechnical report prepared for the Project site. As such, compliance with the recommendations provided in the Project's geotechnical study prepared by Krazan & Associates, Inc., and dated May 6, 2019, (contained as Technical Appendix E to the EIR) is required.
- To address wind erosion, the Project construction activities are required to comply with the provisions of Chapter 15 Section 104.12 of the Bakersfield Municipal Code to ensure that dust abatement measures comply with the current standards set for by SJVAPCD.

- The Project Applicant is required, pursuant to the State Water Resources Control Board, to obtain coverage under the State's General Construction Storm Water Permit for construction activities (National Pollutant Discharge Elimination System [NPDES] permit). Compliance with the NPDES permit involves the preparation and implementation of a stormwater pollution prevention plan (SWPPP) for construction-related activities. The SWPPP will specify the best management practices that construction contractors will be required to implement during construction activities to ensure that waterborne pollution—including erosion/sedimentation—is prevented, minimized, and/or otherwise appropriately treated prior to surface runoff being discharged from the subject property. Examples of best management practices that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding.
- Once construction is completed, any soil erosion impacts would be managed by maintaining appropriately designed stormwater management features associated with the proposed CBOC. See Section 3.6 for more information.
- Comply with SJVAPCD Rule 8021, Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities, which limits fugitive dust emissions from these activities.

Construction of the Proposed Action would not cross a known seismic fault line and would not have any mechanisms, such as bedrock fracturing, fluid injections, or blasting, to cause an increase in seismic activity. Compliance with local and state regulatory requirements and building codes would ensure that the project minimizes potential hazards related to seismic ground shaking. This includes compliance with the recommendations contained in the 2019 site-specific geotechnical report (Krazan & Associates, 2019) during project construction.

Thus, potential impacts to geology and soils would be less than significant at the proposed new clinic site. Potential future impacts at the existing clinic site are unknown depending on redevelopment.

There is a low to moderate potential for project site excavations below six feet in depth to result in the discovery of fossils. Therefore, to manage potential impact to paleontological resources, the Proposed Action would include the following measures:

- Prior to construction and as needed throughout the construction period involving ground-disturbing construction activities, a construction worker paleontological resource awareness training program shall be provided to all new construction workers within one week of employment at the project site, if their work will involve ground-disturbing construction activities greater than six feet in depth in older alluvium soils. The training shall be prepared and conducted by a professional paleontologist. Workers attending the training shall sign a form that shall be kept by the Project Applicant and made available to the City of Bakersfield upon request.

- If paleontological resources are encountered, all work within 100 feet of the resources shall halt until a qualified paleontologist can be called to the site to evaluate the resources and make recommendations. Paleontological resource materials may include fossils, plant impressions, or animal tracks that have been preserved in rock. 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 to less than significant levels. Construction within 100 feet of the resources found shall not resume until the appropriate mitigation measures are implemented or the materials are determined to be to be less than significant by the paleontologist.
- Recovered specimens, if any, shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storages shall be required for discoveries of significance as determined by the paleontologist.
- A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Bakersfield prior to final building inspection.

A potential interim clinic location in an existing building would involve no ground disturbance so would have no effects to geology or soils, including paleontological resources.

3.5.3 Effects of the No Action Alternative

Under the No Action alternative, there would be no construction at the site, and therefore no impacts to geology and soils. Potential future impacts at the existing clinic site are unknown depending on redevelopment.

3.6 Hydrology and Water Quality

3.6.1 Affected Environment

The project site is under the jurisdiction of the Central Valley Regional Water Quality Control Board (RWQCB), within the Kern River sub-basin of the Tulare Lake Basin. Pursuant to Clean Water Act Sections 303(d) and 305(b) (33 U.S. Code 1313(d), 1315(b)), each state is required to report to the USEPA on the overall quality of the waters within its boundaries. The lower Kern River, which traverses metropolitan Bakersfield and is a source of potable water, is reported as a "Waterbody Category 1," which indicates a waterbody with beneficial uses and no known impairments (State Water Resources Control Board, 2022). At its closest point, the Kern River is about 0.85 miles south of the proposed project site.

The topography of the project site is characterized by relatively flat land and, under existing conditions, the site naturally drains to the southwest. There is a rough-cut stormwater catchment basin located in the northeastern portion of the site and a stormwater retention basin located at the southwestern portion of the site. Because the project site is mostly undeveloped (pervious) surface under existing conditions, stormwater runoff generated on the site generally remains on the site and infiltrates the soil, with nuisance flows draining to the southeast of the site (EA Engineers, Inc., 2020).

No operating groundwater wells occur on the project site under existing conditions.

3.6.2 Effects of the Proposed Action

The Proposed Action is anticipated to result in minor impacts to hydrology and water quality that can be managed through regulatory and permit compliance.

As required in the EIR, potential impacts to water quality from construction stormwater runoff would be controlled through compliance with the requirements of Clean Water Act Section 402 and corresponding state and local regulations. The Project Applicant and construction contractor are required to comply with the requirements of a NPDES permit, and SWPPP. Compliance with the NPDES permit and the SWPPP require an effective combination of erosion control and sediment control measures (that is, best management practices) to reduce or eliminate discharges to surface water from storm water and non-stormwater discharges during construction activities. The NPDES permit would be obtained from the Central Valley RWQCB. Compliance with the SWPPP would ensure that the project does not violate any water quality standards or waste discharge requirements during construction activities.

As the footprint of the Proposed Action exceeds 5,000 SF, the project is subject to Section 438 of the Energy Independence and Security Act, which requires site planning, design, construction, and maintenance strategies to maintain or restore, to the maximum extent technically feasible, the predevelopment hydrology of the property with regard to the temperature, rate, volume, and duration of flow. In compliance with this requirement, stormwater runoff from the project site is proposed to be captured and filtered into the ground by on-site retention basins. These proposed basins would be sized to accommodate the volume of a 100-year, 24-hour storm event over the entire project area following development of the site. Therefore, the project should not increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site (EA Engineers, Inc., 2020).

The final design and construction of stormwater management infrastructure will be subject to review and approval by the City of Bakersfield Public Works and Planning Departments, including issuance of a grading permit. If any connections are required to stormwater infrastructure in adjacent parcels that are in unincorporated Kern County, those plans will require review and approval by the Kern County Public Works Engineering Department (see Appendix A).

The Proposed Action is also not anticipated to have significant impacts on water availability. During construction, project construction contractors are required to comply with the requirements of the 2022 CalGreen standards, Part 11 of CCR Title 24) or any subsequent version of the Title 24 in effect at the time of building permit issuance, which requires among other items the installation of low water-use features.

VA lease contract provisions also require the use of WaterSense fixtures. See Section 3.14, Utilities, for more information on water-conserving project features.

No groundwater wells are proposed as part of the Proposed Action; therefore, the project would not result in the direct long-term extraction of groundwater supplies. In addition, with respect to groundwater recharge, runoff generated on site would be conveyed to the proposed on-site water quality/retention basins, where the runoff would infiltrate into the on-site soils.

Project design and regulatory compliance would result in no significant impacts to hydrology or water quality at the proposed project site. A potential interim clinic location in an existing building with only interior renovations would have no effect to hydrology or water resources. Ceasing operations at the existing clinic would have no immediate effect on hydrology and water quality and unknown long-term effects, depending on future land use of the site.

3.6.3 Effects of the No Action Alternative

Under the No Action alternative, existing hydrology and water quality would remain unchanged. This alternative would not involve development activities at the project site, and as such, no impacts at that site are anticipated. Ceasing operations at the existing clinic would have no immediate effect on hydrology and water quality and unknown long-term effects, depending on future land use of the site.

3.7 Wildlife and Habitat

3.7.1 Affected Environment

Under the Endangered Species Act of 1973, federal agencies must ensure that any action they carry out or authorize is not likely to jeopardize the continued existence of any listed species or destroy or adversely modify its critical habitat. In compliance with Section 7 of the Endangered Species Act, VA commissioned a biological field survey in 2020 that identified the San Joaquin kit fox (*Vulpes macrotis mutica*) as the only listed species with potential to occur at the project site that may be affected by the Proposed Action. VA completed formal consultation with the USFWS in June 2020. The project's potential adverse effects to the kit fox were to be addressed through third-party coverage under the MBHCP. This included paying the required habitat mitigation fee and implementation of all measures included in the MBHCP to address impacts to the kit fox.

As described in Section 1.2, during the process of city site plan review and approval for the Proposed Action, the MBHCP expired in January 2023. Therefore, VA re-initiated Section 7

consultation with USFWS. A new official list of threatened and endangered species with potential to occur at the project site was obtained through the USFWS Information for Planning and Consultation system (USFWS, 2024). In addition, the California Natural Diversity Database was used to identify state-listed special-status plant and wildlife species that may exist within the project site.

A recent field survey was documented in a 2024 biological study of the proposed new clinic site and the project's potential impacts to protected species. The field survey verified current site conditions and the presence or potential presence of federally listed and state-protected species. The biological study report is provided in Appendix D.

Table 6 presents summary information about the protected species identified in the USFWS and state queries, along with conclusions about their potential to occur at the project site based on habitat requirements and observed conditions. No USFWS-designated critical habitat for any listed species is present at the proposed new clinic site. The existing clinic site is fully developed with the clinic building, parking, and landscaping, within a business park, and has no undisturbed natural habitat.

3.7.2 Effects of the Proposed Action

Table 6 identifies five protected species that may be present in the proposed project area. VA proposes to avoid or minimize effects on Crotch's bumble bee, burrowing owl, American badger, Swainson's hawk, and San Joaquin kit fox and their habitat through the implementation of mitigation measures. These measures were largely developed during the CEQA EIR process, with additional measures and clarifying details developed during updated Endangered Species Act Section 7 consultation with USFWS. One of the new measures is an action to enhance the habitat for the San Joaquin kit fox within the project site, including creation of artificial dens. Table 13 in Chapter 5 presents the complete list of mitigation measures. VA requested USFWS concurrence with these measures as sufficiently protective of federally listed species in a formal consultation letter dated July 11, 2024. USFWS's response is pending at the time of publication of this Draft EA; thus, the conclusions presented in this Draft EA are based on VA's analysis regarding potential impacts to wildlife and habitat. This discussion will be updated in the Final EA to reflect the conclusions from formal Section 7 consultation. VA's consultation letter to USFWS is included in Appendix D. With implementation of these measures, potential impacts to wildlife and habitat from the Proposed Action would be less than significant.

A potential interim clinic location in an existing building with only interior renovations would have no effect to wildlife or habitat.

Table 6. Special-Status Species and Potential to Occur

Species	Scientific Name	Listing Status [a]	Presence of Species in Action Area (Yes/No)	Potential to Occur
Mammals				
American badger	*Taxidea taxus*	-/SSC	No	May occur, site is highly disturbed by human presence and has been periodically disked.
Buena Vista Lake ornate shrew	*Sorex ornatus relictus*	FE/SSC	No	Absent. No suitable habitat present. The soil lacks soil moisture, leaf litter, and debris.
San Joaquin kit fox	*Vulpes macrotis mutica*	FE/SE	Yes	Present. Suitable habitat for Bakersfield kit fox population is present and scat was detected. Prey base is present, as are potential burrows.
Tipton kangaroo rat	*Dipodomys nitratoides nitratoides*	FE/SE	No	Absent. No suitable habitat present. Site consists of ruderal grassland and has been periodically disked.
Western mastiff bat	*Ermops perotis californicus*	-/SSC	No	Absent. No suitable roosting habitat present. Foraging habitat limited.
Birds				
Bald eagle	*Haliaeetus leucocephalus*	BGEPA/SE	No	Absent. No suitable nesting or foraging habitat.
Burrowing owl	*Athene cunicularia*	-/SSC	No	May occur, suitable burrows are present.
California condor	*Gymnogyps californianus*	FE/SE, SFP	No	Absent. No suitable habitat present and outside of the species range.
Golden eagle	*Aquila chrysaetos*	BGEPA/SFP	No	Absent. No suitable nesting habitat or foraging habitat present. Site is too disturbed by human presence.
Southwestern willow flycatcher	*Empidonax traillii extimus*	FE, SE	No	Absent. No suitable nesting or foraging habitat present.
Swainson's hawk	*Buteo swainsoni*	-/ST	No	May occur. No suitable nesting habitat on the proposed project site, however, suitable nesting habitat is within 0.25 miles of the site. Although limited, foraging habitat is present.
Yellow-billed cuckoo	*Coccyzus americanus*	FE/SE	No	Absent. No suitable nesting or foraging habitat present.

Species	Scientific Name	Listing Status [a]	Presence of Species in Action Area (Yes/No)	Potential to Occur
Reptiles and Amphibians				
Bakersfield legless lizard	*Anniella grinnelli*	-/SSC	No	Absent. No suitable habitat present. The site lacks sandy soil and suitable cover (for example, leave litter).
Blunt-nosed leopard lizard	*Gambelia sila*	FE/SE	No	Absent. Burrows are present, but the site has been periodically disked and too small to support a population of the species.
California glossy snake	*Arizona elegans occidentalis*	-/SSC	No	Absent. No suitable habitat present.
Northwestern pond turtle	*Actinemys marmorata*	FPT	No	Absent. No suitable habitat present.
Western spadefoot	*Spea hammondii*	FPT/SSC	No	Absent. No suitable habitat present.
Invertebrates				
Crotch's bumble bee	*Bombus crotchii*	-/SC	No	May occur. Although burrows are present, flowering plants are limited.
Monarch butterfly	*Danaus plexippus*	FC/-	No	Absent. No suitable habitat present. Site has been periodically disked and few flowering plants are present.
Vernal pool fairy shrimp	*Branchinecta lynchi*	FT/-	No	Absent. No suitable habitat present.
Plants				
Bakersfield cactus	*Opuntia treleasei*	FE/SE, 1B.1, S1	No	Absent. No suitable habitat present. Site has been periodically disked.
California jewelflower	*Caulanthus californicus*	FE/SE, 1B.1, S1	No	Absent. No suitable habitat. Site has been periodically disked.
California satintail	*Imperata brevifolia*	-/2B.1, S3	No	Absent. No suitable habitat. Site has been periodically disked.
Cottony buckwheat	*Eriogonum gossypinum*	-/4.2, S3S4	No	Absent. No suitable habitat. Site has been periodically disked.
Hispid salty bird's-beak	*Chloropyron molle* ssp. *hispidum*	-/4.2, S3	No	Absent. No suitable habitat. Site has been periodically disked.
Hoover's eriastrum	*Eriastrum hooveri*	-/4.2, S3	No	Absent. No suitable habitat. Site has been periodically disked.
Horn's milk-vetch	*Astragalus hornii* var. *hornii*	-/1B.1, S1	No	Absent. No suitable habitat. Site has been periodically disked.

Species	Scientific Name	Listing Status [a]	Presence of Species in Action Area (Yes/No)	Potential to Occur
Lassics lupine	*Lupinus constancei*	FE/SE, 1B.1, S1	No	Absent. No suitable habitat. Site has been periodically disked.
Recurved larkspur	*Delphinium recurvatum*	-/1B.2, S2?	No	Absent. No suitable habitat. Site has been periodically disked.
San Joaquin bluecurls	*Trichostema ovatum*	-/4.2, S3	No	Absent. No suitable habitat. Site has been periodically disked.
San Joaquin woollythreads	*Monolopia congdonii*	FE/1B.2, S2	No	Absent. No suitable habitat present. Site has been periodically disked.
Tejon poppy	*Eschscholzia lemmonii* ssp. *kernensis*	-/1B.1, S2	No	Absent. No suitable habitat present. Site has been periodically disked.

[a] Status definitions:

BGEPA = Bald and Golden Eagle Protection Act

FC = federal candidate

FD = federally delisted

FE = federally listed as endangered

FPT = federal proposed as threatened

FT = federally listed as threatened

SC = state candidate

SE = state listed as endangered

SFP = state fully protected species

SSC = state species of special concern

ST = state listed as threatened

California Rare Plant Rank definitions:

1B = rare, threatened, or endangered in California and elsewhere.

.1 = seriously threatened in California

.2 = fairly endangered in California

4.2 = limited distribution

State Rank

S1 = critically imperiled

S2 = imperiled

S3 = vulnerable

3.7.3 Effects of the No Action Alternative

Under the No Action alternative, there would be no immediate change in the existing habitat conditions. Therefore, no significant impacts on wildlife would occur in the short term. However, in the absence of construction of the VA CBOC, the project site is likely to be developed by others consistent with its zoning and with development patterns, as evidenced by several planned and/or approved projects in the project area (see Section 3.17 for discussion of additional projects). Habitat fragmentation and degradation for the San Joaquin kit fox would be expected to continue to increase in the area due to other development projects.

Ceasing operations at the existing clinic would have no immediate effect on wildlife and habitat and unknown long-term effects, depending on future land use of the site.

3.8 Noise and Vibration

3.8.1 Affected Environment

The project site is in a mixed-use urban area surrounded primarily by commercial and institutional properties, with a nearby highway (SR-99) approximately 620 feet to the east and railroad line approximately 0.7 miles to the south.

Urban Crossroads, Inc. conducted a study in 2022 to evaluate the existing noise environment and the potential noise and vibration impacts of the Proposed Action. As part of the study, 24-hour noise measurements were collected on December 14, 2022, at the following five off-site receptor locations in the project site's vicinity to determine the baseline noise environment:

- Vagabond Inn hotel at 6100 Knudsen Dr., approximately 611 feet north of the project site.
- Kern River Transitional Care Center at 5151 Knudsen Dr., approximately 1,010 feet southwest of the project site.
- San Lauren Elementary School at 5210 Victor St., approximately 557 feet southwest of the project site.
- Residence at 5704 Nomi St., approximately 1,093 feet west of the project site (closest residence to the project).
- Valley Baptist Church at 550 Olive Dr., approximately 1,307 feet northwest of the project site.

Measured baseline daytime noise levels at the receptor locations ranged from 58.1 A-weighted decibels (dBA)[1] equivalent continuous sound level (Leq) to 66.9 dBA Leq and nighttime noise levels ranged from 55.4 dBA Leq to 61.6 dBA Leq (Urban Crossroads, Inc., 2023). These baseline noise

[1] For traffic and industrial noise measurements, the A-weighted decibel (dBA), a frequency-weighted noise unit, is widely used. The dBA scale corresponds approximately to the frequency response of the human ear and thus correlates well with the loudness perceived by people.

levels are consistent with those of typical urban environments. The existing CBOC at 1801 Westwind Drive is also in an urban environment (downtown Bakersfield) and closer to SR-99 (approximately 450 feet) and the railroad line (approximately 0.3 miles) than the project site; onsite measurements were not recorded at the Westwind Drive location.

The City of Bakersfield General Plan Noise Element and municipal code establish guidelines to evaluate the land use compatibility for community noise environments and requirements to protect persons from excessive levels of noise. These noise guidelines are generally based on an increase from the Leq or the community noise equivalent level (CNEL), which is a weighted average of sound levels gathered throughout a 24-hour period. The City of Bakersfield does not identify specific vibration level limits for evaluation of construction impacts. Therefore, the California Department of Transportation's *Transportation and Construction Vibration Guidance Manual* standards for vibration damage were used to assess potential temporary construction-related impacts at adjacent building locations. The nearest noise sensitive buildings adjacent to the project site can best be described as "older residential structures" with a maximum acceptable continuous vibration threshold of 0.3 inches/second peak particle velocity (PPV) (Urban Crossroads, Inc., 2023). Noise and vibration parameters are summarized in Table 7.

Table 7. Noise and Vibration Significance Criteria

Analysis	Condition(s)	Significance Criteria	
		Daytime	**Nighttime**
Off-site traffic [1]	If ambient is <60 dBA CNEL	≥5 dBA CNEL project increase	
	If ambient is 60 – 65 dBA CNEL	≥3 dBA CNEL project increase	
	If ambient is >65 dBA CNEL	≥1.5 dBA CNEL project increase	
Operational	Exterior noise level standards [2]	55 dBA L_{eq}	50 dBA L_{eq}
	If ambient is <60 dBA L_{eq} [1]	≥5 dBA L_{eq} project increase	
	If ambient is 60 – 65 dBA L_{eq} [1]	≥3 dBA L_{eq} project increase	
	If ambient is >65 dBA L_{eq} [1]	≥1.5 dBA L_{eq} project increase	
Construction	Construction activities are restricted within 1,000 feet of residential dwellings other than between the hours of 6:00 a.m. and 9:00 p.m. on weekdays, and between 8:00 a.m. and 9:00 p.m. on weekends. [3]		
	Noise level threshold [4]	80 dBA L_{eq}	N/A
	Vibration level threshold [5]	0.3 inches/second PPV	

[1] FICON, 1992 and the City of Bakersfield Noise Element Standards for Project Noise Impacts for Mobile Sources. Consistent with the General Plan Noise Element (VII-13), off-site traffic noise level increases criteria are limited to existing noise-sensitive land uses.
[2] Metropolitan Bakersfield Noise Element Table VII-2 Noise Level Performance Standards
[3] City of Bakersfield Municipal Code Section 9.22.050[A]
[4] Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual
[5] California Department of Transportation's *Transportation and Construction Vibration Manual*, April 2020 Table 19
"Daytime" = 7:00 a.m. to 7:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.

Furthermore, the project site was reviewed for compatibility with Meadows Field Airport located approximately one mile to the northeast. The Kern County Airport Land Use Compatibility Plan identifies the project site as being within the airport's influence area, specifically Zone C (Kern

County, 2012). The compatibility criteria for Zone C do not specifically reference medical clinics as either prohibited or generally acceptable uses. However, the plan identifies the project site as being well outside the CNEL of 60 decibels. The CNEL represents an accumulation and an averaging of all the noise produced by individual events occurring during a 24-hour period. For airport noise studies, the California Department of Transportation Division of Aeronautics has adopted noise standards that define a CNEL value of 65 dB as acceptable to a reasonable person residing in the vicinity of an airport (CCR Title 21, § 5012 - Airport Noise Standard).

3.8.2 Effects of the Proposed Action

3.8.2.1 Construction

Construction activities generate noise by their very nature and are highly variable, depending on the type, number, and operating schedules of equipment. Construction projects are usually executed in stages, each having its own combination of equipment and noise characteristics and magnitudes. The 2022 noise analysis used reference construction equipment noise levels from the Federal Highway Administration Roadway Construction Noise Model and the CadnaA [Computer Aided Noise Abatement] noise prediction model to calculate project construction noise level impacts at the off-site receptor locations at the different stages of construction. The CadnaA model uses georeferenced Nearmap aerial imagery, topography, buildings, and barriers in its calculations to predict outdoor noise levels.

Based on modeling results, construction noise levels are expected to range from 42.0 to 60.7 dBA Leq at nearest receptor locations. The construction noise analysis shows that the nearest receptor locations will not exceed the reasonable daytime 80 dBA Leq significance threshold. Therefore, the noise impacts due to project construction noise would be less than significant (Urban Crossroads, Inc., 2023).

Construction activity can also result in varying degrees of ground vibration, depending on the equipment and methods employed. Operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance. The 2022 study used Federal Transit Administration guidance to assess expected project vibration impacts at the off-site receptor locations. At distances ranging from 557 to 1,307 feet from project construction activities, construction vibration velocity levels at the receptor locations are estimated to range from 0.001 to 0.002 inches/second PPV. Based on maximum acceptable continuous vibration threshold of 0.3 inches/second PPV, the typical project construction vibration levels will fall below the building damage thresholds at all the off-site receptor locations. Therefore, the project-related vibration impacts would be less than significant during typical construction activities at the project site (Urban Crossroads, Inc., 2023).

A potential interim clinic location in an existing building with interior renovations would have less potential, also less than significant, for adverse noise and vibration impacts during construction.

3.8.2.2 Operations

Operational sources of noise from the Proposed Action include loading dock activity, roof-top air conditioning units, backup generator, trash enclosure activity, parking lot vehicle movements, and truck movements. Urban Crossroads, Inc. developed a noise prediction model using the CadnaA noise prediction model to calculate the operational source noise levels that are expected to be generated at the project site. The model calculated daytime and nighttime noise levels and assumed an upper bound scenario where all operational noise sources were operating simultaneously.

Based on modeling results, the noise levels at the off-site receptor locations are expected to range from 32.3 to 49.4 dBA Leq during daytime hours and 32.0 to 49.3 dBA Leq during nighttime hours. These levels are below the City of Bakersfield Noise Element Table VII-2 Noise Level Performance Standards of 55 dBA Leq for daytime and 50 dBA Leq for nighttime (Urban Crossroads, Inc., 2023).

The 2022 study also looked at the potential noise level increases when project operational noise and existing ambient noise levels are combined. The calculated increase in noise levels ranges from 0.0 to 0.6 dBA Leq in the daytime and 0.0 to 1.0 dBA Leq in the nighttime at the off-site receptor locations (Urban Crossroads, Inc., 2023). When compared to the significance criteria outlined in

Table 7, operational noise impacts from the Proposed Action are expected to be less than significant.

3.8.2.3 Traffic Noise

The 2022 noise study also analyzed the potential noise impacts of increased traffic from the Proposed Action, based on the traffic study prepared by Ruettgers & Schuler Civil Engineers that is further described in Section 3.13. The analysis was conducted using a computer program that replicates the Federal Highway Administration Traffic Noise Prediction Model.

Noise contours were developed for the following four scenarios to assess the project's incremental traffic-related noise impacts at land uses adjacent to roadways conveying project traffic: existing, existing with project, year 2042 without project, and year 2042 with project.

For the scenario of existing conditions with the project, traffic noise level increases would range from 0.0 to 0.2 dBA CNEL on the study area roadway segments, when compared to existing conditions without the project. In the year 2042 scenario, noise level increases would also range from 0.0 to 0.2 dBA CNEL when compared to a scenario without the project (Urban Crossroads, Inc., 2023). These projected traffic noise increases are below the significance threshold identified in

Table 7, and as such, traffic noise impacts from a new clinic under the Proposed Action would be less than significant. A potential interim clinic location in an existing building, with only interior renovations and the same or lower intensity of operations, would similarly have less than significant impacts from traffic noise.

Ceasing clinic operations at the existing clinic location would result in a minor decrease in local noise as existing operational and clinic-related traffic noises would not continue; future re-use of the site would have unknown noise impacts depending on the future land use.

3.8.3 Effects of the No Action Alternative

Under the No Action alternative, the noise environment would be unchanged and would be consistent with noise levels described in the Affected Environment discussion. Ceasing clinic operations at the existing clinic location would result in a minor decrease in local noise as existing operational and clinic-related traffic noises would not continue; future re-use of the site would have unknown noise impacts depending on the future land use.

3.9 Land Use

3.9.1 Affected Environment

The project site consists of Kern County Assessor's Parcel Number (APN) 365-020-30 and a portion of APN 365-020-28 located at 5512 and 5656 Knudsen Drive. These parcels are in the northern portion of the City of Bakersfield bordering unincorporated Kern County land. The project site is surrounded by a mix of uses, including commercial development to the north and south and institutional facilities (county services) to the west. Residential uses are west of the institutional facility uses. East of the project site is vacant undeveloped land beyond which is SR-99.

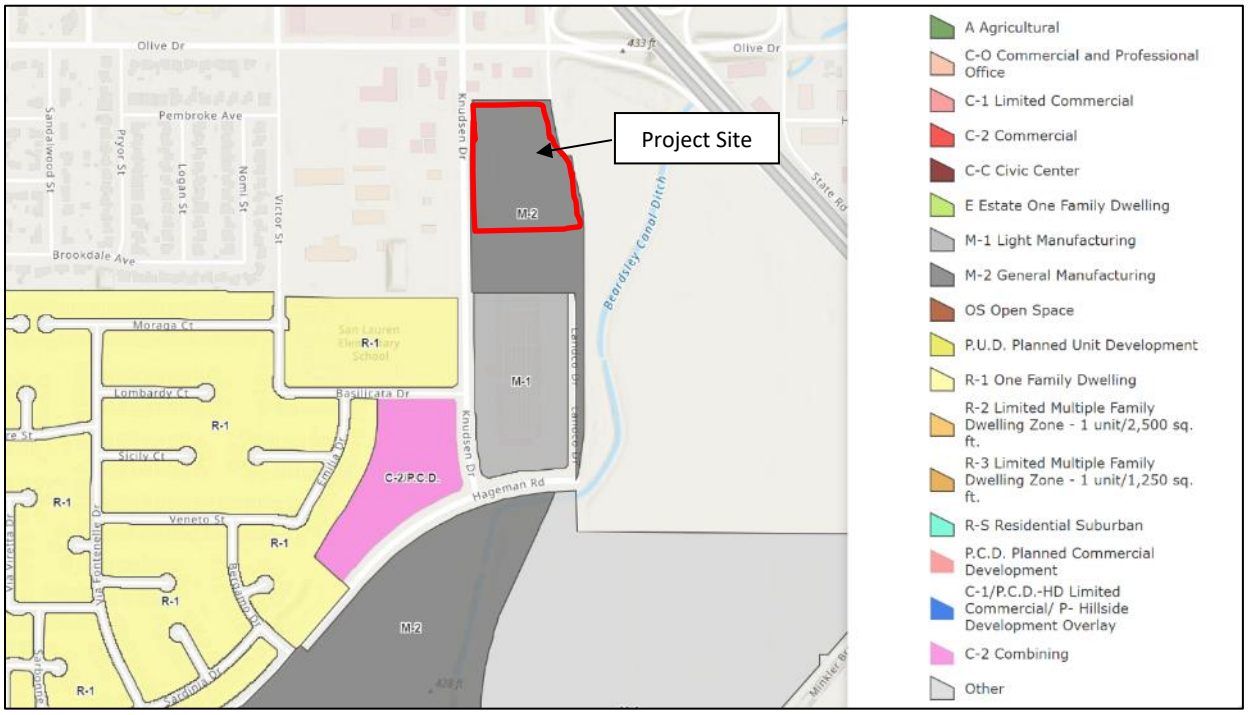
The project site was in agricultural use from at least 1937 to 1973. A small outbuilding associated with a northern adjacent rural residence was present in the northwestern portion of the project site during that time frame. The project site appears to have been uncultivated vacant land from at least 1984 until the present (Krazan & Associates, Inc., 2022a).

The City of Bakersfield zoned the project site as General Manufacturing (M-2) (Figure 5). The M-2 zone is typically for general manufacturing, processing, and assembly activities. However, the M-2 zone permits all uses permitted by the M-1 zone, and the M-1 zone permits all uses permitted by the C-O, C-1, and C-2 zones (BMC § 17.30.020(A)). The C-O zone permits by right "[m]edical, dental, psychiatric and other health practitioner offices and clinics, including chiropractic, acupuncture, massage therapy and blood banks" (BMC §17.20.020(A)(21)). The C-O zone also permits "medical and dental laboratories" and "pharmacies, in conjunction with medical clinics."

The Metropolitan Bakersfield General Plan (MBGP) designates the project site as "SI" (Service Industrial). The SI land use designation allows for industrial activities that involve outdoor storage or use of heavy equipment, including uses that produce air or noise pollution and are visually obtrusive. Allowable density is 0.4 floor area ratio and structures up to 6 stories (City of Bakersfield, 2002). The zoning maps in the MBGP indicate the predominant use of land in each zone and do not preclude minor deviations from the overall pattern or less intensive uses. Several existing healthcare facilities are located within the "SI" land use designation (as well as the "LI" and

"GC" designations), and within the M-1 and M-2 zoning designations within the City of Bakersfield (City of Bakersfield, 2023a).

Federal agencies are required to evaluate impacts to prime or unique farmlands defined in the Farmland Protection Policy Act. The project site is not zoned for agricultural use and is not



(City of Bakersfield, 2023d)

Figure 5. City of Bakersfield Zoning Map

currently used for agricultural production. The California Department of Conservation, which maps "Important Farmland" in the state, has mapped the project site as mostly "Vacant or Disturbed Land" (California Department of Conservation, 2023b), and therefore not prime or unique farmland.

3.9.2 Effects of the Proposed Action

The Proposed Action is consistent with local zoning and compatible with surrounding land uses. Medical uses are consistent with the M-2 zoning and SI General Plan designations applicable to the project site. The proposed project floor area ratio and building height are below SI allowable thresholds. The proposed CBOC would be designed and constructed in accordance with City of Bakersfield building codes and zoning ordinances and is undergoing site plan approval process in accordance with BMC §17.08.080 (Site Plan Review No. 21-0399). Therefore, the Proposed Action would have no land use effects at the proposed project site. A potential interim clinic location in an existing building would be in a location compatible with outpatient clinic services as a land use, with no effects to land use. Ceasing operations at the existing clinic would have no immediate effect and unknown long-term effects on land use at that site, depending on its future land use.

3.9.3 Effects of the No Action Alternative

Under the No Action alternative, no land use impacts due to VA's Proposed Action would occur. The project site would likely be developed in the future by others in accordance with local zoning regulations. The land use impacts (and associated community benefits) of any future proposed developments would depend upon the use proposed. Ceasing operations at the existing clinic would have no immediate effect and unknown long-term effects on land use at that site, depending on its future land use.

3.10 Floodplains, Wetlands, and Coastal Zone

3.10.1 Affected Environment

The site is in Federal Emergency Management Agency Flood Zone X (unshaded) outside of the nearest floodplain. Zone X is correlated with areas of minimal flood hazard, determined to be less than the 0.2 percent annual chance flood. Section 3.6 provides a detailed discussion of the project site's existing hydrology and water quality setting.

The USFWS National Wetland Inventory does not identify any wetlands on the project site. The closest wetlands features identified in the National Wetland Inventory map are a freshwater pond approximately 800 feet south of the project site (where there is currently a commercial property) and a perennial riparian wetland approximately 600 feet west of the project site that corresponds to the Beardsley Ditch, an abandoned portion of the Beardsley Irrigation Canal (USFWS, 2023).

The existing clinic site is also in Flood Zone X and has no mapped wetlands onsite.

Neither the proposed project site nor the existing clinic site are within a coastal zone; therefore, this is not a consideration for the Proposed Action (California Coastal Commission, 2023).

3.10.2 Effects of the Proposed Action

Because the project site is not located within a floodplain or designated coastal zone, the Proposed Action would have no effect on these resources. There is no potential for the Proposed Action to have an adverse effect on state- or federally protected wetlands through direct removal, filling, hydrological interruption, or other means because these resources do not exist on the project site. A potential interim clinic location in an existing building would require no ground disturbance and only interior renovations; thus, there would be no effects to floodplains, wetlands, or coastal zone management. Ceasing operations at the existing clinic would have no effects to floodplains or wetlands.

3.10.3 Effects of the No Action Alternative

Because the project site is not located within a floodplain or designated coastal zone and has no wetlands at or near the site, the No Action alternative would have no effect on these resources. Ceasing operations at the existing clinic would have no effects to floodplains or wetlands.

3.11 Community Services

3.11.1 Affected Environment

Fire protection services for the project site are jointly provided by Kern County and the City of Bakersfield. Kern County Fire Department Station No. 61 is located approximately 0.9 miles northwest of the project site at 6400 Fruitvale Avenue. Police protection service is provided by the Bakersfield Police Department and the County Sheriff's Department. The police department's central headquarters are located at 1601 Truxtun Avenue in Bakersfield, approximately 3.2 miles southeast of the project site. The Kern County Sheriff's Department supplements the Bakersfield Police Department's services. The closest large medical facility is Good Samaritan Hospital at 901 Olive Drive.

Public school services in the project area are provided by Kent County Public Schools, including San Lauren Elementary School, Beardsley Junior High School, and North High School (Kern County, 2023). Recreational and cultural facilities in the vicinity of the project site include Fruitvale Norris Park, approximately 0.8 miles to the northwest, and Rathbun Branch Library, approximately 2 miles to the northeast.

3.11.2 Effects of the Proposed Action

The Proposed Action would replace the existing VA clinic and thus would not increase the residential population in the city or county. Therefore, it is not expected to result in increased demand or load for the fire or police departments, local school system, or any other community services. During the Site Plan Review process, appropriate city department (such as the Fire Department) had an opportunity to review the project plans for the proposed new CBOC to ensure that they met the city's requirements and constraints with respect to any city services required. Therefore, the future development of a CBOC at the project site and closure of the existing clinic would have no community services impacts. A potential interim clinic location in an existing building, already previously developed for similar (health care, office, retail, or comparable daytime) use, would have a less than significant effect on community services. The Proposed Action would have a beneficial effect based on continued local availability of outpatient health care services for Veterans.

3.11.3 Effect of the No Action Alternative

Under the No Action alternative, a slightly decreased demand for availability of community police, fire, and emergency services would be expected due to the absence of a VA outpatient clinic.

However, this alternative would have a significant adverse effect due to a lack of local outpatient health care services for Veterans.

3.12 Solid Waste and Hazardous Materials

3.12.1 Affected Environment

The project site is currently vacant land surrounded by a mix of commercial and institutional uses. Based on historical research, the project site was in agricultural use from at least 1937 to 1973. A small outbuilding associated with a northern adjacent rural residence was present in the northwestern portion of the project site during that time frame. The project site appears to have been uncultivated vacant land from at least 1984 until the present (Krazan & Associates, Inc., 2022a). There are no ongoing operations at the project site that generate solid waste.

Phase I environmental site assessments of the project site completed in 2017, 2020, and 2022 found no evidence of hazardous materials releases or presence or former presence of aboveground or underground storage tanks (Krazan & Associates, Inc., 2022a; Encon, 2017). However, because the 2017 assessment identified past agricultural practices that could be associated with pesticide residues, shallow soil sampling was completed in 2018. The soil sampling results found trace concentrations of organochlorine pesticides at concentrations well below the USEPA regional screening levels for residential use and industrial/commercial use (Krazan & Associates, 2018).

A 2022 investigation sampled for lead in surface soils at the project site. Analytical results for the six soil samples collected identified lead concentrations ranging from 6.55 to 11 milligrams lead per kilogram soil. These concentrations are well below screening levels for lead in soil, including the 80 milligrams per kilogram screening level for residential use (Krazan & Associates, 2022b).

3.12.2 Effects of the Proposed Action

Construction of the Proposed Action would generate construction debris. The nature of the construction wastes would be similar to a typical construction project, and the volumes generated would make a minor contribution to the overall solid waste volume generated and disposed of in Kern County. As stated in the CEQA EIR, construction contractors shall be required to comply with all applicable federal, state, and local laws and regulations regarding the transport, use, and storage of hazardous construction-related materials, including but not limited to requirements imposed by the USEPA, California Department of Toxic Substances Control, and the Central Valley RWQCB. Construction contractors would also develop and implement a plan to recycle and /or salvage for reuse a minimum of 65 percent of construction and demolition debris waste in accordance with the State of California Green Building Code.

Operational waste generation at the proposed new CBOC or a potential interim clinic location is expected to be similar to that of the existing VA clinic that would be replaced by the new clinic. VA compli~~es~~ance with applicable federal and state laws governing the use, generation, storage,

transportation, and disposal of any hazardous materials, solid waste, hazardous waste, and medical wastes generated at the proposed new CBOC or a potential interim CBOC, includes~~ing~~ but is not limited to the following:

- If VA handles hazardous materials as defined in Section 25500 of California Health and Safety Code, Division 20, Chapter 6.95, it shall be required to comply with California's Hazardous Materials Release Response Plans and Inventory Law, which requires immediate reporting to the Kern County Fire Department and the State Office of Emergency Services regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business, and to prepare a Hazardous Materials Business Emergency Plan.
- Activities involving the collection and disposal of medical wastes are required to comply with California's Medical Waste Management Act of 2017.
- All transporters of medical wastes must be registered hazardous waste haulers with a valid Hazardous Waste Transporter Registration through the California Department of Toxic Substances Control.
- The proposed Project would be required to comply with the Kern County Operational Area Hazardous Materials Area Plan to ensure compliance with established procedures, rules, and regulations for emergency responses in the event of a hazardous materials incident.

The Bakersfield Department of Public Works, Solid Waste Division, would provide solid waste disposal and recycling services. The CBOC would likely be served by the Bakersfield Metropolitan (Bena) Sanitary Landfill, which is operated by the Kern County Public Works, Waste Management Department. The landfill is approximately 17.6 miles southeast of the project site at 2951 Neumarkel Road in Bakersfield, California. Because city approval of the project is conditioned on a review by the Solid Waste Division of Public Works, the Proposed Action is not expected to generate solid waste in excess of the capacity of local infrastructure, nor otherwise impair the attainment of solid waste reduction goals.

The proposed new CBOC or any potential interim CBOC would use and store hazardous materials on the premises, including fuel for its emergency generator and chemicals associated with medical services, equipment, and maintenance. Therefore, the CBOC would be required to obtain a Certified Unified Program Agency (CUPA) permit, which is required in California for all businesses that store, handle, or use hazardous materials in reportable quantities. The City of Bakersfield Fire Department, Fire Prevention Division, and the Kern County Environmental Health Services Department serve as the CUPAs for hazardous materials handling facilities located in the City of Bakersfield. Appendix A provides information on potential permit requirements.

3.12.3 Effects of the No Action Alternative

Under the No Action alternative, there would be no VA clinic in the Bakersfield area; thus, there would be a minor decrease in the area's waste generation and use or storage of hazardous materials.

3.13 Traffic and Transportation

3.13.1 Affected Environment

3.13.1.1 Roadways and Site Access

The project site is in the northwest area of the city of Bakersfield, south of Olive Drive and north of Hageman Road. Regional access to and from the project site is provided by SR-99, which lies approximately 650 feet east of the project site. SR-99 is a four- to six-lane, north-south freeway serving as the major Central Valley collector. Connectivity to cities east of Bakersfield and the Mojave Valley is provided by SR-58, which links to SR-99 in Central Bakersfield.

Public transportation in the metropolitan Bakersfield area includes local buses, intercity buses, AMTRAK, and paratransit service. A Golden Empire Transit (local bus operator) line is within walking distance of the project site; bus route 61 has a stop on Olive St. approximately 750 feet north of the project site operating on an hourly schedule 7 a.m. to 6 p.m. daily. According to the City of Bakersfield *Bicycle Transportation Plan*, Hageman Road has a Class 2 Bike Lane and Knudsen Drive is designated for a planned Class 2 Bike Lane (City of Bakersfield, 2013).

However, transportation in the Bakersfield metropolitan area remains centered around the private car; for example, only approximately 2 percent of Bakersfield residents use public transit to get to work and 1 percent use bicycles (City of Bakersfield, 2002). Therefore, access to the project site is expected to be primarily by personal vehicles.

3.13.1.2 Traffic Characteristics

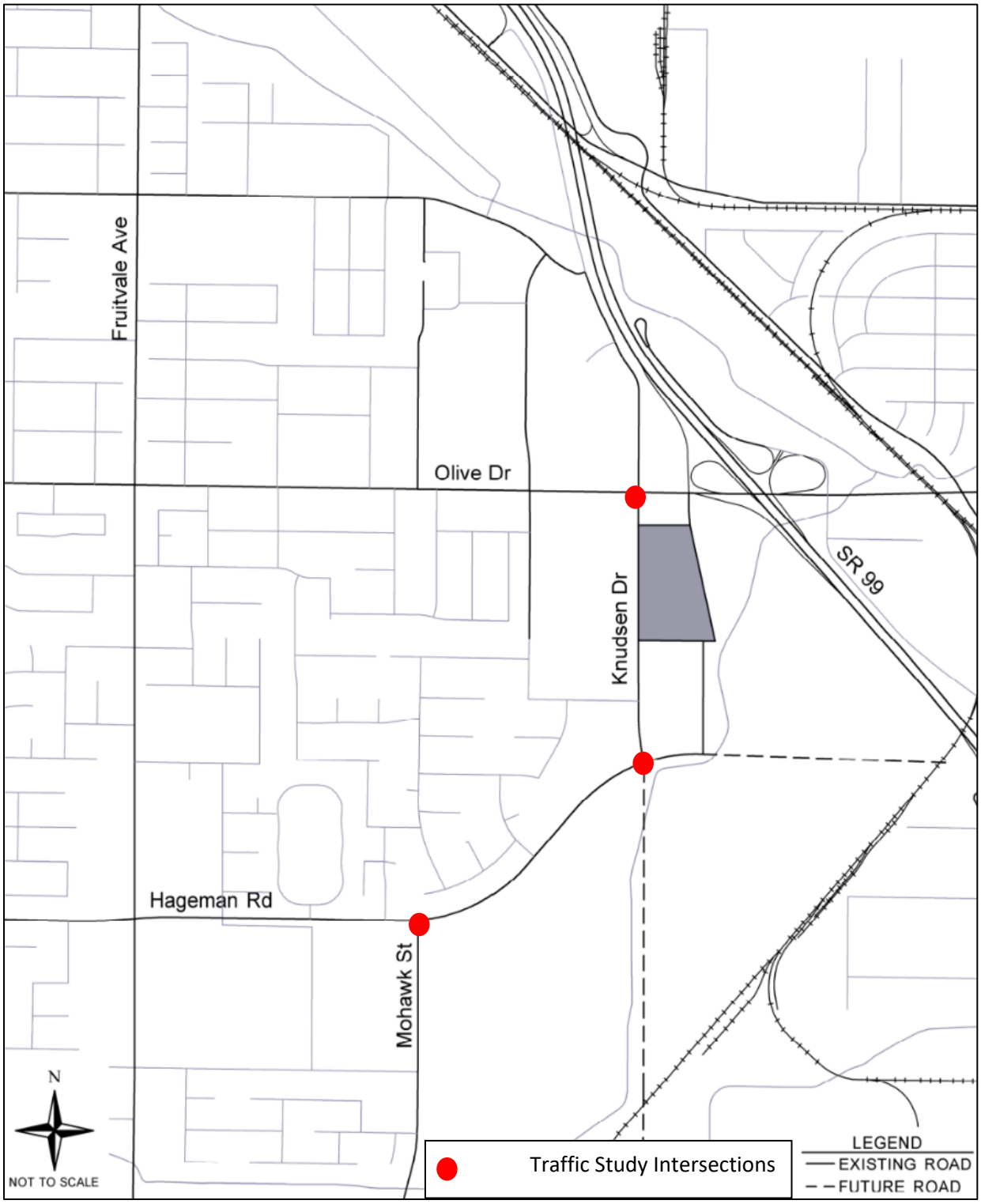
A traffic study was prepared in 2023 for the project site and surrounding roadways to evaluate existing conditions and potential impacts related to the Proposed Action. The study area included roadway segments and three intersections along Hageman Road and Knudsen Drive (Figure 6).

Level of service (LOS) is used to rank traffic operation based on traffic volumes and roadway capacity using letter designations ranging from A (free flow of conditions) to F (forced flow or breakdown conditions). The City of Bakersfield has identified the desired LOS for city streets as C or better (City of Bakersfield, 2019). Based on peak hour traffic data collected in January 2022, two of the studied intersections are currently operating at an LOS worse than C in both the AM and PM peak hours. All roadway segments within the scope of the study currently operate at LOS C or better (Ruettgers & Schuler, 2023).

3.13.2 Effects of the Proposed Action

3.13.2.1 Construction

During the construction period, short-term, minor adverse effects on traffic would be expected. The initial delivery of various construction vehicles and equipment, as well as daily passenger vehicles for construction workers and construction material delivery, has the potential to affect local traffic. Construction-generated traffic would be temporary and would not result in any long-term degradation of operating conditions on any roadways. Construction traffic would be



Adapted from Ruettgers & Schuler, 2023

Figure 6. Traffic Study Area

dispersed throughout the day and would not be expected to result in significant impacts on traffic near the project site during peak construction periods.

3.13.2.2 Operations

The 2023 traffic study analyzed operational traffic impacts from three perspectives: LOS analysis, roadway capacity, and vehicle miles traveled (VMT). Trip generation rates from the Institute of Transportation Engineers' *Trip Generation Manual, 11th Edition* were used to estimate the number of trips associated with the Proposed Action.

Growth and circulation assumptions for the Year 2042 include the construction of the Hageman Flyover, which will be a four-lane road from Hageman Road and Knudsen Drive to Golden State Avenue, including a new bridge over the railroad line and SR-99 freeway. This project is included in the Kern Council of Governments' (KernCOG's) traffic demand model.

Level of Service

The City of Bakersfield generally utilizes three performance criteria for determining whether traffic forecasted from a project would require mitigation (City of Bakersfield, 2019):

- Addition of project traffic causes the level of service of an intersection or roadway segment to drop below LOS C.
- An intersection or roadway segment operates below LOS C in the base year prior to the addition of project traffic, and the added project traffic lowers the level of service below its pre-project status.
- Addition of the project traffic creates an additional control or average delay per vehicle of more than 5 seconds to the existing or projected congestion at an intersection already or projected to operate at LOS D, E, or F.

LOSs for the study intersections are presented in Tables 8 and 9. Intersection delays are shown in parenthesis for all intersections that operate below LOS C.

As previously stated, the goal for roadway facilities in the City of Bakersfield is LOS C. Study intersections with LOS of C or better without the project maintained the C or better condition with the project. Intersections with LOS of D, E or F without the project are not anticipated to experience an increase the average delay by more than five seconds with the project. Therefore, no mitigations are needed.

Roadway Capacity

Published average daily traffic information and future projected traffic were used to calculate volume-to-capacity ratios for the following road segments in the study area.

- Knudsen Dr: Olive Dr. to Project Entrance
- Knudsen Dr: Project Entrance to Hageman Rd.
- Hageman Rd: Knudsen Dr. to Mohawk St.

Table 8. Study Intersection LOS at AM Peak Hour

Intersection	Control Type	2022	2022 +Project	2042	2042 +Project	2042 +Project w/Mitigation
Knudsen Dr. & Olive Dr.	Signal	F (91.1)	F (94.1)	C	C	--
Knudsen Dr. & Hageman Rd.	SB	C	C	C	C	--
Mohawk St. & Hageman Rd.	Signal	E (58.8)	E (60.6)	F (80.3)	F (82.6)	--[1]

[1] Per Section 6.2.2.7 of the Subdivision & Engineering Design Manual, mitigation is not required since the project traffic would not increase the average delay by more than five seconds.
(Ruettgers & Schuler, 2023)

Table 9. Study Intersection LOS at PM Peak Hour

Intersection	Control Type	2022	2022 +Project	2042	2042 +Project	2042 +Project w/Mitigation
Knudsen Dr. & Olive Dr.	Signal	E (67.4)	E (71.5)	C	C	--
Knudsen Dr. & Hageman Rd.	SB	A	A	C	C	--
Mohawk St. & Hageman Rd.	Signal	D (40.2)	D (41.0)	D (50.8)	D (51.6)	--[1]

[1] Per Section 6.2.2.7 of the Subdivision & Engineering Design Manual, mitigation is not required since the project traffic would not increase the average delay by more than five seconds.
(Ruettgers & Schuler, 2023)

A volume-to-capacity ratio of greater than 0.80 corresponds to a LOS less than C. As previously stated, a significant impact is generally defined as a condition where the addition of project traffic reduces the LOS to below C, or where the pre-existing condition of the roadway is below LOS C and the LOS degrades below the pre-existing level of service with the addition of the project.

All roadway segments within the scope of the study currently operate at or above LOS C. The volume-to-capacity ratios are expected to be below 0.80 under existing conditions and in the year 2042, both with and without the project (Ruettgers & Schuler, 2023).

Vehicle Miles Traveled

An analysis of project VMT was conducted as part of the 2023 traffic study. VMT represents the average length in number of miles that a person travels in a vehicle from home to work. At the time of this study, the City of Bakersfield had not developed or adopted a VMT policy, so the VMT analysis for study was conducted following the guidance from the State of California Office of Planning and Research's *Technical Advisory on Evaluating Transportation Impacts in CEQA.*

A detailed analysis was conducted by LSA Associates, Inc. using KernCOG's travel demand model. KernCOG maintains a regional travel demand model in accordance with agreements and policies adopted by the KernCOG Board and its member agencies, including the City of Bakersfield. Based on the model, the average daily VMT for employees in Kern County is 17.13 miles; the threshold of significance is 15 percent below the baseline VMT, or 14.56 VMT per employee. The results

indicated that project VMT per employee is 12.0, which is less than the countywide significance threshold (Ruettgers & Schuler, 2023).

The Project is consistent with the MBGP, including the goals and policies of the General Plan Circulation Element, and would comply with all applicable requirements of the City's Municipal Code, including:

- Prior to issuance of building permits, the Project Applicant shall pay appropriate Traffic Impact Fees at the rates then in effect in accordance with Chapter 15.84 of the City's Municipal Code.
- All off-site roadway improvements shall comply with applicable provisions of City of Bakersfield Municipal Code Title 10 (Vehicles and Traffic) and Chapter 13.12 (Development Improvements Standards and Specifications).

The analyses summarized above support the conclusion that the Proposed Action would have no significant effect on traffic as indicated by potential impacts to LOS, roadway capacity, and VMT. Regional traffic would shift from accessing the existing VA clinic to the new location. The proposed project would have a beneficial effect by decreasing trips Veterans currently take to Los Angeles or Sepulveda because the existing facility does not offer the full suite of services needed.

A potential interim clinic location in an existing building, already previously developed for similar (health care, office, retail, or comparable daytime) use, would have adequate parking for VA staff and patients. Operation would generate similar traffic as previously existed, or planned for, at the location by prior tenants and uses and thus would have a less than significant effect on local traffic conditions.

3.13.3 Effects of the No Action Alternative

Under the No Action alternative, the local traffic environment at the project site would remain similar to existing conditions and Year 2042 conditions without the project as described in Section 3.13.1.2. However, vehicle trips that local Veterans currently take to Los Angeles would increase without a VA outpatient clinic in Bakersfield, with an overall less-than-significant adverse effect.

3.14 Utilities

3.14.1 Affected Environment

The project site is in the service area of Pacific Gas & Electric for both natural gas and electricity. Land line phone service is provided by AT&T and cable service is provided by Spectrum.

Domestic water service for the project area is provided by California Water Service. The project site is in the Bakersfield District North Garden water system. The Bakersfield District derives its water supply from a combination of groundwater, untreated local surface water purchased from

the City of Bakersfield, and treated local surface and imported water purchased from Kern County Water Agency Improvement District 4 (City of Bakersfield, 2023a).

Wastewater service for the project site is provided by North of the River Sanitation District. An existing sewer line is located along the alignment of Street A south of the project site. Wastewater from the area is treated at the North of the River Sanitary District Wastewater Treatment Plant located in the City of Shafter at the northeast corner of the intersection of Seventh Standard Road and Palm Avenue (City of Bakersfield, 2023a).

3.14.2 Effects of the Proposed Action

Construction of the proposed project would create temporary increased demands for electricity compared to existing conditions. Electrical energy would be available for use during construction from existing power lines and connections, which could minimize or avoid the use of generators that are less efficient than tying into existing Pacific Gas & Electric infrastructure. Energy use during construction would not require expanded energy supplies or the construction of new infrastructure.

To support CBOC operations, the proposed project would connect to existing electricity, natural gas, communications, domestic water, and wastewater infrastructure. The project's stormwater design includes retention basins that allow site runoff to filter into the ground without need to connect to off-site systems. No septic tanks or alternative wastewater disposal systems are proposed as part of the project.

Operation of the proposed new CBOC or a potential interim CBOC ~~will~~ would create demand for all the utilities listed above. However, because the Proposed Action also includes the closure of the existing VA clinic in Bakersfield on Westwind Drive, there would be no net increase in utility use from VA operations. Further, the existing Bakersfield CBOC was built in 1992 and therefore does not incorporate all the energy and water efficiency features now required under CalGreen standards. The design of the new CBOC shall be constructed in compliance with the 2022 CalGreen standards (Part 11 of CCR Title 24, or any subsequent version of the Title 24 in effect at the time of building permit issuance), which requires building construction to minimize total consumption of energy and water. The City of Bakersfield shall confirm Title 24 compliance prior to the issuance of building permits. The project design would reduce energy use by 30 percent compared to the baseline performance ratings and include the following energy and water-conserving features:

- Energy-efficient mechanical, electrical, and plumbing equipment
- Energy control strategies for heating/ventilation/air conditioning, plumbing, and lighting systems
- Provision for future installation of electric vehicle charging stations
- Bicycle parking
- Water-conserving plumbing fixtures and fittings

Overall, there would be minor increased utility use during construction followed by an overall net decrease in utility demand during operation compared to current conditions; thus, impacts to utilities would be less than significant.

3.14.3 Effects of the No Action Alternative

The project site is currently vacant and does not have any utility needs. Under the No Action alternative, ceasing operations at the existing VA clinic would also end utility use by VA outpatient health care services in Bakersfield. Thus, this alternative would have an overall beneficial effect on utility use.

3.15 Socioeconomics

The City of Bakersfield is located at the heart of Kern County, roughly 110 miles north of Los Angeles, and serves as the southern gateway to California's Central Valley. The city covers an area of approximately 143 square miles and is the ninth most populous city in California with just over 400,000 residents. The local and regional economy is primarily centered around energy and agriculture, though the city also serves as a hub for healthcare, distribution, and government, among other industries (City of Bakersfield, 2023c).

Data from the *2020 Decennial Census* and the *2022 American Community Survey 1-Year Estimates* were used to compare the demographics of the City of Bakersfield to California and the U.S. Demographic data show that age distribution for Bakersfield skews younger than that of California and the U.S. The Bakersfield high school graduation rate is lower than that of California and the U.S. The percentage of population who are Veterans are generally similar to those of the State of California but lower than the U.S. The minority population percentage for the City of Bakersfield is slightly higher than that of the State of California and substantially higher than that of the U.S. Minority population is further discussed in Section 3.16 (Environmental Justice).

Table 10. Demographic Data for the City of Bakersfield, California, and the U.S.

Area	All Individuals	Population Under 18 Age Years	Population Over 65 Age Years	High School Education or Higher	Veterans	Minority [a]
City of Bakersfield	403,455	30.1%	10.1%	81.5%	4.5%	69.3%
California	39,538,223	21.8%	15.8%	84.2%	4.3%	65.5%
United States	331,449,281	21.7%	17.3%	88.9%	6.2%	41.1%

[a] Includes all races and ethnicities except for "white, non-Hispanic"
(U.S. Census Bureau, 2020) (U.S. Census Bureau, 2022)

The City of Bakersfield has a higher percentage of population below the poverty line and lower median household income than California. However, the poverty rate is lower and the median

household income are higher than Kern County. The unemployment rate in Bakersfield trends higher than that of California. Income is further discussed in Section 3.16 (Environmental Justice).

Table 11. Economic Data for the City of Bakersfield, Kern County, and California

Area	Gross Domestic Product, 2021 (thousands of current dollars) [a]	Median Household Income [b]	Persons in Poverty [b]	Unemployment Rate, August 2023 [c]
City of Bakersfield	---	$72,017	16.3%	8.0%
Kern County	$52,239,044	$66,234	17.9%	---
California	$3,373,240,664	$91,551	12.2%	4.6%

[a] (U.S. Department of Commerce, 2023); [b] (U.S. Census Bureau, 2022); [c] (U.S. Bureau of Labor Statistics, 2023)

3.15.1 Effects of the Proposed Action

Construction of the proposed new CBOC at the project site, or renovations to the interior space of a potential interim CBOC location, would temporarily employ skilled laborers by the construction contractor. Additionally, construction supplies and materials may be purchased from local and regional vendors. Thus, the temporary increase in employment and spending on materials would have a short-term beneficial impact on the local economy. However, based on the scale of economic activity in Kern County (Table 11), CBOC construction would not be reasonably be expected to result in a significant impact on income or employment rates in the area.

Because the Proposed Action includes both the operation of the proposed new CBOC or a potential interim CBOC and closure of the existing CBOC on Westwind Drive, there is not expected to be a net change in staffing levels once the new clinic becomes operational. Maintaining or slightly increasing clinic staff levels would have no measurable impact on socioeconomic conditions in the area. The Proposed Action would not be reasonably be expected to induce population growth or displace existing housing or people.

Overall, construction would have a small short-term beneficial effect, and clinic operation would have no effect on socioeconomic conditions.

3.15.2 Effects of the No Action Alternative

The No Action alternative would have a minor adverse impact on socioeconomics due to the loss of approximately 50 jobs in the area for VA and contractor clinic employees once the existing clinic closes.

3.16 Environmental Justice

Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, was enacted in 1994 to focus federal agencies' attention on the environmental and human health conditions in minority communities and low-income

communities with the goal of achieving environmental justice. Under this order, federal agencies must identify and address disproportionate high and adverse effects to human health and the environment of its actions on minority populations and low-income populations. Executive Order 14096, *Revitalizing Our Nation's Commitment to Environmental Justice for All* (April 26, 2023), further affirms the federal commitment to fair treatment and meaningful involvement for communities with environmental justice concerns.

For this analysis, data for key environmental justice indicators were obtained for the area within a two-mile radius of the project site, the State of California, and the U.S. using EJSCREEN. EJSCREEN is a USEPA-developed environmental justice mapping and screening application that combines demographic data from the U.S. Census Bureau American Community Survey 2017 – 2021 estimates and environmental indicators. According to these data, the area within a two-mile radius of the project site has a higher percentage of low-income population than California and the U.S. (defined as the percent of individuals whose household income is less than or equal to twice the federal "poverty level"), and a slightly higher percentage of people with disabilities. The area within a two-mile radius of the project site has similar or lower rates of minority populations and limited English-speaking households than the state and the country as a whole (Table 12).

Table 12. Environmental Justice Indicators

Area	Minority Population	Low-Income Population	Limited English-Speaking Households	Persons with Disabilities
Two-mile radius of project site	36%	47%	3%	16.0%
State of California average	61%	28%	9%	10.9%
U.S. average	39%	31%	5%	13.4%

(USEPA, 2023b)

3.16.1 Effects of the Proposed Action

Although the ~~project~~ proposed new CBOC site is in an area with a higher percentage of low-income population and slightly higher percentage of people with disabilities compared to the state and the country, the Proposed Action, including any potential interim clinic location, would not have any significant adverse effects to human health and the environment, and thus would have no disproportionately high and adverse effects to these groups. From a socioeconomic standpoint, the Proposed Action has no reasonable mechanisms to cause substantial changes in population, income levels, housing, local tax revenues, or community services, as described in Sections 3.10 and 3.14. Temporary environmental impacts during construction for nearby residents, such as noise, dust, and traffic, would be minor.

No populations, including those with environmental justice concerns, are anticipated to experience significant adverse environmental impacts from long-term operation of the proposed new CBOC or a potential interim CBOC. Once operational, the new CBOC would provide a

beneficial effect to local Veterans, including those from communities with environmental justice concerns, who would have continued and improved access to outpatient medical services.

3.16.2 Effects of the No Action Alternative

Under the No Action alternative, Veterans in the Bakersfield area, including those from low-income and minority populations, would have an adverse effect due to the loss of local VA outpatient health care services. This effect may be disproportionately adverse to low-income Bakersfield area Veterans, who may have limited means to access VA health care services by traveling to Los Angeles or Sepulveda.

3.17 Cumulative Impacts

Cumulative impacts are those impacts on the environment that result from the incremental impact of the action when added to the effects of other past, present, and reasonably foreseeable actions regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR 1508.1(g)(3)).

The following projects are of a scale, timeline, or location to potentially result in cumulative effects when considered along with the Proposed Action. The following projects are not an exhaustive listing of all possible development in the study area, but rather describe the reasonably foreseeable development in the study area based on projects currently on file with regulatory agencies and publicly advertised. The analysis of cumulative effects does not consider project proposals that may have been submitted for review but have since been withdrawn or expired, nor does it speculate about a parcel owner's potential plans in the absence of a submitted proposal that is under review or approved.

<u>Hageman Flyover</u>
This project proposes to extend Hageman Road in the northwest corner of the City of Bakersfield from Knudsen Drive to Golden State Avenue (SR-204) building a four-lane road. The total length of the project is about 1.5 miles (Figure 7, shown in red outline). The project would build a new bridge over both the San Joaquin Valley Railroad and SR-99 and a new double-box culvert at the Beardsley Canal lateral. The existing bridge over Airport Drive would be widened, and existing ramps at the Airport Drive/Golden State Avenue interchange would be modified. A CEQA Mitigated Negative Declaration for this project was prepared in 2014 (SCH No. 2014011036). Project design is complete, and funding is being sought for construction.

The project is expected to result in improved traffic flow conditions on SR-99 and adjacent neighborhoods. Without the project, motorists would seek alternate routes to avoid congested roadways, resulting in increased cut-through traffic in the neighboring area. The cumulative effects on traffic for this project, along with impacts of the Proposed Action, were included in modeling the future scenario for traffic impacts in Section 3.13.

Source: (Caltrans, 2014)

Figure 7. Hageman Flyover Project Location

Using CEQA criteria for significance, the Hageman Flyover project was identified as having no significant adverse effects with implementation of mitigation measures for aesthetics, geology and soils, hazardous waste management (for lead-containing soils), and endangered species. Regarding impact to endangered species, the project is anticipated to permanently affect 20.7 acres and temporarily affect 4.7 acres of potential San Joaquin kit fox habitat. The CEQA Mitigated Negative Declaration for the project identified numerous construction and operational measures that would be undertaken to minimize and compensate for impacts to the San Joaquin kit fox (Caltrans, 2014).

<u>Standard Street Secondary Access Project</u>

The Kern County Roads Department has proposed to construct approximately 0.7 miles of new road between the western end of Atlas Court and an extension of Knudsen Drive, creating a secondary route in the area that avoids at-grade railroad crossings (Source: Figure 8, shown in white outline). The existing canal culvert just south of the Hageman Road/Knudsen Drive intersection would be removed and a larger culvert constructed in its place. A new traffic signal and lighting would be installed at the Hageman Road/Knudsen Drive intersection. A CEQA Mitigated Negative Declaration for this project was prepared in 2013 (SCH No. 2013091043).

Using CEQA significance criteria, the project was identified as having no significant adverse effects with implementation of mitigation measures for air emissions, cultural resources (paleontology),

hydrology, hazardous waste management, noise, traffic, and endangered species. The CEQA Mitigated Negative Declaration for the project identified numerous construction and operational

Source: (Kern County Roads Department, 2013)

Figure 8. Standard Street Secondary Access Project Location

measures that would be undertaken to minimize and compensate for impacts to the San Joaquin kit fox (Kern County Roads Department, 2013).

Hageman Industrial Park

Hageman Properties, LLC has applied to amend the MBGP land use designation and the municipal code zone classification for a 78.9-gross-acre, triangularly shaped site located at the southeast corner of the Hageman Road and Landco Drive intersection (approximately 0.3 miles south of the VA Proposed Action). The land use designation is proposed to be changed from HI (Heavy Industrial) to SI (Service Industrial), and the zone classification for the project site is proposed to be changed from M-3 (Heavy Industrial) to M-2 (General Manufacturing). At this time, no specific development is proposed due to the dynamic nature of the market. However, a tentative parcel map available as part of the initial study shows potential development up to 1,197,643 SF of building space for mixed industrial and commercial uses. A CEQA Notice of Preparation of a Draft EIR was published in 2023 (SCH No. 2023070665).

While the potential environmental impacts of the proposed Hageman Industrial Park have not yet been fully analyzed, the initial study identified possible impacts associated with cultural resources

(archaeological), geology and soils (paleontology), noise, and wildlife that could be potentially significant based on CEQA significance criteria unless mitigations were incorporated (City of Bakersfield, 2023d).

Walmart Property Development

Walmart Stores Inc. owns four parcels immediately east of the CBOC project site totaling approximately 39 acres. In 2013, the company proposed developing a Walmart supercenter at the site, with about 194,000 SF of commercial space and associated surface parking. That proposal was eventually abandoned and expired, and no approved or under review site plan exists. However, VA has learned of a recent request submitted to the City of Bakersfield for undergrounding the segment of the Beardsley Canal than runs through the Walmart parcels (Figure 9). This proposal may be part of a renewed effort to develop the site, and therefore site development is included as a reasonably foreseeable action for purposes of this EA analysis.

No CEQA documentation could be identified for the project, either for undergrounding of the canal or a broader development of the site. Therefore, no comprehensive review of potential environmental impacts appears to have been conducted yet. However, given the potential scope of the project, possible impacts associated with cultural resources (archeological), geology and soils (paleontology), air, traffic, noise, and wildlife could be potentially significant unless mitigations were incorporated.

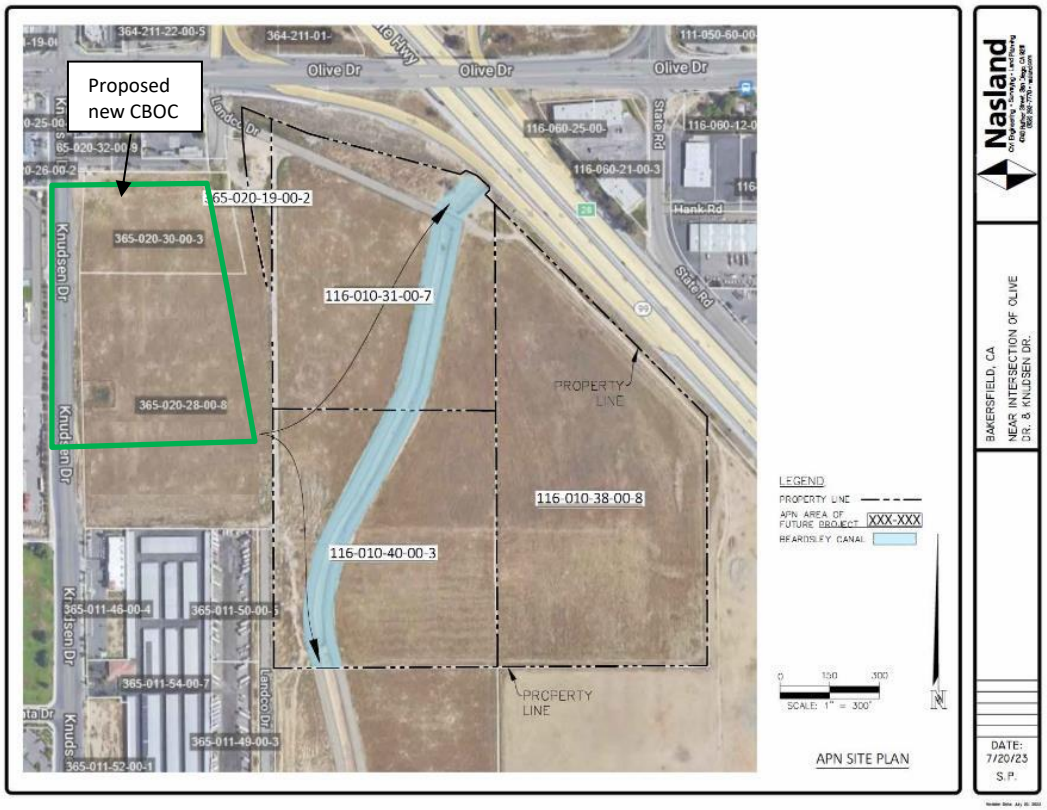


Figure 9. Beardsley Canal Undergrounding Proposal

3.17.1 Effects of the Proposed Action

The Proposed Action has the potential to result in the effects identified throughout Chapter 3. These include short-term and/or long-term potential adverse impacts to aesthetics, air quality, GHGs and climate change, geology and soils, hydrology and water quality, wildlife and habitat, noise, solid waste and hazardous materials, traffic and transportation, and utilities. All of these potential impacts are anticipated to be less than significant when the Proposed Action is implemented as defined in this EA, which includes the identified protective, mitigation, and compliance measures identified throughout Chapter 3 and listed in Chapter 4 and Appendix A.

Planned commercial and industrial development in the project area, as described in this section, has the potential to result in cumulative impacts across similar resources when considered in conjunction with the Proposed Action. However, the construction periods for the two largest development projects in the area, the Hageman Industrial Park and potential Walmart property development, are not expected to coincide with the Proposed Action, as both of those projects are in a conceptual stage with no site plans yet submitted to the City of Bakersfield for review. The construction phases of the two anticipated transportation projects (Hageman Flyover and Standard Street Secondary Access) could potentially coincide with the Proposed Action's construction phase, though no specific construction dates have been announced for these projects. All development projects would be subject to the same regulatory requirements as the Proposed Action. Therefore, short-term cumulative impacts from construction activities are not anticipated to be significant.

Long-term operation of Hageman Industrial Park and potential Walmart property development have the potential to increase criteria pollutant emissions, GHG emissions, and noise, particularly those associated with increased traffic, as well as result in increased demand for utilities. These projects, like the Proposed Action, would be anticipated to comply with building code requirements (for example, CalGreen) and relevant environmental regulatory requirements, and include management measures to minimize adverse effects. The projects would also undergo site plan review by the City of Bakersfield to ensure development plans adhere to all applicable City development standards, policies, and ordinances, and would be subject to approval of their respective Air Impact Assessment applications by the SJVAPCD to address air emissions. Therefore, in the context of anticipated regional and local development, the Proposed Action would be expected to contribute only minimally to potential adverse cumulative effects as it pertains to these resources.

The planned and potential development projects would result in an aggregate long-term change in land use for more than 150 acres from primarily vacant land to commercial and industrial uses, with the Proposed Action resulting in an additional, approximately 10 acres of vacant land being developed. Unmitigated, the Proposed Action and these non-federal proposed projects would cumulatively impact the San Joaquin kit fox with loss of habitat for foraging and denning, as well as loss of a corridor to other areas within the city that provide suitable habitat for urban kit foxes.

With implementation of the mitigation measures listed in Table 14 in Section 4, the contribution of the Proposed Action to potential cumulative impacts to the kit fox would be less than significant.

There would be cumulative beneficial effects on socioeconomic conditions from increased employment opportunities during construction of the Proposed Action and the other projects described in this section.

3.17.2 Effects of the No Action Alternative

Under the No Action alternative, cumulative impacts would be similar to those identified for the Proposed Action, as the project site would likely be developed in the future for other commercial or industrial use based on local development patterns. The extent of cumulative effects under the No Action alternative would depend on that future use. Any new development would be subject to zoning requirements, site plan approval, regulatory requirements, and permit conditions.

4 PROTECTION, MITIGATION, AND COMPLIANCE MEASURES

This chapter summarizes the measures identified throughout Chapter 3 that are proposed to avoid or minimize potential adverse effects of the Proposed Action. Implementation of the measures identified in Table 13 and 14 will maintain potential impacts at less-than-significant levels for all resources, but do not imply that impacts would in all or any cases be significant without these measures. Where the measures identified in this EA correspond to similar ones identified in the Final EIR for this project (City of Bakersfield, 2023b), the EIR naming convention for the measure is included in parenthesis for ease of cross-reference.

Table 13. Protection, Mitigation, and Compliance Measures Incorporated into the Proposed Action

Resource	Protection, Mitigation, and Compliance Measures
Aesthetics (Section 3.1)	**AE-1** Prior to the approval of building permits and other permits and approvals that authorize construction, the City of Bakersfield would review the construction documents and plans to assure the following: a. All lighting fixtures shall comply with applicable City of Bakersfield Municipal Code requirements pertaining to lighting and illumination of buildings, parking areas, and signs. (*AES DF-1*) Additional clarifying details: Comply with City of Bakersfield Municipal Code Section 17.71, Outdoor Lighting, which among other things requires that all outdoor lighting be fully shielded and aimed downward so as to not shine onto adjacent property or streets and produce a nuisance or disabling glare.
	AE-2 Prior to the approval of building permits and other permits and approvals that authorize construction, the City of Bakersfield would review the construction documents and plans to assure the following: b. All landscaping shall be installed to comply with all applicable City of Bakersfield Municipal Code standards pertaining to perimeter landscaping and minimum shade cover. ~~All lighting fixtures shall comply with applicable City of Bakersfield Municipal Code requirements pertaining to lighting and illumination of buildings, parking areas, and signs.~~ (*AES DF-1*) Additional clarifying details: Comply with the landscaping requirements of City of Bakersfield Municipal Code Section 17.61, Landscape Standards, which establishes requirements for landscape design, automatic irrigation system design, and water-use efficiency.
Air Quality (Section 3.2)	**AQ-1** The Project is required to be constructed and operated in compliance with all applicable SJVAPCD Rules, including but not limited to the following: a. SJVAPCD Rule 4601, Architectural Coatings, which limits VOC emissions from architectural coatings. b. SJVAPCD Rule 4102, Nuisance, which prohibits the discharge of air contaminants and other materials which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health, or safety of any such person or the public or which cause or have a natural tendency to cause injury or damage to business or property. c. SJVAPCD Rule 4641, Cutback, Slow Cure and Emulsified Asphalt, Paving and Maintenance Operations, which limits VOC emissions by restricting the application and manufacturing of certain types of asphalt for paving and maintenance operations. *(AIR RR-2)*

Resource	Protection, Mitigation, and Compliance Measures
	AQ-2 The project would also comply with SJVAPCD Rule 8021, *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*, which limits fugitive dust emissions from these activities.
	AQ-3 In compliance with SJVAPCD Rule 9510 (Indirect Source Review), the Project Applicant or its successor in interest shall submit an Air Impact Assessment application to the SJVAPCD, which will identify emission reduction measures for emissions of nitrous oxides and PM_{10}. The performance measures listed below can be met through any combination of on-site emission reduction measures or off-site fees. a. Related to construction-related emissions, the exhaust emissions for construction equipment greater than 50 horsepower used or associated with the project shall be reduced by the following amounts from the statewide average as estimated by the Air Resources Board: 20 percent of the total nitrous oxides emissions, and 45 percent of the total PM_{10} exhausts emissions. Construction emissions can be reduced by using less polluting construction equipment, which can be achieved by utilizing addon controls, cleaner fuels, or newer lower emitting equipment. b. Related to operational emissions, nitrous oxides emissions shall be reduced by 33.3 percent of the project's operational baseline nitrous oxides emissions over a period of ten years as quantified in the approved Air Impact Assessment. PM_{10} emissions shall be reduced by 50 percent of the project's operational baseline PM_{10} emissions over a period of ten years as quantified in the approved Air Impact Assessment. *(AIR-RR-1)*
Greenhouse Gases and Climate Change (Section 3.3)	**GR-1** Construction contractors shall assure that construction equipment greater than 150 horsepower that achieves or is equivalent to or better than USEPA/CARB Tier 4 emissions standards, or Tier 3 standards if Tier 4 equipment is not available at the time of construction. Prior to grading and building permit issuance, the construction contractor(s) shall submit an equipment list to the City of Bakersfield's Development Services Director confirming that the equipment used is compliant. *(GHG MM-1)*
	GR-2 Construction contractors shall assure that hand tools, forklifts, and pressure washers used for construction are electric-powered and shall designate an area of the construction site where electric-powered construction vehicles and equipment can charge. The City of Bakersfield shall verify the location of the designated charging area in association with grading and building permit issuance. *(GHG MM-2)*
	GR-3 Project construction contractors shall tune and maintain all construction equipment in accordance with the equipment manufacturer's recommended maintenance schedule and specifications. Maintenance records for all pieces of equipment shall be kept on-site for the duration of construction activities and shall be made available for periodic inspection by City of Bakersfield or its designee. *(GHG MM-3)*
	GR-4 The EIR states **"**The building shall be constructed in compliance with Title 24 of the Uniform Building Code to minimize total consumption of energy. The City of Bakersfield shall confirm Title 24 compliance prior to the issuance of building permits." *(GHG RR-4)* *Additional clarifying details:* This measure is further clarified in this EA as compliance with CCR Title 24. The project would be constructed in compliance with 2022 CCR Title 24 or any subsequent version of the Title 24 in effect at the time of building permit issuance, which requires building construction to minimize total consumption of energy and water, and thereby would limit GHG operational emissions (as further described in Section 3.14, Utilities).

Resource	Protection, Mitigation, and Compliance Measures
Cultural and Historic Resources (Section 3.4)	**CU-1** Prior to construction and as needed throughout the construction period involving ground disturbing construction activities, a construction worker cultural awareness training program shall be provided to all new construction workers within one week of employment at the project site. The training shall be prepared and conducted by a qualified cultural resources specialist that meets the U.S. Secretary of the Interior's Professional Qualification Standards. Workers attending the training shall sign a form that shall be kept by the Project Applicant and made available to the City of Bakersfield upon request. *(CR-MM-1)*
	CU-2 If suspected historical or archaeological resources are encountered during ground disturbance activities, the construction contractor(s) shall be required by their contract to immediately cease work within 100 feet of the resources and have the area partitioned off until a qualified cultural resource specialist that meets the U.S. Secretary of the Interior's Professional Qualification Standards can evaluate the resources found and make recommendations. If the specialist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required. If cultural resources are discovered that may have relevance to Native Americans, the specialist or Project Applicant must provide written notice to the City of Bakersfield, Tejon Indian Tribe, NAHC, and any other appropriate individuals, agencies, and/or groups as determined by the specialist in consultation with the City of Bakersfield to receive input regarding treatment and disposition of the resource, which may include avoidance, testing, and/or excavation to prevent destruction of the resource and/or to allow documentation of the resource for research potential. All reports, correspondence, and determinations regarding the discovery shall be submitted to the California Historical Resources Information System's SSJVIC at California State University Bakersfield. (*CR-MM-2*)
	CU-3 During construction, if human remains are discovered, further ground disturbance shall be prohibited pursuant to California Health and Safety Code Section 7050.5. The specific protocol, guidelines, and channels of communication outlined by the NAHC, in accordance with Health and Safety Code Section 7050.5, Public Resources Code 5097.97, and Senate Bill 447 shall be followed. In the event of the discovery of human remains, at the direction of the county coroner, Health and Safety Code Section 7050.5® shall guide Native American consultation. Unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The coroner, pursuant to the specific exemption set forth in California Government Code Section 6254(r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code Section 6254(r). (*CR-MM-3*)
Geology and Soils (Section 3.5)	**GS-1** In compliance with City of Bakersfield Municipal Code Chapter 15.05, California Building Code, construction of the Project is required to adhere to the California Building Standards Code and its requirement to prepare and adhere to site-specific recommendations contained in a geotechnical report prepared for the Project site. As such, compliance with the recommendations provided in the Project's geotechnical study prepared by Krazan & Associates, Inc., and dated May 6, 2019, (contained as Technical Appendix E to the EIR) is required. *(GEO RR-5)*
	GS-2 To address wind erosion, the Project construction activities are required to comply with the provisions of Chapter 15 Section 104.12 of the Bakersfield Municipal Code to ensure that dust abatement measures comply with the current standards set for by SJVAPCD. *(GEO-RR-6)*

Resource	Protection, Mitigation, and Compliance Measures
	GS-3 The Project Applicant is required, pursuant to the State Water Resources Control Board, to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). Compliance with the NPDES permit involves the preparation and implementation of a SWPPP for construction-related activities. The SWPPP will specify the best management practices that construction contractors will be required to implement during construction activities to ensure that waterborne pollution – including erosion/sedimentation – is prevented, minimized, and/or otherwise appropriately treated prior to surface runoff being discharged from the subject property. Examples of best management practices that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. *(GEO-RR-7)*
	GS-4 Once construction is completed, any soil erosion impacts would be managed by maintaining appropriately designed stormwater management features associated with the proposed CBOC.
	See measure AQ-2 (Comply with SJVAPCD Rule 8021)
	GS-5 Prior to construction and as needed throughout the construction period involving ground-disturbing construction activities, a construction worker paleontological resource awareness training program shall be provided to all new construction workers within one week of employment at the project site, if their work will involve ground-disturbing construction activities greater than six feet in depth in older alluvium soils. The training shall be prepared and conducted by a professional paleontologist. Workers attending the training shall sign a form that shall be kept by the Project Applicant and made available to the City of Bakersfield upon request. *(GEO MM-1)*
	GS-6 If paleontological resources are encountered, all work within 100 feet of the resources shall halt until a qualified paleontologist can be called to the site to evaluate the resources and make recommendations. Paleontological resource materials may include fossils, plant impressions, or animal tracks that have been preserved in rock. 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 to less than significant levels. Construction within 100 feet of the resources found shall not resume until the appropriate mitigation measures are implemented or the materials are determined to be to be less than significant by the paleontologist. *(GEO MM-2)*
	GS-7 Recovered specimens, if any, shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storages shall be required for discoveries of significance as determined by the paleontologist. *(GEO MM-3)*
	GS-8 A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Bakersfield prior to final building inspection. *(GEO MM-4)*
Hydrology and Water Quality (Section 3.6)	**HY-1** The Project Applicant and construction contractor are required to comply with the requirements of a NPDES permit, and SWPPP. Compliance with the NPDES permit and the SWPPP require an effective combination of erosion control and sediment control measures (i.e., Best Management Practices) to reduce or eliminate discharges to surface water from storm water and non-stormwater discharges during construction activities. *(HYD RR-1)* *Additional clarifying details:* The NPDES permit would be obtained from the Central Valley RWQCB.
	HY-2 During construction, Project construction contractors are required to comply with the requirements of the 2022 California Green Building Standards Code (CalGreen) in Part 11 of Title 24, California Code of Regulations, or any subsequent version of the Title 24 in effect at the time of

Resource	Protection, Mitigation, and Compliance Measures
	building permit issuance, which requires among other items the installation of low water-use features. *(HYD-RR-2)* *Additional clarifying details:* VA lease contract provisions also require the use of WaterSense fixtures.
	HY-3 In compliance with Section 438 of the Energy Independence and Security Act, stormwater runoff from the project site is proposed to be captured and filtered into the ground by on-site retention basins. These proposed basins would be sized to accommodate the volume of a 100-year, 24-hour storm event over the entire project area following development of the site.
	HY-4 The final design and construction of stormwater management infrastructure will be subject to review and approval by the City of Bakersfield Public Works and Planning Departments, including issuance of a grading permit.
	HY-5 If any connections are required to stormwater infrastructure in adjacent parcels that are in unincorporated Kern County, those plans will require review and approval by the Kern County Public Works Engineering Department.
Wildlife and Habitat (Section 3.7)	**WH-1 – WH-11**: see Table 14
Solid Waste and Hazardous Materials (Section 3.12)	**SW-1** Construction contractors shall be required to comply with all applicable federal, state, and local laws and regulations regarding the transport, use, and storage of hazardous construction-related materials, including but not limited to requirements imposed by the USEPA, California Department of Toxic Substances Control, and the Central Valley RWQCB. *(HAZ-RR-1)*
	SW-2 Construction contractors would develop and implement a plan to recycle and/or salvage for reuse a minimum of 65 percent of construction and demolition debris waste in accordance with the State of California Green Building Code.
	SW-3 If VA handles hazardous materials as defined in Section 25500 of California Health and Safety Code, Division 20, Chapter 6.95, it shall be required to comply with California's Hazardous Materials Release Response Plans and Inventory Law, which requires immediate reporting to the Kern County Fire Department and the State Office of Emergency Services regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business, and to prepare a Hazardous Materials Business Emergency Plan. *(HAZ-RR-2)*
	SW-4 Activities involving the collection and disposal of medical wastes are required to comply with California's Medical Waste Management Act of 2017. *(HAZ-RR-3)*
	SW-5 All transporters of medical wastes must be registered hazardous waste haulers with a valid Hazardous Waste Transporter Registration through the California Department of Toxic Substances Control. *(HAZ-RR-4)*
	SW-6 The proposed Project would be required to comply with the Kern County Operational Area Hazardous Materials Area Plan to ensure compliance with established procedures, rules, and regulations for emergency responses in the event of a hazardous materials incident. *(HAZ-RR-5)*
	SW-7 The CBOC would be required to obtain a CUPA permit, which is required in California for all businesses that store, handle, or use hazardous materials in reportable quantities. The City of Bakersfield Fire Department, Fire Prevention Division, and the Kern County Environmental Health Services Department serve as the CUPAs for hazardous materials handling facilities located in the City of Bakersfield.
Traffic and Transportation	**TR-1** Prior to issuance of building permits, the developer shall pay appropriate Traffic Impact Fees at the rates then in effect in accordance with Chapter 15.84 of the City of Bakersfield Municipal Code. *(TRN RR-1)*

Resource	Protection, Mitigation, and Compliance Measures
(Section 3.13)	**TR-2** All off-site roadway improvements shall comply with applicable provisions of City of Bakersfield Municipal Code Title 10 (Vehicles and Traffic) and Chapter 13.12 (Development Improvements Standards and Specifications). *(TRN RR-2)*
Utilities (Section 3.14)	See measures **GR-4** (Greenhouse Gases and Climate Change) and **HY-2** (Hydrology and Water Quality).

Table 14. Wildlife and Habitat Protection and Mitigation Measures Incorporated into the Proposed Action

	Final EIR Mitigation Measures	Proposed Additional Mitigation and Clarification on EIR Measures
WH-1	**BIO MM-1:** Surveys to detect **burrowing owls** shall be conducted by a professional biologist in consultation with CDFW no more than 30 days prior to any ground disturbance activities on the Project site and can be conducted concurrently with the preactivity surveys required per BIO MM-2, BIO MM-3 and BIO MM-4. Occupied burrows shall not be disturbed during the nesting season (February 1 through September 15) unless a professional biologist verifies through non-invasive methods that either: (1) the birds have not begun egg-laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival. If burrowing owls are observe using burrows during the surveys, owls shall be excluded from all active burrows through the use of exclusion devices placed in occupied burrows in accordance with CDFW protocols, Staff Report on Burrowing Owl Mitigation, shall be implemented. In such case, exclusion devices shall not be placed until the young have fledged and are no longer dependent upon the burrow, as determined by a professional biologist. Specifically, exclusion devices, utilizing one-way doors, shall be installed in the entrance of all active burrows. The devices shall be left in the burrows for at least 48 hours to ensure that all owls have been excluded from the burrows. Each of the burrows shall then be excavated by hand and refilled to prevent reoccupation. Exclusion shall continue until the owls have been successfully excluded from the site, as determined by a professional biologist.	
WH-2	**BIO MM-2:** If vegetation clearing or initial ground disturbing construction activity occurs during the **migratory bird** nesting season (February 1 to September 15) a professional avian biologist shall	**Clarification on BIO MM-2:** • Pre-construction avian surveys will include both migratory birds and locally breeding raptor species

	Final EIR Mitigation Measures	**Proposed Additional Mitigation and Clarification on EIR Measures**
	conduct a nesting bird survey to identify any active nests present within the proposed work area. If active nests are found, initial ground disturbance shall be postponed or halted within a buffer area, established by the professional avian biologist, that is suitable to the particular bird species and location of the nest, until juveniles have fledged or the nest has been abandoned, as determined by the biologist. The construction avoidance area shall be clearly demarcated in the field with highly visible construction fencing or flagging, and construction personnel shall be instructed on the sensitivity of nest areas. Specific to Swainson's hawk, if the Project's vegetation clearing or initial ground-disturbance construction activity will commence during the migratory bird nesting season, the pre-construction nesting bird survey shall follow survey methodology developed by the species' SWHA Technical Advisory Committee (SWHA TAC 2000). If Swainson's hawk is nesting within one-half mile of the Project site, construction activities may not commence unless an ITP is obtained from the CDFW or until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.	• Surveys will be conducted no more than 14 days prior to construction activities. • The nesting bird survey will include a 300-foot buffer (where access is granted) to survey for common raptors that may be nesting within 300 feet of the site.
WH-3	**BIO MM-3:** Prior to vegetation clearing or initial ground-disturbing construction activities, a professional biologist shall conduct a survey to determine the presence of suitable foraging, nesting, or over-wintering habitat for the **Crotch's bumblebee (CBB)** within or immediately adjacent to the work limits. If suitable habitat is present, at least 2 visual surveys shall be conducted by a professional biologist between April 1 and May 30 to detect CBB on or within 100 feet of the work limits prior to vegetation removal/initial ground disturbance. The surveys shall target the peak flowering period of CBB preferred nectar plants and shall be conducted by a professional biologist who is familiar with CBB behavior and life history to determine presence/absence of CBB within one year of vegetation removal/initial ground disturbance. CBB individuals shall only be handled for identification if appropriate authorizations are issued. Surveys shall be conducted under suitable conditions for observation of bumble bees. Methods shall be in accordance agency protocols if issued. If no agency	

	Final EIR Mitigation Measures	**Proposed Additional Mitigation and Clarification on EIR Measures**
	protocols have been issued at the time of the surveys, the following survey parameters will be applied: the professional biologist will walk slow (≤2 mph) meandering transects covering all portions suitable habitat; surveys will be conducted no earlier than 2 hours after sunrise and 3 hours before sunset, on mostly sunny days with temperature between 65° and 90°F; surveys will not be conducted on cloudy days (≥90 percent cloud cover) or under wet or windy conditions (≥8 mph). Surveyors will search for bumble bees in flight and potential nest sites. All potential CBB nests found in small mammal burrows, under thatched grasses, brush piles or other suitable ground locations shall be further examined based on observations of entering or exiting CBB. Observations of potential CBB nest sites shall be conducted for no less than 15 minutes per location where CBB are possibly entering/exiting, or a longer period as determined by the professional biologist. If no CBB or their nests are detected, no further measures will be necessary provided that vegetation removal/initial ground disturbance occurs prior to March 1 of the year following the negative survey. If vegetation/initial ground disturbance does not occur before March 1 of the year following the negative survey, the survey shall be repeated following the above procedure. If CBB is found to be present, BIO MM-5 shall apply.	

	Final EIR Mitigation Measures	**Proposed Additional Mitigation and Clarification on EIR Measures**
WH-4	**BIO MM-4:** No more than 30 days prior to vegetation clearing or initial ground-disturbing construction activities, pre-construction surveys for **San Joaquin kit fox and American badger** shall be conducted by a professional biologist. The purpose of the preconstruction survey is to provide current biological information in order to implement all avoidance and minimization measures that are required based on any previous observations of special-status species and to update observations shall any new site occupation by special-status species occur. If any known San Joaquin kit fox dens are detected, implementation of the most recent USFWS protocols (Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (2011)) is required per BIO MM-5 unless protocols are issued by either CDFW or USFWS that supersede these protocols. If American badger is present, BIO MM-5 shall apply.	**Clarification on BIO MM-4** • Preconstruction survey will include a 250-foot buffer during the San Joaquin kit fox pupping season (February through May) or a 100-foot buffer during all other months (where access is permitted). • All San Joaquin kit fox dens observed during the preconstruction survey will be mapped and characterized as to type. • Den types are defined as: – Potential Den: a suitable subterranean den or burrow within the range of San Joaquin kit fox that has an opening of at least 4 inches and for which available evidence is insufficient to conclude whether it is currently being used or has been used by San Joaquin kit fox. – Known Den: A known den is any existing natural den structure that is in use by San Joaquin kit fox or has historically been used at any time in the past by San Joaquin kit fox. – Atypical Den: a manmade structure which is being occupied by San Joaquin kit fox. Atypical dens may include pipes, culverts, and diggings beneath stored materials and structures – Natal (or Pupping) Den: A natal den is any den that has historically been used or is currently being used by San Joaquin kit fox to whelp and/or rear pups. • All San Joaquin kit fox dens (i.e., potential, known, atypical, and natal) will be mapped and photo documented and described in the preconstruction survey report, which also will include the results of any camera or track medium monitoring. The qualified Biologist will prepare a survey findings report documenting compliance with this measure for submittal to VA to forward to USFWS prior to start of ground-disturbing activities. • If potential dens are present, the dens will be monitored for a minimum of four consecutive nights with a trail camera or tracking medium to evaluate den status and determine the presence/absence of San Joaquin kit fox. If there is a risk that cameras may be stolen or vandalized at a site, monitoring may be conducted using tracking medium only with prior concurrence from the USFWS. • Minimize Disturbance of Known, Atypical, and Natal Dens during construction. If a known, atypical, or natal den is present within or adjacent to the work area, the

	Final EIR Mitigation Measures	Proposed Additional Mitigation and Clarification on EIR Measures
		following measures will be implemented to minimize disturbance of the den(s) and disruption of San Joaquin kit fox activities: – Establish No-Work Exclusion Zone. A non-disturbance exclusion zone will be established around known and atypical dens and a no-work exclusion zone will be established around natal dens. Exclusion zones around known and atypical dens will be clearly marked by Environmentally Sensitive Area fencing. Exclusion zone widths may be adjusted based on the conditions of the site with the USFWS' concurrence. – Avoid No-work Exclusion Zones. No construction activities will be conducted in the no-work exclusion zones without USFWS concurrence. – Conduct Monitoring of Construction Activities. A qualified biologist will be present in the work area to verify compliance with avoidance and minimization measures, including during ground- or vegetation-disturbing activities in or adjacent to Environmentally Sensitive Areas (e.g., occupied or potentially occupied habitat), wildlife exclusion fencing, construction exclusion fencing (exclusion fencing), and no-work zones. Monitoring will be required when trenches or holes are present and when materials stored on site provide potential dens for San Joaquin kit fox.
WH-5	**BIO MM-5:** If California or Federal listed threatened or endangered species are found occupying burrows, dens, or nests on the Project site or any such species could be injured or killed due to Project-related activities, the CDFW and/or USFWS (as appropriate) shall be contacted for further guidance. Should either agency determine that incidental take authorization is required prior to construction, the appropriate CESA/FESA [California Endangered Species Act, Federal Endangered Species Act] authorization shall be obtained by the Project Applicant. CESA and FESA authorizations shall include measures addressing the respective state and/or federal listed species and shall include the following at a minimum: a) Implementation of standardized biological resource protective measures included in BIO MM-4; b) Biological preconstruction surveys conducted by qualified biologists approved by each applicable agency no more than 30 days prior to conducting work on the Project site;	**Clarifications on BIO MM-5:** • Implement Passive Deterrence. If construction activities cannot avoid an active known or atypical den or the no-work exclusion zone around it, the project implementation team may initiate passive, non-injurious measures that result in minor alterations in behavior after receiving concurrence from the USFWS. • Implement Den Excavation. Dens in the Project footprint may be excavated under the direct supervision of a qualified biologist the next day after no San Joaquin kit fox are detected for a minimum of four consecutive nights of den monitoring using trail cameras. If there is a risk that cameras may be stolen or vandalized at a site, monitoring may be conducted using tracking medium only with prior concurrence from the USFWS. If a San Joaquin kit fox is observed at the den during the monitoring period, the den will continue to be monitored until at least four consecutive nights have passed without San Joaquin kit fox detection at the den. If the San Joaquin kit fox does not leave the den, the Project may initiate passive harassment measures. After a den is determined to be unoccupied as confirmed

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	c) If any known San Joaquin kit fox dens are detected, implementation of the most recent USFWS protocols (Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (2011)) unless protocols are issued by either CDFW or USFWS that supersede these protocols. d) Destruction of San Joaquin kit fox dens shall follow the monitoring and excavation procedures in USFWS (2011). e) If CBB individuals or nests are detected during any surveys conducted per BIO MM-3, and the CBB remains a state candidate species or is listed under CESA, the Project Applicant shall obtain take authorization from CDFW prior to vegetation removal/initial ground disturbance. A CBB Mortality Reduction Plan shall be submitted for CDFW approval no less than 30 days prior to initial vegetation removal or ground disturbance and the Plan shall contain the following information at a minimum: • Active CBB nests shall be avoided by 50 feet. If CBB nests cannot be avoided, the Plan shall include seasonal restrictions for disturbance within 50 feet of any nest and procedures for determining when nest impacts will be minimized. • Vegetation removal/initial ground disturbance shall be limited to the period when impacts to individual CBB that may be underground will be minimized (e.g., after nests have become inactive). • Prior to vegetation removal/initial ground disturbance, small mammal burrows that may harbor overwintering CBB queens shall be excavated by hand. The Plan shall include timing and excavation methods. In addition, the Plan shall include procedures for handling and disposition of CBB if encountered during burrow excavations. • The Plan shall include procedures for handling and disposition of individual CBB if they are encountered in the work limits or on construction equipment during construction activities. f) Biological monitoring of initial ground disturbance during each phase of grading;	through four consecutive nights of den monitoring or one night of monitoring after the initiation of passive harassment, it may be excavated under the direction and supervision of a San Joaquin kit fox qualified biologist. Dens will be fully excavated to the end of all tunnels, and then backfilled with dirt and compacted to ensure that San Joaquin kit fox cannot reenter or use the den site during construction activities.

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	g) Provision for compliance reporting to be provided to each agency as required in respective take authorizations; h) Compensation for habitat disturbance acceptable to CDFW (state listed species) and/or USFWS (federal listed species) at a ratio of no less than 3:1 for permanent impacts and 1.1:1 for temporary impacts to listed species habitat. The only existing approved conservation bank for impacts to San Joaquin kit fox habitat in Kern County is the Kern Water Bank Authority Conservation Bank. Lands used to mitigate for San Joaquin kit fox must be contiguous with other potentially occupied lands, provide suitable foraging and denning habitat for San Joaquin kit fox, and be located in the southern San Joaquin Valley portion of Kern County below 1,500' in elevation; i) Compensation land shall be funded for maintenance, protection, and management through establishment of a long-term funding mechanism such as an endowment. The endowment must be a non-wasting account that is acceptable to both CDFW and USFWS.	
WH-6		**Establish and Maintain Environmentally Sensitive Areas, and No-Work and Wildlife Exclusion Zones.** Fencing or stakes, flags, and rope will be used to establish non-disturbance exclusion zones to restrict construction equipment and personnel from environmentally sensitive areas or restrict San Joaquin kit fox from entering construction areas, where feasible based on site-specific constraints. Two types of fencing, high-visibility environmentally sensitive area fence and wildlife exclusion fence, will be used for these purposes. a) **Delineation and Marking Environmentally Sensitive Areas, No-Work and Wildlife Exclusion Zones, and Wildlife Exclusion Fences.** The location of environmentally sensitive areas, wildlife exclusion fence, and exclusionary zones will be delineated by a qualified biologist based on the results of any preconstruction surveys. Also prior to construction activities, the contractor will mark environmentally sensitive areas with posted signs, posting stakes, flags, or rope or cord, and will place high visibility fencing as necessary to minimize the disturbance of sensitive areas per avoidance and minimization measures. A qualified biologist will also direct the installation of WEF to prevent San Joaquin kit fox from entering work areas. The WEF will have one-way escape points installed by the contractor under the

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		supervision of a qualified biologist along the boundary of the Project footprint for the length of the adjoining suitable habitat to allow animals that may be inside the work area to leave the area. A qualified biologist will also direct the installation of construction exclusionary zone fencing, as appropriate, to avoid and minimize impacts to San Joaquin kit fox. Fencing installation will be monitored by a qualified biologist or Biological Monitor to ensure that San Joaquin kit fox are not injured or killed during installation. The environmentally sensitive area, wildlife exclusion fence, and exclusionary zone locations will be identified and depicted on an exclusion fencing exhibit. The purpose of the environmentally sensitive areas and wildlife exclusion fence will be explained at WEAP training and the locations of the environmentally sensitive areas and wildlife exclusion fence areas will be noted during worker tailgate sessions. b) **Construction Activity Avoidance in Environmentally Sensitive Areas/No-Work Exclusion Zones.** The contractor will enforce exclusion of construction personnel and equipment from all environmentally sensitive areas. These areas will be monitored by a qualified biologist during all site preparation and subsequent construction activities. c) **Maintenance of Environmentally Sensitive Area Markings.** The contractor will maintain all fencing, stakes, flags, and signage until the completion of construction. The environmentally sensitive area, wildlife exclusion fence, and exclusionary zones will be regularly inspected by a qualified biologist to ensure its integrity and that wildlife are not trapped. Environmentally sensitive area fences, wildlife exclusion fence, stakes, flags, and signage will be removed by the contractor when construction is complete, or the resource has been cleared.
WH-7	**BIO MM-6:** All biological monitors working on the Project site shall be required by their contract to notify the USFWS and CDFW of the discovery of any protected species identified on the site other that nesting birds, Crotch bumblebee, San Joaquin kit fox and American badger which are addressed by BIO MM-1, BIO MM-2, BIO MM-3, BIO MM-4, and BIO MM-5. Any take of protected wildlife shall be reported immediately to USFWS and CDFW.	
WH-8	**BIO MM-7:** The Project Applicant shall ensure that the Project's construction contractors adhere to the following best management practices. Construction	**Clarification on BIO MM-7:**

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	contractors shall be required by their contracts to comply with these best practices and permit periodic inspection of the construction site by City of Bakersfield staff or its designee to confirm compliance. A note that requires compliance is required on all grading and building plans approved by the City of Bakersfield. a) Traffic restraints and signs shall be established to minimize temporary disturbances during construction beyond the construction site boundaries. All construction traffic shall be restricted to designated access roads and routes, Project site, storage areas, and staging and parking areas. Off-road traffic outside designated Project boundaries shall be prohibited. A 15 mile-per-hour (24 kilometer per-hour) speed limit shall be observed in all Project construction areas, except as otherwise posted on county roads and state and federal highways. b) All construction personnel involved in ground disturbing construction activities shall attend a worker orientation program. The worker orientation program shall present measures required to avoid, minimize, and mitigate impacts to biological resources and shall include, at a minimum, the following subjects: A summary of the Federal Endangered Species Act (FESA), California Endangered Species Act (CESA), and the Migratory Bird Treaty Act current construction area; life history information for the species of concern; biological resource avoidance, minimization, and mitigation requirements; consequences for failure to successfully implement requirements; and procedures to be followed if dead or injured wildlife are located during Project activities. Upon completion of the orientation, employees shall sign a form stating that they attended the program and understand all biological resource mitigation measures. Forms verifying worker attendance shall be filed at the Project Applicant's office and be accessible to the City of Bakersfield, USFWS and CDFW staff. No untrained personnel shall be allowed to work onsite with the exception of delivery trucks that are only onsite for 1 day or less and are under the supervision of a trained employee. c) All equipment storage and parking during construction activities shall be confined to the	• Dogs recognized as service animals under titles II and III of the Americans with Disabilities Act are exempted from this rule. • At end of each workday, all excavated, steep-walled holes or trenches that are more than eight inches deep with sidewalls steeper than a 1:1 (45 degree) slope will be inspected for trapped animals and, at the close of each day, will be covered with plywood or similar materials or provided a minimum of one escape ramp constructed of fill earth per 100 feet of trenching. • Prior to construction requiring nighttime lighting, the Contractor will prepare a Lighting Plan verifying how the Contractor will shield nighttime construction lighting and direct it downward in such a manner to minimize the light that falls outside the work area. The Lighting Plan will be submitted to VA for review and approval prior to any work requiring nighttime lighting. • All nightwork will occur within the boundaries of previously disturbed, cleared and grubbed areas. – Within nightwork construction areas immediately adjacent to areas where San Joaquin kit fox or their dens are present or may be present, at least one qualified biologist, will be continuously present from one-half hour after sunset to one-half hour before sunrise. – iii. Prior to working at night, all construction personnel shall receive San Joaquin kit fox awareness information regarding measures to be implemented at night. Upon completion of the program, employees will sign a form stating they attended the program and understand all protection measures. – The Contractor will use highly reflective markers to demarcate the boundaries of nightwork areas, if necessary. – Construction vehicles will be driven no more than 10 mph within the Project footprint from one-half hour after sunset to one-half hour before sunrise

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	designated construction area or to previously disturbed offsite areas that are not habitat for listed species. d) All Project construction activities involving initial surface disturbance shall occur during daylight hours. e) Trenches shall be inspected for entrapped wildlife each morning prior to the onset of construction. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped animals. Any wildlife so discovered shall be allowed to escape voluntarily, without harassment, before construction activities resume. A professional biologist may remove wildlife from a trench, hole or other entrapment out of harm's way if the immediate welfare of the individual is in jeopardy. State or federal listed species may not be handled. Should any state or federal listed species become entrapped, CDFW and USFWS shall be contacted as appropriate. f) All food-related trash items such as wrappers, cans, bottles and food scraps generated by Project construction activities shall be disposed of in closed containers and removed at least once each week from the site. Deliberate feeding of wildlife shall be prohibited. g) To prevent harassment of special-status species, construction personnel shall not be allowed to have firearms or pets on the Project site. h) All equipment and work-related materials shall be contained in closed containers either in the work area or on vehicles. Loose items (e.g., rags, hose, etc.) shall be stored within closed containers or enclosed in vehicles when on the work site. i) All liquids shall be in closed, covered containers. Any spills of hazardous liquids shall not be left unattended until clean-up has been completed. j) Use of rodenticides and herbicides on the Project shall be prohibited unless approved by the USFWS and the CDFW. This is necessary to prevent primary or secondary poisoning of special-status species using adjacent habitats, and to avoid the depletion of prey upon which they depend. If rodent control must be conducted, zinc phosphide shall be used because of its proven lower risk to SJKF [San Joaquin kit fox].	

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	k) Any employee who inadvertently kills or injures a listed species, or who finds any such wildlife dead, injured, or entrapped on the Project site, shall be required to report the incident immediately to a designated site representative (e.g., foreman, project manager, environmental inspector, etc.). l) In the case of entrapped wildlife that are listed species, escape ramps or structures shall be installed immediately, if possible, to allow the subject wildlife to escape unimpeded. m) In the case of injured special-status wildlife, the CDFW shall be notified immediately. During business hours Monday through Friday, the phone number is (559) 243-4017. For nonbusiness hours, report to (800) 952-5400. Notification shall include the date, time, location, and circumstances of the incident. Instructions provided by the CDFW for the care of the injured animal shall be followed by the contractor onsite. n) In the case of dead wildlife that are listed as threatened or endangered, the USFWS and the CDFW shall be immediately (within 24 hours) notified by phone or in person, and shall document the initial notification in writing within 2 working days of the findings of any such wildlife. Notification shall include the date, time, location, and circumstances of the incident. o) Prior to commencement of construction, work areas not adjacent to public streets shall be clearly marked with fencing, stakes with rope or cord, or other means of delineating the work area boundaries. p) If any suspected federally or State protected plant or animal species is found to be present during Project-related construction activities, occupied areas shall be avoided and the construction contractor shall be required by its contract to call a CDFW-approved biologist to the site to identify the species. If the species is protected, the qualified biologist shall notify the USFWS and CDFW of any previously unreported protected species. Any take of protected wildlife shall be reported immediately to USFWS and CDFW.	
WH-9		**Inspect Pipes.** All construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that are stored at a construction site for one or more overnight periods will be inspected for San Joaquin kit fox before the

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		pipe is subsequently buried, capped, or otherwise used or moved in any way. If a San Joaquin kit fox is discovered inside these structures, the structure will be treated as an atypical den until the kit fox leaves on its own accord.
WH-10		**Provide Artificial San Joaquin Kit Fox Dens.** Prior to construction activities, VA will prepare designs and specifications, and identify specific locations of at least one artificial natal den and one artificial escape den to be permanently installed and maintained within landscaped or drainage features within the Project footprint. Maintenance of the artificial dens will be the responsibility of the Bakersfield VA Outpatient Clinic. The design of the artificial dens will be consistent with the description of artificial den design recommended by Cypher et al. (2012) and Cypher et al. (2021). The den locations and plan will be developed in consultation with and approved by USFWS.
WH-11		**Work Stoppage.** During construction activities, an onsite biologist or biological monitor will have stop work authority to protect San Joaquin kit fox in the Project footprint. This work stoppage will be coordinated with VA or its designee. The project developer will suspend vegetation- or ground-disturbing activities in the work area(s) where the potential construction activity could result in injury or mortality of San Joaquin kit fox; work may continue in other areas. The suspension will continue until the individual leaves voluntarily or is moved to an approved release area using USFWS-approved handling techniques and methods, or as required by the USFWS.

5 PUBLIC PARTICIPATION, COORDINATION, AND CONSULTATION

5.1 Public Involvement

VA initiated the public scoping process for the Proposed Action with publication of a notice in ~~the~~ *The Bakersfield Californian*, a daily newspaper with circulation throughout Kern County, announcing the opportunity to provide early input on the Proposed Action. The notice was published on October 20 and 22, 2023. The scoping notice was also published on the VA website at: www.cfm.va.gov/environmental/. Appendix B contains copies of scoping comments received and a summary of responses to comments.

VA ~~is~~ published~~ing~~ the~~is~~ Draft EA for ~~a 30-day public review and comment period. A notice of availability of the Draft EA is being posted in the *Bakersfield Californian*.~~public comment on July 21, 2024, through September 19, 2024. A notice of availability was sent to federal, state, and local agencies; Native American tribes; elected officials; and other stakeholders. A notice of availability was published on the VA website at www.cfm.va.gov/environmental/ and in *The Bakersfield Californian* on July 21 and 23, 2024. Copies of the Draft EA stakeholder and newspaper notices of availability are provided in Appendix B.

This Supplemental Draft EA is published for an additional 30-day public review and comment period. VA is notifying stakeholders, publishing a notice of availability of the Supplemental Draft EA in *The Bakersfield Californian*, and inviting comments on the Supplemental Draft EA. Comments submitted on the Draft EA do not have to be resubmitted. Comments on both the Draft EA and the Supplemental Draft EA will be addressed in the Final EA.

5.2 Consultation and Stakeholder Coordination

5.2.1 Consultation

VA consulted under Section 106 of the NHPA with the California SHPO on potential effects of the Proposed Action on historic properties. Copies of consultation correspondence, including SHPO's concurrence with VA's finding of no historic properties affected, are included in Appendix C.

VA has also initiated consultation with the USFWS on potential effects of the Proposed Action to the federally endangered San Joaquin kit fox. Copies of VA's consultation correspondence are included in Appendix D. This consultation is ongoing. The Final EA will summarize and incorporate the outcome of the Section 7 consultation.

5.2.2 Stakeholder Coordination

VA sent stakeholder scoping notification letters to the entities listed below. VA has addressed all substantive responses and information in this EA. Appendix B contains copies of the scoping input and responses to scoping comments.

Federal Agencies

- USEPA Region 9
- USFWS Region 8

State Agencies

- California Department of Conservation
- California Department of Fish and Wildlife
- California Department of Resources Recycling and Recovery
- California Department of Toxic Substances Control
- California Environmental Protection Agency
- California Department of Transportation
- California Office of Historic Preservation, Department of Parks & Recreation
- California Department of Veterans Affairs (CalVet)

Regional Agencies

- Central Valley Regional Water Quality Control Board
- San Joaquin Valley Air Pollution Control District

County/Local Agencies

- Kern County Planning and Natural Resources Department
- Kern County Public Works
- Kern County Water Agency
- City of Bakersfield Development Services
- City of Bakersfield Department of Public Works

Federal Elected Officials

- U.S. Senator Alex Padilla
- U.S. Senator Laphonza Butler
- U.S. Representative Kevin McCarthy (20th Congressional District) (former)

State Elected Officials

- State Senator Shannon Grove (District 12)
- Assembly Member Vince Fong (District 32) (former)

Local Elected Officials

- Mayor Karen Goh
- City Council Member Bob Smith (Ward 4)
- Kent County Supervisor Jeffrey Flores (3rd District)

Federally Recognized Tribes with Interests in Kern County, California

- Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation, California

- Te-Moak Tribe of Western Shoshone Indians of Nevada
- Tejon Indian Tribe
- Tule River Indian Tribe of the Tule River Reservation, California

Other Regional Tribes

- Big Pine Paiute Tribe of the Owens Valley
- Coastal Band of the Chumash Nation
- Kern Valley Indian Community
- Kitanemuk & Yowlumne Tejon Indians
- Santa Rosa Rancheria Tachi Yokut Tribe
- Tubatulabals of Kern Valley

Other Stakeholders

- Kern County Veterans Service
- Sierra Club, Kern-Kaweah Chapter
- Channel Law Group, LLP on behalf of Progress for Bakersfield Veterans LLC
- Lozeau Drury LLP

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