

KERN COUNTY PLANNING AND NATURAL RESOURCES DEPARTMENT

Board of Supervisors

STAFF REPORT

Date: September 29, 2026

FILE: SPA #163, Map 500; Mod. 1, SP #2, Map 202;
Mod. 1, SP #3, Map 218R; Mod. 1, SP #3, Map 219

S.D.: #2 - Parlier

TITLE: (a) Specific Plan Amendment Case No. 163, Map 500; (b) Modification 1, Special Plan No. 2, Map 202; (c) Modification 1, Special Plan No. 3, Map 218R; (d) Modification 1, Special Plan No. 3, Map 219

PROPOSAL: The project proponent is requesting to reallocate development maximums within the six (6) planning Sub Areas of the Grapevine Specific and Community Plan, update the roadway network within Sub Area 6a and revise language to allow final road alignment deviations to be determined at the Tract Map stage and update figures, exhibits, and tables throughout the Grapevine Specific and Community Plan and the Grapevine Special Plan to reflect the proposed changes:

- (a) Amendment to the Grapevine Specific and Community Plan (SPA 163, Map 500) to amend Chapter 2 - *Land Use, Conservation, Open Space, and Recreation* to reallocate single-family detached and single-family/multi-family attached residential units from Sub Areas 4 and 5a to Sub Area 6a; reallocate commercial square footage from Sub Area 6a to Sub Areas 4 and 5a; and reallocate industrial square footage from Sub Area 6a to Sub Areas 6b-6e, and amend Chapter 3 - *Circulation and Infrastructure* to update the roadway network within Sub Area 6a from a grid to a loop pattern and update text and figures to allow final road alignment deviations greater than 300 feet within the Specific Plan Boundary except in the EA (Exclusive Agriculture) and OA (Open Area) zoning districts.
- (b) Modifications to the Grapevine Special Plan (Mod No. 1 to SP No. 2, Map 202; Mod No. 1 to SP No. 3, Map 218R; Mod No. 1 to SP No. 3, Map 219) to reallocate single-family detached and single-family/multi-family attached residential units from Sub Areas 4 and 5a to Sub Area 6a; reallocate commercial square footage from Sub Area 6a to Sub Areas 4 and 5a; and reallocate industrial square footage from Sub Area 6a to Sub Areas 6b-6e, updates to figures and zoning references, and other minor text edits consistent with the proposed amendment to the Grapevine Specific and Community Plan.

Implementation of this request will not expand the previously approved project boundaries or expand the previously approved number of authorized residences or development within the Specific and Special Plan.

APPLICANT: Tejon Ranchcorp (PP26405)

PROJECT SIZE: Approximately 8,093 acres

LOCATION: Approximately 13 miles south of Bakersfield, east and west of Interstate 5 at the Laval and Grapevine interchanges, within unincorporated Kern County.

SURROUNDING LAND USE/ZONING/GENERAL PLAN DESIGNATION: North – Tejon Industrial Complex West Development and the Tejon Industrial Complex East Specific Plan (Tejon Ranch Commerce Center), Agricultural and Undeveloped land/AE (Exclusive Agriculture), GI (General Industrial), M-1 PD (Light Industrial - Precise Development Combining), M-2 PD (Medium Industrial - Precise Development Combining), C-2 PD (General Commercial – Precise Development Plan)/ 8.1 (Intensive Agriculture), 8.3 (Extensive Agriculture), 8.4 (Mineral and Petroleum), and 7.2 (Service Industrial); East – Pastoria Energy Facility, Griffith Sand and Gravel mine, Edmonston Pumping Plant, Agricultural and Undeveloped grazing land/ AE (Exclusive Agriculture)/ 8.3 (Extensive Agriculture), 2.5 (Flood Hazard), 8.1 (Intensive Agriculture); 1.1 (State and Federal Land), and 8.4 (Mineral and Petroleum); South – Tehachapi and San Emigdio Mountains, Tejon Mountain Village Specific Plan, Undeveloped lands/ AE (Exclusive Agriculture)/ 8.3 (Extensive Agriculture), 2.2 (Landslide), and 2.4 (Steep Slope); West – Wind Wolves Preserve conservation area, San Emidio Specific Plan, Agricultural and undeveloped grazing lands/ AE (Exclusive Agriculture, C-2 (General Commercial)/ 8.3 (Extensive Agriculture), 2.5 (Flood Hazard), 5.3 (Residential - Maximum 10 Units/Net Acre); and 5.2 (Residential - Maximum 16 Units/Net Acre)

PROJECT ANALYSIS: The project before your Board is a modification to the previously approved Grapevine Specific and Community Plan (2019) by Tejon Ranchcorp, referred to in this staff report as the “approved project”. The original project was approved, and an Environmental Impact Report (State Clearinghouse No. 2014041005) was certified by your Board on December 10, 2019, (Resolutions 2019-368 through 2019-372, Ordinance G-8870 through Ordinance G-8872). The project proponent is requesting modifications to the previously approved Grapevine Specific and Community Plan and Grapevine Special Plan, referred to in this staff report as the “proposed modified project” or “proposed project modification”.

The project is located south of Interstate 5 (I-5) and State Route (SR) 99 junction, approximately 13 miles south of Bakersfield, eight (8) miles north of the Kern/Los Angeles County line. The area is generally bounded by the Tehachapi and San Emigdio Mountains and Tejon Ranch conservation lands immediately to the south, east and west; the Tejon Ranch Tecuya Creek Conservation Easement and the Wind Wolves Preserve are located west of the site; and the Tejon Ranch Commerce Center (TRCC) is located directly north. The California Aqueduct traverses the project site near the northern boundary. I-5 bisects the project from north to south and the Edmonston Pumping Plant Road bisects the project site from east to west. See attached *Vicinity Map*.

The approved project and the proposed modified project are further described below.

Approved Project – Grapevine Specific and Community Plan EIR (2019)

On December 10, 2019, the Kern County Board of Supervisors adopted the Grapevine Specific and Community Plan and certified the Supplemental Recirculated Environmental Impact Report (EIR), State Clearinghouse No. 2014041005.

The Grapevine Specific and Community Plan permitted the 8,093-acre development proposal located within the 270,000-acre Tejon Ranch. The approved project allows the development of a new residential community and employment center that would extend the range of economic development opportunities that currently exist in Tejon Ranch Commerce Center (TRCC) and would provide options for housing and services for the existing employees of both the project site and the adjacent TRCC. The project would be designed as a series of village centers, each composed of a mix of neighborhood-serving retail and office uses, schools, parks and community services. Outside the village centers, the project would include a mix of lower-density single-family and multi-family residential, office, research and development, retail, and light

industrial/warehouse uses. Additional service industrial uses would be located in the northern portion of the project site.

The approved project entitlements allow for the following:

Table 1. Project Statistics

Total Project Impact Area	Total Specific Plan Boundary	Residential Units	Commercial/Light Industrial	Proposed Parks & Schools	Proposed Open Space
8,093 acres	8,010 acres	From 12,000 to 14,000 dwelling units*	Up to a maximum of 5,100,000 square feet	157 acres schools; 96-112 acres parks	3,367 acres
*The Specific Plan includes a Land Use Exchange Mechanism that would provide an additional 2,000 dwelling units with an equivalent reduction in commercial/industrial development. The reduction of commercial/industrial square footage would be based on vehicle trip equivalency ratios as follows: • Retail: 225 square feet= one (1) single-family dwelling unit; 155 square feet= one (1) multi-family dwelling unit • Office/Research and Development: 865 square feet= one (1) single-family dwelling unit; 600 square feet= one (1) multifamily dwelling unit • Industrial/Warehouse: 2,675 square feet= one (1) single-family dwelling unit; 1,865 square feet= one (1) multifamily dwelling unit					

Development Caps and Development Maximums by Plan Area

Given the projected 19-year buildout period for development of the project and the potential for market conditions to change throughout that period, the Grapevine Specific and Community Plan (2019) incorporates flexibility in its districts and in the final layout of neighborhood development areas. Such flexibility would allow final development siting to be determined, as conditions change over time, within a framework that would ensure that the overall Specific and Community Plan (2019) goals are achieved.

To facilitate future development, the project site has been separated into six (6) planning areas identified as Plan Areas 1, 2, 3, 4, 5a, 5b, 6a, 6b, 6c, 6d, and 6e (Specific Plan Exhibit 2-1, Special Plan Districts, and Special Plan Figures 1-5 through 1-12, Sub Area).

The Combined Plan establishes the Grapevine Development Maximums, which provide maximum residential units and commercial/industrial area permitted to be developed in each Sub Area, consistent with the Specific Plan goals for flexibility in future allocation of land use. The number of residential units and the amount of commercial/industrial area that would actually be developed in any one sub area would be specified at the tentative map stage, falling within the development maximums for the relevant land use and subject to the overall development cap. This two-tiered regulatory structure—project-wide development caps paired with Sub Area development maximums—is a deliberate design feature of the Specific Plan. The development maximums for each Sub Area are subject to the overall development caps. However, when the Sub Area development maximums are summed across all Sub Areas, the aggregate totals intentionally exceed the project-wide development caps. This is because the development maximums are not intended to be additive; rather, they represent the maximum envelope of development that could potentially occur in any individual Sub Area, taking into account the need for flexibility in the distribution of land uses across the Specific Plan area during the course of buildout.

The Grapevine Development Maximums by Plan Areas outlined in *Table 2, Grapevine Development Maximums by Plan Area* below, provides a projected range of residential units and commercial/industrial area to be developed in each Plan Area, consistent with the Grapevine Specific and Community Plan (2019) goals for flexibility in future allocation of land use. The number of residential units and the amount of commercial/industrial area that would be developed in any one (1) Plan Area would be specified at the tentative map stage, falling within the development range projections for the relevant land use and subject to the overall development cap.

TABLE 2. GRAPEVINE DEVELOPMENT MAXIMUMS BY PLAN AREA^{1,2}

Land Use	Area 1	Area 1	Area 3	Area 4	Area 5a	Area 5b	Area 6a	Area 6b	Areas 6c-6e
Residential Total (DU)	2,075	3,865	2,675	3,390	2,890	50	1,870	n/a	n/a
SFR-Detached (DU)	1,750	2,490	1,650	2,590	2,425	50	820	n/a	n/a
SFR/MFR-Attached (DU)	325	1,375	1,025	800	465	n/a	1,050	n/a	n/a
Commercial/Industrial Total (SF)	1,130,000	2,210,000	2,280,000	565,000	600,000	n/a	2,155,000	400,000	30,000-450,000
Retail (Gross Leasable Area/SF)	70,000	670,000	990,000	165,000	100,000	n/a	350,000	n/a	n/a
Office/R&D (Gross Floor Area/SF)	560,000	1,090,000	910,000	250,000	250,000	n/a	405,000	n/a	n/a
Industrial/Warehouse (Gross Floor Area/SF)	500,000	450,000	380,000	150,000	250,000	n/a	1,400,000	400,000	450,000
Planning Area Acreage	1040.9	939	1081.4	820.3	1630.7	974.7	620	321.7	580.7 ³

Notes:

DU= dwelling unit, SF= square feet

¹ The area to be dedicated and developed for elementary, middle, and high schools, parks, and institutional uses is not included in the numerical values presented.

² The development maximums for each Plan Area are subject to the overall development caps of 5,100,000 square feet of commercial/ industrial uses and 12,000 residential dwelling units plus the 2,000 additional units available if commercial/industrial square footage is reduced.

³ Planning Area 6c is 192.8 acres; Planning Area 6d is 194 acres; Planning Area 6e is 193.9 acres.

Proposed Modified Project

The proposed modified project would amend the text, tables and figures of the Grapevine Specific and Community Plan and Special Plan to reallocate development maximums within the six (6) Sub Areas of the Grapevine Specific and Community Plan, update the roadway network within Sub Area 6a, revise language to allow final road alignment deviations to be determined at the Tract Map stage and update figures, exhibits, and tables throughout the Grapevine Specific and Community Plan and the Grapevine Specific Plan to reflect the proposed changes.

Implementation of this request will not modify the previously approved specific plan boundaries or increase the previously approved number of authorized residences or development allowed by the Specific Plan.

Modified Project Proposal Characteristics:

As noted above, the required discretionary approvals for the proposed modified project include a Specific Plan Amendment and modifications to the Special Plan. The specific modifications generally apply to Chapter 2 - *Land Use, Conservation, Open Space, and Recreation* and Chapter 3, *Circulation and Infrastructure*, of the Specific Plan, as such the project proponent is requesting an amendment to the Special Plan as described below.

Land Use Development Maximum Reallocation Amendments

The project proponent is requesting modifications to the adopted Specific and Special Plans to reallocate single-family detached and single-family/multi-family attached residential units; reallocate commercial square footage; reallocate industrial square footage; and update figures and zoning references and other minor text edits consistent with the proposed amendment to the specific plan.

The development maximums previously approved and the new proposed modified project development maximums are shown below in *Table 3, Grapevine Development Maximums by Sub Area (Approved and Modified)*, and the proposed net changes in development maximums by Sub Area are shown below in *Table 4, Grapevine Development Maximums by Sub Area (Change Per Area)*.

Table 3. Grapevine Development Maximums By Sub Area (Approved And Modified)

Land Use	Area 1	Area 2	Area 3	Area 4	Area 5a	Area 5b	Area 6a	Areas 6b-6e
Residential Total (DU)	2,075	3,865	2,675	3,390 <u>3,140</u>	2,890 <u>2,510</u>	50	1,870 <u>2,500</u>	n/a
SFR-Detached (DU)	1,750	2,490	1,650	2,590 <u>1,929</u>	2,425 <u>1,806</u>	50	820 <u>2,100</u>	n/a
SFR/MFR-Attached (DU)	325	1,375	1,025	800 <u>1,211</u>	465 <u>704</u>	n/a	1,050 <u>400</u>	n/a
Commercial/Industrial Total (SF)	1,130,000	2,210,000	2,280,000	565,000 <u>727,300</u>	600,000 <u>737,700</u>	n/a	2,155,000 <u>0</u> 855,000	30,000-450,000 1,450,000
Retail (Gross Leasable Area/SF)	70,000	670,000	990,000	165,000 <u>227,300</u>	100,000 <u>137,700</u>	n/a	350,000 <u>250,000</u>	n/a
Office/R&D (Gross Floor Area/SF)	560,000	1,090,000	910,000	250,000 <u>350,000</u>	250,000 <u>350,000</u>	n/a	405,000 <u>205,000</u>	n/a
Industrial/Warehouse (Gross Floor Area/SF)	500,000	450,000	380,000	150,000	250,000	n/a	1,400,000 <u>400,000</u>	450,000 <u>1,450,000</u>
Planning Area Acreage	1040.9	939	1081.4	820.3	1630.7	974.7	620	902.4 ³

Notes: DU = dwelling unit, SF = square feet

A. The area to be dedicated and developed for elementary, middle, and high schools, parks, and institutional uses is not included in the numerical values presented.

B. Development maximums for each Plan Area are subject to overall caps of 5,100,000 SF of commercial/industrial uses and 12,000 residential dwelling units plus 2,000 additional units if commercial/industrial square footage is reduced.

The development maximums for Sub Areas 1, 2, 3 and 5b would not change under the modified project. The proposed changes to the development maximums would affect Sub Areas 4, 5a, and 6a and 6b-6e as described in Table 4 below.

Table 4: Grapevine Development Maximums By Sub Area (Change Per Area)^{1,2}

Land Use	Area 1	Area 2	Area 3	Area 4	Area 5a	Area 5b	Area 6a	Area 6b-6e
Residential Total (DU)	0	0	0	-250	-380	0	630	0
SFR-Detached (DU)	0	0	0	-661	-619	0	1,280	0
SFR/MFR-Attached (DU)	0	0	0	411	239	0	-650	0
Commercial/Industrial Total (SF)	0	0	0	162,300	137,700	0	-1,300,000	1,000,000
Retail (Gross Leasable Area/SF)	0	0	0	62,300	37,700	0	-100,000	0
Office/R&D (Gross Floor Area/SF)	0	0	0	100,000	100,000	0	-200,000	0
Industrial/Warehouse (Gross Floor Area/SF)	0	0	0	0	0	0	-1,000,000	1,000,000
Planning Area Acreage	NA	NA	NA	NA	NA	NA	NA	NA
<i>Notes: DU = dwelling unit; SFR= single-family residential; MFR= multifamily residential; SF = square feet; R&D = research and development.</i> ¹ The area to be dedicated and developed for elementary, middle, and high schools, parks, and institutional uses is not included in the numerical values presented. ² The development maximums for each Sub Area are subject to the overall development caps of 5,100,000 square feet of commercial/ industrial uses and 12,000 residential dwelling units plus the 2,000 additional units available if commercial/industrial square footage is reduced.								

The modification would concentrate additional single-family detached housing in Sub Area 6a to improve near-term jobs-housing balance and internalize vehicle trips close to TRCC and I-5 and would retain the overall jobs-housing balance and internalized vehicle trips under full project buildout. At the same time, Sub Area 6a's permitted commercial/industrial development maximum would decrease by 1,300,000 square feet—from 2,155,000 to 855,000—reflecting a reduction of 100,000 square feet of retail (from 350,000 to 250,000), 200,000 square feet of office/R&D (from 405,000 to 205,000), and 1,000,000 square feet of industrial/warehouse (from 1,400,000 to 400,000).

In summary, the modified project would relocate permitted development capacity among Sub Areas but would not change the project-wide development caps. The general net effect of the relocation is to permit additional residential capacity in Sub Area 6a while shifting commercial and industrial capacity to Sub Areas 4, 5a, and 6b through 6e. Consistent with the adopted Specific Plan approach, the Sub Area envelope totals provide flexibility for phasing and market response; however, overall development caps govern ultimate buildout across all Sub Areas.

To implement this component, Chapter 2, *Land Use, Conservation, Open Space, and Recreation*, of the Specific Plan would be modified to revise Table 2-3, Grapevine Development Maximums by Sub Area (page 2-8), to reflect the updated development maximums. Section 1, *Project Overview*,

of the Special Plan would be modified to revise Table 1-1, *Grapevine Development Maximums by Sub Area* (page 1-6), and in Section 3, *Development Standards*, to revise Table 3-3, *Grapevine Development Maximums by Sub Area* (page 3-6).

Circulation and Infrastructure Amendments

The modified project would update the framework circulation in Sub Area 6a from a grid to a loop pattern to better serve the amended residential development in Sub Area 6a. Special Plan Figure 1-3 and 1-4; Special Plan Figure 1-11; Specific Plan Exhibit 2-2; Specific Plan Exhibit 3-1; and Specific Plan Figure 2-1 would be updated to reflect the amended roadway network.

Specific Plan Figure 2-1; Specific Plan Exhibit 2-2; Specific Plan Exhibit 3-1; Specific Plan Figure 1-3 through 1-12 in the Combined Plan include a note stating that “Final Road Alignments May Shift By No More Than 300 Feet In Any Direction.” The modified project would update the notes set forth on the following Specific Plan and Special Plan exhibits and figures as necessary to conform to the proposed revisions to the Combined Plan’s internal circulation policy. No changes to the adopted roadway design standards are proposed.

The modified project would revise text to read as follows (text additions shown in underline and deletions shown in ~~strike through~~):

Specific Plan Section 3.2, Circulation Plan Concept, page 3-2:

The circulation plan also establishes connections to adjacent existing and proposed streets, trails, and land uses. Exhibit 3-1, Circulation Plan, identifies the functional hierarchy and location of transportation facilities. Final internal roadway alignments will be determined at the tentative tract map stage but will substantially conform to those illustrated on Exhibit 3-1, provided that the ultimate roadway alignments may shift from those shown on Exhibit 3-1 by no more than 300 feet in any direction within the Exclusive Agricultural (EA) and Open Area (OA) base zoning districts.

Specific Plan Section 3.2.1.2, Internal Street Network, page 3-4:

Internal street classifications are set forth in Exhibit 3-1, Circulation Plan. Final internal roadway alignments will be determined at the tentative tract map stage but will substantially conform to those illustrated on Exhibit 3-1, provided that the ultimate roadway alignments may shift from those shown on Exhibit 3-1 by no more than 300 feet in any direction within the Exclusive Agricultural (EA) and Open Area (OA) base zoning districts.

Special Plan Section 3.5, Circulation Standards, page 3-11:

a. Circulation Plan. The backbone circulation system envisioned for Grapevine is shown in Figure 1-4, Circulation Plan. More detailed local street network within the overall circulation framework will be designed in subsequent subdivision and tract maps but will substantially conform to those illustrated in Figure 1-4. Final road alignments may shift by no more than 300 feet in any direction within the Exclusive Agricultural (EA) and Open Area (OA) base zoning districts.

Other Proposed Minor Amendments

The following minor amendment would be made to the Special Plan:

- **Special Plan, Section 2, Districts and Permitted Uses, Table 2-2, page 2-6.** The row containing “Triplex” was unnecessarily duplicated. The duplicate row would be struck out.

The following Specific Plan figure would be revised to remove the label in the legend and on the graphic for both Williamson Act Status: Non-Renewal Filed 2014 and Non-Renewal Filed 2016 because both of these Williamson Act contracts have expired and are no longer in effect:

- Specific Plan Figure 2-1, Special Planning Districts, page 2-17

The following Special Plan figures would be revised to remove the label in the legend and on the graphic for both Williamson Act Status: Non-Renewal Filed 2014 and Non-Renewal Filed 2016 because both of these Williamson Act contracts have expired:

- Special Plan Figure 1-3, Special Plan District Map, page 1-11
- Special Plan Figure 1-5, Sub Area 1 Districts, page 1-15
- Special Plan Figure 1-7, Sub Area 3 Districts, page 1-19
- Special Plan Figure 1-8, Sub Area 4 Districts, page 1-21
- Special Plan Figure 1-9, Sub Area 5a Districts, page 1-23
- Special Plan Figure 1-10, Sub Area 5b Districts, page 1-25
- Special Plan Figure 1-11, Sub Area 6a Districts, page 1-27
- Special Plan Figure 1-12, Sub Area 6b, c, d, & e Districts, page 1-29

Addendum Environmental Impact Report (EIR)

An addendum to the previously certified SREIR for the Grapevine Specific and Community Plan (State Clearinghouse No. 2014041005) was prepared for the proposed modified project in accordance with CEQA Guidelines. As required by CEQA, the Addendum includes appropriate review, analysis, and mitigation measures for the environmental impacts associated with the required discretionary approvals needed for the project. This Addendum to the SREIR could be utilized by other permitting agencies in their capacity as Responsible and Trustee agencies under CEQA. A copy of this Addendum to the SREIR may be accessed at the Department's website at: <https://kernplanning.com/environmental-doc/grapevine-specific-community-plan-2019/>

CEQA Section 15164(a) states, the Lead Agency or a Responsible Agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

According to CEQA Section 15162, a subsequent EIR shall be prepared if any one or more of the following has occurred:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 - (a) The project will have new significant effects not discussed in the previous EIR;
 - (b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

- (c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The content and organization of the Addendum to the SREIR prepared for this project is designed to meet the CEQA requirements listed above and includes the following sections:

- **Chapter 1 - Introduction and Overview:** Describes the background of the proposed modified project; explains the rationale for preparing an Addendum to the SREIR as the appropriate form of environmental review pursuant to CEQA; and explains the purpose, scope, and content of the Addendum.
- **Chapter 2 - Modified Project Description:** Describes the location and details of the proposed modified project.
- **Chapter 3 - Environmental Analysis:** Evaluates whether the proposed modifications to the approved project would result in new or substantially more severe significant environmental impacts compared with the impacts disclosed in the certified EIR.
- **Chapter 4 - List of Preparers:** Lists the individuals involved in preparing the Addendum.
- **Chapter 5 - References:** Lists the documents and individuals consulted during preparation of the Addendum.

The previously certified Grapevine Specific and Community Plan SREIR and Addendum could be utilized by other permitting agencies in their capacity as Responsible and Trustee agencies under CEQA. The following environmental impacts were identified in the certified Final SREIR and the proposed modified project Addendum:

Addendum Scope of Environmental Review

The Addendum evaluated the potential for the proposed modified project to result in new or substantially more severe significant impacts compared to the impacts disclosed in the SREIR prepared for the approved project. The environmental analysis provided below describes the information that was considered in evaluating the questions contained in the Kern County California Environmental Quality Act (CEQA) Checklist. The information used in this evaluation includes the previously certified SREIR, the proposed modified project description, new technical studies, literature reviews, and field reconnaissance.

The proposed modifications to the Grapevine Specific and Community Plan are similar to the previously approved project and would not result in an expansion of the disturbance area analyzed in the certified SREIR, nor would it result in an increase to the development caps analyzed in the certified SREIR. The modified project would incorporate and implement all mitigation measures identified in the certified Grapevine Specific and Community Plan SREIR.

The Grapevine Specific and Community Plan Certified SREIR established that, with mitigation incorporated, the approved project would result in less than significant impacts related to the following environmental impact areas:

- Cultural Resources (Project and Cumulative);
- Geology and Soils (Project and Cumulative);
- Hazards and Hazardous Materials (Project and Cumulative);
- Hydrology and Water Quality (Project and Cumulative);
- Land Use and Planning (Project and Cumulative);
- Mineral Resources (Project and Cumulative);
- Public Services (Project and Cumulative);
- Recreation (Project and Cumulative);
- Transportation and Traffic (Project); and
- Utilities and Service Systems (Project and Cumulative).

The Grapevine Specific and Community Plan Certified SREIR established that the approved project would result in significant and unavoidable impacts with regard to the following environmental impact areas:

- Aesthetics (Project and Cumulative) - Significant project-level and cumulative impacts as a result of changes to visual character of the site and its surroundings;
- Agriculture and Forestry Resources (Project and Cumulative) – Significant project-level and cumulative impacts as a result of permanent conversion of agricultural land to nonagricultural uses.
- Air Quality (Project and Cumulative) - Significant project-level and cumulative impacts as a result of construction-period air pollution;
- Biological Resources (Project and Cumulative) – Significant project-level and cumulative impacts as a result of reduction or loss of habitat;
- Greenhouse Gas Emissions (Project and Cumulative) – Significant project-level and cumulative impacts as a result of construction and operation GHG emissions;
- Noise (Project and Cumulative) – Significant project-level and cumulative impacts as a result of new sources of noise and groundborne vibrations during construction and operation of the project;
- Population and Housing (Project and Cumulative) – Significant project-level and cumulative impacts as a result of direct and indirect population growth; and
- Transportation and Traffic (Cumulative) – Significant cumulative impacts as a result of excess population and housing growth in relation to Kern County’s projected population and housing growth.

All other topic areas were determined to result in no impact or a less than significant impact.

The Addendum addresses changes resulting from implementation of the proposed modified project on each of the environmental resource areas previously analyzed in the Final Certified SREIR. The addendum to the SREIR concludes that the same impacts and significance remain true with the proposed modifications.

The final EIR contains 149 mitigation measures to reduce significant impacts from the project, and an updated Mitigation Measure Monitoring Program (Exhibit A) has been attached to this staff report for your review. The total number of mitigation measures will remain the same, but Mitigation Measure MM 4.4-3, Environmental Awareness Training and Compliance Worker Environmental Awareness Program; MM 4.4-4, Pre-Construction Surveys and Avoidance, Minimization and Mitigation Measures for Special Status Species; MM 4.4-8, Conservation Education and Awareness Program; and MM 4.9-7 Landscape Plan will be revised to include specific measures for Crotch's Bumble Bee (CBB) and monarch butterfly due to their subsequent listing as a candidate species and their potential to become listed threatened or endangered species in the foreseeable future.

The "new information" trigger under CEQA Guidelines Section 15162(a)(3) applies only where the information is not only of substantial importance but also "was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete." California courts applying Public Resources Code Section 21166 and CEQA Guidelines Section 15162 have consistently held that information already known, or that should have been known through reasonable diligence, at the time of the original environmental document does not constitute "new information" simply because it is later confirmed, formalized, or subject to a new regulatory designation. In *Concerned Dublin Citizens v. City of Dublin*, 214 Cal.App.4th 1301 (2013), the Court of Appeal held that "the adoption of guidelines for analyzing and evaluating the significance of data does not constitute new information if the underlying information was otherwise known or should have been known at the time the EIR was certified," and on that basis upheld the lead agency's determination that new regulatory greenhouse gas (GHG) thresholds did not require a supplemental EIR because information on GHG impacts was known at the time of original certification. Similarly, in *Olen Properties Corp. v. City of Newport Beach*, 93 Cal.App.5th 270 (2023), the Court of Appeal confirmed that "subsequent changes to the [CEQA] guidelines are not '[n]ew information' triggering [Public Resources Code] section 21166, subdivision (c), so long as the underlying environmental issue was understood at the time of the initial EIR." This principle applies with equal force where new regulatory designations, updated hazard maps, or formal species listings are later adopted with respect to conditions or risks that were already known, or reasonably should have been known, at the time the certified EIR was approved; a subsequent regulatory recharacterization of previously known conditions does not, standing alone, constitute new information of substantial importance requiring supplemental environmental review.

It should be noted that neither CEQA Guidelines Section 15162(a)(3)(A) (significant effects not discussed in the previous EIR) nor Section 15162(a)(3)(B) (effects substantially more severe than shown in the previous EIR) is triggered by the proposed modification of mitigation measures. Moreover, the project proponent is voluntarily adopting the species-specific protocols, so Section 15162(a)(3)(C) and (D), which apply only when the project proponent declines to adopt mitigation measures, are likewise inapplicable. None of the conditions described in Section 15162 calling for the preparation of a subsequent EIR has occurred.

The project proponent is proposing text additions to Mitigation Measure 4.4-3, item (a). The proposed changes are underlined below:

- Contractor staff to be trained on the identification of monarch and avoidance of direct and indirect impacts to butterflies resembling this species.
- Qualified biologists shall train any additional biological monitors needed. Training will cover the avoidance and minimization measures in the Monarch Avoidance Plan, as well as training to distinguish monarch from other common butterfly species known or expected to occur on-site.

- Contractor/construction staff to be trained on the identification of bumble bees and avoidance of direct and indirect impacts to bee species.

The project proponent is proposing the text additions to Mitigation Measure 4.4-4. The proposed changes are underlined below:

15. Monarch Butterfly

- a) Should the monarch be listed as Threatened or Endangered, and if take of monarch could occur with project implementation, an incidental take permit may be necessary prior to the start of project construction activities. If an incidental take permit is issued for monarch, that document shall supersede any inconsistent measures provided for the species in these mitigation measures or County Conditions of Approval. If a final determination is made to decline listing the species, this measure shall not be required.
- b) Should the monarch be listed as Threatened or Endangered, a Monarch Impact Avoidance Plan shall be prepared to include the following:
 - i. Preparation of a habitat assessment prior to ground disturbance and/or vegetation removal that will identify, assess, and map the presence of milkweed plants, including stem counts and species to determine locations with potential for monarch breeding. Floral resources potentially used by monarch are similar to those utilized by CBB and other pollinator species and will be mapped using the Roadside Habitat for Monarchs Rapid Assessment Field Protocol and Datasheet or USFWS-approved protocol.
 - ii. Conducting pre-construction monarch breeding surveys within all known milkweed plant populations identified in subsection i. above that are within the construction impact area and a 50-foot buffer within 14 days of ground-disturbance activities. that the surveys will occur within the monarch breeding season (generally March through June in southern California) and will include searches for the presence of monarch eggs, larvae, and/or chrysalis. The surveys will be conducted by a qualified biologist and would be based on the 2024 Monarch Joint Venture methodology used by the Integrated Monarch Monitoring Program.
 - iii. Creation of a minimum 50-foot no-disturbance buffers around any observed breeding sites (i.e., milkweed with eggs, larvae, and/or chrysalis) and construction monitoring during the monarch breeding period to ensure active breeding sites are adequately avoided. The no-disturbance buffer will remain in place until a qualified biologist determines, through the ongoing monitoring of the buffered area, that monarch breeding activity is no longer occurring in association with the buffered milkweed plants or that ground-disturbing activities near the nest buffer have ended.
 - iv. Ongoing monitoring by a qualified biologist within all suitable monarch foraging habitat (blooming floral resources) during project ground-disturbance that will be conducted from March through August (breeding/foraging season in the project region). If a foraging monarch is observed within 50 feet of project activities that have the potential to impact the monarch, such activities will cease until a qualified biologist has determined that the monarch has left the affected area, for example, due to migration.

- v. Potential impacts resulting from the use of herbicides or pesticides by homeowners are generally not expected to occur, as all residential lots are set back from conserved open space. Impacts to monarch and suitable floral resources associated with herbicide and pesticide use in landscaped areas adjacent to open space areas would be avoided/minimized through best management practices in the application of herbicides and pesticides to include the following:
 - a. Applying herbicide as locally and directly as possible (cut-stem application, hand applications, spraying directly onto the target plant).
 - b. Applying pesticides with minimal applications, targeted to address the species of concern and in compliance with all federal and state laws.
 - c. Applying herbicides and pesticides at times when insect pollinators are less active (e.g., after sunset or during cold temperatures) and/or when insect pollinators are absent or not observed in area.

While no monarch overwintering sites have been identified to date as occurring on Tejon Ranch, any work that will occur adjacent to large, protected stands of trees that have potential to impact overwintering habitat will avoid disturbance to trees during the overwintering period (generally October to March) and will avoid removing vegetation of any kind within 100 feet of potential overwintering habitat to preserve the microclimate of overwintering groves potentially used by monarch.

The Monarch Impact Avoidance Plan will be reviewed and approved by the appropriate regulatory agency prior to the start of project construction activities.

16. Crotch's Bumble Bee

- a) Based on the known presence of suitable foraging and nesting Crotch's bumble bee (CBB) habitat within the Grapevine Specific Plan Area, the project applicant shall ensure that pre-construction presence/absence protocol surveys for individual foraging CBB and active CBB nests are conducted within suitable habitat by a qualified biologist within one year prior to vegetation removal and/or ground-disturbing activities. Per CDFW's 2023 *Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species*, these surveys shall be conducted within the CAP with the goal of confirming if nectar resources are present.
 - i. If no foraging CBB or active CBB nests are observed during the protocol surveys, ground-disturbing activities may proceed within suitable CBB habitat at any time, including during the CAP, provided that a qualified biologist is on site to monitor all such activities.
 - ii. If individual foraging CBB and/or CBB active nests are detected within any of the proposed ground-disturbance areas during the pre-construction surveys, applicant shall not commence ground disturbance activities within suitable CBB habitat during the CAP unless a CBB Avoidance Plan has been prepared and approved in writing by CDFW. The CBB Avoidance Plan shall include the following take avoidance/minimization measures:
 - a. Pre-disturbance surveys shall be conducted by a qualified biologist immediately preceding all ground-disturbing activities within suitable CBB

habitat. Such surveys shall follow the methodology outlined by CDFW in 2023.

- b. Ongoing monitoring by a qualified biologist will be conducted within all suitable CBB foraging and nesting habitat subject to ground-disturbing activities within and during the CAP to ensure avoidance of CBB individuals or active nests.
 - c. If an active CBB nest is detected during the pre-disturbance surveys or during monitoring activities, a 50-foot no disturbance buffer shall be established around the active nest with the buffer to remain in place until the end of the CAP or until a qualified biologist otherwise determines that the nest is inactive or that ground-disturbing activities near the nest buffer have ended.
 - d. If a foraging CBB is observed during pre-disturbance surveys or during disturbance monitoring, project activities that have the potential to impact the CBB will cease until a qualified biologist has determined that the CBB has left the affected area.
- b) Impacts to CBB resulting from human access into conserved open space will be avoided through the following project design features:
- i. permanent fencing will be installed around biological open space areas where it abuts existing or proposed development.
 - ii. signs prohibiting access will be posted along the perimeters of biological open space, including along areas where fencing is not installed.
- c) Ground-disturbing activities in previously undisturbed areas supporting suitable nesting and/or foraging habitat shall not continue past January 31 of the following year unless and until new presence/absence surveys are first conducted in areas not previously disturbed.
- d) Potential impacts resulting from the use of herbicides or pesticides by homeowners are generally not expected to occur, as all residential lots are set back from conserved open space. Impacts to CBB and suitable floral resources associated with herbicide and pesticide use in landscaped areas adjacent to open space areas would be avoided/minimized through best management practices in the application of herbicides and pesticides including the following:
- i. applying herbicide as locally and directly as possible (cut-stem application, hand applications, spraying directly onto the target plant).
 - ii. applying pesticides with minimal applications, targeted to address the species of concern, and in compliance with all federal and state laws.
 - iii. applying herbicides and pesticides at times when insect pollinators are less active (e.g., after sunset or during cold temperatures) and/or when insect pollinators are absent or not observed in the area.
- e) Immediately prior to the initiation of project-related ground-disturbing activities, and as required by the certified EIR, a Worker Environmental Awareness Program (WEAP) will be presented by a qualified biologist to all construction workers at

the project site. While the WEAP presentation is expected to include information on a variety of special-status species potentially occurring within the project development envelope, it shall also include the following regarding CBB:

- i. Information on the species' state regulatory protection status.
- ii. Identification of CBB.
- iii. Requirements and characteristics associated with foraging, nesting, and overwintering habitat.
- iv. Measures to protect any observed foraging bees and active bee nests.

The project proponent is proposing text additions to Mitigation Measure 4.4-8. The proposed changes are underlined below:

11) Prohibitions on the capture or harm to native butterflies.

12) Prohibitions on the capture or harm to native bumble bees.

The project proponent is proposing the text additions to Mitigation Measure 4.9-7. The proposed changes are underlined below:

Native seed mixes will be developed to be used throughout the Project for landscaping or restoration of temporary disturbances and will contain a diverse assemblage of native wildflowers, including milkweed, as appropriate. Seed mixes will be used as follows:

- Apply native seed mixes in bare soil areas, including those recently cleared, graded, or disturbed.
- Landscape facilities with native flowering plants that act as nectar resources providing nectar producing plants throughout the monarch flight period.
- Implement enhancement projects that increase the habitat available for foraging, nesting, breeding/migration, and overwintering, as appropriate.
- Seed mixes shall be free of invasive or aggressive non-native species that inhibit species diversity when established.
- Seed mixes and plugs should not be treated with systemic insecticides.
- Determine applicability of seeding and planting based on seasonality, frequency, location, and timing for implementation based on CDFW/USFWS/Xerces guidance.

Additionally, the project proponent is making a minor change to Mitigation Measure 4.8-21 to add the phrase “and Very High” to item a to ensure that the areas in Very High Fire Hazard Severity Zone are addressed. This is due to updated Fire Hazard Severity maps updated by the State Fire Marshal that increased the acreage within the State Responsibility Area portion of the project site from zero acres in 2015 to approximately 1,835.88 in 2026.

Findings and Mitigation Measure Monitoring Program (Exhibits A, B and C)

The footprint of the proposed modified project is the same as that of the certified EIR and no new findings were identified. As a result, a new Findings of Fact pursuant to Section 15091 of the CEQA Guidelines or Statement of Overriding Consideration, in compliance with State CEQA Guidelines

Section 15093, are not required to be adopted as the previously adopted Findings of Fact and Statement of Overriding Consideration continue to be valid.

The proposed modified project is an addendum and under Section 15164 rather than a subsequent or supplemental EIR, no new findings under Public Resources Code Section 21081 are required. (See *River Valley Preservation Project v. Metropolitan Transit Dev. Bd.* (1995) 37 Cal.App.4th 154, 168 [no new findings under PRC Section 21081 required when addendum prepared; change in mitigation measures does not trigger subsequent EIR absent showing of new significant impacts]; *Save Our Heritage Organisation v. City of San Diego* (2018) 28 Cal.App.5th 656, 677-678 [confirming that Section 15164 is a valid regulation and that no Section 21081 findings are required for an addendum].)

The findings and Statement of Overriding Considerations previously adopted in connection with the 2019 approvals (including those set forth in Exhibit “A” and Exhibit “B” to Resolution No. 2019-370) remain applicable and are not modified, superseded, or rendered inadequate by the modified project. The significant and unavoidable impacts identified in the certified EIR remain unchanged, and the benefits of the project that were found to outweigh those impacts in the 2019 Statement of Overriding Considerations continue to apply.

The proposed modified project identifies certain modifications to mitigation measures in the previously adopted MMMP, including but not limited to: (a) modifications to biological resources mitigation measures to incorporate species-specific survey and avoidance protocols for crotch bumble bee (*Bombus crotchii*) and monarch butterfly (*Danaus plexippus*); (b) revisions to fire hazard Mitigation Measure 4.8-21 to update fire protection standards; and (c) modifications to Mitigation Measure 4.9-7 regarding native seed mix requirements. These modifications maintain or strengthen the effectiveness of the original mitigation measures and do not result in any new significant impacts or any substantial increase in the severity of previously identified significant impacts.

The updated MMMP identifies each mitigation measure as modified, the responsible parties for implementation and monitoring, the timing and frequency of monitoring, and the criteria for compliance. The updated MMMP has been attached as Exhibit A of the staff report and shows all modifications to the previously adopted MMMP in strikethrough and underline text, allowing direct comparison to the prior MMMP.

Senate Bill 18 Consultation

In accordance with Senate Bill (SB) 18 and the California Tribal Consultation guidelines, the appropriate native groups were consulted with respect to the project’s potential impacts on Native American places, features, and objects. The County sent consultation notifications to applicable Native American tribes in accordance with SB 18 on March 30, 2026, regarding the proposed modified project. Tribal consultation period ended on Monday, June 29, 2026. A response was received from Curtis Alcantar, Cultural Resource Manager of the Tejon Indian Tribe, on April 7, 2026, requesting information regarding the use of tribal monitors when the community plan was written and asking to be consulted on all matters related to the project. The County verified that a Tejon tribal monitor was involved at the time of the certified EIR and also shared the certified EIR mitigation measures. A Tribal Consultation meeting was scheduled with Curtis Alcantar, Tribal Historic Preservation Officer and Natural Resources Manager for the Tejon Indian Tribe on July 13, 2026, to address further concerns or questions regarding the proposed modified project. The Tejon Indian Tribe confirmed that receipt of previously certified SREIR materials and had no concerns with the proposed modifications. On June 26, 2026, the Santa Ynez Band of Chumash Indians responded to the County outreach requesting to be included in the addendum

review process. The County reached out on Wednesday, July 1, 2026, to set up a tribal consultation meeting and shared the proposed modifications to the project. The County did not receive a response and followed up on July 13, 2026. At this time, the County has not received a response. No further information or consultation was requested.

Public Comments Received

During the course of processing this request, Staff has notified all affected agencies, County departments, and property owners within 1,000 feet of the project area. As of this writing, five (5) comment letters have been received in response to the notification process. Copies of all letters have been provided for your Board's review.

- (1) **Kern County Fire Department** has reviewed the proposed modified project and has shared that all new construction within the project site is subject to the California Fire Code, and a detailed review of the project will be completed by KCFD when building permits are obtained.
- (2) **Kern County Public Works** has reviewed the proposed modified project and the following were received:
 - (a) Development Review Division has reviewed the proposed modified project and supports the amendment and modifications.
 - (b) Floodplain Management and CSA Division have reviewed the modified project and have no comment.
 - (c) The Sewer and Water Division has reviewed the modified project and commented that the applicant should contact the appropriate water and sewer districts to determine adequate capacity to accommodate requested changes. Adequate water and sewer capacity was established with the certified EIR. Development maximum caps remain the same as those of the certified EIR.
- (3) **California Department of Conservation – Geologic Energy Management Division (CalGEM)** has reviewed the proposed modified project and provided a comment letter regarding standards for plugged and abandoned wells and provided a list of wells located near or within the project area.
- (4) **Kern County Superintendent of Schools** has reviewed the proposed modified project and determined the project will not have a significant impact on district facilities so long as statutory fees are collected as required.
- (5) **California Department of Transportation (Caltrans)** has reviewed the proposed modified project and has no further comments as the transportation mitigation measures include requirements for project-level impact studies and continued coordination with Caltrans.

Copies of all correspondence have been provided as an attachment to the staff report.

Planning and Natural Resources Department's Conclusions and Recommendation

CEQA Environmental Analysis. Staff has reviewed the project with regard to environmental concerns, and it is Staff's opinion that the Addendum to the SREIR prepared for the request has concluded there are no new potential impacts that were not covered in the previously certified Final SREIR. It is Staff's opinion that the Addendum to the SREIR prepared for this project is a comprehensive document with the best information available at this time which details the environmental effects of the project on surrounding land use. The Addendum has shown that the

project does not include any substantial changes in the project that will result in new significant and unavoidable impacts, and the project does not include any significant new information that was not considered in the previously certified EIR. Therefore, pursuant to CEQA Section 15162, a subsequent EIR is not required.

Affirmatively Furthering Fair Housing Analysis. The goal of Affirmatively Furthering Fair Housing is to combat housing discrimination, eliminate racial bias, undo historic patterns of segregation, and lift barriers that restrict access in order to foster inclusive communities and achieve racial equity, fair housing choice, and opportunity for all Californians.

Based on Staff's review of California Assembly Bill 686 and the Kern County Housing Element regulations, and in alignment with the County's goals to Affirmatively Further Fair Housing, Staff finds that the proposed modified project is suitable for advancing housing objectives. The housing goal of the adopted County of Kern 2024-2031 Housing Element Update (May 2025) for unincorporated portions of Kern County is 9,243 units between 2024 through 2031. The needs allocation in the Housing Element is based on income categories. Per the adopted housing element, a total of 4,852 housing units are required for the above moderate-income category (\$96,350 annually for a household of 4). The Housing Element further identifies a need for 1,853 housing units for the moderate-income category; 987 housing units for the low-income category; and 1,551 housing units for the very low-income category.

The Specific Plan is divided into six Sub Areas, and each Sub Area includes Special Plan district designations. Sub Area boundaries are based on natural and human-made features, such as changes in topography, creeks and drainages, and major roadways. Sub Areas 1 through 6a are designed as a series of conveniently located villages, each with a unique vision based on the existing characteristics and surroundings. The Special Plan districts would aid in guiding development toward the goals of each Sub Area. Each village would contain a village center comprised of high-density housing opportunities and a mix of neighborhood-serving retail and office uses, schools, parks, and community services

The proposed modified project would develop 12,000 to 14,000 new dwelling units of single-family and multi-family residential and 5,100,000 square feet of commercial uses, resulting in an estimated population increase of approximately 38,400 to 44,800 residents at full buildout. This represents a substantial increase over existing conditions and aligns with the approved project's objective of creating a sustainable, mixed-use community adjacent to the TRCC.

In the context of Kern County's population expansion, the approved project would accommodate a substantial share of Kern County's anticipated growth and help meet housing needs. Table 117 of the Kern County General Plan Housing Element further highlights over 2,000 new residential units planned for the first phase of the Grapevine Specific and Community Plan. The Housing Element assumes that the first phase of 2,000 residential units will commence and be completed within the 6th Housing Cycle, Regional Housing Needs Assessment planning period. The modified project would result in an increased contribution of new residential units within the 6th Housing Cycle planning period.

In addition to housing, the approved project would generate significant employment through its commercial and industrial uses, supporting approximately 8,720 on-site jobs. When combined with the adjacent TRCC—which is projected to employ nearly 15,000 workers at buildout—the approved project would help establish a major south Kern County employment center.

For the reasons listed above, Staff believes the proposed modified project is suitably sited within a location that supports the State's and County's housing goals. The housing options, access to

community services, and nearby employment contribute to lifting barriers that have previously limited access to opportunities for some communities.

Consistency with the Kern County General Plan/Grapevine Specific and Community Plan

The certified EIR concluded that the Grapevine Specific and Community Plan was consistent with the Kern County General Plan. The Addendum to the SREIR prepared for the proposed modified project concluded that there are no new potential impacts that were not covered in the previously certified EIR. The Addendum has shown the project does not include any substantial changes in the project that will result in new significant and unavoidable impacts, and the project does not include any significant new information that was not considered in the previously certified final EIR.

The proposed modifications are consistent with the adopted Grapevine Specific and Community Plan. The footprint of the project remains the same, and no significant changes are being proposed. All development is still subject to County review prior to issuance of any permits to ensure continued consistency.

General Plan Safety Element

The proposed modified project would continue to implement the policies of the Safety Element in regard to hazardous areas and has been designed so that the proposed locations of land uses are situated to avoid safety constraints, such as earthquake faults and landslides.

Since the adoption of the Grapevine Specific and Community Plan, the State Fire Marshal updated Fire Hazard Severity Maps which resulted in an increase from zero to 1,835.88 acres of the Combined Plan's boundaries that are now under a Very High Fire Hazard Severity Zone. As a result, Mitigation Measure 4.8-21 will now include Very High Fire Hazard zone in the fuel modification area for owners of properties adjacent to wildland fuels.

General Plan Housing Element

As explained above, the proposed modified project would continue to implement the policies and goals of the Housing Element and contribute to the goals of affirmatively furthering fair housing for Californians.

Specific Plan Amendment

The project proponent is requesting an amendment to the Grapevine Specific and Community Plan to facilitate efficient buildout consistent with the previously approved project's development caps. The proposed modified project would revise development maximums permitted within Sub Areas 4, 5a, and 6a and 6b–6e and would make various modifications to the Combined Plan where needed to address outdated information and provide clarity on implementation policies and procedures. Modified project-wide development would remain subject to caps of 12,000 dwelling units (with up to 2,000 additional dwelling units available via the Land Use Exchange Mechanism) and 5,100,000 square feet of commercial/industrial uses. Additionally, the modified project would update the roadway network and revise text to allow final roadway alignments to be determined at the tract map stage except in the AE (Exclusive Agriculture) and OA (Open Area) districts.

Staff concludes that the modified project is not only consistent with the Kern County General Plan but continues to be consistent with the adopted goals and policies of the Grapevine Specific and Community Plan.

Modifications to the Special Plan

The Special Plan works in tandem with the Grapevine Specific Plan to implement the principles, goals, and policies established in adopted Grapevine Specific Plan. Each development is still subject to a review process through the County prior to issuance of any building permits to ensure that all conditions of the Special Plan have been met and that all aspects of the of this project are implemented as adopted.

The project proponent is requesting modifications to the Grapevine Special Plan to reallocate single-family detached and single-family/multi-family attached residential units from Sub Areas 4 and 5a to Sub Area 6a; reallocate commercial square footage from Sub Area 6a to Sub Areas 4 and 5a; and reallocate industrial square footage from Sub Area 6a to Sub Areas 6b-6e, updates to figures and zoning references, and other minor text edits consistent with the proposed amendment to the Grapevine Specific and Community Plan. Additionally, the modified project would update the roadway network and revise text to allow final roadway alignments to be determined at the tract map stage except in the AE (Exclusive Agriculture) and OA (Open Area) districts.

Staff concludes that the modifications to the Special Plan are not only consistent with the Kern County General Plan but continue to be consist with the adopted goals and policies of the Grapevine Specific and Community Plan.

Kern County Planning and Natural Resources Department Overall Recommendation

As noted above, the project meets the necessary findings for the requested proposals. An Addendum to the SREIR was prepared in accordance with the CEQA Guidelines which concluded that no substantial changes in the project were proposed; no new significant environmental effects or substantial increases in the severity of previously identified significant effects would occur; and no new information of substantial importance was discovered. The proposed modified project has undergone the appropriate review and analysis, and the appropriate mitigation measures have been applied. Therefore, Staff has determined the proposed modified project complies with CEQA Guidelines.

The Planning Commission recommends the Board of Supervisors adopt the Mitigation Measure Monitoring Program; approve amendments to the Grapevine Specific and Community Plan; and approve proposed modifications to the Grapevine Special Plan.

Planning Commission Hearing

The project was considered by the Planning Commission on the August 27, 2026, consent agenda. There being no one wishing to speak on the matter, the item remained on consent, and the Planning Commission adopted Resolutions No. 174-26 through 177-26 by a vote of four (4) to zero (0), with Commissioner Brooks absent; with a motion by Commissioner Ashley and seconded by Commissioner Dunbar. A copy of Resolutions 174-26 through 177-26 has been included as an attachment to this staff report. A video recording of this Planning Commission may be reviewed at: <https://www.youtube.com/watch?v=agB1r2aA6ho>

PUBLIC INQUIRY OR CORRESPONDENCE: Kern County Fire Department; Kern County Public Works Department; California Department of Conservation – Geologic Energy Management Division (CalGEM); Kern County Superintendent of Schools; California Department of Transportation (Caltrans)

CEQA ACTION: Addendum Environmental Impact Report (SCH #2014041005)

PLANNING COMMISSION RECOMMENDATION: Adopt Mitigation Measure Monitoring Program; adopt resolution and recommended findings approving amendment to the Grapevine Specific and Community Plan; adopt resolution and recommended findings approving modifications to the Grapevine Special Plan, subject to the recommended conditions of approval

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR SPECIFIC PLAN AMENDMENT NO. 163, MAP 500:

- (1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all the previous proceedings relating thereto.
- (2) The fee required by the California Department of Fish and Game Code Section 711.4 has been previously paid for the processing of the previously certified Environmental Impact Report for this project, and under Section 711.4(g), we find that the project is not tiered or phased as set forth in Sections 15385 and 15165, respectively, of the State CEQA Guidelines, and separate environmental documents or review by the Department of Fish and Wildlife is not required, and further, based on the public interpretation of these statutes by the Department of Fish and Wildlife staff, find this approval and related Notice of Determination exempt from the payment of the otherwise applicable fee.
- (3) The proposed Specific Plan Amendment is consistent Public Resources Code Section 21166 and CEQA Guidelines Section 15162(a), which limit the circumstances under which subsequent environmental review is required after an Environmental Impact Report has been certified. Specifically, Section 15162(a) provides that no subsequent or supplemental EIR shall be prepared for a project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that one or more of the following conditions has occurred:
 - (a) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial environmental effect or a substantial increase in the severity of previously identified significant effects.
 - (b) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 - (c) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 1. The project will have one or more significant effects not discussed in the previous EIR.
 2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

4. Mitigation or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
- (4) CEQA Guidelines Section 15164(1) provides that a lead agency shall prepare an addendum to a previously Certified EIR (State Clearinghouse No. 2014041005) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- (5) CEQA Guidelines Section 15164(d) provides that the decision-making body shall consider the addendum with the final EIR prior to making a decision on the project, and Section 15164(e) provides that a brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in the addendum, the findings, or elsewhere in the record, supported by substantial evidence.
- (6) On the basis of substantial evidence in the whole record, including but not limited to the Addendum to the SREIR, the certified SREIR, all documents incorporated by reference therein, and all testimony and evidence received at the public hearing, that none of the conditions set forth in CEQA Guidelines Section 15162(a) have occurred with respect to the modified project, for the reasons set forth:
 - (a) The modified project does not involve substantial changes to the project that will require major revisions to the certified SREIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The modified project does not alter the maximum development caps of 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses. The modified project does not change the project boundary or ground disturbance area. The modifications consist of updates to figures, exhibits, tables, roadway network details within Planning Area 6A, internal roadway network language, elimination of references to expired Williamson Act contracts, revisions to development maximums within certain Sub Areas, and typographical corrections. As documented in the Addendum to the SREIR, these changes do not result in any new significant environmental effects or substantially increase the severity of any previously identified significant effects.
 - (b) The modified project does not propose substantial changes have occurred with respect to the circumstances under which the modified project is being undertaken that will require major revisions to the certified SREIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The project setting, surrounding land uses, and environmental conditions remain substantially similar to those analyzed in the certified SREIR. As further documented in the Addendum to the SREIR, no changes in circumstances have occurred that would result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR.
 - (c) The modified project does not contain new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SREIR was certified, shows that the modified project will have one or more significant effects not discussed in the certified SREIR. As documented in the Addendum to the SREIR, all environmental effects of the modified project fall within the scope of the effects previously analyzed in the certified SREIR.

- (d) The modified project does not contain new information of substantial importance shows that significant effects previously examined in the certified SREIR will be substantially more severe as a result of the modified project. As documented in the Addendum to the SREIR, all significance determinations from the certified SREIR remain unchanged. No new significant impacts would occur as a result of approval of the modified project, nor would there be any substantial increase in the severity of any previously identified significant environmental impacts.
 - (e) The modified project does not contain new information of substantial importance shows that mitigation measures or alternatives previously found not to be feasible in the certified SREIR would in fact be feasible and would substantially reduce one or more significant effects of the project, where the project proponent declines to adopt the mitigation measure or alternative. The modified project does not render any previously rejected mitigation measures or alternatives feasible. As documented in the Addendum to the SREIR, no new information indicates previously rejected alternatives are feasible or that considerably different alternatives would substantially reduce significant effects.
 - (f) The modified project does not contain new information of substantial importance that shows that mitigation measures or alternatives which are considerably different from those analyzed in the certified SREIR would substantially reduce one or more significant effects on the environment, where the project proponent declines to adopt the mitigation measure or alternative. To the extent the Addendum to the SREIR describes modifications to certain mitigation measures (including species-specific protocols for crotch bumble bee and monarch butterfly, revisions to fire hazard Mitigation Measure 4.8-21, and native seed mix requirements in Mitigation Measure 4.9-7), those modified measures are voluntarily adopted by the project proponent and maintain or strengthen the impact reductions previously identified. Pursuant to CEQA Guidelines Sections 15162(a)(3)(C) and (D), the triggers for a subsequent EIR based on new or different mitigation apply only where the project proponent declines to adopt a measure; here, the proponent voluntarily adopts the species-specific protocols and modified measures. (See *Citizens Against Airport Pollution v. City of San Jose* (2014) 227 Cal.App.4th 788, 810-811 [upholding addendum modifying biological resource mitigation where substantial evidence showed changes maintained impacts at less-than-significant level].)
 - (g) The modified project, to the extent any changes to the CEQA Guidelines have occurred since the certification of the SREIR in December 2019, has not changed to constitute new information of substantial importance requiring preparation of a subsequent EIR. (See *Olen Properties Corp. v. City of Newport Beach* (2023) 93 Cal.App.5th 270 [subsequent changes to CEQA guidelines are not new information so long as underlying environmental issue was understood at time of initial EIR]; *Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1301 [adoption of guidelines for analyzing data does not constitute new information if underlying information was known at time of EIR certification].) The underlying environmental issues addressed in the certified SREIR were understood at the time of certification, and subsequent regulatory developments do not alter the conclusions of the environmental analysis.
- (7) The Addendum to the SREIR is the appropriate CEQA document for the modified project pursuant to CEQA Guidelines Section 15164(a). Because some changes and additions to the previously certified SREIR are necessary to describe and analyze the modified project, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred, an Addendum to the SREIR is the proper environmental document. (See *Friends of Coll. of San Mateo Gardens v. San Mateo Cnty. Cmty. Coll. Dist.* (2016) 1 Cal.5th 937 [addendum is appropriate vehicle to document determination that subsequent EIR is not required].)

- (8) The Addendum to the SREIR prepared for the modified project satisfies the requirements of CEQA Guidelines Section 15164. The Addendum to the SREIR includes a brief explanation of the decision not to prepare a subsequent EIR, which explanation is supported by substantial evidence in the record. The Addendum to the SREIR is hereby incorporated by reference as though fully set forth herein.
- (9) Because the appropriate CEQA document for the modified project is an Addendum to the SREIR under Section 15164 rather than a subsequent or supplemental EIR, no new findings under Public Resources Code Section 21081 are required. (See *River Valley Preservation Project v. Metropolitan Transit Dev. Bd.* (1995) 37 Cal.App.4th 154, 168 [no new findings under PRC Section 21081 required when addendum prepared; change in mitigation measures does not trigger subsequent EIR absent showing of new significant impacts]; *Save Our Heritage Organization v. City of San Diego* (2018) 28 Cal.App.5th 656, 677-678 [confirming that Section 15164 is a valid regulation and that no Section 21081 findings are required for an addendum].)
- (10) The Statement of Overriding Considerations previously adopted in connection with the 2019 approvals (Exhibit "B" to Resolution No. 2019-368) found that the significant and unavoidable impacts of the project were outweighed by the project's overriding benefits. Because the modified project does not result in any new significant impacts or any substantial increase in the severity of previously identified impacts, and because all significance determinations from the certified SREIR remain unchanged, the prior Statement of Overriding Considerations remains applicable and is not modified, superseded, or rendered inadequate by the modified project or the adoption of the updated Mitigation Measure Monitoring Program (MMMP).
- (11) In accordance with CEQA Guidelines Section 15164(d), this Board has considered the Addendum to the SREIR together with the certified SREIR prior to making a decision on the modified project. This Board has reviewed the Addendum to the SREIR and the certified SREIR and all documents incorporated by reference therein and has considered the environmental effects of the modified project as described in those documents. The Addendum to the SREIR and the certified SREIR adequately describe the environmental effects of the modified project, identifies appropriate mitigation measures, and provides a sufficient basis for informed decision-making by this Board.
- (12) Substantial evidence in the record supports the determination that an Addendum to the SREIR is the appropriate CEQA document for the modified project. The Addendum to the SREIR analyzes each environmental resource topic addressed in the certified SREIR and concludes that no new significant impacts would occur as a result of approval of the modified project, nor would there be any substantial increase in the severity of any previously identified significant environmental impacts. This Board has independently reviewed the Addendum to the SREIR and concurs in these conclusions.
- (a) With respect to Aesthetics, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The project boundary and ground disturbance area remain unchanged, and the visual character of the development will be substantially similar to that analyzed in the certified SREIR. The aesthetics impacts remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
- (b) With respect to Agriculture and Forestry Resources, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The elimination of references to expired Williamson Act contracts reflects existing conditions and does not alter the agricultural impact of the project. The project boundary remains unchanged, and no additional agricultural land is affected. The agriculture impacts

remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.

- (c) With respect to Air Quality, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The total development capacity remains unchanged at 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses, and therefore the project's operational and construction-related air quality impacts remain substantially as analyzed. The air quality impacts (ROG, NO_x, PM₁₀, PM_{2.5}, and odors) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
- (d) With respect to Biological Resources, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The ground disturbance area remains unchanged, and the modified project's voluntary adoption of species-specific survey and avoidance protocols for crotch bumble bee (*Bombus crotchii*) and monarch butterfly (*Danaus plexippus*) strengthens the mitigation framework for biological resources. The native seed mix requirements in modified Mitigation Measure 4.9-7 further support habitat restoration. The biological resources impacts related to habitat loss remain significant and unavoidable as previously determined at both the project and cumulative levels, and the modifications do not increase the severity of those impacts.
- (e) With respect to Greenhouse Gas Emissions, the modified project does not result in new, significant impacts or substantially more severe impacts than those identified in the certified SREIR. The total development capacity remains unchanged, and the modifications do not affect the project's greenhouse gas emission profile. The greenhouse gas emissions impacts remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
- (f) With respect to Hazards and Hazardous Materials, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The revision to fire hazard Mitigation Measure 4.8-21 updates fire protection standards to reflect current best practices and maintains or strengthens the protection of public safety. This revision does not result in any new significant hazards impacts.
- (g) With respect to Noise, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The updates to the Planning Area 6A roadway network and internal roadway network language do not alter the overall traffic volumes or noise-generating activities within the plan area, as the total development capacity remains unchanged. The noise impacts (temporary construction and traffic noise) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
- (h) With respect to Transportation and Traffic, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The updates to the Planning Area 6A roadway network reflect refinements to internal circulation that do not affect the project's external traffic generation, which is determined by the total development capacity that remains unchanged. The transportation and traffic impacts remain significant and unavoidable at the cumulative level as previously determined, and the modifications do not increase the severity of those impacts.

- (i) With respect to Utilities and Service Systems, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The redistribution of development maximums among Sub Areas does not increase overall demand for water, sewer, or other utility services beyond what was analyzed in the certified SREIR. The utilities and service systems impact (cumulative groundwater) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (j) With respect to all other environmental resource topics analyzed in the certified SREIR, including but not limited to Cultural Resources, Geology and Soils, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, and Recreation, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. All significance determinations from the certified SREIR remain unchanged for these resource topics.
- (13) Government Code Section 65454 provides that no specific plan may be adopted or amended unless it is consistent with the general plan. The Grapevine Specific Plan, as amended by the modified project is consistent with the Kern County General Plan, including all applicable elements.
 - (14) The Specific Plan Amendment is consistent with the goals and policies of the Kern County General Plan. The modifications do not alter the fundamental consistency of the Specific Plan with the General Plan as previously determined in Resolution 2019-368 (Findings 8 through 46 thereof).
 - (15) The Specific Plan Amendment maintains the approved development caps of 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses. The redistribution of development maximums among Sub Areas does not increase the overall intensity of development beyond what was previously found consistent with the General Plan.
 - (16) The Specific Plan Amendment updates to the Planning Area 6A roadway network and the clarification of internal roadway restrictions provide for orderly circulation and transportation infrastructure development consistent with the General Plan's policies promoting efficient vehicle and pedestrian movement.
 - (17) The Specific Plan Amendment continues to provide a varied approach to residential development that fosters a variety of housing types and densities and a more efficient use of the land, while preserving the existing character of ongoing ranching and farming activities through the preservation of approximately 42% of the site as agricultural/open space.
 - (18) The Specific Plan Amendment continues to implement the policies of the Safety Element, as those hazardous areas identified as unsuitable for human occupancy continue to be guided toward open space uses such as agriculture, wildlife habitat, and limited recreation. The revision to Mitigation Measure 4.8-21 extending the 100-foot fuel modification zone requirement to areas designated Very High Fire Hazard Severity Zone further strengthens consistency with Safety Element policies.
 - (19) The Specific Plan Amendment references expired Williamson Act contracts from Specific Plan figures to reflect the current status of land within the planning area and is consistent with General Plan policies that allow for continued interim agricultural uses in areas designated for future development.
 - (20) The Specific Plan Amendment continues to promote innovative development through the use of smart growth principles and various implementing tools, including the SP (Special Planning) District, village centers, mixed-use development, transit facilities, and interconnected trail systems.

- (21) The Specific Plan Amendment remains a tool for the systematic implementation of the Kern County General Plan in accordance with Government Code Sections 65450 through 65457 and continues to provide direction to every facet of development from the type, location, and intensity of uses to the design and capacity of infrastructure.
- (22) To the extent that any General Plan policy applicable to the Specific Plan area is not specifically addressed in these findings, the consistency determinations previously made in Resolution 2019-368 remain applicable and are incorporated herein by reference. The modifications proposed by the modified project do not alter the amended Specific Plan's compliance with any such policy.
- (23) The Specific Plan Amendment satisfies the requirements of Government Code Section 65451 as follows:
- (a) The Specific Plan Amendment includes text and diagrams which specify, in detail, the distribution, location, and extent of the uses of land, including open space, within the area covered by the plan, as required by Section 65451(a)(1). The modifications to figures, exhibits, and tables, and the revisions to development maximums within Sub Areas, continue to provide the specificity required by this section.
 - (b) The Specific Plan Amendment includes text and diagrams which specify, in detail, the proposed distribution, location, extent, and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan, as required by Section 65451(a)(2). The updates to the Planning Area 6A roadway network and the internal roadway network language continue to satisfy this requirement.
 - (c) The Specific Plan Amendment includes standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable, as required by Section 65451(a)(3).
 - (d) The Specific Plan Amendment includes a program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (a)(1), (a)(2), and (a)(3), as required by Section 65451(a)(4).
- (24) The Specific Plan Amendment includes a statement of its relationship to the Kern County General Plan, as required by Government Code Section 65451(b), and that such statement accurately reflects the relationship of the amendment to the General Plan.
- (25) The Specific Plan Amendment is consistent with the Kern County General Plan Appendix C Guidelines for the preparation of specific plans. The Amended Specific Plan was originally prepared in accordance with the Appendix C guidelines and the modifications proposed by the Specific Plan Amendment do not alter the plan's compliance with those guidelines. The Amended Specific Plan continues to provide a comprehensive framework for development that addresses land use, circulation, infrastructure, resource conservation, implementation, and all other elements required by the Appendix C guidelines.
- (26) The Specific Plan Amendment continues to function as a tool for the systematic implementation of the Kern County General Plan in accordance with Government Code Sections 65450 through 65457. The Amended Specific Plan is detailed and provides direction to every facet of development from the type, location, and intensity of uses, to the design and capacity of infrastructure, from the resources used to the design guidelines. This includes the creation of special districts in conjunction

with future annexation into the Tejon-Castaic Water District to provide adequate infrastructure and the taxation necessary for construction and continued maintenance.

- (27) The Specific Plan Amendment remains consistent with the provisions of the adopted Airport Land Use Compatibility Plan (ALUCP) and the provisions of the R-2508 Complex, which ensures that implementation of the modified project will not hinder operations composed of internal restricted areas, Military Operations areas, Air Traffic Control Assigned Airspace areas, and other special use airspace. The Specific Plan Amendment does not alter the project's location, density, or height characteristics in any manner that would affect the project's consistency with the ALUCP or the R-2508 Complex.
- (28) The Specific Plan Amendment remains consistent with the goals, policies, and implementation measures of the Kern County General Plan that authorize Level of Service (LOS) to fall below LOS D as part of a Community Plan or Specific Plan which utilizes Smart Growth policies that encourage efficient multi-modal movements. The Specific Plan Amendment does not alter the project's transportation characteristics in a manner that would affect this consistency determination.
- (29) The Specific Plan Amendment as set forth in Exhibit A (revised text of Chapters 2 and 3, shown in strikethrough and underline) and Exhibit B (replacement Exhibits 2-1, 2-2, 3-1, 3-4, 3-5, and 3-6) attached hereto and incorporated herein by this reference. Upon the effective date of this resolution, the Grapevine Specific and Community Plan shall be deemed amended to incorporate the text changes shown in Exhibit A and to replace the existing Exhibits 2-1, 2-2, 3-1, 3-4, 3-5, and 3-6 with those set forth in Exhibit B. All other provisions of the Grapevine Specific and Community Plan not addressed in Exhibits A and B shall remain in full force and effect.
- (30) Public Resources Code Section 21081.6 requires that, when a public agency makes findings pursuant to Public Resources Code Section 21081(a)(1) (i.e., that changes or alterations have been required in or incorporated into the project which avoid or substantially lessen the significant environmental effects identified in the EIR), the agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.
- (31) CEQA Guidelines Section 15091(d) provides that, when making findings as required by Section 15091(a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to mitigate or avoid significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (32) In connection with the 2019 approvals, a Mitigation Measure Monitoring Program (MMMP) was adopted pursuant to Resolution No. 2019-368 and the associated ordinances, which identified all mitigation measures required by the certified SREIR (State Clearinghouse No. 2014041005) and established monitoring and reporting requirements to ensure compliance.
- (33) The Addendum to the SREIR identified certain modifications to mitigation measures in the previously adopted MMMP, including but not limited to: (a) modifications to biological resources mitigation measures to incorporate species-specific survey and avoidance protocols for crotch bumble bee (*Bombus crotchii*) and monarch butterfly (*Danaus plexippus*); (b) revisions to fire hazard Mitigation Measure 4.8-21 to update fire protection standards; and (c) modifications to Mitigation Measure 4.9-7 regarding native seed mix requirements. These modifications maintain or strengthen the effectiveness of the original mitigation measures and do not result in any new

significant impacts or any substantial increase in the severity of previously identified significant impacts.

- (34) The updated Mitigation Measure Monitoring Program (MMMP) has been prepared that reflects the mitigation measure modifications described in the Addendum to the SREIR. The updated Mitigation Measure Monitoring Program (MMMP) identifies each mitigation measure as modified, the responsible parties for implementation and monitoring, the timing and frequency of monitoring, and the criteria for compliance.
- (35) The updated MMMP is designed to ensure compliance with the mitigation measures during project implementation, as required by Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d). All mitigation measures contained in the updated MMMP are fully enforceable through permit conditions, development agreements, or other legally binding mechanisms.
- (36) The updated MMMP is adequate and appropriate to monitor and ensure the implementation of all mitigation measures applicable to the modified project. The updated MMMP supersedes the previously adopted MMMP with respect to those mitigation measures that have been modified by the Addendum, and all other provisions of the previously adopted MMMP remain in full force and effect.
- (37) The updated Mitigation Measure Monitoring Program (MMMP) as set forth in Exhibit B attached hereto. The updated MMMP shall be implemented in conjunction with the Project Approvals and shall apply to all development within the Grapevine Specific and Community Plan area and the Grapevine Special Plan area, each as amended.
- (38) The prior findings made pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091 in connection with the 2019 approvals (including the finding that changes or alterations have been required in or incorporated into the project which avoid or substantially lessen the significant environmental effects identified in the certified SREIR) remain applicable and support the adoption of the updated MMMP.
- (39) The adoption of the MMMP is consistent with the determination that an Addendum to the SREIR is the appropriate CEQA document for the modified project. The CEQA findings adopted by separate resolution of this Board concurrently herewith determine that no new Section 21081 findings are required because the modified project is appropriately addressed through an Addendum to the SREIR under CEQA Guidelines Section 15164. The updated MMMP reflects the modifications to mitigation measures described in the Addendum to the SREIR and ensures their continued enforceability.
- (40) The Statement of Overriding Considerations previously adopted in connection with the 2019 approvals (Exhibit "B" to Resolution No. 2019-368) found that the significant and unavoidable impacts of the project were outweighed by the project's overriding benefits. Because the modified project does not result in any new significant impacts or any substantial increase in the severity of previously identified impacts, and because all significance determinations from the certified SREIR remain unchanged, the prior Statement of Overriding Considerations remains applicable and is not modified, superseded, or rendered inadequate by the modified project or the adoption of the updated MMMP.
- (41) The public hearing was conducted in accordance with all applicable procedural requirements of state law and County ordinances, including but not limited to the notice requirements of Government Code Section 65090 (for specific plan amendments), Government Code Section 65854

(for zoning amendments), and the Kern County Zoning Ordinance. All interested parties were afforded the opportunity to appear and be heard on the merits of the Project Approvals.

- (42) The legislative body of the County of Kern has the authority to adopt and amend specific plans (Gov. Code Section 65354), adopt and amend zoning ordinances (Gov. Code Section 65850), and make CEQA determinations as the lead agency (CEQA Guidelines Section 15051).
- (43) All findings recommended by staff, whether verbally or in their written reports, to the extent consistent with and not superseded by the findings set forth herein are incorporated.
- (44) In accordance with State law and the California Tribal Consultation Guidelines, the appropriate Native American tribes were consulted with respect to the project's potential impacts on Native American places, features, and objects and provided an opportunity for review and consultation.
- (45) The Specific Plan Amendment, Special Plan Amendment, Zoning Map Amendments, Addendum to the SREIR Determination, and Updated MMMP are each necessary to implement the modified project and are intended to be considered and approved together. However, each approval action is supported by independent findings set forth in the separate resolution or ordinance adopted by this Board concurrently herewith for that approval action and may stand independently if any other approval action is challenged or invalidated.
- (46) The Modified Project is consistent with, and implements, the existing Development Agreement between the County of Kern and Tejon Ranchcorp. (approved by Resolution No. 2019-372). The modifications to the Specific Plan and Special Plan are within the scope of development contemplated by the Development Agreement, and no amendment to the Development Agreement is required.
- (47) If any provision of these findings, or the application thereof to any person or circumstances, is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of these findings which can be given effect without the invalid provision or application, and to this end the provisions of these findings are declared to be severable.
- (48) The solution approving the Specific Plan Amendment and the Addendum to the SREIR Determination shall be effective upon adoption. The ordinance approving the Special Plan Amendment shall be effective 30 days following adoption, unless otherwise specified by law.

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR MODIFICATION NO. 1 TO SPECIAL PLAN NO. 2, MAP 202:

- (1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.
- (2) The fee required by the California Department of Fish and Game Code Section 711.4 has been previously paid for the processing of the previously certified Environmental Impact Report for this project, and under Section 711.4(g), we find that the project is not tiered or phased as set forth in Sections 15385 and 15165, respectively, of the State CEQA Guidelines, and separate environmental documents or review by the Department of Fish and Wildlife is not required, and further, based on the public interpretation of these statutes by the Department of Fish and Wildlife staff, find this approval and related Notice of Determination exempt from the payment of the otherwise applicable fee.

- (3) The proposed Specific Plan Amendment is consistent with Public Resources Code Section 21166 and CEQA Guidelines Section 15162(a), which limit the circumstances under which subsequent environmental review is required after an Environmental Impact Report has been certified. Specifically, Section 15162(a) provides that no subsequent or supplemental EIR shall be prepared for a project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that one or more of the following conditions has occurred:
- (a) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial environmental effect or a substantial increase in the severity of previously identified significant effects.
 - (b) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 - (c) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 - 1. The project will have one or more significant effects not discussed in the previous EIR.
 - 2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - 3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - 4. Mitigation or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
- (4) CEQA Guidelines Section 15164(1) provides that a lead agency shall prepared an addendum to a previously Certified EIR (State Clearinghouse No. 2014041005) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- (5) CEQA Guidelines Section 15164(d) provides that the decision-making body shall consider the addendum with the final EIR prior to making a decision on the project, and Section 15164(e) provides that a brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in the addendum, the findings, or elsewhere in the record, supported by substantial evidence.
- (6) On the basis of substantial evidence in the whole record, including but not limited to the Addendum to the SREIR, the certified SREIR, all documents incorporated by reference therein, and all testimony and evidence received at the public hearing, that none of the conditions set forth in CEQA Guidelines Section 15162(a) have occurred with respect to the modified project, for the reasons set forth in Findings 6(a) through 6(g).

- (a) The proposed modified project does not involve substantial changes to the project that will require major revisions to the certified SREIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The modified project does not alter the maximum development caps of 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses. The modified project does not change the project boundary or ground disturbance area. The modifications consist of updates to figures, exhibits, tables, roadway network details within Planning Area 6A, internal roadway network language, elimination of references to expired Williamson Act contracts, revisions to development maximums within certain Sub Areas, and typographical corrections. As documented in the Addendum to the SREIR, these changes do not result in any new significant environmental effects or substantially increase the severity of any previously identified significant effects.
- (b) The proposed modified project does not propose substantial changes have occurred with respect to the circumstances under which the modified project is being undertaken that will require major revisions to the certified SREIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The project setting, surrounding land uses, and environmental conditions remain substantially similar to those analyzed in the certified SREIR. As further documented in the Addendum to the SREIR, no changes in circumstances have occurred that would result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR.
- (c) The proposed modified project does not contain new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SREIR was certified, shows that the modified project will have one or more significant effects not discussed in the certified SREIR. As documented in the Addendum, all environmental effects of the modified project fall within the scope of the effects previously analyzed in the certified SREIR.
- (d) The proposed modified project does not contain new information of substantial importance that shows that significant effects previously examined in the certified SREIR will be substantially more severe as a result of the modified project. As documented in the Addendum to the SREIR, all significance determinations from the certified SREIR remain unchanged. No new significant impacts would occur as a result of approval of the modified project, nor would there be any substantial increase in the severity of any previously identified significant environmental impacts.
- (e) The proposed modified project does not contain new information of substantial importance that shows that mitigation measures or alternatives previously found not to be feasible in the certified SREIR would in fact be feasible and would substantially reduce one or more significant effects of the project, where the project proponent declines to adopt the mitigation measure or alternative. The modified project does not render any previously rejected mitigation measures or alternatives feasible. As documented in the Addendum to the SREIR, no new information indicates previously rejected alternatives are feasible or that considerably different alternatives would substantially reduce significant effects.
- (f) The proposed modified project does not contain new information of substantial importance shows that mitigation measures or alternatives which are considerably different from those analyzed in the certified SREIR would substantially reduce one or more significant effects on the environment, where the project proponent declines to adopt the mitigation measure or alternative. To the extent the Addendum to the SREIR describes modifications to certain mitigation measures (including species-specific protocols for crotch bumble bee and monarch butterfly, revisions to fire hazard Mitigation Measure 4.8-21, and native seed mix requirements

- in Mitigation Measure 4.9-7), those modified measures are voluntarily adopted by the project proponent and maintain or strengthen the impact reductions previously identified. Pursuant to CEQA Guidelines Sections 15162(a)(3)(C) and (D), the triggers for a subsequent EIR based on new or different mitigation apply only where the project proponent declines to adopt a measure; here, the proponent voluntarily adopts the species-specific protocols and modified measures. (See *Citizens Against Airport Pollution v. City of San Jose* (2014) 227 Cal.App.4th 788, 810-811 [upholding addendum modifying biological resource mitigation where substantial evidence showed changes maintained impacts at less-than-significant level].)
- (g) The modified project, to the extent any changes to the CEQA Guidelines have occurred since the certification of the SREIR in December 2019, has not changed to constitute new information of substantial importance requiring preparation of a subsequent EIR. (See *Olen Properties Corp. v. City of Newport Beach* (2023) 93 Cal.App.5th 270 [subsequent changes to CEQA guidelines are not new information so long as underlying environmental issue was understood at time of initial EIR]; *Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1301 [adoption of guidelines for analyzing data does not constitute new information if underlying information was known at time of EIR certification].) The underlying environmental issues addressed in the certified SREIR were understood at the time of certification, and subsequent regulatory developments do not alter the conclusions of the environmental analysis.
- (7) The Addendum to the SREIR is the appropriate CEQA document for the proposed modified project pursuant to CEQA Guidelines Section 15164(a). Because some changes and additions to the previously certified SREIR are necessary to describe and analyze the modified project, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred, an addendum is the proper environmental document. (See *Friends of Coll. of San Mateo Gardens v. San Mateo Cnty. Cmty. Coll. Dist.* (2016) 1 Cal.5th 937 [addendum is appropriate vehicle to document determination that subsequent EIR is not required].)
- (8) The Addendum to the SREIR prepared for the modified project satisfies the requirements of CEQA Guidelines Section 15164. The Addendum includes a brief explanation of the decision not to prepare a subsequent EIR, which explanation is supported by substantial evidence in the record. The Addendum to the SREIR is hereby incorporated by reference as though fully set forth herein.
- (9) Because the appropriate CEQA document for the modified project is an Addendum to the SREIR under Section 15164 rather than a subsequent or supplemental EIR, no new findings under Public Resources Code Section 21081 are required. (See *River Valley Preservation Project v. Metropolitan Transit Dev. Bd.* (1995) 37 Cal.App.4th 154, 168 [no new findings under PRC Section 21081 required when addendum prepared; change in mitigation measures does not trigger subsequent EIR absent showing of new significant impacts]; *Save Our Heritage Organisation v. City of San Diego* (2018) 28 Cal.App.5th 656, 677-678 [confirming that Section 15164 is a valid regulation and that no Section 21081 findings are required for an addendum].)
- (10) The Statement of Overriding Considerations previously adopted in connection with the 2019 approvals (Exhibit "B" to Resolution No. 2019-370) found that the significant and unavoidable impacts of the project were outweighed by the project's overriding benefits. Because the modified project does not result in any new significant impacts or any substantial increase in the severity of previously identified impacts, and because all significance determinations from the certified SREIR remain unchanged, the prior Statement of Overriding Considerations remains applicable and is not modified, superseded, or rendered inadequate by the modified project or the adoption of the Updated MMMP.

- (11) In accordance with CEQA Guidelines Section 15164(d), this Board has considered the Addendum to the SREIR together with the certified SREIR prior to making a decision on the modified project. This Board has reviewed the Addendum to the SREIR and the certified SREIR and all documents incorporated by reference therein, and has considered the environmental effects of the modified project as described in those documents. The Addendum to the SREIR and the certified SREIR adequately describes the environmental effects of the modified project, identifies appropriate mitigation measures, and provides a sufficient basis for informed decision-making by this Board.
- (12) Substantial evidence in the record supports the determination that an Addendum to the SREIR is the appropriate CEQA document for the modified project. The Addendum to the SREIR analyzes each environmental resource topic addressed in the certified SREIR and concludes that no new significant impacts would occur as a result of approval of the modified project, nor would there be any substantial increase in the severity of any previously identified significant environmental impacts. This Board has independently reviewed the Addendum to the SREIR and concurs in these conclusions.
- (a) With respect to Aesthetics, the proposed modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The project boundary and ground disturbance area remain unchanged, and the visual character of the development will be substantially similar to that analyzed in the certified SREIR. The aesthetics impacts remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (b) With respect to Agriculture and Forestry Resources, the proposed modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The elimination of references to expired Williamson Act contracts reflects existing conditions and does not alter the agricultural impacts of the project. The project boundary remains unchanged, and no additional agricultural land is affected. The agriculture impacts remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (c) With respect to Air Quality, the proposed modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The total development capacity remains unchanged at 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses, and therefore the project's operational and construction-related air quality impacts remain substantially as analyzed. The air quality impacts (ROG, NO_x, PM₁₀, PM_{2.5}, and odors) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (d) With respect to Biological Resources, the proposed modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The ground disturbance area remains unchanged, and the modified project's voluntary adoption of species-specific survey and avoidance protocols for crotch bumble bee (*Bombus crotchii*) and monarch butterfly (*Danaus plexippus*) strengthens the mitigation framework for biological resources. The native seed mix requirements in modified Mitigation Measure 4.9-7 further support habitat restoration. The biological resources impacts related to habitat loss remain significant and unavoidable as previously determined at both the project and cumulative levels, and the modifications do not increase the severity of those impacts.
 - (e) With respect to Greenhouse Gas Emissions, the proposed modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The total development capacity remains unchanged, and the modifications do not affect the project's greenhouse gas emission profile. The greenhouse gas emissions impacts

remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.

- (f) With respect to Hazards and Hazardous Materials, the proposed modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The revision to fire hazard Mitigation Measure 4.8-21 updates fire protection standards to reflect current best practices and maintains or strengthens the protection of public safety. This revision does not result in any new significant hazards impacts.
 - (g) With respect to Noise, the proposed modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The updates to the Planning Area 6A roadway network and internal roadway network language do not alter the overall traffic volumes or noise-generating activities within the plan area, as the total development capacity remains unchanged. The noise impacts (temporary construction and traffic noise) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (h) With respect to Transportation and Traffic, the proposed modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The updates to the Planning Area 6A roadway network reflect refinements to internal circulation that do not affect the project's external traffic generation, which is determined by the total development capacity that remains unchanged. The transportation and traffic impacts remain significant and unavoidable at the cumulative level as previously determined, and the modifications do not increase the severity of those impacts.
 - (i) With respect to Utilities and Service Systems, the proposed modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The redistribution of development maximums among Sub Areas does not increase overall demand for water, sewer, or other utility services beyond what was analyzed in the certified SREIR. The utilities and service systems impacts (cumulative groundwater) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (j) With respect to all other environmental resource topics analyzed in the certified SREIR, including but not limited to Cultural Resources, Geology and Soils, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, and Recreation, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. All significance determinations from the certified SREIR remain unchanged for these resource topics.
- (13) All development under the Grapevine Special Plan, as amended by the modified project, is consistent with the goals and policies of the Kern County General Plan and with density and intensity standards, as required by Section 19.52.150(A) of the Kern County Zoning Ordinance. The amended Specific Plan (of which the amended Special Plan is a component) has been found consistent with the Kern County General Plan, as determined by separate resolution of this Board adopted concurrently herewith. The amended Special Plan maintains the density and intensity standards approved in 2019, including the maximum development caps of 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses.
- (14) Development under the amended Special Plan is demonstratively superior to the development that could occur under any other zoning district or combination of zoning districts in the Zoning Ordinance that are consistent with the county general plan land use category applicable to the subject property, as required by Section 19.52.150(B) of the Kern County Zoning Ordinance. This finding of superiority is based on the following evaluation factors set forth in Section 19.52.150(B):

- (a) The uses authorized by the amended Special Plan are appropriate at the proposed location. The project site is located at the southern end of the San Joaquin Valley, approximately 13 miles south of the Bakersfield City limits, east and west of Interstate 5 at the Laval and Grapevine interchanges. The amended Special Plan provides for a comprehensively planned community that takes advantage of regional transportation access, existing infrastructure corridors, and the site's topographic and environmental characteristics. The modifications to Sub Area development maximums and the Planning Area 6A roadway network updates reflect site-specific planning that further optimizes the appropriateness of the planned uses at this location.
- (b) The amended Special Plan provides for a diverse mix of housing styles and costs that could not be achieved under any other zoning district or combination of zoning districts in the Zoning Ordinance. The plan provides for a range of residential densities from large-lot estate residential to high-density multifamily development at up to 72 units per acre, including various housing types such as single-family detached, single-family attached, townhomes, condominiums, apartments, and mixed-use residential. The redistribution of development maximums among Sub Areas does not diminish the diversity of housing types available within the plan area and maintains flexibility to respond to market conditions.
- (c) The Kern Housing Element promotes the provision of adequate housing sites through appropriate land use map codes and zoning designations to accommodate the County's share of regional housing needs. The amended Special Plan continues to provide for Village Mix Use (VMU) designations within the Specific and Special Plan that provide for up to 72 units per acre of multifamily residential that is allowed by right through a ministerial permit process (Site Plan Review), including units affordable to moderate income households. Implementation of the modified project will continue to contribute to meeting the County's projected growth needs for regional housing under the Kern County Housing Element.
- (d) The amended Special Plan provides for comprehensive infrastructure improvements, including water supply, sewage treatment, drainage, roadways, and utilities. The plan includes detailed provisions for the phased construction of infrastructure concurrent with development, including the creation of special districts in conjunction with future annexation into the Tejon-Castac Water District to provide adequate infrastructure and the taxation necessary for construction and continued maintenance. The updates to the Planning Area 6A roadway network and internal roadway network language further demonstrate the plan's commitment to comprehensive infrastructure planning. These infrastructure provisions exceed what would be required under any other zoning district or combination of zoning districts in the Zoning Ordinance.
- (e) The amended Special Plan provides for generous open space areas that exceed what would be required under any other zoning district or combination of zoning districts in the Zoning Ordinance. The plan designates substantial areas for open space, natural habitat preservation, parks, trails, and recreation. The overall project boundary and ground disturbance area remain unchanged from the approved plan, and the open space network continues to provide buffers between development areas, wildlife corridors, and recreational amenities for residents.
- (f) The uses authorized by the amended Special Plan are compatible with each other and with uses in the surrounding area. The plan provides for careful land use planning with appropriate transitions between different use types, buffering of incompatible uses, and integration of commercial and residential uses in village centers. The redistribution of development maximums among Sub Areas has been planned to maintain internal compatibility of uses within the development area. The surrounding uses, including agriculture and open space, are buffered by the plan's open space network and transitional land use designations.

- (g) The amended Special Plan provides for the use of innovative technology and materials in development. The plan incorporates contemporary sustainable design principles, energy-efficient building standards, water conservation measures, and innovative stormwater management techniques. The Special Plan district framework allows for flexibility to incorporate evolving technology and construction methods that would not be possible under any other zoning district or combination of zoning districts in the Zoning Ordinance.
 - (h) The amended Special Plan makes an overall contribution to the enhancement of the environment of the County. The plan provides for the permanent preservation of substantial natural open space areas, implementation of comprehensive habitat conservation measures (including species-specific protocols for crotch bumble bee and monarch butterfly that have been voluntarily adopted by the project proponent), native seed mix requirements, water conservation, and sustainable community design. The modified project's voluntary adoption of strengthened mitigation measures further contributes to environmental enhancement.
 - (i) The amended Special Plan demonstrates creativity in design and use of land that is superior to what could be achieved under any other zoning district or combination of zoning districts in the Zoning Ordinance. The plan provides for a comprehensively designed, mixed-use community with village centers, interconnected open space, multi-modal transportation networks, and integrated community facilities. The updates to the Planning Area 6A roadway network and the internal roadway network language allowing efficient accommodation of buildout demonstrate continued creativity and flexibility in the design and use of land.
- (15) The amended Special Plan is consistent with the goals and policies of the Kern County General Plan, as required by Section 19.52.150(A) of the Kern County Zoning Ordinance. This Board incorporates by reference the General Plan consistency findings adopted by separate resolution of this Board concurrently herewith in connection with the Specific Plan Amendment.
 - (16) The amended Special Plan shall be adopted by ordinance, as required by Section 19.52.160 of the Kern County Zoning Ordinance, which provides that each SP District shall be adopted by ordinance. The amended Special Plan is designated as Grapevine Special Plan No. 2, Map No. 202; Special Plan No. 3, Map No. 218R; and Special Plan No. 3, Map No. 219.
 - (17) The amended Special Plan was prepared in accordance with the Kern County General Plan Appendix C guidelines, which provide standards and criteria for the preparation of special plans in Kern County. The amended Special Plan satisfies the requirements of Appendix C for content, format, and analytical scope.
 - (18) The amended Special Plan as set forth in Exhibit A (revised text of Sections 1, 2, 3, and 5, shown in strikethrough and underline) and Exhibit B (replacement Figures 1-3, 1-4, 1-5, and 3-1) attached hereto and incorporated herein by this reference. Upon the effective date of this ordinance, the Grapevine Special Plan shall be deemed amended to incorporate the text changes shown in Exhibit A and to replace the existing Figures 1-3, 1-4, 1-5, and 3-1 with those set forth in Exhibit B. All other provisions of the Grapevine Special Plan not addressed in Exhibits A and B shall remain in full force and effect. The Amended Special Plan shall continue to serve as Attachment A to the Grapevine Specific and Community Plan, as amended.
 - (19) Public Resources Code Section 21081.6 requires that, when a public agency makes findings pursuant to Public Resources Code Section 21081(a)(1) (i.e., that changes or alterations have been required in or incorporated into the project which avoid or substantially lessen the significant environmental effects identified in the EIR), the agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval adopted in order to

mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.

- (20) CEQA Guidelines Section 15091(d) provides that, when making findings as required by Section 15091(a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to mitigate or avoid significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (21) In connection with the 2019 approvals, a Mitigation Measure Monitoring Program (MMMP) was adopted pursuant to Resolution No. 2019-370 and the associated ordinances, which identified all mitigation measures required by the certified SREIR (State Clearinghouse No. 2014041005) and established monitoring and reporting requirements to ensure compliance.
- (22) The Addendum to the SREIR identified certain modifications to mitigation measures in the previously adopted MMMP, including but not limited to: (a) modifications to biological resources mitigation measures to incorporate species-specific survey and avoidance protocols for crotch bumble bee (*Bombus crotchii*) and monarch butterfly (*Danaus plexippus*); (b) revisions to fire hazard Mitigation Measure 4.8-21 to update fire protection standards; and (c) modifications to Mitigation Measure 4.9-7 regarding native seed mix requirements. These modifications maintain or strengthen the effectiveness of the original mitigation measures and do not result in any new significant impacts or any substantial increase in the severity of previously identified significant impacts.
- (23) The updated Mitigation Measure Monitoring Program (MMMP) has been prepared that reflects the mitigation measure modifications described in the Addendum to the SREIR. The updated Mitigation Measure Monitoring Program (MMMP) identifies each mitigation measure as modified, the responsible parties for implementation and monitoring, the timing and frequency of monitoring, and the criteria for compliance.
- (24) The updated MMMP is designed to ensure compliance with the mitigation measures during project implementation, as required by Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d). All mitigation measures contained in the updated MMMP are fully enforceable through permit conditions, development agreements, or other legally binding mechanisms.
- (25) The updated MMMP is adequate and appropriate to monitor and ensure the implementation of all mitigation measures applicable to the Modified Project. The updated MMMP supersedes the previously adopted MMMP with respect to those mitigation measures that have been modified by the Addendum, and all other provisions of the previously adopted MMMP remain in full force and effect.
- (26) The updated Mitigation Measure Monitoring Program (MMMP) as set forth in Exhibit C attached hereto. The updated MMMP shall be implemented in conjunction with the Project Approvals and shall apply to all development within the Grapevine Specific and Community Plan area and the Grapevine Special Plan area, each as amended.
- (27) The prior findings made pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091 in connection with the 2019 approvals (including the finding that changes or alterations have been required in or incorporated into the project which avoid or substantially lessen the significant environmental effects identified in the certified SREIR) remain applicable and support the adoption of the updated MMMP.

- (28) The adoption of the MMMP is consistent with the determination that an addendum is the appropriate CEQA document for the Modified Project. The CEQA findings adopted by separate resolution of this Board concurrently herewith determine that no new Section 21081 findings are required because the Modified Project is appropriately addressed through an addendum under CEQA Guidelines Section 15164. The updated MMMP reflects the modifications to mitigation measures described in the Addendum to the SREIR and ensures their continued enforceability.
- (29) The Statement of Overriding Considerations previously adopted in connection with the 2019 approvals (Exhibit "B" to Resolution No. 2019-370) found that the significant and unavoidable impacts of the project were outweighed by the project's overriding benefits. Because the modified project does not result in any new significant impacts or any substantial increase in the severity of previously identified impacts, and because all significance determinations from the certified SREIR remain unchanged, the prior Statement of Overriding Considerations remains applicable and is not modified, superseded, or rendered inadequate by the Modified Project or the adoption of the updated MMMP.
- (30) The public hearing was conducted in accordance with all applicable procedural requirements of state law and County ordinances, including but not limited to the notice requirements of Government Code Section 65090 (for specific plan amendments), Government Code Section 65854 (for zoning amendments), and the Kern County Zoning Ordinance. All interested parties were afforded the opportunity to appear and be heard on the merits of the Project Approvals.
- (31) The legislative body of the County of Kern has the authority to adopt and amend specific plans (Gov. Code Section 65354), adopt and amend zoning ordinances (Gov. Code Section 65850), and make CEQA determinations as the lead agency (CEQA Guidelines Section 15051).
- (32) All findings recommended by staff, whether verbally or in their written reports, to the extent consistent with and not superseded by the findings set forth herein are incorporated.
- (33) In accordance with State law and the California Tribal Consultation Guidelines, the appropriate Native American tribes were consulted with respect to the project's potential impacts on Native American places, features, and objects and provided an opportunity for review and consultation.
- (34) The Specific Plan Amendment, Special Plan Amendment, Zoning Map Amendments, Addendum Determination, and Updated MMMP are each necessary to implement the modified project and are intended to be considered and approved together. However, each approval action is supported by independent findings set forth in the separate resolution or ordinance adopted by this Board concurrently herewith for that approval action and may stand independently if any other approval action is challenged or invalidated.
- (35) The proposed modified project is consistent with, and implements, the existing Development Agreement between the County of Kern and Tejon Ranchcorp. (approved by Resolution No. 2019-372). The modifications to the Specific Plan and Special Plan are within the scope of development contemplated by the Development Agreement, and no amendment to the Development Agreement is required.
- (36) If any provision of these findings, or the application thereof to any person or circumstances, is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of these findings which can be given effect without the invalid provision or application, and to this end the provisions of these findings are declared to be severable.

- (37) The Resolution approving the Specific Plan Amendment and the Addendum Determination shall be effective upon adoption. The ordinance approving the Special Plan Amendment shall be effective thirty (30) days following adoption, unless otherwise specified by law.

RECOMMENDED CONDITIONS OF APPROVAL FOR MODIFICATION 1 TO SPECIAL PLAN NO. 2, MAP 202:

- (1) Development shall be subject to the requirements of the policies and implementation of the Grapevine Specific Plan and Community Plan.
- (2) This project allows a maximum of 12,000 dwelling units, (both single and multifamily, depending on the Specific Plan land use designation); a maximum of 5.1 million square feet of commercial/industrial use. As each development goes through a site development review process, each of the above referenced uses shall be calculated, totaled, a running summary of amount used versus amount remaining and shall be shown on each site plan review.
- (3) Development shall be in substantial conformity with the approved plan.
- (4) Development shall be reviewed through the Site Plan Review process identified as part of the adopted Specific and Special Plan, and all conditions of approval shall be imposed and implemented including all mitigation measures.
- (5) Modifications of this Special Plan may be made in accordance with the Review and Approval Procedures of this Special Plan.
- (6) Food facility plans shall be submitted to the Kern County Public Health Services Department/Environmental Health Division for plan check review and approval.
- (7) Within 30 days of project approval, the project proponent shall submit a final approved draft of the Special Plan. This Plan shall reflect any approved modifications to the proposed project identified by the Kern County Planning Commission and/or Kern County Board of Supervisors.
- (8) **Prior to the issuance of building or grading permits, the applicant shall submit documentation of the following:**
 - (a) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division.
 - (b) Fire flows and fire protection facilities shall be as required and approved by the Kern County Fire Department.
 - (c) A plan for the disposal of drainage waters originating on site and from adjacent road rights-of-way shall be approved by the Kern County Public Works Department/Floodplain Management Section, if required. Easements or grant deeds shall be given to the County of Kern for drainage purposes or access thereto, as necessary.
- (9) **Prior to final occupancy approval, the following conditions shall be verified by the building inspector and shall be continuously maintained while this permit is active:**
 - (a) All necessary building permits must be obtained.

- (b) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, or similar obstructions, shall be removed from the ultimate road rights-of-way in accordance with Section 18.55.030 of the Land Division Ordinance. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.
- (10) **The property owner shall continuously comply with the following conditions of approval during implementation of this permit:**
- (a) The development shall comply with any requirements of the San Joaquin Valley Air Pollution Control District.
- (b) Trash pickup shall occur a minimum of once each week. All trash and recyclable receptacles shall be enclosed within a six-foot-high, three-sided masonry enclosure with securable iron gate and shall be installed on an impervious surface at a location that is outside the required front-yard setback and convenient for refuse haulers and which does not interfere with on-site or off-site parking or circulation. For all multiunit developments consisting of five or more dwelling units, adequate space shall be provided for the collection and loading of recyclable materials.
- (11) At the time building permits are applied for, a filing fee of \$130 may be imposed to ensure that final plans are consistent with adopted conditions of approval. This fee may serve as an initial deposit for particularly complex cases, in which case a cost recovery agreement will be required and charges will be billed at \$100 per hour.
- *(12) All mitigation measures included in the adopted Mitigation Measure Monitoring Program, included as Exhibit C in the Resolution, are hereby required.
- (13) The Project shall be designed to provide renewable energy production or energy savings that is equivalent to electrical generation resulting from installation of one photovoltaic (i.e., solar) power system no smaller than a 2-kilowatt solar panel for every single-family dwelling unit and for every 1,600 square feet of non-residential roof area. Through consultation and approval from the Planning and Natural Resources Director, the above provisions could be modified in such a manner that equivalent community energy savings to residents are provided through alternative solar facility or facilities rather than individual panel installation on each residential and non-residential unit.

*** DENOTES MITIGATION MEASURE**

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR MODIFICATION NO. 1 TO SPECIAL PLAN NO. 3, MAP 218R:

- (1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.
- (2) The fee required by the California Department of Fish and Game Code Section 711.4 has been previously paid for the processing of the previously certified Environmental Impact Report for this project, and under Section 711.4(g), we find that the project is not tiered or phased as set forth in Sections 15385 and 15165, respectively, of the State CEQA Guidelines, and separate environmental documents or review by the Department of Fish and Wildlife is not required, and further, based on the public interpretation of these statutes by the Department of Fish and Wildlife staff, find this

approval and related Notice of Determination exempt from the payment of the otherwise applicable fee.

- (3) The proposed Specific Plan Amendment is consistent with Public Resources Code Section 21166 and CEQA Guidelines Section 15162(a), which limit the circumstances under which subsequent environmental review is required after an Environmental Impact Report has been certified. Specifically, Section 15162(a) provides that no subsequent or supplemental EIR shall be prepared for a project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that one or more of the following conditions has occurred:
 - (a) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial environmental effect or a substantial increase in the severity of previously identified significant effects.
 - (b) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 - (c) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 1. The project will have one or more significant effects not discussed in the previous EIR.
 2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 4. Mitigation or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
- (4) CEQA Guidelines Section 15164(1) provides that a lead agency shall prepared an addendum to a previously Certified EIR (State Clearinghouse No. 2014041005) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- (5) CEQA Guidelines Section 15164(d) provides that the decision-making body shall consider the addendum with the final EIR prior to making a decision on the project, and Section 15164(e) provides that a brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in the addendum, the findings, or elsewhere in the record, supported by substantial evidence.
- (6) On the basis of substantial evidence in the whole record, including but not limited to the Addendum to the SREIR, the certified SREIR, all documents incorporated by reference therein, and all testimony and evidence received at the public hearing, that none of the conditions set forth in CEQA Guidelines Section 15162(a) have occurred with respect to the Modified Project, for the reasons set forth in Findings 6(a) through 6(g).

- (a) The proposed modified project does not involve substantial changes to the project that will require major revisions to the certified SREIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The Modified Project does not alter the maximum development caps of 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses. The Modified Project does not change the project boundary or ground disturbance area. The modifications consist of updates to figures, exhibits, tables, roadway network details within Planning Area 6A, internal roadway network language, elimination of references to expired Williamson Act contracts, revisions to development maximums within certain Sub Areas, and typographical corrections. As documented in the Addendum to the SREIR, these changes do not result in any new significant environmental effects or substantially increase the severity of any previously identified significant effects.
- (b) The proposed modified project does not propose substantial changes have occurred with respect to the circumstances under which the modified project is being undertaken that will require major revisions to the certified SREIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The project setting, surrounding land uses, and environmental conditions remain substantially similar to those analyzed in the certified SREIR. As further documented in the Addendum to the SREIR, no changes in circumstances have occurred that would result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR.
- (c) The proposed modified project does not contain new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SREIR was certified, shows that the modified project will have one or more significant effects not discussed in the certified SREIR. As documented in the Addendum, all environmental effects of the modified project fall within the scope of the effects previously analyzed in the certified SREIR.
- (d) The modified project does not contain new information of substantial importance that shows that significant effects previously examined in the certified SREIR will be substantially more severe as a result of the modified project. As documented in the Addendum to the SREIR, all significance determinations from the certified SREIR remain unchanged. No new significant impacts would occur as a result of approval of the modified project, nor would there be any substantial increase in the severity of any previously identified significant environmental impacts.
- (e) The modified project does not contain new information of substantial importance that shows that mitigation measures or alternatives previously found not to be feasible in the certified SREIR would in fact be feasible and would substantially reduce one or more significant effects of the project, where the project proponent declines to adopt the mitigation measure or alternative. The modified project does not render any previously rejected mitigation measures or alternatives feasible. As documented in the Addendum to the SREIR, no new information indicates previously rejected alternatives are feasible or that considerably different alternatives would substantially reduce significant effects.
- (f) The modified project does not contain new information of substantial importance shows that mitigation measures or alternatives which are considerably different from those analyzed in the certified SREIR would substantially reduce one or more significant effects on the environment, where the project proponent declines to adopt the mitigation measure or alternative. To the extent the Addendum to the SREIR describes modifications to certain mitigation measures (including species-specific protocols for crotch bumble bee and monarch butterfly, revisions to fire hazard Mitigation Measure 4.8-21, and native seed mix requirements in Mitigation Measure 4.9-7), those modified measures are voluntarily adopted by the project proponent and

- maintain or strengthen the impact reductions previously identified. Pursuant to CEQA Guidelines Sections 15162(a)(3)(C) and (D), the triggers for a subsequent EIR based on new or different mitigation apply only where the project proponent declines to adopt a measure; here, the proponent voluntarily adopts the species-specific protocols and modified measures. (See *Citizens Against Airport Pollution v. City of San Jose* (2014) 227 Cal.App.4th 788, 810-811 [upholding addendum modifying biological resource mitigation where substantial evidence showed changes maintained impacts at less-than-significant level].)
- (g) The modified project, to the extent any changes to the CEQA Guidelines have occurred since the certification of the SREIR in December 2019, has not changed to constitute new information of substantial importance requiring preparation of a subsequent EIR. (See *Olen Properties Corp. v. City of Newport Beach* (2023) 93 Cal.App.5th 270 [subsequent changes to CEQA guidelines are not new information so long as underlying environmental issue was understood at time of initial EIR]; *Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1301 [adoption of guidelines for analyzing data does not constitute new information if underlying information was known at time of EIR certification].) The underlying environmental issues addressed in the certified SREIR were understood at the time of certification, and subsequent regulatory developments do not alter the conclusions of the environmental analysis.
- (7) The Addendum to the SREIR is the appropriate CEQA document for the modified project pursuant to CEQA Guidelines Section 15164(a). Because some changes and additions to the previously certified SREIR are necessary to describe and analyze the Modified Project, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred, an addendum is the proper environmental document. (See *Friends of Coll. of San Mateo Gardens v. San Mateo Cnty. Cmty. Coll. Dist.* (2016) 1 Cal.5th 937 [addendum is appropriate vehicle to document determination that subsequent EIR is not required].)
- (8) The Addendum to the SREIR prepared for the modified project satisfies the requirements of CEQA Guidelines Section 15164. The Addendum includes a brief explanation of the decision not to prepare a subsequent EIR, which explanation is supported by substantial evidence in the record. The Addendum to the SREIR is hereby incorporated by reference as though fully set forth herein.
- (9) Because the appropriate CEQA document for the modified project is an Addendum to the SREIR under Section 15164 rather than a subsequent or supplemental EIR, no new findings under Public Resources Code Section 21081 are required. (See *River Valley Preservation Project v. Metropolitan Transit Dev. Bd.* (1995) 37 Cal.App.4th 154, 168 [no new findings under PRC Section 21081 required when addendum prepared; change in mitigation measures does not trigger subsequent EIR absent showing of new significant impacts]; *Save Our Heritage Organisation v. City of San Diego* (2018) 28 Cal.App.5th 656, 677-678 [confirming that Section 15164 is a valid regulation and that no Section 21081 findings are required for an addendum].)
- (10) The Statement of Overriding Considerations previously adopted in connection with the 2019 approvals (Exhibit "B" to Resolution No. 2019-370) found that the significant and unavoidable impacts of the project were outweighed by the project's overriding benefits. Because the modified project does not result in any new significant impacts or any substantial increase in the severity of previously identified impacts, and because all significance determinations from the certified SREIR remain unchanged, the prior Statement of Overriding Considerations remains applicable and is not modified, superseded, or rendered inadequate by the modified project or the adoption of the Updated MMMP.

- (11) In accordance with CEQA Guidelines Section 15164(d), this Board has considered the Addendum to the SREIR together with the certified SREIR prior to making a decision on the modified project. This Board has reviewed the Addendum to the SREIR and the certified SREIR and all documents incorporated by reference therein, and has considered the environmental effects of the modified project as described in those documents. The Addendum to the SREIR and the certified SREIR adequately describes the environmental effects of the modified project, identifies appropriate mitigation measures, and provides a sufficient basis for informed decision making by this Board.
- (12) Substantial evidence in the record supports the determination that an Addendum to the SREIR is the appropriate CEQA document for the modified project. The Addendum to the SREIR analyzes each environmental resource topic addressed in the certified SREIR and concludes that no new significant impacts would occur as a result of approval of the modified project, nor would there be any substantial increase in the severity of any previously identified significant environmental impacts. This Board has independently reviewed the Addendum to the SREIR and concurs in these conclusions.
- (a) With respect to Aesthetics, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The project boundary and ground disturbance area remain unchanged, and the visual character of the development will be substantially similar to that analyzed in the certified SREIR. The aesthetics impacts remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (b) With respect to Agriculture and Forestry Resources, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The elimination of references to expired Williamson Act contracts reflects existing conditions and does not alter the agricultural impacts of the project. The project boundary remains unchanged, and no additional agricultural land is affected. The agriculture impacts remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (c) With respect to Air Quality, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The total development capacity remains unchanged at 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses, and therefore the project's operational and construction-related air quality impacts remain substantially as analyzed. The air quality impacts (ROG, NOx, PM10, PM2.5, and odors) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (d) With respect to Biological Resources, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The ground disturbance area remains unchanged, and the modified project's voluntary adoption of species-specific survey and avoidance protocols for crotch bumble bee (*Bombus crotchii*) and monarch butterfly (*Danaus plexippus*) strengthens the mitigation framework for biological resources. The native seed mix requirements in modified Mitigation Measure 4.9-7 further support habitat restoration. The biological resources impacts related to habitat loss remain significant and unavoidable as previously determined at both the project and cumulative levels, and the modifications do not increase the severity of those impacts.
 - (e) With respect to Greenhouse Gas Emissions, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The total development capacity remains unchanged, and the modifications do not affect the project's greenhouse gas emission profile. The greenhouse gas emissions impacts remain

significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.

- (f) With respect to Hazards and Hazardous Materials, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The revision to fire hazard Mitigation Measure 4.8-21 updates fire protection standards to reflect current best practices and maintains or strengthens the protection of public safety. This revision does not result in any new significant hazards impacts.
 - (g) With respect to Noise, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The updates to the Planning Area 6A roadway network and internal roadway network language do not alter the overall traffic volumes or noise-generating activities within the plan area, as the total development capacity remains unchanged. The noise impacts (temporary construction and traffic noise) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (h) With respect to Transportation and Traffic, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The updates to the Planning Area 6A roadway network reflect refinements to internal circulation that do not affect the project's external traffic generation, which is determined by the total development capacity that remains unchanged. The transportation and traffic impacts remain significant and unavoidable at the cumulative level as previously determined, and the modifications do not increase the severity of those impacts.
 - (i) With respect to Utilities and Service Systems, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The redistribution of development maximums among Sub Areas does not increase overall demand for water, sewer, or other utility services beyond what was analyzed in the certified SREIR. The utilities and service systems impacts (cumulative groundwater) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (j) With respect to all other environmental resource topics analyzed in the certified SREIR, including but not limited to Cultural Resources, Geology and Soils, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, and Recreation, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. All significance determinations from the certified SREIR remain unchanged for these resource topics.
- (13) All development under the Grapevine Special Plan, as amended by the modified project, is consistent with the goals and policies of the Kern County General Plan and with density and intensity standards, as required by Section 19.52.150(A) of the Kern County Zoning Ordinance. The amended Specific Plan (of which the amended Special Plan is a component) has been found consistent with the Kern County General Plan, as determined by separate resolution of this Board adopted concurrently herewith. The amended Special Plan maintains the density and intensity standards approved in 2019, including the maximum development caps of 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses.
- (14) Development under the amended Special Plan is demonstratively superior to the development that could occur under any other zoning district or combination of zoning districts in the Zoning Ordinance that are consistent with the county general plan land use category applicable to the subject property, as required by Section 19.52.150(B) of the Kern County Zoning Ordinance. This finding of superiority is based on the following evaluation factors set forth in Section 19.52.150(B):

- (a) The uses authorized by the amended Special Plan are appropriate at the proposed location. The project site is located at the southern end of the San Joaquin Valley, approximately 13 miles south of the Bakersfield City limits, east and west of Interstate 5 at the Laval and Grapevine interchanges. The amended Special Plan provides for a comprehensively planned community that takes advantage of regional transportation access, existing infrastructure corridors, and the site's topographic and environmental characteristics. The modifications to Sub Area development maximums and the Planning Area 6A roadway network updates reflect site-specific planning that further optimizes the appropriateness of the planned uses at this location.
- (b) The amended Special Plan provides for a diverse mix of housing styles and costs that could not be achieved under any other zoning district or combination of zoning districts in the Zoning Ordinance. The plan provides for a range of residential densities from large-lot estate residential to high-density multifamily development at up to 72 units per acre, including various housing types such as single-family detached, single-family attached, townhomes, condominiums, apartments, and mixed-use residential. The redistribution of development maximums among Sub Areas does not diminish the diversity of housing types available within the plan area and maintains flexibility to respond to market conditions.
- (c) The Kern Housing Element promotes the provision of adequate housing sites through appropriate land use map codes and zoning designations to accommodate the County's share of regional housing needs. The amended Special Plan continues to provide for Village Mix Use (VMU) designations within the Specific and Special Plan that provide for up to 72 units per acre of multifamily residential that is allowed by right through a ministerial permit process (Site Plan Review), including units affordable to moderate income households. Implementation of the modified project will continue to contribute to meeting the County's projected growth needs for regional housing under the Kern County Housing Element.
- (d) The amended Special Plan provides for comprehensive infrastructure improvements, including water supply, sewage treatment, drainage, roadways, and utilities. The plan includes detailed provisions for the phased construction of infrastructure concurrent with development, including the creation of special districts in conjunction with future annexation into the Tejon-Castac Water District to provide adequate infrastructure and the taxation necessary for construction and continued maintenance. The updates to the Planning Area 6A roadway network and internal roadway network language further demonstrate the plan's commitment to comprehensive infrastructure planning. These infrastructure provisions exceed what would be required under any other zoning district or combination of zoning districts in the Zoning Ordinance.
- (e) The amended Special Plan provides for generous open space areas that exceed what would be required under any other zoning district or combination of zoning districts in the Zoning Ordinance. The plan designates substantial areas for open space, natural habitat preservation, parks, trails, and recreation. The overall project boundary and ground disturbance area remain unchanged from the approved plan, and the open space network continues to provide buffers between development areas, wildlife corridors, and recreational amenities for residents.
- (f) The uses authorized by the amended Special Plan are compatible with each other and with uses in the surrounding area. The plan provides for careful land use planning with appropriate transitions between different use types, buffering of incompatible uses, and integration of commercial and residential uses in village centers. The redistribution of development maximums among Sub Areas has been planned to maintain internal compatibility of uses within the development area. The surrounding uses, including agriculture and open space, are buffered by the plan's open space network and transitional land use designations.

- (g) The amended Special Plan provides for the use of innovative technology and materials in development. The plan incorporates contemporary sustainable design principles, energy-efficient building standards, water conservation measures, and innovative stormwater management techniques. The Special Plan district framework allows for flexibility to incorporate evolving technology and construction methods that would not be possible under any other zoning district or combination of zoning districts in the Zoning Ordinance.
 - (h) The amended Special Plan makes an overall contribution to the enhancement of the environment of the County. The plan provides for the permanent preservation of substantial natural open space areas, implementation of comprehensive habitat conservation measures (including species-specific protocols for crotch bumble bee and monarch butterfly that have been voluntarily adopted by the project proponent), native seed mix requirements, water conservation, and sustainable community design. The Modified Project's voluntary adoption of strengthened mitigation measures further contributes to environmental enhancement.
 - (i) The amended Special Plan demonstrates creativity in design and use of land that is superior to what could be achieved under any other zoning district or combination of zoning districts in the Zoning Ordinance. The plan provides for a comprehensively designed, mixed-use community with village centers, interconnected open space, multi-modal transportation networks, and integrated community facilities. The updates to the Planning Area 6A roadway network and the internal roadway network language allowing efficient accommodation of buildout demonstrate continued creativity and flexibility in the design and use of land.
- (15) The amended Special Plan is consistent with the goals and policies of the Kern County General Plan, as required by Section 19.52.150(A) of the Kern County Zoning Ordinance. This Board incorporates by reference the General Plan consistency findings adopted by separate resolution of this Board concurrently herewith in connection with the Specific Plan Amendment.
 - (16) The amended Special Plan shall be adopted by ordinance, as required by Section 19.52.160 of the Kern County Zoning Ordinance, which provides that each SP District shall be adopted by ordinance. The amended Special Plan is designated as Grapevine Special Plan No. 2, Map No. 202; Special Plan No. 3, Map No. 218R; and Special Plan No. 3, Map No. 219.
 - (17) The amended Special Plan was prepared in accordance with the Kern County General Plan Appendix C guidelines, which provide standards and criteria for the preparation of special plans in Kern County. The Amended Special Plan satisfies the requirements of Appendix C for content, format, and analytical scope.
 - (18) The amended Special Plan as set forth in Exhibit A (revised text of Sections 1, 2, 3, and 5, shown in strikethrough and underline) and Exhibit B (replacement Figures 1-3, 1-4, 1-5, and 3-1) attached hereto and incorporated herein by this reference. Upon the effective date of this ordinance, the Grapevine Special Plan shall be deemed amended to incorporate the text changes shown in Exhibit A and to replace the existing Figures 1-3, 1-4, 1-5, and 3-1 with those set forth in Exhibit B. All other provisions of the Grapevine Special Plan not addressed in Exhibits A and B shall remain in full force and effect. The amended Special Plan shall continue to serve as Attachment A to the Grapevine Specific and Community Plan, as amended.
 - (19) Public Resources Code Section 21081.6 requires that, when a public agency makes findings pursuant to Public Resources Code Section 21081(a)(1) (i.e., that changes or alterations have been required in or incorporated into the project which avoid or substantially lessen the significant environmental effects identified in the EIR), the agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval adopted in order to

mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.

- (20) CEQA Guidelines Section 15091(d) provides that, when making findings as required by Section 15091(a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to mitigate or avoid significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (21) In connection with the 2019 approvals, a Mitigation Measure Monitoring Program (MMMP) was adopted pursuant to Resolution No. 2019-370 and the associated ordinances, which identified all mitigation measures required by the certified SREIR (State Clearinghouse No. 2014041005) and established monitoring and reporting requirements to ensure compliance.
- (22) The Addendum to the SREIR identified certain modifications to mitigation measures in the previously adopted MMMP, including but not limited to: (a) modifications to biological resources mitigation measures to incorporate species-specific survey and avoidance protocols for crotch bumble bee (*Bombus crotchii*) and monarch butterfly (*Danaus plexippus*); (b) revisions to fire hazard Mitigation Measure 4.8-21 to update fire protection standards; and (c) modifications to Mitigation Measure 4.9-7 regarding native seed mix requirements. These modifications maintain or strengthen the effectiveness of the original mitigation measures and do not result in any new significant impacts or any substantial increase in the severity of previously identified significant impacts.
- (23) The updated Mitigation Measure Monitoring Program (MMMP) has been prepared that reflects the mitigation measure modifications described in the Addendum to the SREIR. The updated Mitigation Measure Monitoring Program (MMMP) identifies each mitigation measure as modified, the responsible parties for implementation and monitoring, the timing and frequency of monitoring, and the criteria for compliance.
- (24) The updated MMMP is designed to ensure compliance with the mitigation measures during project implementation, as required by Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d). All mitigation measures contained in the updated MMMP are fully enforceable through permit conditions, development agreements, or other legally binding mechanisms.
- (25) The updated MMMP is adequate and appropriate to monitor and ensure the implementation of all mitigation measures applicable to the Modified Project. The updated MMMP supersedes the previously adopted MMMP with respect to those mitigation measures that have been modified by the Addendum, and all other provisions of the previously adopted MMMP remain in full force and effect.
- (26) The updated Mitigation Measure Monitoring Program (MMMP) as set forth in Exhibit C attached hereto. The updated MMMP shall be implemented in conjunction with the Project Approvals and shall apply to all development within the Grapevine Specific and Community Plan area and the Grapevine Special Plan area, each as amended.
- (27) The prior findings made pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091 in connection with the 2019 approvals (including the finding that changes or alterations have been required in or incorporated into the project which avoid or substantially lessen the significant environmental effects identified in the certified SREIR) remain applicable and support the adoption of the updated MMMP.

- (28) The adoption of the MMMP is consistent with the determination that an addendum is the appropriate CEQA document for the Modified Project. The CEQA findings adopted by separate resolution of this Board concurrently herewith determine that no new Section 21081 findings are required because the Modified Project is appropriately addressed through an addendum under CEQA Guidelines Section 15164. The updated MMMP reflects the modifications to mitigation measures described in the Addendum to the SREIR and ensures their continued enforceability.
- (29) The Statement of Overriding Considerations previously adopted in connection with the 2019 approvals (Exhibit "B" to Resolution No. 2019-370) found that the significant and unavoidable impacts of the project were outweighed by the project's overriding benefits. Because the Modified Project does not result in any new significant impacts or any substantial increase in the severity of previously identified impacts, and because all significance determinations from the certified SREIR remain unchanged, the prior Statement of Overriding Considerations remains applicable and is not modified, superseded, or rendered inadequate by the modified project or the adoption of the updated MMMP.
- (30) The public hearing was conducted in accordance with all applicable procedural requirements of state law and County ordinances, including but not limited to the notice requirements of Government Code Section 65090 (for specific plan amendments), Government Code Section 65854 (for zoning amendments), and the Kern County Zoning Ordinance. All interested parties were afforded the opportunity to appear and be heard on the merits of the project approvals.
- (31) The legislative body of the County of Kern has the authority to adopt and amend specific plans (Gov. Code Section 65354), adopt and amend zoning ordinances (Gov. Code Section 65850), and make CEQA determinations as the lead agency (CEQA Guidelines Section 15051).
- (32) All findings recommended by staff, whether verbally or in their written reports, to the extent consistent with and not superseded by the findings set forth herein are incorporated.
- (33) In accordance with State law and the California Tribal Consultation Guidelines, the appropriate Native American tribes were consulted with respect to the project's potential impacts on Native American places, features, and objects and provided an opportunity for review and consultation.
- (34) The Specific Plan Amendment, Special Plan Amendment, Zoning Map Amendments, Addendum Determination, and Updated MMMP are each necessary to implement the modified project and are intended to be considered and approved together. However, each approval action is supported by independent findings set forth in the separate resolution or ordinance adopted by this Board concurrently herewith for that approval action and may stand independently if any other approval action is challenged or invalidated.
- (35) The proposed modified project is consistent with, and implements, the existing Development Agreement between the County of Kern and Tejon Ranchcorp. (approved by Resolution No. 2019-372). The modifications to the Specific Plan and Special Plan are within the scope of development contemplated by the Development Agreement, and no amendment to the Development Agreement is required.
- (36) If any provision of these findings, or the application thereof to any person or circumstances, is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of these findings which can be given effect without the invalid provision or application, and to this end the provisions of these findings are declared to be severable.

- (37) The Resolution approving the Specific Plan Amendment and the Addendum Determination shall be effective upon adoption. The ordinance approving the Special Plan Amendment shall be effective thirty (30) days following adoption, unless otherwise specified by law.

RECOMMENDED CONDITIONS OF APPROVAL FOR MODIFICATION NO. 1 TO SPECIAL PLAN NO. 3, MAP 218R:

- (1) Development shall be subject to the requirements of the policies and implementation of the Grapevine Specific Plan and Community Plan.
- (2) This project allows a maximum of 12,000 dwelling units, (both single and multifamily, depending on the Specific Plan land use designation); a maximum of 5.1 million square feet of commercial/industrial use. As each development goes through a site development review process, each of the above referenced uses shall be calculated, totaled, a running summary of amount used versus amount remaining and shall be shown on each site plan review.
- (3) Development shall be in substantial conformity with the approved plan.
- (4) Development shall be reviewed through the Site Plan Review process identified as part of the adopted Specific and Special Plan, and all conditions of approval shall be imposed and implemented including all mitigation measures.
- (5) Modifications of this Special Plan may be made in accordance with the Review and Approval Procedures of this Special Plan.
- (6) Food facility plans shall be submitted to the Kern County Public Health Services Department/Environmental Health Division for plan check review and approval.
- (7) Within 30 days of project approval, the project proponent shall submit a final approved draft of the Special Plan. This Plan shall reflect any approved modifications to the proposed project identified by the Kern County Planning Commission and/or Kern County Board of Supervisors.
- (8) **Prior to the issuance of building or grading permits, the applicant shall submit documentation of the following:**
 - (a) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division.
 - (b) Fire flows and fire protection facilities shall be as required and approved by the Kern County Fire Department.
 - (c) A plan for the disposal of drainage waters originating on site and from adjacent road rights-of-way shall be approved by the Kern County Public Works Department/Floodplain Management Section, if required. Easements or grant deeds shall be given to the County of Kern for drainage purposes or access thereto, as necessary.
- (9) **Prior to final occupancy approval, the following conditions shall be verified by the building inspector and shall be continuously maintained while this permit is active:**
 - (a) All necessary building permits must be obtained.

- (b) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, or similar obstructions, shall be removed from the ultimate road rights-of-way in accordance with Section 18.55.030 of the Land Division Ordinance. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.
- (10) **The property owner shall continuously comply with the following conditions of approval during implementation of this permit:**
- (a) The development shall comply with any requirements of the San Joaquin Valley Air Pollution Control District.
- (b) Trash pickup shall occur a minimum of once each week. All trash and recyclable receptacles shall be enclosed within a six-foot-high, three-sided masonry enclosure with securable iron gate and shall be installed on an impervious surface at a location that is outside the required front-yard setback and convenient for refuse haulers and which does not interfere with on-site or off-site parking or circulation. For all multiunit developments consisting of five or more dwelling units, adequate space shall be provided for the collection and loading of recyclable materials
- (11) At the time building permits are applied for, a filing fee of \$130 may be imposed to ensure that final plans are consistent with adopted conditions of approval. This fee may serve as an initial deposit for particularly complex cases, in which case a cost recovery agreement will be required and charges will be billed at \$100 per hour.
- *(12) All mitigation measures included in the adopted Mitigation Measure Monitoring Program, included as Exhibit C in the Resolution, are hereby required.
- (13) The Project shall be designed to provide renewable energy production or energy savings that is equivalent to electrical generation resulting from installation of one photovoltaic (i.e., solar) power system no smaller than a 2-kilowatt solar panel for every single-family dwelling unit and for every 1,600 square feet of non-residential roof area. Through consultation and approval from the Planning and Natural Resources Director, the above provisions could be modified in such a manner that equivalent community energy savings to residents are provided through alternative solar facility or facilities rather than individual panel installation on each residential and non-residential unit.

*** DENOTES MITIGATION MEASURE**

BASIS FOR APPROVAL AND RECOMMENDED FINDINGS FOR MODIFICATION NO. 1 TO SPECIAL PLAN NO. 3, MAP 219:

- (1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.
- (2) The fee required by the California Department of Fish and Game Code Section 711.4 has been previously paid for the processing of the previously certified Environmental Impact Report for this project, and under Section 711.4(g), we find that the project is not tiered or phased as set forth in Sections 15385 and 15165, respectively, of the State CEQA Guidelines, and separate environmental documents or review by the Department of Fish and Wildlife is not required, and further, based on the public interpretation of these statutes by the Department of Fish and Wildlife staff, find this

approval and related Notice of Determination exempt from the payment of the otherwise applicable fee.

- (3) The proposed Specific Plan Amendment is consistent with Public Resources Code Section 21166 and CEQA Guidelines Section 15162(a), which limit the circumstances under which subsequent environmental review is required after an Environmental Impact Report has been certified. Specifically, Section 15162(a) provides that no subsequent or supplemental EIR shall be prepared for a project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that one or more of the following conditions has occurred:
- (a) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial environmental effect or a substantial increase in the severity of previously identified significant effects.
 - (b) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 - (c) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 - 1. The project will have one or more significant effects not discussed in the previous EIR.
 - 2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - 3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - 4. Mitigation or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
- (4) CEQA Guidelines Section 15164(1) provides that a lead agency shall prepared an addendum to a previously Certified EIR (State Clearinghouse No. 2014041005) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- (5) CEQA Guidelines Section 15164(d) provides that the decision-making body shall consider the addendum with the final EIR prior to making a decision on the project, and Section 15164(e) provides that a brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in the addendum, the findings, or elsewhere in the record, supported by substantial evidence.
- (6) On the basis of substantial evidence in the whole record, including but not limited to the Addendum to the SREIR, the certified SREIR, all documents incorporated by reference therein, and all testimony and evidence received at the public hearing, that none of the conditions set forth in CEQA

Guidelines Section 15162(a) have occurred with respect to the modified project, for the reasons set forth in Findings 6(a) through 6(g).

- (a) The modified project does not involve substantial changes to the project that will require major revisions to the certified SREIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The modified project does not alter the maximum development caps of 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses. The modified project does not change the project boundary or ground disturbance area. The modifications consist of updates to figures, exhibits, tables, roadway network details within Planning Area 6A, internal roadway network language, elimination of references to expired Williamson Act contracts, revisions to development maximums within certain Sub Areas, and typographical corrections. As documented in the Addendum to the SREIR, these changes do not result in any new significant environmental effects or substantially increase the severity of any previously identified significant effects.
- (b) The modified project does not propose substantial changes have occurred with respect to the circumstances under which the modified project is being undertaken that will require major revisions to the certified SREIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The project setting, surrounding land uses, and environmental conditions remain substantially similar to those analyzed in the certified SREIR. As further documented in the Addendum to the SREIR, no changes in circumstances have occurred that would result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR.
- (c) The modified project does not contain new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SREIR was certified, shows that the modified project will have one or more significant effects not discussed in the certified SREIR. As documented in the Addendum, all environmental effects of the modified project fall within the scope of the effects previously analyzed in the certified SREIR.
- (d) The modified project does not contain new information of substantial importance that shows that significant effects previously examined in the certified SREIR will be substantially more severe as a result of the modified project. As documented in the Addendum to the SREIR, all significance determinations from the certified SREIR remain unchanged. No new significant impacts would occur as a result of approval of the modified project, nor would there be any substantial increase in the severity of any previously identified significant environmental impacts.
- (e) The modified project does not contain new information of substantial importance that shows that mitigation measures or alternatives previously found not to be feasible in the certified SREIR would in fact be feasible and would substantially reduce one or more significant effects of the project, where the project proponent declines to adopt the mitigation measure or alternative. The modified project does not render any previously rejected mitigation measures or alternatives feasible. As documented in the Addendum to the SREIR, no new information indicates previously rejected alternatives are feasible or that considerably different alternatives would substantially reduce significant effects.
- (f) The modified project does not contain new information of substantial importance that shows that mitigation measures or alternatives which are considerably different from those analyzed in the certified SREIR would substantially reduce one or more significant effects on the environment, where the project proponent declines to adopt the mitigation measure or alternative. To the extent the Addendum to the SREIR describes modifications to certain

- mitigation measures (including species-specific protocols for crotch bumble bee and monarch butterfly, revisions to fire hazard Mitigation Measure 4.8-21, and native seed mix requirements in Mitigation Measure 4.9-7), those modified measures are voluntarily adopted by the project proponent and maintain or strengthen the impact reductions previously identified. Pursuant to CEQA Guidelines Sections 15162(a)(3)(C) and (D), the triggers for a subsequent EIR based on new or different mitigation apply only where the project proponent declines to adopt a measure; here, the proponent voluntarily adopts the species-specific protocols and modified measures. (See *Citizens Against Airport Pollution v. City of San Jose* (2014) 227 Cal.App.4th 788, 810-811 [upholding addendum modifying biological resource mitigation where substantial evidence showed changes maintained impacts at less-than-significant level].)
- (g) The modified project, to the extent any changes to the CEQA Guidelines have occurred since the certification of the SREIR in December 2019, has not changed to constitute new information of substantial importance requiring preparation of a subsequent EIR. (See *Olen Properties Corp. v. City of Newport Beach* (2023) 93 Cal.App.5th 270 [subsequent changes to CEQA guidelines are not new information so long as underlying environmental issue was understood at time of initial EIR]; *Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1301 [adoption of guidelines for analyzing data does not constitute new information if underlying information was known at time of EIR certification].) The underlying environmental issues addressed in the certified SREIR were understood at the time of certification, and subsequent regulatory developments do not alter the conclusions of the environmental analysis.
- (7) The Addendum to the SREIR is the appropriate CEQA document for the modified project pursuant to CEQA Guidelines Section 15164(a). Because some changes and additions to the previously certified SREIR are necessary to describe and analyze the modified project, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred, an addendum is the proper environmental document. (See *Friends of Coll. of San Mateo Gardens v. San Mateo Cnty. Cmty. Coll. Dist.* (2016) 1 Cal.5th 937 [addendum is appropriate vehicle to document determination that subsequent EIR is not required].)
- (8) The Addendum to the SREIR prepared for the modified project satisfies the requirements of CEQA Guidelines Section 15164. The Addendum includes a brief explanation of the decision not to prepare a subsequent EIR, which explanation is supported by substantial evidence in the record. The Addendum to the SREIR is hereby incorporated by reference as though fully set forth herein.
- (9) Because the appropriate CEQA document for the modified project is an Addendum to the SREIR under Section 15164 rather than a subsequent or supplemental EIR, no new findings under Public Resources Code Section 21081 are required. (See *River Valley Preservation Project v. Metropolitan Transit Dev. Bd.* (1995) 37 Cal.App.4th 154, 168 [no new findings under PRC Section 21081 required when addendum prepared; change in mitigation measures does not trigger subsequent EIR absent showing of new significant impacts]; *Save Our Heritage Organisation v. City of San Diego* (2018) 28 Cal.App.5th 656, 677-678 [confirming that Section 15164 is a valid regulation and that no Section 21081 findings are required for an addendum].)
- (10) The Statement of Overriding Considerations previously adopted in connection with the 2019 approvals (Exhibit "B" to Resolution No. 2019-370) found that the significant and unavoidable impacts of the project were outweighed by the project's overriding benefits. Because the modified project does not result in any new significant impacts or any substantial increase in the severity of previously identified impacts, and because all significance determinations from the certified SREIR remain unchanged, the prior Statement of Overriding Considerations remains applicable and is not

modified, superseded, or rendered inadequate by the modified project or the adoption of the Updated MMMP.

- (11) In accordance with CEQA Guidelines Section 15164(d), this Board has considered the Addendum to the SREIR together with the certified SREIR prior to making a decision on the modified project. This Board has reviewed the Addendum to the SREIR and the certified SREIR and all documents incorporated by reference therein, and has considered the environmental effects of the modified project as described in those documents. The Addendum to the SREIR and the certified SREIR adequately describes the environmental effects of the modified project, identifies appropriate mitigation measures, and provides a sufficient basis for informed decision-making by this Board.
- (12) Substantial evidence in the record supports the determination that an Addendum to the SREIR is the appropriate CEQA document for the modified project. The Addendum to the SREIR analyzes each environmental resource topic addressed in the certified SREIR and concludes that no new significant impacts would occur as a result of approval of the modified project, nor would there be any substantial increase in the severity of any previously identified significant environmental impacts. This Board has independently reviewed the Addendum to the SREIR and concurs in these conclusions.
 - (a) With respect to Aesthetics, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The project boundary and ground disturbance area remain unchanged, and the visual character of the development will be substantially similar to that analyzed in the certified SREIR. The aesthetics impacts remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (b) With respect to Agriculture and Forestry Resources, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The elimination of references to expired Williamson Act contracts reflects existing conditions and does not alter the agricultural impacts of the project. The project boundary remains unchanged, and no additional agricultural land is affected. The agriculture impacts remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (c) With respect to Air Quality, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The total development capacity remains unchanged at 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses, and therefore the project's operational and construction-related air quality impacts remain substantially as analyzed. The air quality impacts (ROG, NOx, PM10, PM2.5, and odors) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (d) With respect to Biological Resources, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The ground disturbance area remains unchanged, and the modified project's voluntary adoption of species-specific survey and avoidance protocols for crotch bumble bee (*Bombus crotchii*) and monarch butterfly (*Danaus plexippus*) strengthens the mitigation framework for biological resources. The native seed mix requirements in modified Mitigation Measure 4.9-7 further support habitat restoration. The biological resources impacts related to habitat loss remain significant and unavoidable as previously determined at both the project and cumulative levels, and the modifications do not increase the severity of those impacts.

- (e) With respect to Greenhouse Gas Emissions, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The total development capacity remains unchanged, and the modifications do not affect the project's greenhouse gas emission profile. The greenhouse gas emissions impacts remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (f) With respect to Hazards and Hazardous Materials, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The revision to fire hazard Mitigation Measure 4.8-21 updates fire protection standards to reflect current best practices and maintains or strengthens the protection of public safety. This revision does not result in any new significant hazards impacts.
 - (g) With respect to Noise, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The updates to the Planning Area 6A roadway network and internal roadway network language do not alter the overall traffic volumes or noise-generating activities within the plan area, as the total development capacity remains unchanged. The noise impacts (temporary construction and traffic noise) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (h) With respect to Transportation and Traffic, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The updates to the Planning Area 6A roadway network reflect refinements to internal circulation that do not affect the project's external traffic generation, which is determined by the total development capacity that remains unchanged. The transportation and traffic impacts remain significant and unavoidable at the cumulative level as previously determined, and the modifications do not increase the severity of those impacts.
 - (i) With respect to Utilities and Service Systems, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The redistribution of development maximums among Sub Areas does not increase overall demand for water, sewer, or other utility services beyond what was analyzed in the certified SREIR. The utilities and service systems impacts (cumulative groundwater) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (j) With respect to all other environmental resource topics analyzed in the certified SREIR, including but not limited to Cultural Resources, Geology and Soils, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, and Recreation, the modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. All significance determinations from the certified SREIR remain unchanged for these resource topics.
- (13) All development under the Grapevine Special Plan, as amended by the modified project, is consistent with the goals and policies of the Kern County General Plan and with density and intensity standards, as required by Section 19.52.150(A) of the Kern County Zoning Ordinance. The Amended Specific Plan (of which the Amended Special Plan is a component) has been found consistent with the Kern County General Plan, as determined by separate resolution of this Board adopted concurrently herewith. The Amended Special Plan maintains the density and intensity standards approved in 2019, including the maximum development caps of 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses.

- (14) Development under the amended Special Plan is demonstratively superior to the development that could occur under any other zoning district or combination of zoning districts in the Zoning Ordinance that are consistent with the county general plan land use category applicable to the subject property, as required by Section 19.52.150(B) of the Kern County Zoning Ordinance. This finding of superiority is based on the following evaluation factors set forth in Section 19.52.150(B):
- (a) The uses authorized by the amended Special Plan are appropriate at the proposed location. The project site is located at the southern end of the San Joaquin Valley, approximately 13 miles south of the Bakersfield City limits, east and west of Interstate 5 at the Laval and Grapevine interchanges. The amended Special Plan provides for a comprehensively planned community that takes advantage of regional transportation access, existing infrastructure corridors, and the site's topographic and environmental characteristics. The modifications to Sub Area development maximums and the Planning Area 6A roadway network updates reflect site-specific planning that further optimizes the appropriateness of the planned uses at this location.
 - (b) The amended Special Plan provides for a diverse mix of housing styles and costs that could not be achieved under any other zoning district or combination of zoning districts in the Zoning Ordinance. The plan provides for a range of residential densities from large-lot estate residential to high-density multifamily development at up to 72 units per acre, including various housing types such as single-family detached, single-family attached, townhomes, condominiums, apartments, and mixed-use residential. The redistribution of development maximums among Sub Areas does not diminish the diversity of housing types available within the plan area and maintains flexibility to respond to market conditions.
 - (c) The Kern Housing Element promotes the provision of adequate housing sites through appropriate land use map codes and zoning designations to accommodate the County's share of regional housing needs. The amended Special Plan continues to provide for Village Mix Use (VMU) designations within the Specific and Special Plan that provide for up to 72 units per acre of multifamily residential that is allowed by right through a ministerial permit process (Site Plan Review), including units affordable to moderate income households. Implementation of the Modified Project will continue to contribute to meeting the County's projected growth needs for regional housing under the Kern County Housing Element.
 - (d) The amended Special Plan provides for comprehensive infrastructure improvements, including water supply, sewage treatment, drainage, roadways, and utilities. The plan includes detailed provisions for the phased construction of infrastructure concurrent with development, including the creation of special districts in conjunction with future annexation into the Tejon-Castac Water District to provide adequate infrastructure and the taxation necessary for construction and continued maintenance. The updates to the Planning Area 6A roadway network and internal roadway network language further demonstrate the plan's commitment to comprehensive infrastructure planning. These infrastructure provisions exceed what would be required under any other zoning district or combination of zoning districts in the Zoning Ordinance.
 - (e) The amended Special Plan provides for generous open space areas that exceed what would be required under any other zoning district or combination of zoning districts in the Zoning Ordinance. The plan designates substantial areas for open space, natural habitat preservation, parks, trails, and recreation. The overall project boundary and ground disturbance area remain unchanged from the approved plan, and the open space network continues to provide buffers between development areas, wildlife corridors, and recreational amenities for residents.
 - (f) The uses authorized by the amended Special Plan are compatible with each other and with uses in the surrounding area. The plan provides for careful land use planning with appropriate transitions between different use types, buffering of incompatible uses, and integration of

commercial and residential uses in village centers. The redistribution of development maximums among Sub Areas has been planned to maintain internal compatibility of uses within the development area. The surrounding uses, including agriculture and open space, are buffered by the plan's open space network and transitional land use designations.

- (g) The amended Special Plan provides for the use of innovative technology and materials in development. The plan incorporates contemporary sustainable design principles, energy-efficient building standards, water conservation measures, and innovative stormwater management techniques. The Special Plan district framework allows for flexibility to incorporate evolving technology and construction methods that would not be possible under any other zoning district or combination of zoning districts in the Zoning Ordinance.
 - (h) The amended Special Plan makes an overall contribution to the enhancement of the environment of the County. The plan provides for the permanent preservation of substantial natural open space areas, implementation of comprehensive habitat conservation measures (including species-specific protocols for crotch bumble bee and monarch butterfly that have been voluntarily adopted by the project proponent), native seed mix requirements, water conservation, and sustainable community design. The Modified Project's voluntary adoption of strengthened mitigation measures further contributes to environmental enhancement.
 - (i) The amended Special Plan demonstrates creativity in design and use of land that is superior to what could be achieved under any other zoning district or combination of zoning districts in the Zoning Ordinance. The plan provides for a comprehensively designed, mixed-use community with village centers, interconnected open space, multi-modal transportation networks, and integrated community facilities. The updates to the Planning Area 6A roadway network and the internal roadway network language allowing efficient accommodation of buildout demonstrate continued creativity and flexibility in the design and use of land.
- (15) The amended Special Plan is consistent with the goals and policies of the Kern County General Plan, as required by Section 19.52.150(A) of the Kern County Zoning Ordinance. This Board incorporates by reference the General Plan consistency findings adopted by separate resolution of this Board concurrently herewith in connection with the Specific Plan Amendment.
 - (16) The amended Special Plan shall be adopted by ordinance, as required by Section 19.52.160 of the Kern County Zoning Ordinance, which provides that each SP District shall be adopted by ordinance. The amended Special Plan is designated as Grapevine Special Plan No. 2, Map No. 202; Special Plan No. 3, Map No. 218R; and Special Plan No. 3, Map No. 219.
 - (17) The amended Special Plan was prepared in accordance with the Kern County General Plan Appendix C guidelines, which provide standards and criteria for the preparation of special plans in Kern County. The Amended Special Plan satisfies the requirements of Appendix C for content, format, and analytical scope.
 - (18) The amended Special Plan as set forth in Exhibit A (revised text of Sections 1, 2, 3, and 5, shown in strikethrough and underline) and Exhibit B (replacement Figures 1-3, 1-4, 1-5, and 3-1) attached hereto and incorporated herein by this reference. Upon the effective date of this ordinance, the Grapevine Special Plan shall be deemed amended to incorporate the text changes shown in Exhibit A and to replace the existing Figures 1-3, 1-4, 1-5, and 3-1 with those set forth in Exhibit B. All other provisions of the Grapevine Special Plan not addressed in Exhibits A and B shall remain in full force and effect. The amended Special Plan shall continue to serve as Attachment A to the Grapevine Specific and Community Plan, as amended.

- (19) Public Resources Code Section 21081.6 requires that, when a public agency makes findings pursuant to Public Resources Code Section 21081(a)(1) (i.e., that changes or alterations have been required in or incorporated into the project which avoid or substantially lessen the significant environmental effects identified in the EIR), the agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.
- (20) CEQA Guidelines Section 15091(d) provides that, when making findings as required by Section 15091(a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to mitigate or avoid significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (21) In connection with the 2019 approvals, a Mitigation Measure Monitoring Program (MMMP) was adopted pursuant to Resolution No. 2019-370 and the associated ordinances, which identified all mitigation measures required by the certified SREIR (State Clearinghouse No. 2014041005) and established monitoring and reporting requirements to ensure compliance.
- (22) The Addendum to the SREIR identified certain modifications to mitigation measures in the previously adopted MMMP, including but not limited to: (a) modifications to biological resources mitigation measures to incorporate species-specific survey and avoidance protocols for crotch bumble bee (*Bombus crotchii*) and monarch butterfly (*Danaus plexippus*); (b) revisions to fire hazard Mitigation Measure 4.8-21 to update fire protection standards; and (c) modifications to Mitigation Measure 4.9-7 regarding native seed mix requirements. These modifications maintain or strengthen the effectiveness of the original mitigation measures and do not result in any new significant impacts or any substantial increase in the severity of previously identified significant impacts.
- (23) The updated Mitigation Measure Monitoring Program (MMMP) has been prepared that reflects the mitigation measure modifications described in the Addendum to the SREIR. The updated Mitigation Measure Monitoring Program (MMMP) identifies each mitigation measure as modified, the responsible parties for implementation and monitoring, the timing and frequency of monitoring, and the criteria for compliance.
- (24) The updated MMMP is designed to ensure compliance with the mitigation measures during project implementation, as required by Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d). All mitigation measures contained in the updated MMMP are fully enforceable through permit conditions, development agreements, or other legally binding mechanisms.
- (25) The updated MMMP is adequate and appropriate to monitor and ensure the implementation of all mitigation measures applicable to the modified project. The updated MMMP supersedes the previously adopted MMMP with respect to those mitigation measures that have been modified by the Addendum, and all other provisions of the previously adopted MMMP remain in full force and effect.
- (26) The updated Mitigation Measure Monitoring Program (MMMP) as set forth in Exhibit C attached hereto. The updated MMMP shall be implemented in conjunction with the Project Approvals and shall apply to all development within the Grapevine Specific and Community Plan area and the Grapevine Special Plan area, each as amended.

- (27) The prior findings made pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091 in connection with the 2019 approvals (including the finding that changes or alterations have been required in or incorporated into the project which avoid or substantially lessen the significant environmental effects identified in the certified SREIR) remain applicable and support the adoption of the updated MMMP.
- (28) The adoption of the MMMP is consistent with the determination that an addendum is the appropriate CEQA document for the modified project. The CEQA findings adopted by separate resolution of this Board concurrently herewith determine that no new Section 21081 findings are required because the Modified Project is appropriately addressed through an addendum under CEQA Guidelines Section 15164. The updated MMMP reflects the modifications to mitigation measures described in the Addendum to the SREIR and ensures their continued enforceability.
- (29) The Statement of Overriding Considerations previously adopted in connection with the 2019 approvals (Exhibit "B" to Resolution No. 2019-370) found that the significant and unavoidable impacts of the project were outweighed by the project's overriding benefits. Because the modified project does not result in any new significant impacts or any substantial increase in the severity of previously identified impacts, and because all significance determinations from the certified SREIR remain unchanged, the prior Statement of Overriding Considerations remains applicable and is not modified, superseded, or rendered inadequate by the Modified Project or the adoption of the updated MMMP.
- (30) The public hearing was conducted in accordance with all applicable procedural requirements of state law and County ordinances, including but not limited to the notice requirements of Government Code Section 65090 (for specific plan amendments), Government Code Section 65854 (for zoning amendments), and the Kern County Zoning Ordinance. All interested parties were afforded the opportunity to appear and be heard on the merits of the Project Approvals.
- (31) The legislative body of the County of Kern has the authority to adopt and amend specific plans (Gov. Code Section 65354), adopt and amend zoning ordinances (Gov. Code Section 65850), and make CEQA determinations as the lead agency (CEQA Guidelines Section 15051).
- (32) All findings recommended by staff, whether verbally or in their written reports, to the extent consistent with and not superseded by the findings set forth herein are incorporated.
- (33) In accordance with State law and the California Tribal Consultation Guidelines, the appropriate Native American tribes were consulted with respect to the project's potential impacts on Native American places, features, and objects and provided an opportunity for review and consultation.
- (34) The Specific Plan Amendment, Special Plan Amendment, Zoning Map Amendments, Addendum Determination, and Updated MMMP are each necessary to implement the Modified Project and are intended to be considered and approved together. However, each approval action is supported by independent findings set forth in the separate resolution or ordinance adopted by this Board concurrently herewith for that approval action and may stand independently if any other approval action is challenged or invalidated.
- (35) The modified project is consistent with, and implements, the existing Development Agreement between the County of Kern and Tejon Ranchcorp. (approved by Resolution No. 2019-372). The modifications to the Specific Plan and Special Plan are within the scope of development contemplated by the Development Agreement, and no amendment to the Development Agreement is required.

- (36) If any provision of these findings, or the application thereof to any person or circumstances, is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of these findings which can be given effect without the invalid provision or application, and to this end the provisions of these findings are declared to be severable.
- (37) The Resolution approving the Specific Plan Amendment and the Addendum Determination shall be effective upon adoption. The ordinance approving the Special Plan Amendment shall be effective thirty (30) days following adoption, unless otherwise specified by law.

RECOMMENDED CONDITIONS OF APPROVAL FOR MODIFICATION NO. 1, SPECIAL PLAN NO. 3, MAP 219:

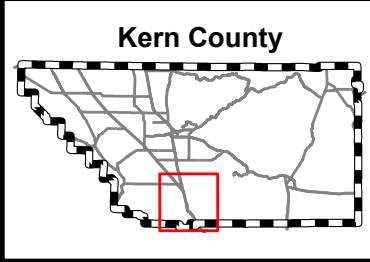
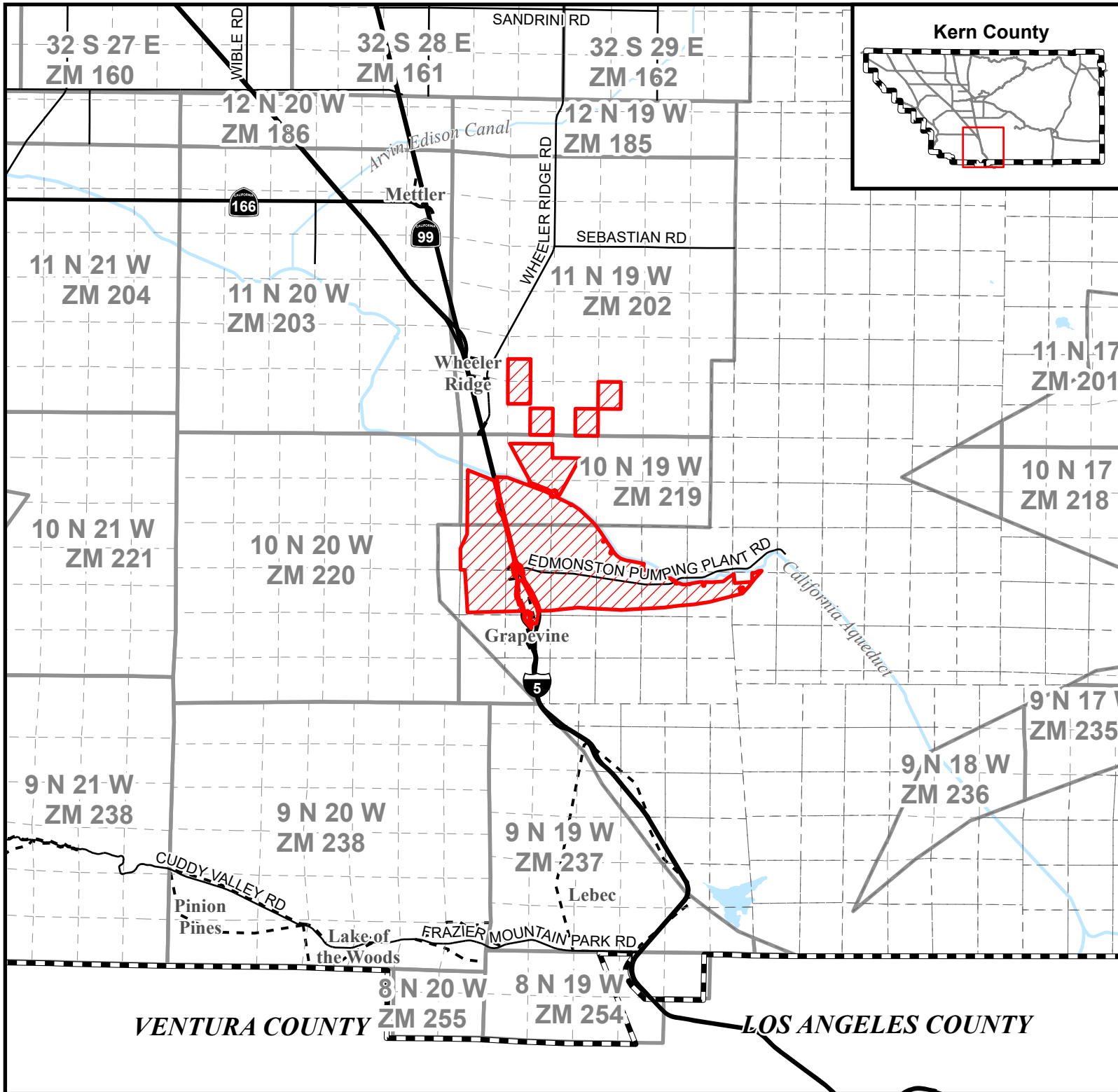
- (1) Development shall be subject to the requirements of the policies and implementation of the Grapevine Specific Plan and Community Plan.
- (2) This project allows a maximum of 12,000 dwelling units, (both single and multifamily, depending on the Specific Plan land use designation); a maximum of 5.1 million square feet of commercial/industrial use. As each development goes through a site development review process, each of the above referenced uses shall be calculated, totaled, a running summary of amount used versus amount remaining and shall be shown on each site plan review.
- (3) Development shall be in substantial conformity with the approved plan.
- (4) Development shall be reviewed through the Site Plan Review process identified as part of the adopted Specific and Special Plan, and all conditions of approval shall be imposed and implemented including all mitigation measures.
- (5) Modifications of this Special Plan may be made in accordance with the Review and Approval Procedures of this Special Plan.
- (6) Food facility plans shall be submitted to the Kern County Public Health Services Department/Environmental Health Division for plan check review and approval.
- (7) Within 30 days of project approval, the project proponent shall submit a final approved draft of the Special Plan. This Plan shall reflect any approved modifications to the proposed project identified by the Kern County Planning Commission and/or Kern County Board of Supervisors.
- (8) **Prior to the issuance of building or grading permits, the applicant shall submit documentation of the following:**
 - (a) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division.
 - (b) Fire flows and fire protection facilities shall be as required and approved by the Kern County Fire Department.
 - (c) A plan for the disposal of drainage waters originating on site and from adjacent road rights-of-way shall be approved by the Kern County Public Works Department/Floodplain Management Section, if required. Easements or grant deeds shall be given to the County of Kern for drainage purposes or access thereto, as necessary.

- (9) **Prior to final occupancy approval, the following conditions shall be verified by the building inspector and shall be continuously maintained while this permit is active:**
- (a) All necessary building permits must be obtained.
 - (b) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, or similar obstructions, shall be removed from the ultimate road rights-of-way in accordance with Section 18.55.030 of the Land Division Ordinance. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.
- (10) **The property owner shall continuously comply with the following conditions of approval during implementation of this permit:**
- (a) The development shall comply with any requirements of the San Joaquin Valley Air Pollution Control District.
 - (b) Trash pickup shall occur a minimum of once each week. All trash and recyclable receptacles shall be enclosed within a six-foot-high, three-sided masonry enclosure with securable iron gate and shall be installed on an impervious surface at a location that is outside the required front-yard setback and convenient for refuse haulers and which does not interfere with on-site or off-site parking or circulation. For all multiunit developments consisting of five or more dwelling units, adequate space shall be provided for the collection and loading of recyclable materials.
- (11) At the time building permits are applied for, a filing fee of \$130 may be imposed to ensure that final plans are consistent with adopted conditions of approval. This fee may serve as an initial deposit for particularly complex cases, in which case a cost recovery agreement will be required and charges will be billed at \$100 per hour.
- *(12) All mitigation measures included in the adopted Mitigation Measure Monitoring Program, included as Exhibit C in the Resolution, are hereby required.
- (13) The Project shall be designed to provide renewable energy production or energy savings that is equivalent to electrical generation resulting from installation of one photovoltaic (i.e., solar) power system no smaller than a 2-kilowatt solar panel for every single-family dwelling unit and for every 1,600 square feet of non-residential roof area. Through consultation and approval from the Planning and Natural Resources Director, the above provisions could be modified in such a manner that equivalent community energy savings to residents are provided through alternative solar facility or facilities rather than individual panel installation on each residential and non-residential unit.

*** DENOTES MITIGATION MEASURE**

NM:AC:an
Attachments:

Maps



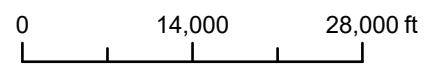
**SPA #163, Map 500;
Mod 1, SP 2, Map 202;
Mod 1, SP 3, Map 218R;
Mod 1, SP 3, Map 219**

Vicinity Map

**Grapevine Specific and
Community Plan Amendment
by Tejon Ranchcorp**

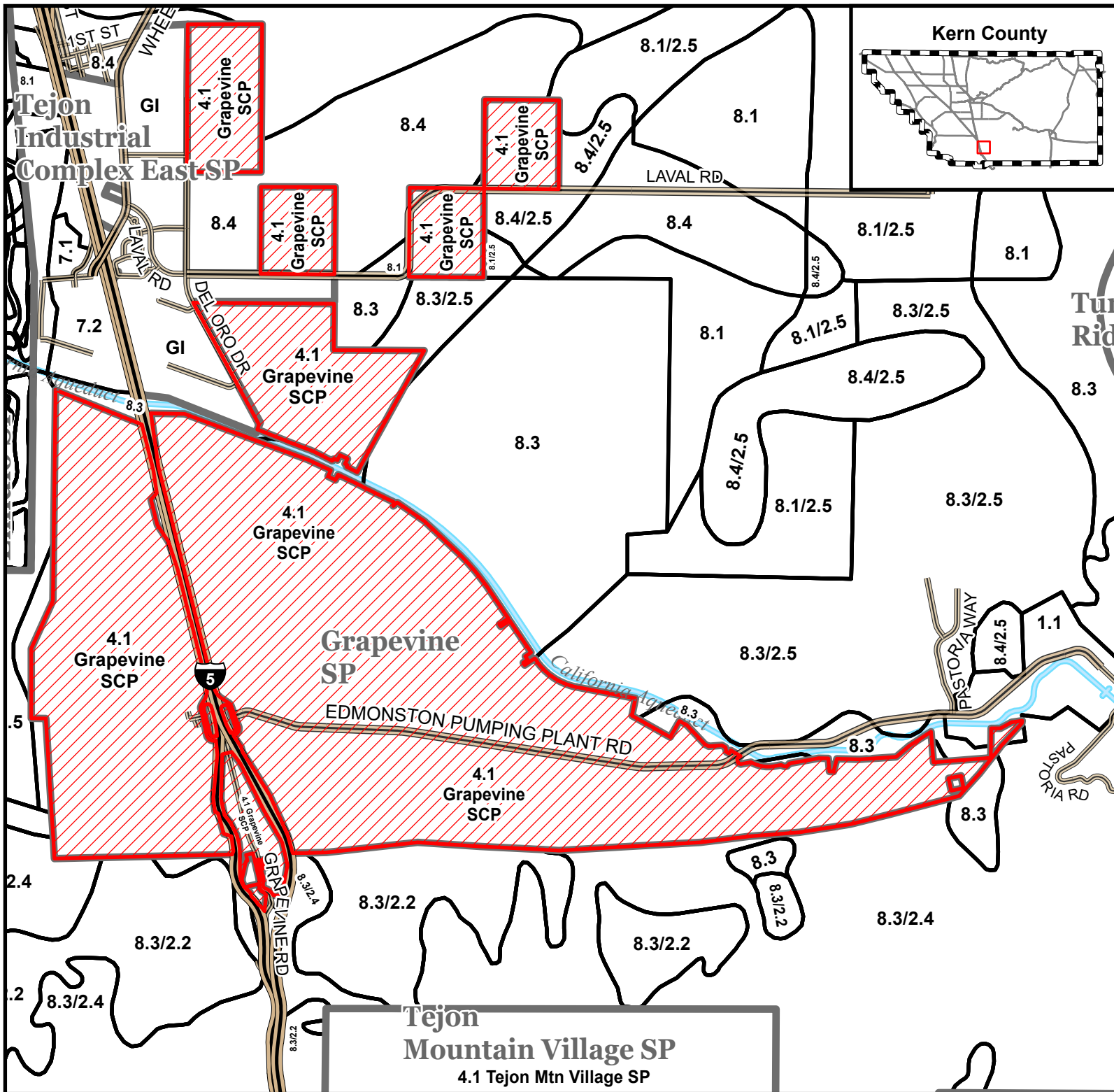
- Site
- Interstate
- Named Road
- State Hwy
- Arterials
- Township/Range
- Sections
- Unincorporated Cities

Created on: 7/22/2026



**Kern County
Planning & Natural
Resources Department**





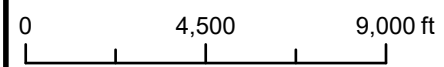
**SPA #163, Map 500;
Mod 1, SP 2, Map 202;
Mod 1, SP 3, Map 218R;
Mod 1 SP 3, Map 219**

Existing General Plan Map

**Grapevine Specific and
Community Plan Amendment
by Tejon Ranchcorp**

- | | |
|--|---|
| <p>Site</p> <ul style="list-style-type: none"> Site Interstate Named Rd State Hwy Arterials Collectors Dirt Roads <p>Specific Plans</p> <ul style="list-style-type: none"> Grapevine San Emidio Tejon Industrial Complex East Tejon Mountain Village Tunis Ridge <p>General Plan Boundaries</p> <ul style="list-style-type: none"> 1.1 - State and Federal Land 4.1 - Accepted County Plan Areas 4.3 - Specific Plan Required 6.2 - General Commercial 6.3 - Highway Commercial | <ul style="list-style-type: none"> 7.1 - Light Industrial 7.2 - Service Industrial 8.1 - Intensive Agriculture (Min. 20-acre parcel size) 8.3 - Extensive Agriculture (Min. 20- or 80-acre parcel size) 8.4 - Mineral and Petroleum (Min. 5-acre parcel size) 3.1 - PARKS AND RECREATION AREAS 5.3 - MAXIMUM 10 UNITS/NET ACRE (4356 SQ. FT. SITE AREA/UNIT) 6.1 - REGIONAL COMMERCIAL 7.2 - SERVICE INDUSTRIAL GI - General Industrial See SP map 2.5 - Flood Hazard 2.2 - Landslide See SP map 2.1 - Seismic Hazard 2.4 - Steep Slope |
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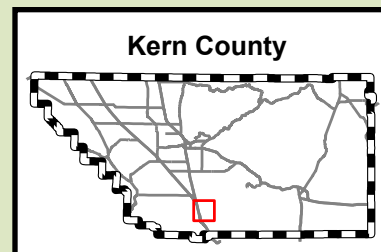
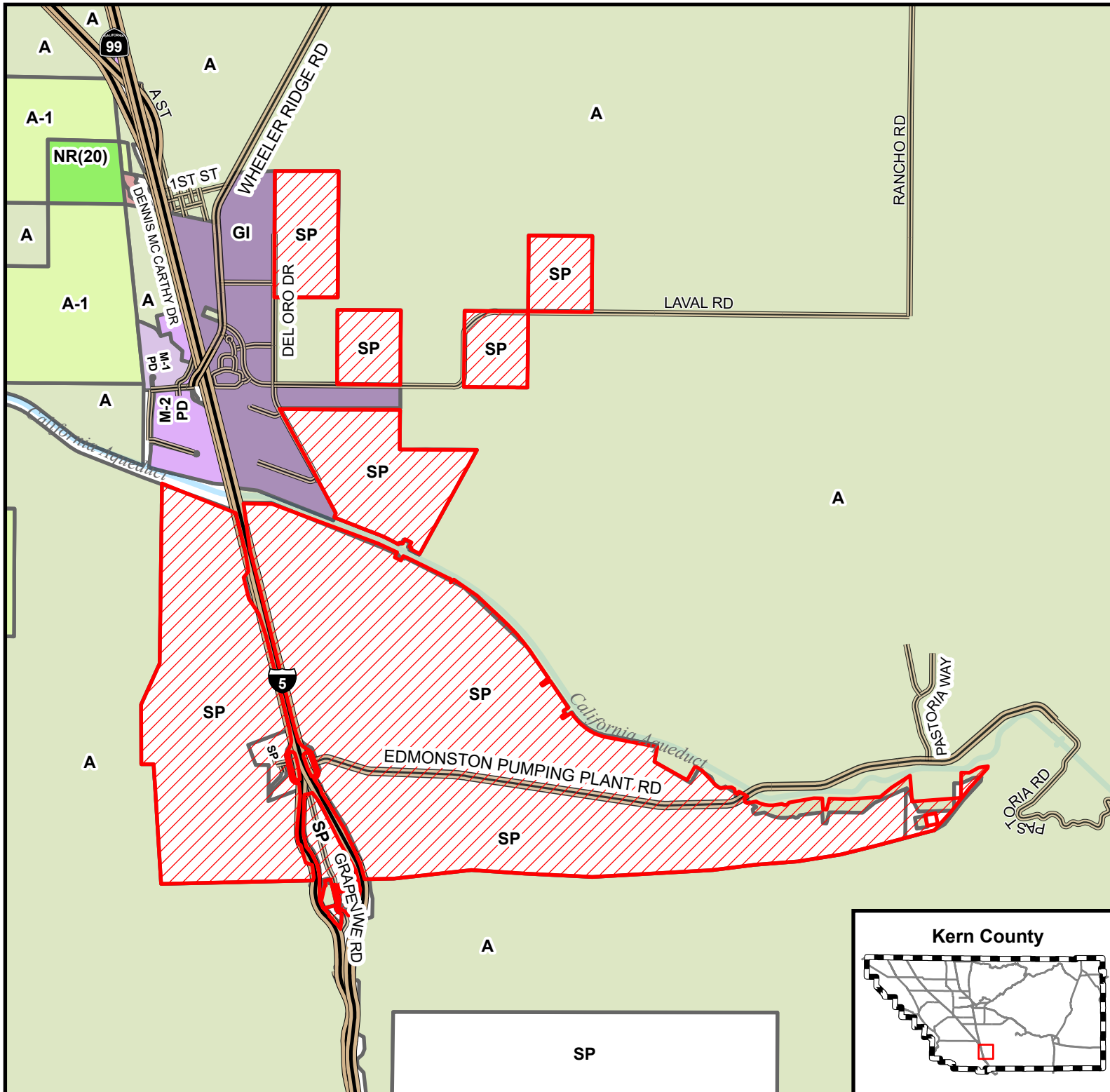


**SPA #163, Map 500;
Mod 1, SP 2, Map 202;
Mod 1, SP 3, Map 218R;
Mod 1, SP 3, Map 219**

**Existing Zone
Classifications**

**Grapevine Specific and
Community Plan Amendment
by Tejon Ranchcorp**

-  Site
-  Interstate
-  Named Rd
-  State Hwy
-  Arterials
-  Collectors
-  Locals
-  Dirt Roads
- KERN COUNTY ZONING DESIGNATIONS**
-  A - Exclusive Agriculture
-  A-1 - Limited Agriculture
-  C-2 - General Commercial
-  CH - Highway Commercial
-  FPP - Floodplain Primary
-  GI - General Industrial
-  M-1 - Light Industrial
-  M-2 - Medium Industrial
-  NR(20) - Natural Resource (20 acres)
-  SP - Special Planning
-  PD - Precise Development Combining
-  FPS - Floodplain Secondary Combining



Created on: 7/22/2026

0 5,250 10,500 ft



**Kern County
Planning & Natural
Resources Department**

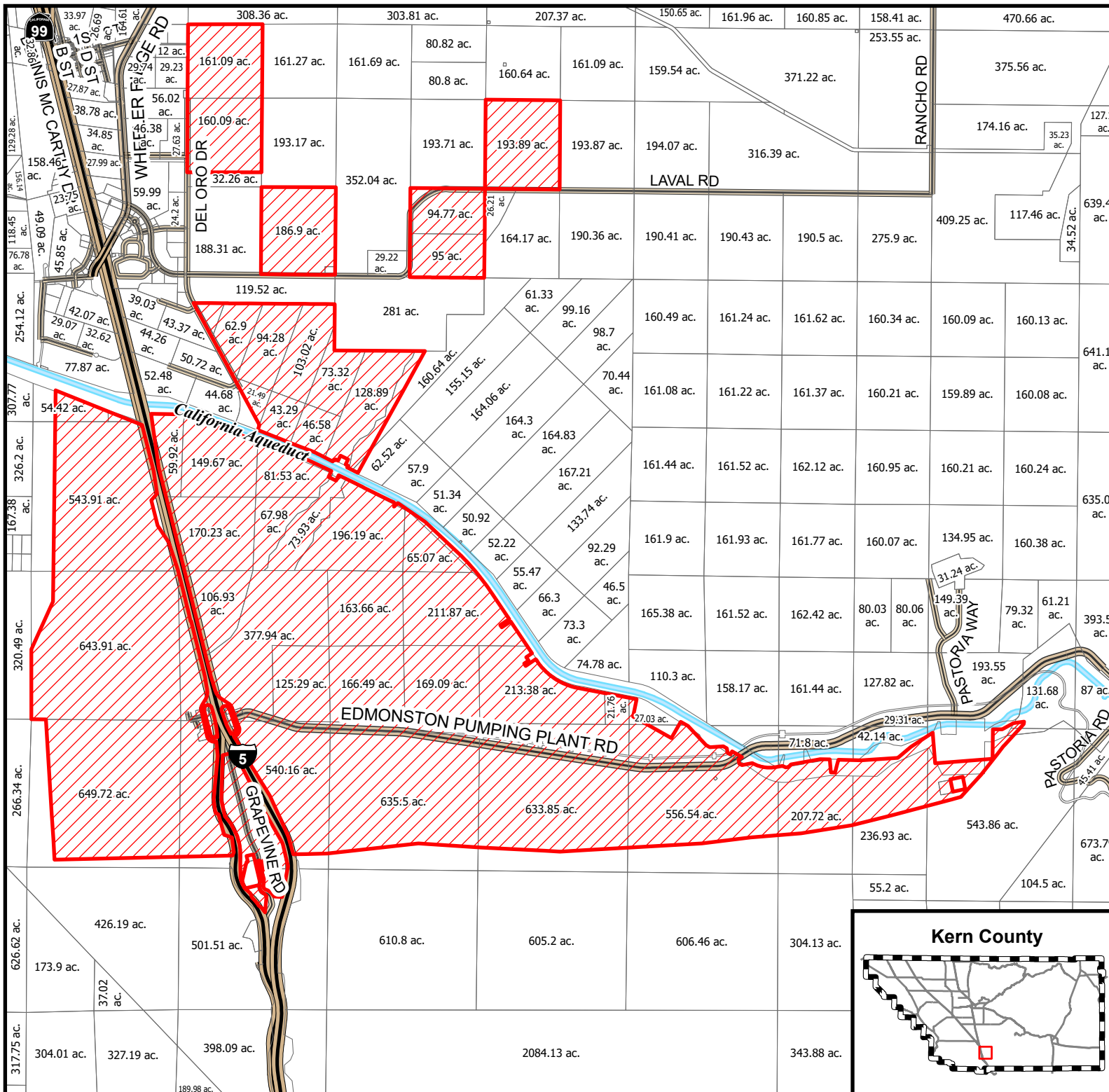


**SPA #163, Map 500;
Mod 1, SP 2, Map 202;
Mod 1, SP 3, Map 218R;
Mod 1, SP 3, Map 219**

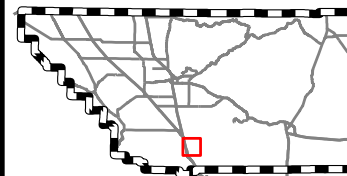
**Assessor's
Parcelization Map**

**Grapevine Specific and
Community Plan Amendment
by Tejon Ranchcorp**

-  Site
-  Parcel Boundaries
-  Interstate
-  Named Rd
-  State Hwy
-  Arterials
-  Collectors
-  Locals
-  Dirt Roads



Kern County



Created on: 7/22/2026

0 4,500 9,000 ft



**Kern County
Planning & Natural
Resources Department**



SPA #163, Map 500; Mod 1, SP 2, Map 202;
Mod 1, SP 3, Map 218R; Mod 1 SP 3, Map 219

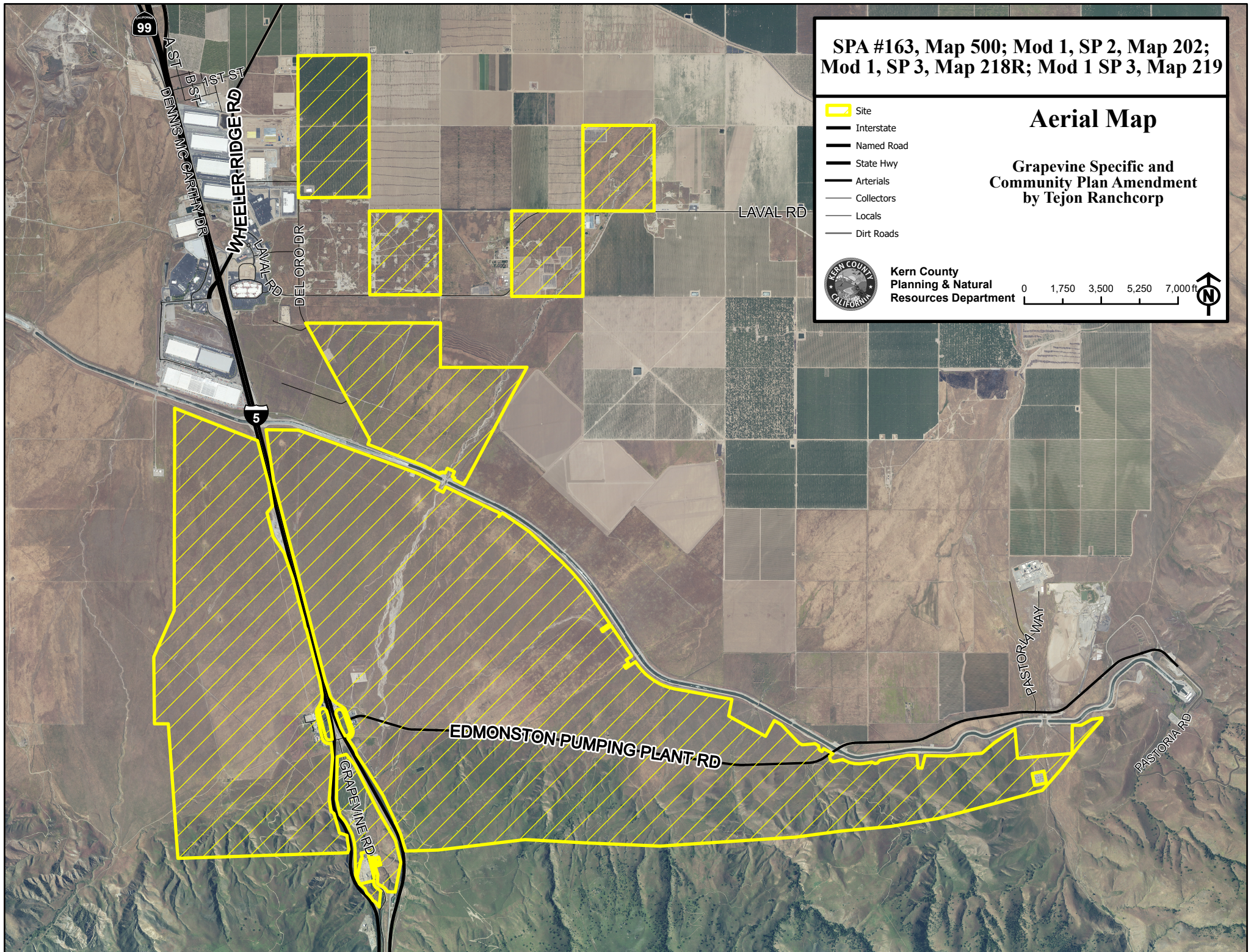
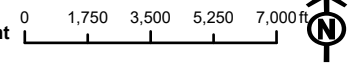
Aerial Map

Grapevine Specific and
Community Plan Amendment
by Tejon Ranchcorp

- Site
- Interstate
- Named Road
- State Hwy
- Arterials
- Collectors
- Locals
- Dirt Roads



Kern County
Planning & Natural
Resources Department



Comments

Office of the Fire Marshal
Kern County Fire Department
Fire Prevention Unit



2820 M St. • Bakersfield, CA 93301 • www.kerncountyfire.org
Telephone 661-391-3310 • FAX 661-636-0466/67 • TTY Relay 800-735-2929

August 12, 2026

Kern County Planning and Natural Resources Department
2800 M St., Bakersfield, CA 93301
Attn: **Andrea Calderon, Planner II**

Re: Kern County Fire Department Comments Regarding Planning Department Project

To Whom It May Concern:

The Kern County Fire Department (KCFD), as the local fire authority, has received a request for comments regarding **SPA # 163, Map 500; Mod #1 SP #2, Map 202; Mod #1 SP #3, Map 218R, Mod #1 SP #3, Map 219**. Upon initial review, it has been determined that all new construction will require fire water flowing a minimum 1,500 GPM for 2 hours with 20 PSI residual. All fire access roads to each parcel must meet specifications set forth in Section 503.2 of the California Fire Code and the applicable Appendix and Ordinance sections. All new residential construction will require automatic fire sprinklers and shall meet all other fire requirements of the California Fire Code.

A more detailed review and project comments will be conducted when the building permit is obtained, and plans are submitted to KCFD.

Please feel free to call our Fire Prevention Office at (661) 391-3310 with any questions.

Respectfully,
Kaylee Schoenheide
Fire Plans Examiner
Kern County Fire Department

Office Memorandum

To: Craig Murphy, Director
Planning and Natural Resources Department
Attn: Andrea Calderon, Planner II

From: Cesar Ayon, Engineering Manager 
Public Works Department/Development

Subject: SPA 163, Map 500; Mod 1 SP 2, Map 202; Mod 1 SP 3, Map 218R; Mod 1 SP 3, Map 219
Location: Approximately 13 miles south of Bakersfield, east and west of Interstate 5 at the Laval and Grapevine interchanges, within unincorporated Kern County.

Development Review Division

This Division has reviewed the subject project and recommends the following:

1. Support the amendment to the Grapevine Specific and Community Plan (SPA 163, Map 500), to amend Chapter 2 - Land Use, Conservation, Open Space, and Recreation.

Support modifications to the Grapevine Specific and Community Plan (Mod No. 1 to SP No. 2, Map 202; Mod No. 1 to SP No. 3, Map 218R; Mod No. 1 to SP No. 3, Map 219).

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Rodd Parke of this Division at (661) 862-8848.

Sewer and Water Division

This Division has reviewed the subject project and has the following comment:

Applicant shall contact the appropriate water and sewer district(s) to determine whether there is adequate capacity to accommodate the requested changes to the Grapevine Specific and Community Plan.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Kyle Perez of this Division at (661) 862-8852.

Floodplain Management Division

From the information supplied with the Notice of Public Hearing, we have no comments or recommendations regarding the above project.

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Ravidu Wijesekare of this Division at (661) 862-8937.

CSA Division

This Division has reviewed the subject project and has no comments:

Thank you for the opportunity to comment on this project. If you have any questions or comments, please contact Miguel Munoz of this Division at (661) 862-8908.



California
Department of Conservation
Geologic Energy Management Division

Gavin Newsom, Governor
Jennifer Lucchesi, Director
715 P Street, MS 1803
Sacramento, CA. 95814
T: (916) 445-5986

August 25, 2026

VIA EMAIL

Andrea Calderon
2700 M Street, Suite 100
Bakersfield, CA 93301

PROJECT TITLE: Grapevine Specific Plan Amendment

The California Geologic Energy Management Division (CalGEM) has received the above-referenced project. CalGEM's records indicate that there are 260 wells within the vicinity, listed on the Attachment. <https://maps.conservation.ca.gov/calgem/findwells/>

If work is to be performed on any oil, gas, or geothermal well, prior approval from CalGEM is required. CalGEM advises against building over oil, gas, or geothermal wells, or impeding access to accommodate equipment that may be needed should an issue arise with a well. In the event that access to a well is required, impeded access could result in removal or demolition of any structure or obstacle that prevents or impedes access. CalGEM does not compensate owners for removal or demolition, when required, due to impeded well access. CalGEM advises against installing impermeable barriers over previously abandoned wells as any leaks could trap hazardous gases or liquids beneath the barrier and create a safety hazard.

CalGEM recommends that a licensed Petroleum Engineer evaluate any well that may be built over or have access impeded to determine if the well meets current standards. A well that does not meet standards can create a significant health and safety risk. CalGEM recommends that any well not meeting current standards be either abandoned or re-abandoned. https://www.conservation.ca.gov/calgem/for_operators

Should you have any questions, need approval to work on a well, or encounter any wells that are not on the following list, contact CalGEM at (661) 322-4031 or via email at CalGEMCentralCSWR@conservation.ca.gov.

Sincerely,

Emilio Flores

Emilio Flores
Office Technician

Attachment
cc:

Attachment

Based on CalGEM's WellFinder database*, the following wells are indicated to be in the project area. This information is provided as a courtesy for initial investigatory work, and all locations should be verified by physical surveys.

Wells in the Project Area			
API	Well Designation	Latitude	Longitude
0403053005	Rancho Grande 1-9	34.960361	-118.91774
0403053006	Rancho Grande 1-11	34.968971	-118.864883
0403053007	Rancho Grande 1-16	34.95369	-118.917748
0403053010	Rancho Grande 1-4	34.972809	-118.909554
0403053011	Rancho Grande 1-3	34.97015	-118.909554
0403053012	Rancho Grande 1-22	34.93671	-118.895729
0402932523	Tejon 1	34.955868	-118.940666
0402932524	Tejon 4	34.962029	-118.939819
0402932525	Tejon 9	34.967567	-118.944138
0402932526	Tejon A 25-7	34.96175	-118.950279
0402932527	Tejon Ranch 3	34.961788	-118.95237
0402932529	Tejon 13	34.961369	-118.926209
0402932530	Tejon A 53-8	34.965496	-118.925644
0402932531	Tejon A 61-8	34.968956	-118.923225
0402932532	Tejon 7	34.958076	-118.866524
0402932534	Tejon 12	34.949921	-118.928017
0402932535	Tejon 2	34.944527	-118.94194
0402932536	Tejon 8	34.95002	-118.941177
0402932537	Tejon 8-A	34.950027	-118.94175
0402932538	38-6	34.970692	-118.949265
0402932539	25R-12	34.960678	-118.861565
0402932540	31R-12	34.961384	-118.862747
0402932541	Jane 1	34.937695	-118.862129
0402932542	Tejon 7-1	34.950775	-118.872681
0402932543	Tejon-Richfield 84-14	34.948685	-118.865929
0402932545	Rainbow 2	34.940468	-118.865952
0402932547	Richfield-Tejon A 52	34.952576	-118.943848
0402932548	Tejon-Richfield 47	34.942959	-118.910324
0402942426	1	34.945019	-118.926697
0402944736	33R-12	34.95599	-118.863602
0402957884	DDCP-Tejon Ranch NWRS 1	34.976166	-118.929382
0403036250	Section 2 DT-U11	34.98526	-118.920563
0403046575	Rancho Grande East Tejon 1-1	34.983883	-118.862984
0403046576	Rancho Grande East Tejon 3-1	34.983883	-118.860298
0403046577	Rancho Grande East Tejon 16-1	34.980782	-118.861633

0403046578	Rancho Grande East Tejon 17-1	34.980782	-118.860298
0403046579	Rancho Grande East Tejon 23-1	34.979683	-118.860298
0403046580	Rancho Grande East Tejon 24-1	34.979683	-118.858986
0403046581	Rancho Grande East Tejon 34-1	34.977501	-118.861633
0403046584	Rancho Grande East Tejon 4-2	34.983883	-118.867432
0403046585	Rancho Grande East Tejon 6-2	34.983883	-118.864769
0403046586	Rancho Grande East Tejon 12-2	34.982983	-118.864769
0403046587	Rancho Grande East Tejon 14-2	34.981884	-118.864769
0403046588	Rancho Grande East Tejon 16-2	34.980782	-118.864769
0403045349	Reserve-E. W. Pauley 1H- 33	34.987988	-118.905258
0403044320	Ridge Hill-Tejon 18-34	34.994686	-118.894417
0403044317	J.V. 48H-32	34.992119	-118.920479
0403044443	J.V. 53H-32	34.988056	-118.919212
0403044444	J.V. 54H-32	34.986114	-118.925034
0403044930	J.V. Reserve 2H-32	34.98938	-118.925667
0403045166	J.V. 56H-32	34.989941	-118.918251
0403047145	Reserve-E. W. Pauley 57X- 33	34.990253	-118.907951
0403054577	Tejon Ranch 2H-5	34.978523	-118.930527
0403056228	J.V. 26H-32	34.984863	-118.924805
0403056229	J.V. 70H-32	34.98613	-118.925392
0403056037	Tejon Ranch Valv 2H-5	34.978161	-118.931213
0403056038	Tejon Ranch Valv 3H-5	34.978149	-118.931587
0403050686	J.V. 67H-32	34.985268	-118.922981
0403053049	J.V. WWD7-32	34.986431	-118.918106
0403048376	Reserve-E. W. Pauley 66X- 33	34.989941	-118.90522
0403049884	South Pastoria 3-2	34.976631	-118.8694
0403049880	Rancho Grande East Tejon 2-1	34.983883	-118.862885
0402900271	48A-1	34.971161	-118.858086
0402900272	J.V. 68-32	34.987522	-118.923172
0403050806	Reserve-E. W. Pauley 76X- 33	34.989914	-118.903412
0402900902	J.V. 86-32	34.99054	-118.919159
0402918605	Tejon A 22-1	34.981709	-118.861221
0402918607	Tejon A 71-2	34.983269	-118.867958
0402918609	Tejon R-H 11-3	34.984058	-118.898613
0402918616	Tejon A 24X-12	34.963951	-118.860542

0402918623	Tejon A 1	34.995583	-118.927147
0402918624	Tejon A 2	34.998257	-118.927078
0402918625	Tejon A 3	34.996723	-118.927979
0402918663	SCT 18A-1	34.970184	-118.86264
0402918664	Pilgrim 11A-12	34.968872	-118.864136
0402918702	SCT 28A-1	34.970211	-118.860962
0402918703	37A-1	34.971607	-118.859627
0402918704	SCT 24R-12	34.963036	-118.861488
0402918705	SCT 26R-12	34.964828	-118.861473
0402918706	SCT 27R-12	34.966637	-118.861465
0402918707	SCT 28R-12	34.967518	-118.862595
0402918709	30R-12	34.969242	-118.85862
0402918712	J.V. 55-32	34.992291	-118.925575
0402918713	J.V. 56-32	34.991116	-118.925209
0402918714	J.V. 56R-32	34.989746	-118.925331
0402918715	J.V. 57-32	34.989155	-118.925301
0402918716	J.V. 58-32	34.987095	-118.925575
0402918717	J.V. 59-32	34.985264	-118.925293
0402918719	J.V. 65-32	34.992626	-118.922958
0402918720	J.V. 66-32	34.990726	-118.923073
0402918721	J.V. 67-32	34.988911	-118.92337
0402918722	J.V. 69-32	34.98531	-118.923119
0402918723	J.V. 75-32	34.992676	-118.921043
0402918725	J.V. 77-32	34.98925	-118.921066
0402918726	J.V. 78-32	34.987099	-118.921364
0402918727	J.V. 79-32	34.985294	-118.920937
0402918729	J.V. 85-32	34.992619	-118.919403
0402918730	J.V. 87-32	34.988701	-118.919182
0402918731	J.V. 88-32	34.987099	-118.919487
0402918734	J.V. 455-32	34.992001	-118.926323
0402918735	J.V. 465-32	34.990231	-118.926323
0402918736	J.V. 485-32	34.986153	-118.926033
0402918737	J.V. 555-32	34.991631	-118.924507
0402918738	J.V. 565-32	34.989811	-118.924217
0402918739	J.V. 575-32	34.988319	-118.924477
0402918740	J.V. 585-32	34.986012	-118.924171
0402918741	J.V. 655-32	34.991631	-118.92231
0402918742	J.V. 665-32	34.990231	-118.922401
0402918743	J.V. 675-32	34.988277	-118.921875
0402918746	J.V. 755-32	34.991619	-118.920303
0402918747	J.V. 765-32	34.989441	-118.920044
0402918748	J.V. 775-32	34.987995	-118.920189
0402918749	J.V. 785-32	34.986191	-118.920113
0402918750	J.V. 865-32	34.989819	-118.918503
0402918751	J.V. 875-32	34.987999	-118.918457

0402918779	Tejon Ranch 22-5	34.981655	-118.932144
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0402918786	Tejon Ranch 52-5	34.981659	-118.925568
0402918787	Tejon Ranch 53A-5	34.980984	-118.925453
0402918799	64-11	34.96534	-118.869995
0402918800	Hall 2-11	34.964993	-118.867783
0402918801	Tejon 1-11	34.97279	-118.860207
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0402918805	Tejon Ranchos 5	34.974152	-118.871292
0402918806	Tejon Ranchos 7	34.979465	-118.865662
0402918807	Tejon Ranchos 6	34.969139	-118.866127
0402918808	Tejon 1-9	34.969063	-118.863426
0402918809	Tejon 1-10	34.963646	-118.862198
0402918814	Miller-Tejon 28-11	34.968212	-118.865623
0402918815	Miller-Tejon 14-12	34.963589	-118.863335
0402918816	E. W. Pauley 33-9	34.987385	-118.901268
0402918817	57-33	34.989872	-118.907547
0402918820	Reserve-Petrol 33-5	34.989136	-118.905457
0402918821	1-Feb	34.973038	-118.868164
0402918822	4-Feb	34.974796	-118.865669
0402918823	5-Feb	34.971088	-118.867157
0402918824	6-Feb	34.973614	-118.867867
0402918825	2-Dec	34.967686	-118.859596
0402918840	Reserve-E. W. Pauley 2-33	34.992229	-118.907646
0402918841	Reserve-E. W. Pauley 3-33	34.990948	-118.907539
0402918843	Reserve-E. W. Pauley 6-33	34.992611	-118.900963
0402918847	Reserve-E. W. Pauley 12-33	34.992641	-118.903099
0402918848	Reserve-E. W. Pauley 13-33	34.99255	-118.904671
0402918854	Reserve-E. W. Pauley 56-33	34.991718	-118.907455
0402918855	Reserve-E. W. Pauley 57-V-33	34.990425	-118.906303
0402918856	Reserve-E. W. Pauley 58-33	34.987644	-118.907631
0402918859	Reserve-E. W. Pauley 65-33	34.992577	-118.905388
0402918860	Reserve-E. W. Pauley 65-R-33	34.991779	-118.903893
0402918861	Reserve-E. W. Pauley 66-33	34.990795	-118.905251
0402918862	Reserve-E. W. Pauley 66R-33	34.990856	-118.906342
0402918863	Reserve-E. W. Pauley 67-	34.989475	-118.904739

	33		
0402918864	Reserve-E. W. Pauley 67-R-33	34.989475	-118.904137
0402918866	Reserve-E. W. Pauley 76-33	34.990704	-118.902664
0402918867	Reserve-E. W. Pauley 77-33	34.989136	-118.902565
0402918868	Reserve-E. W. Pauley 78-33	34.987415	-118.903297
0402918869	Reserve-E. W. Pauley 78A-33	34.987171	-118.902283
0402918872	Reserve-E. W. Pauley 87-33	34.989906	-118.900909
0402918873	Reserve-E. W. Pauley 157-33	34.989597	-118.906052
0402918874	Reserve-E. W. Pauley 176-33	34.990459	-118.904053
0402918894	Reserve-E. W. Pauley 12-34	34.999435	-118.898613
0402918895	Reserve-E. W. Pauley 21-34	35.001221	-118.896423
0402918896	Reserve-E. W. Pauley 23-34	34.997562	-118.896042
0402918897	Reserve-E. W. Pauley 31-34	35.001251	-118.894135
0402918898	Reserve-E. W. Pauley 31B-34	35.000359	-118.894218
0402918899	Reserve-E. W. Pauley 32-34	34.999561	-118.894264
0402918900	Reserve-E. W. Pauley 32A-34	34.999897	-118.893303
0402918901	Reserve-E. W. Pauley 33-34	34.997471	-118.894806
0402918902	Reserve-E. W. Pauley 34-34	34.996639	-118.894775
0402918903	Reserve-E. W. Pauley 41-34	35.00061	-118.892067
0402918904	Reserve-E. W. Pauley 41A-34	35.001499	-118.891731
0402918905	Reserve-E. W. Pauley 42-34	34.998798	-118.892303
0402918906	Reserve-E. W. Pauley 42A-34	35.000237	-118.891632
0402918907	Reserve-E. W. Pauley 43-34	34.997559	-118.893219
0402918914	Reserve-E. W. Pauley 213-34	34.997562	-118.897278
0402918917	Ridge Hill-Tejon 34-2	34.993904	-118.891502
0402918918	Ridge Hill-Tejon 34-3	34.994305	-118.892059
0402918919	Ridge Hill-Tejon 34-4	34.993984	-118.894295
0402918920	Ridge Hill-Tejon 34-5	34.995792	-118.898727

0402918921	Ridge Hill-Tejon 34-6	34.995804	-118.896507
0402918922	Ridge Hill-Tejon 34-8	34.994488	-118.898766
0402918925	Schoettler 34-10	34.996239	-118.897728
0402918926	Schoettler 34-12	34.996243	-118.899277
0402918927	T.S. 83-11	34.967258	-118.865639
0402918928	Tejon Ranch B 1	34.978134	-118.918594
0402962777	Woodland Tejon 15	34.99427	-118.898689
0402970051	Tenneco-Sun 63X-11	34.965473	-118.870811
0402951966	Reserve-E. W. Pauley 45A-34	34.995781	-118.891594
0402958857	Tejon T 4	34.981289	-118.933365
0402957938	Reserve-E. W. Pauley 43A-34	34.995781	-118.892944
0402946960	32X-12	34.967251	-118.858978
0402950588	Tejon 34-13	34.994209	-118.892342
0402944423	78-2	34.972626	-118.865341
0402940125	SCT 58A-1	34.970741	-118.855949
0403031720	J.V. 3H-32	34.992603	-118.925423
0403031234	Reserve-E. W. Pauley 52B-34	34.998684	-118.891235
0403031235	Reserve-E. W. Pauley 22EH-34	34.999008	-118.895912
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0403037159	J.V. 26H-32	34.984917	-118.919907
0403037160	J.V. 27H-32	34.988434	-118.918228
0403043982	J.V. 46H-32	34.98534	-118.922745
0403044145	47H-32	34.990704	-118.918648
0403044146	J.V. 50H-32	34.989861	-118.918633
0403042204	J.V. 38H-32	34.991581	-118.91893
0403042074	J.V. 39H-32	34.992592	-118.919899
0403037966	J.V. 30H-32	34.985046	-118.921333
0403022875	J.V. 16H-32	34.988201	-118.924171
0403022876	Tejon Ranch 31X-32	34.999542	-118.930443
0403023580	WWD3-32	34.992321	-118.923347
0402986051	Reserve-E. W. Pauley 72-34	34.998329	-118.894608
0402985282	Pastoria Creek East 63-2	34.980663	-118.870216
0402920411	Berry A 12-30	35.016819	-118.957275
0402920416	Richfield-Mohawk-Wheeler Ridge 15-30	35.011135	-118.955521
0402920417	Richfield-Mohawk-Wheeler Ridge 16-30	35.009502	-118.955345
0402920515	R-S-T 16-29	35.006733	-118.932411
0402920516	R-S-T 18-29	35.003529	-118.932343
0402920517	R-S-T 36-29	35.006798	-118.928101
0402920527	Tejon C 1	35.020309	-118.95697
0403020751	J.V. Valv 1H	34.98867	-118.919273

0403054576	Tejon Ranch 1H-5	34.978279	-118.931297
0403036347	J.V. 22H-32	34.991032	-118.922974
0403031771	J.V. 13H-32	34.986568	-118.92614
0403021006	J.V. 10H-32	34.987461	-118.919304
0402951222	Tejon 34-14	34.993515	-118.892303
0402918733	J.V. 102-32	34.989597	-118.92057
0403042203	41H-32	34.991196	-118.9263
0403038052	J.V. 32H-32	34.984951	-118.92025
0403037967	J.V. 31H-32	34.987869	-118.91819
0403037650	J.V. 22BH-32	34.991131	-118.920639
0403037072	J.V. 25H-32	34.985054	-118.921593
0403031718	J.V. 4H-32	34.991001	-118.925369
0403031717	J.V. 15H-32	34.985615	-118.926025
0403000853	Ridge Hill-Tejon 34-44X	34.993774	-118.891808
0402918916	Crane 2	34.994747	-118.896561
0403054575	Tejon Ranch Valv 1H-5	34.978283	-118.931297
0403053050	J.V. WWD8-32	34.991447	-118.918762
0403041505	J.V. 36H-32	34.9907	-118.924728
0403041320	J.V. 35H-32	34.990677	-118.924294
0403036350	J.V. 28H-32	34.985279	-118.920525
0403036349	J.V. 24H-32	34.987652	-118.924545
0403033235	Reserve-E. W. Pauley 42X-34	34.997795	-118.891312
0403024535	8H-32	34.984776	-118.925255
0403011842	HRP 1	34.984791	-118.924072
0402986052	Reserve-E. W. Pauley 22-34	34.998798	-118.896179
0402984580	Pastoria Creek East 53-2	34.980946	-118.87236
0402918923	Ridge Hill-Tejon 34-9	34.993992	-118.896965
0402918745	J.V. 685-32	34.986008	-118.921944
0403048400	J.V. 87X-32	34.989319	-118.91922
0403041506	J.V. 37H-32	34.986149	-118.922836
0403037161	J.V. 29H-32	34.984879	-118.91906
0403033234	Reserve-E. W. Pauley 32H-34	34.9991	-118.895699
0403020984	J.V. Reserve 1H	34.989719	-118.926033
0403002007	J.V. 104-32	34.988018	-118.923111
0402918915	Crane 1	34.996231	-118.895981
0402918744	J.V. 682-32	34.987118	-118.922134
0402918732	J.V. 101-32	34.989811	-118.922127
0402918724	J.V. 76-32	34.990723	-118.921082
0402918708	SCT 29R-12	34.968433	-118.861137

Wells within 1 Kilometer of the Project			
API	Well Designation	Latitude	Longitude

***Disclaimer**

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RECEIVED
AUG 31 2026

Kern County Planning &
Natural Resources Dept.

August 21, 2026

Kern County Planning Department
Attn: Andrea Calderon, Planner II
2700 M Street, Suite 100
Bakersfield, CA 93301

Our File No.: CO26-0125

RE: DEVELOPER FEES FOR: SPA No. 163; Map No 202 Mod No. 1, SP. 2; Map No. 218 Mod No. 1, SP No 3; Map No. 219 Mod No. 1, SP No.3; Maps: 202-28, 29, 33, 34; 218-4, 5, 7-9, 15-24; 219-19 (Approximately 13 miles south of Bakersfield, east and west of I-5 at the Laval and Grapevine interchanges)

Dear Ms. Calderon,

This office represents the Arvin Union, General Shafter and Kern High School Districts with regard to the imposition of school impact fees and appreciates the opportunity to respond on behalf of the districts regarding the proposed project. This letter is limited to addressing the possible effects which the project might have on school facilities created by students attributable to the project. It is not intended to address other possible environmental concerns which might be identified by the district(s) after reviewing it.

It is our determination that the above-mentioned project proposing (a) Amendment to the Grapevine Specific and Community Plan to amend Chapter 2 to reallocate single-family detached and single-family/multi-family attached residential units from Sub Ares 4 and 5a to Sub Area 6a; reallocate commercial square footage from Sub Area 6a to Sub Areas 4 and 5a; reallocate industrial square footage from Sub Area 6a to Sub Areas 6b-6e and amend Chapter 3 to update the roadway network within Sub Area 6a from a grid to a loop pattern and update text and figures to allow final road alignment deviations greater than 300 feet within the Specific Plan Boundary except in the A (Exclusive Agriculture) and OS (Open Space) districts; (b) Modifications to the Grapevine Special Plan to reallocate single-family detached and single-family/multi-family attached residential units from Sub Ares 4 and 5a to Sub Area 6a; reallocate commercial square footage from Sub Area 6a to Sub Areas 4 and 5a; reallocate industrial square footage from Sub Area 6a to Sub Areas 6b-6e; updates to figures and zoning references and other minor text edits consistent with the proposed amendment to the Grapevine Specific and Community Plan. Implementation of this request will not expand the previously approved project boundaries or expand the previously approved number of authorized residence or development within the Specific and Special Plan. The above-described actions, at this point in the project, will not have effects on the district's facilities, however, mitigation of this project's impacts on public school facilities will be limited to the collection of statutory fees authorized under Education Code Section 17620 and Government Code Sections 65995 et seq. (all as amended with an operative date of November 4, 1998) at the time that building permits are issued. Currently, these fees are set at \$0.87 per square foot of new commercial/industrial construction and \$5.38 per square foot of new residential construction, amounts subject to COLA adjustment every two years.

Thank you for the opportunity to comment on the project. Should you have any questions, or if we can be of any further assistance in this matter, please contact me at 636-4599, or through e-mail at anwatson@kern.org.

Sincerely,



Andrea Watson, Specialist
School District Facility Services

California Department of Transportation

DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE | P.O. BOX 12616 | FRESNO, CA 93778-2616
(559) 981-7373 | FAX (559) 488-4195 | TTY 711
www.dot.ca.gov



September 11, 2026

06-KER-5-9.5/15.0

2026 SPECIFIC PLAN AMENDMENT/EIR ADDENDUM

GTS: <https://ld-igr-gts.dot.ca.gov/district/6/report/15847#60081>

Sent via email

Andrea Calderon
Kern County Planning and Natural Resources Department
2700 "M" Street, Suite 100
Bakersfield, CA 93301

Dear Andrea Calderon,

Thank you for the opportunity to review the August 2026 Addendum for the Grapevine Specific and Community Plan Amendment in connection with the notice of public hearing. The project is located east and west of Interstate 5 near the Laval Road and Grapevine interchanges in unincorporated Kern County.

The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development Review (LDR) Program reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

Thank you for providing the California Department of Transportation (Caltrans) the opportunity to review the Addendum for the Grapevine Specific and Community Plan Amendment. The project is located east and west of Interstate 5 near the Laval Road and Grapevine interchanges in unincorporated Kern County.

Caltrans recognizes Kern County as the California Environmental Quality Act lead agency and has reviewed the proposed amendment for potential effects on the State Highway System.

Caltrans understands that all applicable transportation mitigation measures adopted for the Grapevine Specific and Community Plan, including Mitigation Measures 4.16-3 and 4.16-8, will remain in effect and be carried forward with the proposed amendment. These measures include requirements for project-level traffic impact studies and coordination with Caltrans during subsequent tentative-map, site-plan, and other applicable development reviews.

Future project-level traffic impact studies should evaluate the effects of each proposed development phase on the State Highway System, as applicable.

Based on the continued applicability and implementation of the adopted transportation mitigation measures, Caltrans has no further comments.

This letter does not constitute approval of future improvements affecting the State Highway System or supersede any applicable Caltrans review, encroachment permit, or other approval requirements.

If you have any further questions, please contact Nicholas Isla at (559) 981-7373 or email nicholas.isla@dot.ca.gov.

Sincerely,



DAVID PADILLA, Branch Chief
Regional and Community Planning Branch

Planning Commission Resolutions

BEFORE THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 174-26

APPLICATION FOR SPECIFIC PLAN AMENDMENT CASE NO. 163, MAP 500

Approximately 13 miles south of Bakersfield, east and west of Interstate 5 at the Laval and Grapevine interchanges, within unincorporated Kern County
Tejon Ranchcorp (PP26405)

FINDINGS AND DETERMINATION

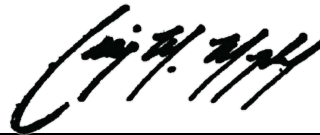
I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Ashley, seconded by Mr. Dunbar, was duly passed and adopted by said Planning Commission at an official meeting hereof this **27th** day of **August, 2026**, by the following vote, to wit:

AYES: Ashley, Dunbar, Oliver, Skidmore

NOES: None

ABSTAINED: None

ABSENT: Brooks



SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Pursuant to the California Government Code, Title 7, Section 65354 (known as the Planning and Zoning Law), the Kern County Planning Commission considers proposed amendments to the County's General and Specific Plans and must provide a recommendation on all such proposed amendments to the Kern County Board of Supervisors; and

(b) Pursuant to the Zoning Ordinance, Section 19.102.135, such advisory actions shall be considered by the Planning Commission prior to consideration by the Board of Supervisors, following submission of an application containing the information specified in the applicable section of this title and a properly noticed public hearing; and

(c) The Kern County Planning and Natural Resources Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297**. of said Ordinance Code and for which precise land use and zoning regulations are in effect; and

(d) Said parcel of real property is described as follows:

APN: Various

Sections 4, 5, 6, 7, 8, and 9 of T10N, R19W; Sections 29, 30, 31, 32, 33, and 34 of T11N, R19W, all in the San Bernardino Base and Meridian. In addition, the portion of the project site south of T10N R19W Sections 7 through 12, are located within Rancho Castac and the very southeastern tip of the project site is located in Rancho El Tejon; the area within the Ranchos do not have Township, Range, and Section number designations. (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(e) Said application has been made pursuant to provisions of Chapter 19.102 of said Ordinance Code, and requests to reallocate development maximums within the six (6) planning Sub Areas of the Grapevine Specific and Community Plan, update the roadway network within Sub Area 6a and revise language to allow final road alignment deviations to be determined at the Tract Map stage and update figures, exhibits, and tables throughout the Grapevine Specific and Community Plan and the Grapevine Special Plan to reflect the proposed amendment to the Grapevine Specific and Community Plan (SPA 163, Map 500) to amend Chapter 2 - Land Use, Conservation, Open Space, and Recreation to reallocate single-family detached and single-family/multi-family attached residential units from Sub Areas 4 and 5a to Sub Area 6a; reallocate commercial square footage from Sub Area 6a to Sub Areas 4 and 5a; and reallocate industrial square footage from Sub Area 6a to Sub Areas 6b-6e, and amend Chapter 3 - Circulation and Infrastructure to update the roadway network within Sub Area 6a from a grid to a loop pattern and update text and figures to allow final road alignment deviations greater than 300 feet within the Specific Plan Boundary except in the AE (Exclusive Agriculture) and OA (Open Area) zoning districts.

Implementation of this request will not expand the previously approved project boundaries or expand the previously approved number of authorized residences or development within the Specific Plan; and

(f) The Planning and Natural Resources Department has reviewed the matter and prepared a report containing detailed description and analysis of the proposed amendment to the Specific Plan, (copy of the report is on file with the Planning and Natural Resources Department and incorporated herein by this reference as if set forth in full); and

(g) Said application has been made in the form and in the manner prescribed by said Zoning Ordinance and is on file with the Secretary of this Commission, designated as above, and reference is hereby made thereto for further particulars; and

(h) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(i) Said notice of hearing stated that an Addendum Environmental Impact Report has been prepared for this project; and

(j) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning and Natural Resources Department and all persons so desiring were duly heard; and

(k) Before making any findings on said Addendum Environmental Impact Report or any consideration of the proposal on its merits, this Commission called for any objections or comments on said Addendum Environmental Impact Report; and

The Director of the Planning and Natural Resources Department has furnished to this Commission, and the Commission has incorporated into the record of this matter, a document setting forth the significant environmental effects identified in said Addendum Environmental Impact Report, with proposed findings and consideration by this Commission in relation to said significant effects for the purposes of Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines, and setting forth evidence in support of the proposed findings; and a member of the Planning and Natural Resources Department Staff appeared before the Commission and gave additional testimony in support of the proposed findings; and

During said hearing, this Commission duly considered the adequacy and scope of said Addendum Environmental Impact Report and thereafter reviewed and considered the information therein contained with respect to the merits of the matters under consideration; and

(l) This Commission has considered the recommendation of the Planning and Natural Resources Department and all the testimony presented during said public hearing, after which said public hearing was concluded.

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the County of Kern, as follows:

(a) This Commission has fully reviewed and considered the information in said Addendum Environmental Impact Report and Mitigation Measure Monitoring Program and hereby recommends it to be certified in relation to the subject of this resolution and, after careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be, and hereby, recommends the Board of Supervisors **CERTIFY** said Addendum Environmental Impact Report; **ADOPT** Mitigation Measure Monitoring Program; and recommended for **APPROVAL**, as recommended by Staff, by the Board of Supervisors, the application for the reasons specified in this Resolution; and

(b) The findings of this Commission upon which its decision is based are as follows:

- (1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all the previous proceedings relating thereto.
- (2) The fee required by the California Department of Fish and Game Code Section 711.4 has been previously paid for the processing of the previously certified Environmental Impact Report for this project, and under Section 711.4(g), we find that the project is not tiered or phased as set forth in Sections 15385 and 15165, respectively, of the State CEQA Guidelines, and separate environmental documents or review by the Department of Fish and Wildlife is not required, and further, based on the public interpretation of these statutes by the Department of Fish and Wildlife staff, find this approval and related Notice of Determination exempt from the payment of the otherwise applicable fee.
- (3) The proposed Specific Plan Amendment is consistent Public Resources Code Section 21166 and CEQA Guidelines Section 15162(a), which limit the circumstances under which subsequent environmental review is required after an Environmental Impact Report has been certified. Specifically, Section 15162(a) provides that no subsequent or supplemental EIR shall be prepared for a project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that one or more of the following conditions has occurred:

- (a) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial environmental effect or a substantial increase in the severity of previously identified significant effects.
- (b) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (c) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 - 1. The project will have one or more significant effects not discussed in the previous EIR.
 - 2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - 3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - 4. Mitigation or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
- (4) CEQA Guidelines Section 15164(1) provides that a lead agency shall prepare an addendum to a previously Certified EIR (State Clearinghouse No. 2014041005) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- (5) CEQA Guidelines Section 15164(d) provides that the decision-making body shall consider the addendum with the final EIR prior to making a decision on the project, and Section 15164(e) provides that a brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in the addendum, the findings, or elsewhere in the record, supported by substantial evidence.
- (6) On the basis of substantial evidence in the whole record, including but not limited to the Addendum EIR, the certified SREIR, all documents incorporated by reference therein, and all testimony and evidence received at the public hearing, that none of the conditions set forth in CEQA Guidelines Section 15162(a) have occurred with respect to the Modified Project, for the reasons set forth:
 - (a) The Modified Project does not involve substantial changes to the project that will require major revisions to the certified SREIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The Modified Project does not alter the maximum development caps of 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses. The Modified Project does not change the project boundary or ground disturbance area. The modifications consist of updates to figures, exhibits, tables, roadway network details within

Planning Area 6A, internal roadway network language, elimination of references to expired Williamson Act contracts, revisions to development maximums within certain Sub Areas, and typographical corrections. As documented in the Addendum EIR, these changes do not result in any new significant environmental effects or substantially increase the severity of any previously identified significant effects.

- (b) The Modified Project does not propose substantial changes have occurred with respect to the circumstances under which the Modified Project is being undertaken that will require major revisions to the certified SREIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The project setting, surrounding land uses, and environmental conditions remain substantially similar to those analyzed in the certified SREIR. As further documented in the Addendum EIR, no changes in circumstances have occurred that would result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR.
- (c) The Modified Project does not contain new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SREIR was certified, shows that the Modified Project will have one or more significant effects not discussed in the certified SREIR. As documented in the Addendum EIR, all environmental effects of the Modified Project fall within the scope of the effects previously analyzed in the certified SREIR.
- (d) The Modified Project does not contain new information of substantial importance shows that significant effects previously examined in the certified SREIR will be substantially more severe as a result of the Modified Project. As documented in the Addendum EIR, all significance determinations from the certified SREIR remain unchanged. No new significant impacts would occur as a result of approval of the Modified Project, nor would there be any substantial increase in the severity of any previously identified significant environmental impacts.
- (e) The Modified Project does not contain new information of substantial importance shows that mitigation measures or alternatives previously found not to be feasible in the certified SREIR would in fact be feasible and would substantially reduce one or more significant effects of the project, where the project proponent declines to adopt the mitigation measure or alternative. The Modified Project does not render any previously rejected mitigation measures or alternatives feasible. As documented in the Addendum EIR, no new information indicates previously rejected alternatives are feasible or that considerably different alternatives would substantially reduce significant effects.
- (f) The Modified Project does not contain new information of substantial importance that shows that mitigation measures or alternatives which are considerably different from those analyzed in the certified SREIR would substantially reduce one or more significant effects on the environment, where the project proponent declines to adopt the mitigation measure or alternative. To the extent the Addendum EIR describes modifications to certain mitigation measures (including species-specific protocols for crotch bumble bee and monarch butterfly, revisions to fire hazard Mitigation Measure 4.8-21, and native seed mix requirements in Mitigation Measure 4.9-7), those modified measures are voluntarily adopted by the project proponent and maintain or strengthen the impact reductions previously identified. Pursuant to CEQA Guidelines Sections 15162(a)(3)(C) and (D), the triggers for a subsequent EIR based on new or different mitigation apply only where the

project proponent declines to adopt a measure; here, the proponent voluntarily adopts the species-specific protocols and modified measures. (See *Citizens Against Airport Pollution v. City of San Jose* (2014) 227 Cal.App.4th 788, 810-811 [upholding addendum modifying biological resource mitigation where substantial evidence showed changes maintained impacts at less-than-significant level].)

- (g) The Modified Project, to the extent any changes to the CEQA Guidelines have occurred since the certification of the SREIR in December 2019, has not changed to constitute new information of substantial importance requiring preparation of a subsequent EIR. (See *Olen Properties Corp. v. City of Newport Beach* (2023) 93 Cal.App.5th 270 [subsequent changes to CEQA guidelines are not new information so long as underlying environmental issue was understood at time of initial EIR]; *Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1301 [adoption of guidelines for analyzing data does not constitute new information if underlying information was known at time of EIR certification].) The underlying environmental issues addressed in the certified SREIR were understood at the time of certification, and subsequent regulatory developments do not alter the conclusions of the environmental analysis.
- (7) The Addendum EIR is the appropriate CEQA document for the Modified Project pursuant to CEQA Guidelines Section 15164(a). Because some changes and additions to the previously certified SREIR are necessary to describe and analyze the Modified Project, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred, an Addendum EIR is the proper environmental document. (See *Friends of Coll. of San Mateo Gardens v. San Mateo Cnty. Cmty. Coll. Dist.* (2016) 1 Cal.5th 937 [addendum is appropriate vehicle to document determination that subsequent EIR is not required].)
- (8) The Addendum EIR prepared for the Modified Project satisfies the requirements of CEQA Guidelines Section 15164. The Addendum EIR includes a brief explanation of the decision not to prepare a subsequent EIR, which explanation is supported by substantial evidence in the record. The Addendum EIR is hereby incorporated by reference as though fully set forth herein.
- (9) Because the appropriate CEQA document for the Modified Project is an Addendum EIR under Section 15164 rather than a subsequent or supplemental EIR, no new findings under Public Resources Code Section 21081 are required. (See *River Valley Preservation Project v. Metropolitan Transit Dev. Bd.* (1995) 37 Cal.App.4th 154, 168 [no new findings under PRC Section 21081 required when addendum prepared; change in mitigation measures does not trigger subsequent EIR absent showing of new significant impacts]; *Save Our Heritage Organization v. City of San Diego* (2018) 28 Cal.App.5th 656, 677-678 [confirming that Section 15164 is a valid regulation and that no Section 21081 findings are required for an addendum].)
- (10) The Statement of Overriding Considerations previously adopted in connection with the 2019 approvals (Exhibit "B" to Resolution No. 2019-368) found that the significant and unavoidable impacts of the project were outweighed by the project's overriding benefits. Because the Modified Project does not result in any new significant impacts or any substantial increase in the severity of previously identified impacts, and because all significance determinations from the certified SREIR remain unchanged, the prior Statement of Overriding Considerations remains applicable and is not modified, superseded, or rendered inadequate by the Modified Project or the adoption of the updated Mitigation Measure Monitoring Program (MMMP).

- (11) In accordance with CEQA Guidelines Section 15164(d), this Board has considered the Addendum EIR together with the certified SREIR prior to making a decision on the Modified Project. This Board has reviewed the Addendum EIR and the certified SREIR and all documents incorporated by reference therein and has considered the environmental effects of the Modified Project as described in those documents. The Addendum EIR and the certified SREIR adequately describe the environmental effects of the Modified Project, identifies appropriate mitigation measures, and provides a sufficient basis for informed decision-making by this Commission.
- (12) Substantial evidence in the record supports the determination that an Addendum EIR is the appropriate CEQA document for the Modified Project. The Addendum EIR analyzes each environmental resource topic addressed in the certified SREIR and concludes that no new significant impacts would occur as a result of approval of the Modified Project, nor would there be any substantial increase in the severity of any previously identified significant environmental impacts. This Board has independently reviewed the Addendum EIR and concurs in these conclusions.
- (a) With respect to Aesthetics, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The project boundary and ground disturbance area remain unchanged, and the visual character of the development will be substantially similar to that analyzed in the certified SREIR. The aesthetics impacts remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
- (b) With respect to Agriculture and Forestry Resources, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The elimination of references to expired Williamson Act contracts reflects existing conditions and does not alter the agricultural impact of the project. The project boundary remains unchanged, and no additional agricultural land is affected. The agriculture impacts remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
- (c) With respect to Air Quality, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The total development capacity remains unchanged at 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses, and therefore the project's operational and construction-related air quality impacts remain substantially as analyzed. The air quality impacts (ROG, NOx, PM10, PM2.5, and odors) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
- (d) With respect to Biological Resources, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The ground disturbance area remains unchanged, and the Modified Project's voluntary adoption of species-specific survey and avoidance protocols for crotch bumble bee (*Bombus crotchii*) and monarch butterfly (*Danaus plexippus*) strengthens the mitigation framework for biological resources. The native seed mix requirements in modified Mitigation Measure 4.9-7 further support habitat restoration. The biological resources impacts related to habitat loss remain significant and unavoidable as previously determined at both the project and cumulative levels, and the modifications do not increase the severity of those impacts.

- (e) With respect to Greenhouse Gas Emissions, the Modified Project does not result in new, significant impacts or substantially more severe impacts than those identified in the certified SREIR. The total development capacity remains unchanged, and the modifications do not affect the project's greenhouse gas emission profile. The greenhouse gas emissions impacts remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (f) With respect to Hazards and Hazardous Materials, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The revision to fire hazard Mitigation Measure 4.8-21 updates fire protection standards to reflect current best practices and maintains or strengthens the protection of public safety. This revision does not result in any new significant hazards impacts.
 - (g) With respect to Noise, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The updates to the Planning Area 6A roadway network and internal roadway network language do not alter the overall traffic volumes or noise-generating activities within the plan area, as the total development capacity remains unchanged. The noise impacts (temporary construction and traffic noise) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (h) With respect to Transportation and Traffic, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The updates to the Planning Area 6A roadway network reflect refinements to internal circulation that do not affect the project's external traffic generation, which is determined by the total development capacity that remains unchanged. The transportation and traffic impacts remain significant and unavoidable at the cumulative level as previously determined, and the modifications do not increase the severity of those impacts.
 - (i) With respect to Utilities and Service Systems, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The redistribution of development maximums among Sub Areas does not increase overall demand for water, sewer, or other utility services beyond what was analyzed in the certified SREIR. The utilities and service systems impact (cumulative groundwater) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (j) With respect to all other environmental resource topics analyzed in the certified SREIR, including but not limited to Cultural Resources, Geology and Soils, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, and Recreation, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. All significance determinations from the certified SREIR remain unchanged for these resource topics.
- (13) Government Code Section 65454 provides that no specific plan may be adopted or amended unless it is consistent with the general plan. The Grapevine Specific Plan, as amended by the Modified Project is consistent with the Kern County General Plan, including all applicable elements.

- (14) The Specific Plan Amendment is consistent with the goals and policies of the Kern County General Plan. The modifications do not alter the fundamental consistency of the Specific Plan with the General Plan as previously determined in Resolution 2019-368 (Findings 8 through 46 thereof).
- (15) The Specific Plan Amendment maintains the approved development caps of 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses. The redistribution of development maximums among Sub Areas does not increase the overall intensity of development beyond what was previously found consistent with the General Plan.
- (16) The Specific Plan Amendment updates to the Planning Area 6A roadway network and the clarification of internal roadway restrictions provide for orderly circulation and transportation infrastructure development consistent with the General Plan's policies promoting efficient vehicle and pedestrian movement.
- (17) The Specific Plan Amendment continues to provide a varied approach to residential development that fosters a variety of housing types and densities and a more efficient use of the land, while preserving the existing character of ongoing ranching and farming activities through the preservation of approximately 42% of the site as agricultural/open space.
- (18) The Specific Plan Amendment continues to implement the policies of the Safety Element, as those hazardous areas identified as unsuitable for human occupancy continue to be guided toward open space uses such as agriculture, wildlife habitat, and limited recreation. The revision to Mitigation Measure 4.8-21 extending the 100-foot fuel modification zone requirement to areas designated Very High Fire Hazard Severity Zone further strengthens consistency with Safety Element policies.
- (19) The Specific Plan Amendment references expired Williamson Act contracts from Specific Plan figures to reflect the current status of land within the planning area and is consistent with General Plan policies that allow for continued interim agricultural uses in areas designated for future development
- (20) The Specific Plan Amendment continues to promote innovative development through the use of smart growth principles and various implementing tools, including the SP (Special Planning) District, village centers, mixed-use development, transit facilities, and interconnected trail systems.
- (21) The Specific Plan Amendment remains a tool for the systematic implementation of the Kern County General Plan in accordance with Government Code Sections 65450 through 65457 and continues to provide direction to every facet of development from the type, location, and intensity of uses to the design and capacity of infrastructure.
- (22) To the extent that any General Plan policy applicable to the Specific Plan area is not specifically addressed in these findings, the consistency determinations previously made in Resolution 2019-368 remain applicable and are incorporated herein by reference. The modifications proposed by the Modified Project do not alter the amended Specific Plan's compliance with any such policy.
- (23) The Specific Plan Amendment satisfies the requirements of Government Code Section 65451 as follows:
 - (a) The Specific Plan Amendment includes text and diagrams which specify, in detail, the distribution, location, and extent of the uses of land, including open space, within the area covered by the plan, as required by Section 65451(a)(1). The modifications to figures,

exhibits, and tables, and the revisions to development maximums within Sub Areas, continue to provide the specificity required by this section.

- (b) The Specific Plan Amendment includes text and diagrams which specify, in detail, the proposed distribution, location, extent, and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan, as required by Section 65451(a)(2). The updates to the Planning Area 6A roadway network and the internal roadway network language continue to satisfy this requirement.
 - (c) The Specific Plan Amendment includes standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable, as required by Section 65451(a)(3).
 - (d) The Specific Plan Amendment includes a program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (a)(1), (a)(2), and (a)(3), as required by Section 65451(a)(4).
- (24) The Specific Plan Amendment includes a statement of its relationship to the Kern County General Plan, as required by Government Code Section 65451(b), and that such statement accurately reflects the relationship of the amendment to the General Plan.
 - (25) The Specific Plan Amendment is consistent with the Kern County General Plan Appendix C Guidelines for the preparation of specific plans. The Amended Specific Plan was originally prepared in accordance with the Appendix C guidelines and the modifications proposed by the Specific Plan Amendment do not alter the plan's compliance with those guidelines. The Amended Specific Plan continues to provide a comprehensive framework for development that addresses land use, circulation, infrastructure, resource conservation, implementation, and all other elements required by the Appendix C guidelines.
 - (26) The Specific Plan Amendment continues to function as a tool for the systematic implementation of the Kern County General Plan in accordance with Government Code Sections 65450 through 65457. The Amended Specific Plan is detailed and provides direction to every facet of development from the type, location, and intensity of uses, to the design and capacity of infrastructure, from the resources used to the design guidelines. This includes the creation of special districts in conjunction with future annexation into the Tejon-Castaic Water District to provide adequate infrastructure and the taxation necessary for construction and continued maintenance.
 - (27) The Specific Plan Amendment remains consistent with the provisions of the adopted Airport Land Use Compatibility Plan (ALUCP) and the provisions of the R-2508 Complex, which ensures that implementation of the Modified Project will not hinder operations composed of internal restricted areas, Military Operations areas, Air Traffic Control Assigned Airspace areas, and other special use airspace. The Specific Plan Amendment does not alter the project's location, density, or height characteristics in any manner that would affect the project's consistency with the ALUCP or the R-2508 Complex.
 - (28) The Specific Plan Amendment remains consistent with the goals, policies, and implementation measures of the Kern County General Plan that authorize Level of Service (LOS) to fall below LOS D as part of a Community Plan or Specific Plan which utilizes Smart Growth policies that

encourage efficient multi-modal movements. The Specific Plan Amendment does not alter the project's transportation characteristics in a manner that would affect this consistency determination.

- (29) The Specific Plan Amendment as set forth in Exhibit A (revised text of Chapters 2 and 3, shown in strikethrough and underline) and Exhibit B (replacement Exhibits 2-1, 2-2, 3-1, 3-4, 3-5, and 3-6) attached hereto and incorporated herein by this reference. Upon the effective date of this resolution, the Grapevine Specific and Community Plan shall be deemed amended to incorporate the text changes shown in Exhibit A and to replace the existing Exhibits 2-1, 2-2, 3-1, 3-4, 3-5, and 3-6 with those set forth in Exhibit B. All other provisions of the Grapevine Specific and Community Plan not addressed in Exhibits A and B shall remain in full force and effect.
- (30) Public Resources Code Section 21081.6 requires that, when a public agency makes findings pursuant to Public Resources Code Section 21081(a)(1) (i.e., that changes or alterations have been required in or incorporated into the project which avoid or substantially lessen the significant environmental effects identified in the EIR), the agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.
- (31) CEQA Guidelines Section 15091(d) provides that, when making findings as required by Section 15091(a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to mitigate or avoid significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (32) In connection with the 2019 approvals, a Mitigation Measure Monitoring Program (MMMP) was adopted pursuant to Resolution No. 2019-368 and the associated ordinances, which identified all mitigation measures required by the certified SREIR (State Clearinghouse No. 2014041005) and established monitoring and reporting requirements to ensure compliance.
- (33) The Addendum EIR identified certain modifications to mitigation measures in the previously adopted MMMP, including but not limited to: (a) modifications to biological resources mitigation measures to incorporate species-specific survey and avoidance protocols for crotch bumble bee (*Bombus crotchii*) and monarch butterfly (*Danaus plexippus*); (b) revisions to fire hazard Mitigation Measure 4.8-21 to update fire protection standards; and (c) modifications to Mitigation Measure 4.9-7 regarding native seed mix requirements. These modifications maintain or strengthen the effectiveness of the original mitigation measures and do not result in any new significant impacts or any substantial increase in the severity of previously identified significant impacts.
- (34) The updated Mitigation Measure Monitoring Program (MMMP) has been prepared that reflects the mitigation measure modifications described in the Addendum EIR. The updated Mitigation Measure Monitoring Program (MMMP) identifies each mitigation measure as modified, the responsible parties for implementation and monitoring, the timing and frequency of monitoring, and the criteria for compliance.
- (35) The updated MMMP is designed to ensure compliance with the mitigation measures during project implementation, as required by Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d). All mitigation measures contained in the updated MMMP are fully enforceable through permit conditions, development agreements, or other legally binding mechanisms.

- (36) The updated MMMP is adequate and appropriate to monitor and ensure the implementation of all mitigation measures applicable to the Modified Project. The updated MMMP supersedes the previously adopted MMMP with respect to those mitigation measures that have been modified by the Addendum, and all other provisions of the previously adopted MMMP remain in full force and effect.
- (37) The updated Mitigation Measure Monitoring Program (MMMP) as set forth in Exhibit B attached hereto. The updated MMMP shall be implemented in conjunction with the Project Approvals and shall apply to all development within the Grapevine Specific and Community Plan area and the Grapevine Special Plan area, each as amended.
- (38) The prior findings made pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091 in connection with the 2019 approvals (including the finding that changes or alterations have been required in or incorporated into the project which avoid or substantially lessen the significant environmental effects identified in the certified SREIR) remain applicable and support the adoption of the updated MMMP.
- (39) The adoption of the MMMP is consistent with the determination that an addendum EIR is the appropriate CEQA document for the Modified Project. The CEQA findings adopted by separate resolution of this Board concurrently herewith determine that no new Section 21081 findings are required because the Modified Project is appropriately addressed through an addendum EIR under CEQA Guidelines Section 15164. The updated MMMP reflects the modifications to mitigation measures described in the Addendum EIR and ensures their continued enforceability.
- (40) The Statement of Overriding Considerations previously adopted in connection with the 2019 approvals (Exhibit "B" to Resolution No. 2019-368) found that the significant and unavoidable impacts of the project were outweighed by the project's overriding benefits. Because the Modified Project does not result in any new significant impacts or any substantial increase in the severity of previously identified impacts, and because all significance determinations from the certified SREIR remain unchanged, the prior Statement of Overriding Considerations remains applicable and is not modified, superseded, or rendered inadequate by the Modified Project or the adoption of the updated MMMP.
- (41) The public hearing was conducted in accordance with all applicable procedural requirements of state law and County ordinances, including but not limited to the notice requirements of Government Code Section 65090 (for specific plan amendments), Government Code Section 65854 (for zoning amendments), and the Kern County Zoning Ordinance. All interested parties were afforded the opportunity to appear and be heard on the merits of the Project Approvals.
- (42) The legislative body of the County of Kern has the authority to adopt and amend specific plans (Gov. Code Section 65354), adopt and amend zoning ordinances (Gov. Code Section 65850), and make CEQA determinations as the lead agency (CEQA Guidelines Section 15051).
- (43) All findings recommended by staff, whether verbally or in their written reports, to the extent consistent with and not superseded by the findings set forth herein are incorporated.
- (44) In accordance with State law and the California Tribal Consultation Guidelines, the appropriate Native American tribes were consulted with respect to the project's potential impacts on Native American places, features, and objects and provided an opportunity for review and consultation.

- (45) The Specific Plan Amendment, Special Plan Amendment, Zoning Map Amendments, Addendum EIR Determination, and Updated MMMP are each necessary to implement the Modified Project and are intended to be considered and approved together. However, each approval action is supported by independent findings set forth in the separate resolution or ordinance adopted by this Board concurrently herewith for that approval action and may stand independently if any other approval action is challenged or invalidated.
 - (46) The Modified Project is consistent with, and implements, the existing Development Agreement between the County of Kern and Tejon Ranchcorp. (approved by Resolution No. 2019-372). The modifications to the Specific Plan and Special Plan are within the scope of development contemplated by the Development Agreement, and no amendment to the Development Agreement is required.
 - (47) If any provision of these findings, or the application thereof to any person or circumstances, is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of these findings which can be given effect without the invalid provision or application, and to this end the provisions of these findings are declared to be severable.
 - (48) The solution approving the Specific Plan Amendment and the Addendum EIR Determination shall be effective upon adoption. The ordinance approving the Special Plan Amendment shall be effective 30 days following adoption, unless otherwise specified by law; and
- (c) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:
- Tejon Ranchcorp (PP26405) (agent) (1)
 - LiUNA (1)
 - File (3)

jw

BEFORE THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 175-26

APPLICATION FOR MODIFICATION NO. 1, SPECIAL PLAN NO. 2, MAP 202

Approximately 13 miles south of Bakersfield, east and west of Interstate 5 at the Laval and Grapevine interchanges, within unincorporated Kern County
Tejon Ranchcorp (PP26405)

FINDINGS AND DETERMINATION

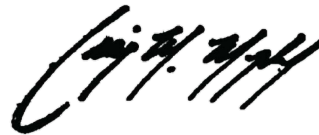
I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Ashley, seconded by Mr. Dunbar, was duly passed and adopted by said Planning Commission at an official meeting hereof this **27th** day of **August, 2026**, by the following vote, to wit:

AYES: Ashley, Dunbar, Oliver, Skidmore

NOES: None

ABSTAINED: None

ABSENT: Brooks



SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Pursuant to the California Government Code, Title 7, Section 65354 (known as the Planning and Zoning Law), the Kern County Planning Commission considers proposed amendments to the County's General and Specific Plans and must provide a recommendation on all such proposed amendments to the Kern County Board of Supervisors; and

(b) Pursuant to the Zoning Ordinance, Section 19.102.135, such advisory actions shall be considered by the Planning Commission prior to consideration by the Board of Supervisors, following submission of an application containing the information specified in the applicable section of this title and a properly noticed public hearing; and

(c) The Kern County Planning Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297.162** of said Ordinance Code and for which precise land use and zoning regulations are in effect; and

(d) Said parcel of real property is described as follows:

APN: Various

Sections 4, 5, 6, 7, 8, and 9 of T10N, R19W; Sections 29, 30, 31, 32, 33, and 34 of T11N, R19W, all in the San Bernardino Base and Meridian. In addition, the portion of the project site south of T10N R19W Sections 7 through 12, are located within Rancho Castac and the very southeastern tip of the project site is located in Rancho El Tejon; the area within the Ranchos do not have Township, Range, and Section number designations. (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(e) Said application has been made pursuant to provisions of Chapter 19.102 of said Ordinance Code, and requests to reallocate development maximums within the six (6) planning Sub Areas of the Grapevine Specific and Community Plan, update the roadway network within Sub Area 6a and revise language to allow final road alignment deviations to be determined at the Tract Map stage and update figures, exhibits, and tables throughout the Grapevine Specific and Community Plan and the Grapevine Special Plan to reflect the proposed changes:

Modifications to the Grapevine Special Plan (Mod No. 1 to SP No. 2, Map 202; Mod No. 1 to SP No. 3, Map 218R; Mod No. 1 to SP No. 3, Map 219) to reallocate single-family detached and single-family/multi-family attached residential units from Sub Areas 4 and 5a to Sub Area 6a; reallocate commercial square footage from Sub Area 6a to Sub Areas 4 and 5a; and reallocate industrial square footage from Sub Area 6a to Sub Areas 6b-6e, updates to figures and zoning references, and other minor text edits consistent with the proposed amendment to the Grapevine Specific and Community Plan.

Implementation of this request will not expand the previously approved project boundaries or expand the previously approved number of authorized residences or development within the Specific and Special Plan; and as an ordinance in accordance with Chapter 19.52 of the Kern County Zoning Ordinance; and

(f) Said application has been made in the form and in the manner prescribed by said Zoning Ordinance and is on file with the Secretary of this Commission, designated as above, and reference is hereby made thereto for further particulars; and

(g) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(h) Said notice of hearing stated that a Addendum Environmental Impact Report has been prepared for this project; and

(i) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning Department and all persons so desiring were duly heard; and

(j) Before making any findings on said Addendum Environmental Impact Report or any consideration of the proposal on its merits, this Commission called for any objections or comments on said Addendum Environmental Impact Report; and

The Director of the Planning Department has furnished to this Commission, and the Commission has incorporated into the record of this matter, a document setting forth the significant environmental effects identified in said Addendum Environmental Impact Report, with proposed findings and consideration by this Commission in relation to said significant effects for the purposes of Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines, and setting forth evidence in support of the proposed findings; and a member of the Planning Department Staff appeared before the Commission and gave additional testimony in support of the proposed findings; and

During said hearing, this Commission duly considered the adequacy and scope of said Addendum Environmental Impact Report and thereafter reviewed and considered the information therein contained with respect to the merits of the matters under consideration; and

(k) This Commission has considered the recommendation of the Planning Department and all the testimony presented during said public hearing, after which said public hearing was concluded.

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the County of Kern, as follows:

(a) This Commission finds that the facts recited above are true and that this Commission has jurisdiction to consider the subject of this resolution; and

(b) This Commission has fully reviewed and considered the information in said Addendum Environmental Impact Report and Mitigation Measure Monitoring Program and hereby recommends it to be certified in relation to the subject of this resolution and, after careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be, and hereby, recommends the Board of Supervisors **CERTIFY** said Addendum Environmental Impact Report and **ADOPT** Mitigation Measure Monitoring Program and recommended for **APPROVAL**, as recommended by Staff, by the Board of Supervisors, the application for the reasons specified in this Resolution with development to be in substantial conformity with the approved plan, and the approved plan shall include the following conditions of approval:

- (1) Development shall be subject to the requirements of the policies and implementation of the Grapevine Specific Plan and Community Plan.
- (2) This project allows a maximum of 12,000 dwelling units, (both single and multifamily, depending on the Specific Plan land use designation); a maximum of 5.1 million square feet of commercial/industrial use. As each development goes through a site development review process, each of the above referenced uses shall be calculated, totaled, a running summary of amount used versus amount remaining and shall be shown on each site plan review.
- (3) Development shall be in substantial conformity with the approved plan.
- (4) Development shall be reviewed through the Site Plan Review process identified as part of the adopted Specific and Special Plan, and all conditions of approval shall be imposed and implemented including all mitigation measures.
- (5) Modifications of this Special Plan may be made in accordance with the Review and Approval Procedures of this Special Plan.
- (6) Food facility plans shall be submitted to the Kern County Public Health Services Department/Environmental Health Division for plan check review and approval.
- (7) Within 30 days of project approval, the project proponent shall submit a final approved draft of the Special Plan. This Plan shall reflect any approved modifications to the proposed project identified by the Kern County Planning Commission and/or Kern County Board of Supervisors.
- (8) **Prior to the issuance of building or grading permits, the applicant shall submit documentation of the following:**
 - (a) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division.

- (b) Fire flows and fire protection facilities shall be as required and approved by the Kern County Fire Department.
 - (c) A plan for the disposal of drainage waters originating on site and from adjacent road rights-of-way shall be approved by the Kern County Public Works Department/Floodplain Management Section, if required. Easements or grant deeds shall be given to the County of Kern for drainage purposes or access thereto, as necessary.
- (9) **Prior to final occupancy approval, the following conditions shall be verified by the building inspector and shall be continuously maintained while this permit is active:**
- (a) All necessary building permits must be obtained.
 - (b) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, or similar obstructions, shall be removed from the ultimate road rights-of-way in accordance with Section 18.55.030 of the Land Division Ordinance. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.
- (10) **The property owner shall continuously comply with the following conditions of approval during implementation of this permit:**
- (a) The development shall comply with any requirements of the San Joaquin Valley Air Pollution Control District.
 - (b) Trash pickup shall occur a minimum of once each week. All trash and recyclable receptacles shall be enclosed within a six-foot-high, three-sided masonry enclosure with securable iron gate and shall be installed on an impervious surface at a location that is outside the required front-yard setback and convenient for refuse haulers and which does not interfere with on-site or off-site parking or circulation. For all multiunit developments consisting of five or more dwelling units, adequate space shall be provided for the collection and loading of recyclable materials.
- (11) At the time building permits are applied for, a filing fee of \$130 may be imposed to ensure that final plans are consistent with adopted conditions of approval. This fee may serve as an initial deposit for particularly complex cases, in which case a cost recovery agreement will be required and charges will be billed at \$100 per hour.
- *(12) All mitigation measures included in the adopted Mitigation Measure Monitoring Program, included as Exhibit C in the Resolution, are hereby required.
- (13) The Project shall be designed to provide renewable energy production or energy savings that is equivalent to electrical generation resulting from installation of one photovoltaic (i.e., solar) power system no smaller than a 2-kilowatt solar panel for every single-family dwelling unit and for every 1,600 square feet of non-residential roof area. Through consultation and approval from the Planning and Natural Resources Director, the above provisions could be modified in such a manner that equivalent community energy savings to residents are provided through alternative solar facility or facilities rather than individual panel installation on each residential and non-residential unit; and

*** DENOTES MITIGATION MEASURE**

(c) Noncompliance with the adopted conditions of approval may cause permit revocation proceedings in accordance with Section 19.102.020 of said Ordinance Code; and

(d) The findings of this Commission upon which its decision is based are as follows:

- (1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.
- (2) The fee required by the California Department of Fish and Game Code Section 711.4 has been previously paid for the processing of the previously certified Environmental Impact Report for this project, and under Section 711.4(g), we find that the project is not tiered or phased as set forth in Sections 15385 and 15165, respectively, of the State CEQA Guidelines, and separate environmental documents or review by the Department of Fish and Wildlife is not required, and further, based on the public interpretation of these statutes by the Department of Fish and Wildlife staff, find this approval and related Notice of Determination exempt from the payment of the otherwise applicable fee.
- (3) The proposed Specific Plan Amendment is consistent with Public Resources Code Section 21166 and CEQA Guidelines Section 15162(a), which limit the circumstances under which subsequent environmental review is required after an Environmental Impact Report has been certified. Specifically, Section 15162(a) provides that no subsequent or supplemental EIR shall be prepared for a project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that one or more of the following conditions has occurred:
 - (a) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial environmental effect or a substantial increase in the severity of previously identified significant effects.
 - (b) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 - (c) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 1. The project will have one or more significant effects not discussed in the previous EIR.
 2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 4. Mitigation or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
- (4) CEQA Guidelines Section 15164(1) provides that a lead agency shall prepared an addendum to a previously Certified EIR (State Clearinghouse No. 2014041005) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- (5) CEQA Guidelines Section 15164(d) provides that the decision-making body shall consider the addendum with the final EIR prior to making a decision on the project, and Section 15164(e) provides that a brief

explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in the addendum, the findings, or elsewhere in the record, supported by substantial evidence.

- (6) On the basis of substantial evidence in the whole record, including but not limited to the Addendum EIR, the certified SREIR, all documents incorporated by reference therein, and all testimony and evidence received at the public hearing, that none of the conditions set forth in CEQA Guidelines Section 15162(a) have occurred with respect to the Modified Project, for the reasons set forth in Findings 5 through 11.
- (a) The proposed modified project does not involve substantial changes to the project that will require major revisions to the certified SREIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The Modified Project does not alter the maximum development caps of 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses. The Modified Project does not change the project boundary or ground disturbance area. The modifications consist of updates to figures, exhibits, tables, roadway network details within Planning Area 6A, internal roadway network language, elimination of references to expired Williamson Act contracts, revisions to development maximums within certain Sub Areas, and typographical corrections. As documented in the Addendum EIR, these changes do not result in any new significant environmental effects or substantially increase the severity of any previously identified significant effects.
 - (b) The proposed modified project does not propose substantial changes have occurred with respect to the circumstances under which the Modified Project is being undertaken that will require major revisions to the certified SREIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The project setting, surrounding land uses, and environmental conditions remain substantially similar to those analyzed in the certified SREIR. As further documented in the Addendum EIR, no changes in circumstances have occurred that would result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR.
 - (c) The proposed modified project does not contain new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SREIR was certified, shows that the Modified Project will have one or more significant effects not discussed in the certified SREIR. As documented in the Addendum, all environmental effects of the Modified Project fall within the scope of the effects previously analyzed in the certified SREIR.
 - (d) The proposed Modified Project does not contain new information of substantial importance that shows that significant effects previously examined in the certified SREIR will be substantially more severe as a result of the Modified Project. As documented in the Addendum EIR, all significance determinations from the certified SREIR remain unchanged. No new significant impacts would occur as a result of approval of the Modified Project, nor would there be any substantial increase in the severity of any previously identified significant environmental impacts.
 - (e) The Proposed Modified project does not contain new information of substantial importance that shows that mitigation measures or alternatives previously found not to be feasible in the certified SREIR would in fact be feasible and would substantially reduce one or more significant effects of the project, where the project proponent declines to adopt the mitigation measure or alternative. The Modified Project does not render any previously rejected mitigation measures or alternatives feasible. As documented in the Addendum EIR, no new information indicates previously rejected alternatives are feasible or that considerably different alternatives would substantially reduce significant effects.
 - (f) The Proposed Modified project does not contain new information of substantial importance shows that mitigation measures or alternatives which are considerably different from those analyzed in the certified SREIR would substantially reduce one or more significant effects on the environment, where the project proponent declines to adopt the mitigation measure or alternative. To the extent the Addendum EIR describes modifications to certain mitigation measures (including

species-specific protocols for crotch bumble bee and monarch butterfly, revisions to fire hazard Mitigation Measure 4.8-21, and native seed mix requirements in Mitigation Measure 4.9-7), those modified measures are voluntarily adopted by the project proponent and maintain or strengthen the impact reductions previously identified. Pursuant to CEQA Guidelines Sections 15162(a)(3)(C) and (D), the triggers for a subsequent EIR based on new or different mitigation apply only where the project proponent declines to adopt a measure; here, the proponent voluntarily adopts the species-specific protocols and modified measures. (See *Citizens Against Airport Pollution v. City of San Jose* (2014) 227 Cal.App.4th 788, 810-811 [upholding addendum modifying biological resource mitigation where substantial evidence showed changes maintained impacts at less-than-significant level].)

- (g) The Modified Project, to the extent any changes to the CEQA Guidelines have occurred since the certification of the SREIR in December 2019, has not changed to constitute new information of substantial importance requiring preparation of a subsequent EIR. (See *Olen Properties Corp. v. City of Newport Beach* (2023) 93 Cal.App.5th 270 [subsequent changes to CEQA guidelines are not new information so long as underlying environmental issue was understood at time of initial EIR]; *Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1301 [adoption of guidelines for analyzing data does not constitute new information if underlying information was known at time of EIR certification].) The underlying environmental issues addressed in the certified SREIR were understood at the time of certification, and subsequent regulatory developments do not alter the conclusions of the environmental analysis.
- (7) The Addendum EIR is the appropriate CEQA document for the proposed modified project pursuant to CEQA Guidelines Section 15164(a). Because some changes and additions to the previously certified SREIR are necessary to describe and analyze the Modified Project, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred, an addendum is the proper environmental document. (See *Friends of Coll. of San Mateo Gardens v. San Mateo Cnty. Cmty. Coll. Dist.* (2016) 1 Cal.5th 937 [addendum is appropriate vehicle to document determination that subsequent EIR is not required].)
- (8) The Addendum EIR prepared for the Modified Project satisfies the requirements of CEQA Guidelines Section 15164. The Addendum includes a brief explanation of the decision not to prepare a subsequent EIR, which explanation is supported by substantial evidence in the record. The Addendum EIR is hereby incorporated by reference as though fully set forth herein.
- (9) Because the appropriate CEQA document for the Modified Project is an Addendum EIR under Section 15164 rather than a subsequent or supplemental EIR, no new findings under Public Resources Code Section 21081 are required. (See *River Valley Preservation Project v. Metropolitan Transit Dev. Bd.* (1995) 37 Cal.App.4th 154, 168 [no new findings under PRC Section 21081 required when addendum prepared; change in mitigation measures does not trigger subsequent EIR absent showing of new significant impacts]; *Save Our Heritage Organisation v. City of San Diego* (2018) 28 Cal.App.5th 656, 677-678 [confirming that Section 15164 is a valid regulation and that no Section 21081 findings are required for an addendum].)
- (10) The Statement of Overriding Considerations previously adopted in connection with the 2019 approvals (Exhibit "B" to Resolution No. 2019-370) found that the significant and unavoidable impacts of the project were outweighed by the project's overriding benefits. Because the Modified Project does not result in any new significant impacts or any substantial increase in the severity of previously identified impacts, and because all significance determinations from the certified SREIR remain unchanged, the prior Statement of Overriding Considerations remains applicable and is not modified, superseded, or rendered inadequate by the Modified Project or the adoption of the Updated MMMP.
- (11) In accordance with CEQA Guidelines Section 15164(d), this Board has considered the Addendum EIR together with the certified SREIR prior to making a decision on the Modified Project. This Board has

reviewed the Addendum EIR and the certified SREIR and all documents incorporated by reference therein, and has considered the environmental effects of the Modified Project as described in those documents. The Addendum EIR and the certified SREIR adequately describes the environmental effects of the Modified Project, identifies appropriate mitigation measures, and provides a sufficient basis for informed decision-making by this Board.

- (12) Substantial evidence in the record supports the determination that an Addendum EIR is the appropriate CEQA document for the Modified Project. The Addendum EIR analyzes each environmental resource topic addressed in the certified SREIR and concludes that no new significant impacts would occur as a result of approval of the Modified Project, nor would there be any substantial increase in the severity of any previously identified significant environmental impacts. This Board has independently reviewed the Addendum EIR and concurs in these conclusions.
- (a) With respect to Aesthetics, the proposed Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The project boundary and ground disturbance area remain unchanged, and the visual character of the development will be substantially similar to that analyzed in the certified SREIR. The aesthetics impacts remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (b) With respect to Agriculture and Forestry Resources, the proposed Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The elimination of references to expired Williamson Act contracts reflects existing conditions and does not alter the agricultural impacts of the project. The project boundary remains unchanged, and no additional agricultural land is affected. The agriculture impacts remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (c) With respect to Air Quality, the proposed Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The total development capacity remains unchanged at 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses, and therefore the project's operational and construction-related air quality impacts remain substantially as analyzed. The air quality impacts (ROG, NOx, PM10, PM2.5, and odors) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (d) With respect to Biological Resources, the proposed Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The ground disturbance area remains unchanged, and the Modified Project's voluntary adoption of species-specific survey and avoidance protocols for crotch bumble bee (*Bombus crotchii*) and monarch butterfly (*Danaus plexippus*) strengthens the mitigation framework for biological resources. The native seed mix requirements in modified Mitigation Measure 4.9-7 further support habitat restoration. The biological resources impacts related to habitat loss remain significant and unavoidable as previously determined at both the project and cumulative levels, and the modifications do not increase the severity of those impacts.
 - (e) With respect to Greenhouse Gas Emissions, the Proposed Modified project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The total development capacity remains unchanged, and the modifications do not affect the project's greenhouse gas emission profile. The greenhouse gas emissions impacts remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (f) With respect to Hazards and Hazardous Materials, the proposed Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified

SREIR. The revision to fire hazard Mitigation Measure 4.8-21 updates fire protection standards to reflect current best practices and maintains or strengthens the protection of public safety. This revision does not result in any new significant hazards impacts.

- (g) With respect to Noise, the proposed Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The updates to the Planning Area 6A roadway network and internal roadway network language do not alter the overall traffic volumes or noise-generating activities within the plan area, as the total development capacity remains unchanged. The noise impacts (temporary construction and traffic noise) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (h) With respect to Transportation and Traffic, the proposed Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The updates to the Planning Area 6A roadway network reflect refinements to internal circulation that do not affect the project's external traffic generation, which is determined by the total development capacity that remains unchanged. The transportation and traffic impacts remain significant and unavoidable at the cumulative level as previously determined, and the modifications do not increase the severity of those impacts.
 - (i) With respect to Utilities and Service Systems, the proposed Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The redistribution of development maximums among Sub Areas does not increase overall demand for water, sewer, or other utility services beyond what was analyzed in the certified SREIR. The utilities and service systems impacts (cumulative groundwater) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (j) With respect to all other environmental resource topics analyzed in the certified SREIR, including but not limited to Cultural Resources, Geology and Soils, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, and Recreation, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. All significance determinations from the certified SREIR remain unchanged for these resource topics.
- (13) All development under the Grapevine Special Plan, as amended by the Modified Project, is consistent with the goals and policies of the Kern County General Plan and with density and intensity standards, as required by Section 19.52.150(A) of the Kern County Zoning Ordinance. The Amended Specific Plan (of which the Amended Special Plan is a component) has been found consistent with the Kern County General Plan, as determined by separate resolution of this Board adopted concurrently herewith. The Amended Special Plan maintains the density and intensity standards approved in 2019, including the maximum development caps of 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses.
- (14) Development under the Amended Special Plan is demonstratively superior to the development that could occur under any other zoning district or combination of zoning districts in the Zoning Ordinance that are consistent with the county general plan land use category applicable to the subject property, as required by Section 19.52.150(B) of the Kern County Zoning Ordinance. This finding of superiority is based on the following evaluation factors set forth in Section 19.52.150(B):
- (a) The uses authorized by the Amended Special Plan are appropriate at the proposed location. The project site is located at the southern end of the San Joaquin Valley, approximately 13 miles south of the Bakersfield City limits, east and west of Interstate 5 at the Laval and Grapevine interchanges. The Amended Special Plan provides for a comprehensively planned community that takes advantage of regional transportation access, existing infrastructure corridors, and the site's

topographic and environmental characteristics. The modifications to Sub Area development maximums and the Planning Area 6A roadway network updates reflect site-specific planning that further optimizes the appropriateness of the planned uses at this location.

- (b) The Amended Special Plan provides for a diverse mix of housing styles and costs that could not be achieved under any other zoning district or combination of zoning districts in the Zoning Ordinance. The plan provides for a range of residential densities from large-lot estate residential to high-density multifamily development at up to 72 units per acre, including various housing types such as single-family detached, single-family attached, townhomes, condominiums, apartments, and mixed-use residential. The redistribution of development maximums among Sub Areas does not diminish the diversity of housing types available within the plan area and maintains flexibility to respond to market conditions.
- (c) The Kern Housing Element promotes the provision of adequate housing sites through appropriate land use map codes and zoning designations to accommodate the County's share of regional housing needs. The Amended Special Plan continues to provide for Village Mix Use (VMU) designations within the Specific and Special Plan that provide for up to 72 units per acre of multifamily residential that is allowed by right through a ministerial permit process (Site Plan Review), including units affordable to moderate income households. Implementation of the Modified Project will continue to contribute to meeting the County's projected growth needs for regional housing under the Kern County Housing Element.
- (d) The Amended Special Plan provides for comprehensive infrastructure improvements, including water supply, sewage treatment, drainage, roadways, and utilities. The plan includes detailed provisions for the phased construction of infrastructure concurrent with development, including the creation of special districts in conjunction with future annexation into the Tejon-Castac Water District to provide adequate infrastructure and the taxation necessary for construction and continued maintenance. The updates to the Planning Area 6A roadway network and internal roadway network language further demonstrate the plan's commitment to comprehensive infrastructure planning. These infrastructure provisions exceed what would be required under any other zoning district or combination of zoning districts in the Zoning Ordinance.
- (e) The Amended Special Plan provides for generous open space areas that exceed what would be required under any other zoning district or combination of zoning districts in the Zoning Ordinance. The plan designates substantial areas for open space, natural habitat preservation, parks, trails, and recreation. The overall project boundary and ground disturbance area remain unchanged from the approved plan, and the open space network continues to provide buffers between development areas, wildlife corridors, and recreational amenities for residents.
- (f) The uses authorized by the Amended Special Plan are compatible with each other and with uses in the surrounding area. The plan provides for careful land use planning with appropriate transitions between different use types, buffering of incompatible uses, and integration of commercial and residential uses in village centers. The redistribution of development maximums among Sub Areas has been planned to maintain internal compatibility of uses within the development area. The surrounding uses, including agriculture and open space, are buffered by the plan's open space network and transitional land use designations.
- (g) The Amended Special Plan provides for the use of innovative technology and materials in development. The plan incorporates contemporary sustainable design principles, energy-efficient building standards, water conservation measures, and innovative stormwater management techniques. The Special Plan district framework allows for flexibility to incorporate evolving technology and construction methods that would not be possible under any other zoning district or combination of zoning districts in the Zoning Ordinance.

- (h) The Amended Special Plan makes an overall contribution to the enhancement of the environment of the County. The plan provides for the permanent preservation of substantial natural open space areas, implementation of comprehensive habitat conservation measures (including species-specific protocols for crotch bumble bee and monarch butterfly that have been voluntarily adopted by the project proponent), native seed mix requirements, water conservation, and sustainable community design. The Modified Project's voluntary adoption of strengthened mitigation measures further contributes to environmental enhancement.
 - (i) The Amended Special Plan demonstrates creativity in design and use of land that is superior to what could be achieved under any other zoning district or combination of zoning districts in the Zoning Ordinance. The plan provides for a comprehensively designed, mixed-use community with village centers, interconnected open space, multi-modal transportation networks, and integrated community facilities. The updates to the Planning Area 6A roadway network and the internal roadway network language allowing efficient accommodation of buildout demonstrate continued creativity and flexibility in the design and use of land.
- (15) The Amended Special Plan is consistent with the goals and policies of the Kern County General Plan, as required by Section 19.52.150(A) of the Kern County Zoning Ordinance. This Board incorporates by reference the General Plan consistency findings adopted by separate resolution of this Board concurrently herewith in connection with the Specific Plan Amendment.
 - (16) The Amended Special Plan shall be adopted by ordinance, as required by Section 19.52.160 of the Kern County Zoning Ordinance, which provides that each SP District shall be adopted by ordinance. The Amended Special Plan is designated as Grapevine Special Plan No. 2, Map No. 202; Special Plan No. 3, Map No. 218R; and Special Plan No. 3, Map No. 219.
 - (17) The Amended Special Plan was prepared in accordance with the Kern County General Plan Appendix C guidelines, which provide standards and criteria for the preparation of special plans in Kern County. The Amended Special Plan satisfies the requirements of Appendix C for content, format, and analytical scope.
 - (18) The Amended Special Plan as set forth in Exhibit A (revised text of Sections 1, 2, 3, and 5, shown in strikethrough and underline) and Exhibit B (replacement Figures 1-3, 1-4, 1-5, and 3-1) attached hereto and incorporated herein by this reference. Upon the effective date of this ordinance, the Grapevine Special Plan shall be deemed amended to incorporate the text changes shown in Exhibit A and to replace the existing Figures 1-3, 1-4, 1-5, and 3-1 with those set forth in Exhibit B. All other provisions of the Grapevine Special Plan not addressed in Exhibits A and B shall remain in full force and effect. The Amended Special Plan shall continue to serve as Attachment A to the Grapevine Specific and Community Plan, as amended.
 - (19) Public Resources Code Section 21081.6 requires that, when a public agency makes findings pursuant to Public Resources Code Section 21081(a)(1) (i.e., that changes or alterations have been required in or incorporated into the project which avoid or substantially lessen the significant environmental effects identified in the EIR), the agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.
 - (20) CEQA Guidelines Section 15091(d) provides that, when making findings as required by Section 15091(a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to mitigate or avoid significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

- (21) In connection with the 2019 approvals, a Mitigation Measure Monitoring Program (MMMP) was adopted pursuant to Resolution No. 2019-370 and the associated ordinances, which identified all mitigation measures required by the certified SREIR (State Clearinghouse No. 2014041005) and established monitoring and reporting requirements to ensure compliance.
- (22) The Addendum EIR identified certain modifications to mitigation measures in the previously adopted MMMP, including but not limited to: (a) modifications to biological resources mitigation measures to incorporate species-specific survey and avoidance protocols for crotch bumble bee (*Bombus crotchii*) and monarch butterfly (*Danaus plexippus*); (b) revisions to fire hazard Mitigation Measure 4.8-21 to update fire protection standards; and (c) modifications to Mitigation Measure 4.9-7 regarding native seed mix requirements. These modifications maintain or strengthen the effectiveness of the original mitigation measures and do not result in any new significant impacts or any substantial increase in the severity of previously identified significant impacts.
- (23) The updated Mitigation Measure Monitoring Program (MMMP) has been prepared that reflects the mitigation measure modifications described in the Addendum EIR. The updated Mitigation Measure Monitoring Program (MMMP) identifies each mitigation measure as modified, the responsible parties for implementation and monitoring, the timing and frequency of monitoring, and the criteria for compliance.
- (24) The updated MMMP is designed to ensure compliance with the mitigation measures during project implementation, as required by Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d). All mitigation measures contained in the updated MMMP are fully enforceable through permit conditions, development agreements, or other legally binding mechanisms.
- (25) The updated MMMP is adequate and appropriate to monitor and ensure the implementation of all mitigation measures applicable to the Modified Project. The updated MMMP supersedes the previously adopted MMMP with respect to those mitigation measures that have been modified by the Addendum, and all other provisions of the previously adopted MMMP remain in full force and effect.
- (26) The updated Mitigation Measure Monitoring Program (MMMP) as set forth in Exhibit C attached hereto. The updated MMMP shall be implemented in conjunction with the Project Approvals and shall apply to all development within the Grapevine Specific and Community Plan area and the Grapevine Special Plan area, each as amended.
- (27) The prior findings made pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091 in connection with the 2019 approvals (including the finding that changes or alterations have been required in or incorporated into the project which avoid or substantially lessen the significant environmental effects identified in the certified SREIR) remain applicable and support the adoption of the updated MMMP.
- (28) The adoption of the MMMP is consistent with the determination that an addendum is the appropriate CEQA document for the Modified Project. The CEQA findings adopted by separate resolution of this Board concurrently herewith determine that no new Section 21081 findings are required because the Modified Project is appropriately addressed through an addendum under CEQA Guidelines Section 15164. The updated MMMP reflects the modifications to mitigation measures described in the Addendum EIR and ensures their continued enforceability.
- (29) The Statement of Overriding Considerations previously adopted in connection with the 2019 approvals (Exhibit "B" to Resolution No. 2019-370) found that the significant and unavoidable impacts of the project were outweighed by the project's overriding benefits. Because the Modified Project does not result in any new significant impacts or any substantial increase in the severity of previously identified impacts, and because all significance determinations from the certified SREIR remain unchanged, the prior Statement of

Overriding Considerations remains applicable and is not modified, superseded, or rendered inadequate by the Modified Project or the adoption of the updated MMMP.

- (30) The public hearing was conducted in accordance with all applicable procedural requirements of state law and County ordinances, including but not limited to the notice requirements of Government Code Section 65090 (for specific plan amendments), Government Code Section 65854 (for zoning amendments), and the Kern County Zoning Ordinance. All interested parties were afforded the opportunity to appear and be heard on the merits of the Project Approvals.
 - (31) The legislative body of the County of Kern has the authority to adopt and amend specific plans (Gov. Code Section 65354), adopt and amend zoning ordinances (Gov. Code Section 65850), and make CEQA determinations as the lead agency (CEQA Guidelines Section 15051).
 - (32) All findings recommended by staff, whether verbally or in their written reports, to the extent consistent with and not superseded by the findings set forth herein are incorporated.
 - (33) In accordance with State law and the California Tribal Consultation Guidelines, the appropriate Native American tribes were consulted with respect to the project's potential impacts on Native American places, features, and objects and provided an opportunity for review and consultation.
 - (34) The Specific Plan Amendment, Special Plan Amendment, Zoning Map Amendments, Addendum Determination, and Updated MMMP are each necessary to implement the Modified Project and are intended to be considered and approved together. However, each approval action is supported by independent findings set forth in the separate resolution or ordinance adopted by this Board concurrently herewith for that approval action and may stand independently if any other approval action is challenged or invalidated.
 - (35) The proposed modified project is consistent with, and implements, the existing Development Agreement between the County of Kern and Tejon Ranchcorp. (approved by Resolution No. 2019-372). The modifications to the Specific Plan and Special Plan are within the scope of development contemplated by the Development Agreement, and no amendment to the Development Agreement is required.
 - (36) If any provision of these findings, or the application thereof to any person or circumstances, is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of these findings which can be given effect without the invalid provision or application, and to this end the provisions of these findings are declared to be severable.
 - (37) The Resolution approving the Specific Plan Amendment and the Addendum Determination shall be effective upon adoption. The ordinance approving the Special Plan Amendment shall be effective thirty (30) days following adoption, unless otherwise specified by law; and
- (e) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Tejon Ranchcorp (PP26405) (applicant)
LiUNA (1)
File (3)

an

BEFORE THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 176-26

APPLICATION FOR MODIFICATION NO. 1, SPECIAL PLAN NO. 3, MAP 218R

Approximately 13 miles south of Bakersfield, east and west of Interstate 5 at the Laval and Grapevine interchanges, within unincorporated Kern County
Tejon Ranchcorp (PP26405)

FINDINGS AND DETERMINATION

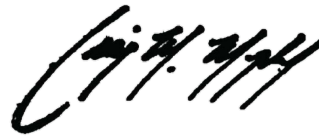
I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Ashley, seconded by Mr. Dunbar, was duly passed and adopted by said Planning Commission at an official meeting hereof this **27th** day of **August, 2026**, by the following vote, to wit:

AYES: Ashley, Dunbar, Oliver, Skidmore

NOES: None

ABSTAINED: None

ABSENT: Brooks



SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Pursuant to the California Government Code, Title 7, Section 65354 (known as the Planning and Zoning Law), the Kern County Planning Commission considers proposed amendments to the County's General and Specific Plans and must provide a recommendation on all such proposed amendments to the Kern County Board of Supervisors; and

(b) Pursuant to the Zoning Ordinance, Section 19.102.135, such advisory actions shall be considered by the Planning Commission prior to consideration by the Board of Supervisors, following submission of an application containing the information specified in the applicable section of this title and a properly noticed public hearing; and

(c) The Kern County Planning Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297.530** of said Ordinance Code and for which precise land use and zoning regulations are in effect; and

(d) Said parcel of real property is described as follows:

APN: Various

Sections 4, 5, 6, 7, 8, and 9 of T10N, R19W; Sections 29, 30, 31, 32, 33, and 34 of T11N, R19W, all in the San Bernardino Base and Meridian. In addition, the portion of the project site south of T10N R19W Sections 7 through 12, are located within Rancho Castac and the very southeastern tip of the project site is located in Rancho El Tejon; the area within the Ranchos do not have Township, Range, and Section number designations. (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(e) Said application has been made pursuant to provisions of Chapter 19.102 of said Ordinance Code, and requests to reallocate development maximums within the six (6) planning Sub Areas of the Grapevine Specific and Community Plan, update the roadway network within Sub Area 6a and revise language to allow final road alignment deviations to be determined at the Tract Map stage and update figures, exhibits, and tables throughout the Grapevine Specific and Community Plan and the Grapevine Special Plan to reflect the proposed changes:

Modifications to the Grapevine Special Plan (Mod No. 1 to SP No. 2, Map 202; Mod No. 1 to SP No. 3, Map 218R; Mod No. 1 to SP No. 3, Map 219) to reallocate single-family detached and single-family/multi-family attached residential units from Sub Areas 4 and 5a to Sub Area 6a; reallocate commercial square footage from Sub Area 6a to Sub Areas 4 and 5a; and reallocate industrial square footage from Sub Area 6a to Sub Areas 6b-6e, updates to figures and zoning references, and other minor text edits consistent with the proposed amendment to the Grapevine Specific and Community Plan.

Implementation of this request will not expand the previously approved project boundaries or expand the previously approved number of authorized residences or development within the Specific and Special Plan; and as an ordinance in accordance with Chapter 19.52 of the Kern County Zoning Ordinance; and

(f) Said application has been made in the form and in the manner prescribed by said Zoning Ordinance and is on file with the Secretary of this Commission, designated as above, and reference is hereby made thereto for further particulars; and

(g) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(h) Said notice of hearing stated that a Addendum Environmental Impact Report has been prepared for this project; and

(i) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning Department and all persons so desiring were duly heard; and

(j) Before making any findings on said Addendum Environmental Impact Report or any consideration of the proposal on its merits, this Commission called for any objections or comments on said Addendum Environmental Impact Report; and

The Director of the Planning Department has furnished to this Commission, and the Commission has incorporated into the record of this matter, a document setting forth the significant environmental effects identified in said Addendum Environmental Impact Report, with proposed findings and consideration by this Commission in relation to said significant effects for the purposes of Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines, and setting forth evidence in support of the proposed findings; and a member of the Planning Department Staff appeared before the Commission and gave additional testimony in support of the proposed findings; and

During said hearing, this Commission duly considered the adequacy and scope of said Addendum Environmental Impact Report and thereafter reviewed and considered the information therein contained with respect to the merits of the matters under consideration; and

(k) This Commission has considered the recommendation of the Planning Department and all the testimony presented during said public hearing, after which said public hearing was concluded.

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the County of Kern, as follows:

(a) This Commission finds that the facts recited above are true and that this Commission has jurisdiction to consider the subject of this resolution; and

(b) This Commission has fully reviewed and considered the information in said Addendum Environmental Impact Report and Mitigation Measure Monitoring Program and hereby recommends it to be certified in relation to the subject of this resolution and, after careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be, and hereby, recommends the Board of Supervisors **CERTIFY** said Addendum Environmental Impact Report and **ADOPT** Mitigation Measure Monitoring Program and recommended for **APPROVAL**, as recommended by Staff, by the Board of Supervisors, the application for the reasons specified in this Resolution with development to be in substantial conformity with the approved plan, and the approved plan shall include the following conditions of approval:

- (1) Development shall be subject to the requirements of the policies and implementation of the Grapevine Specific Plan and Community Plan.
- (2) This project allows a maximum of 12,000 dwelling units, (both single and multifamily, depending on the Specific Plan land use designation); a maximum of 5.1 million square feet of commercial/industrial use. As each development goes through a site development review process, each of the above referenced uses shall be calculated, totaled, a running summary of amount used versus amount remaining and shall be shown on each site plan review.
- (3) Development shall be in substantial conformity with the approved plan.
- (4) Development shall be reviewed through the Site Plan Review process identified as part of the adopted Specific and Special Plan, and all conditions of approval shall be imposed and implemented including all mitigation measures.
- (5) Modifications of this Special Plan may be made in accordance with the Review and Approval Procedures of this Special Plan.
- (6) Food facility plans shall be submitted to the Kern County Public Health Services Department/Environmental Health Division for plan check review and approval.
- (7) Within 30 days of project approval, the project proponent shall submit a final approved draft of the Special Plan. This Plan shall reflect any approved modifications to the proposed project identified by the Kern County Planning Commission and/or Kern County Board of Supervisors.
- (8) **Prior to the issuance of building or grading permits, the applicant shall submit documentation of the following:**
 - (a) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division.
 - (b) Fire flows and fire protection facilities shall be as required and approved by the Kern County Fire Department.

- (c) A plan for the disposal of drainage waters originating on site and from adjacent road rights-of-way shall be approved by the Kern County Public Works Department/Floodplain Management Section, if required. Easements or grant deeds shall be given to the County of Kern for drainage purposes or access thereto, as necessary.
- (9) **Prior to final occupancy approval, the following conditions shall be verified by the building inspector and shall be continuously maintained while this permit is active:**
 - (a) All necessary building permits must be obtained.
 - (b) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, or similar obstructions, shall be removed from the ultimate road rights-of-way in accordance with Section 18.55.030 of the Land Division Ordinance. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.
- (10) **The property owner shall continuously comply with the following conditions of approval during implementation of this permit:**
 - (a) The development shall comply with any requirements of the San Joaquin Valley Air Pollution Control District.
 - (b) Trash pickup shall occur a minimum of once each week. All trash and recyclable receptacles shall be enclosed within a six-foot-high, three-sided masonry enclosure with securable iron gate and shall be installed on an impervious surface at a location that is outside the required front-yard setback and convenient for refuse haulers and which does not interfere with on-site or off-site parking or circulation. For all multiunit developments consisting of five or more dwelling units, adequate space shall be provided for the collection and loading of recyclable materials
- (11) At the time building permits are applied for, a filing fee of \$130 may be imposed to ensure that final plans are consistent with adopted conditions of approval. This fee may serve as an initial deposit for particularly complex cases, in which case a cost recovery agreement will be required and charges will be billed at \$100 per hour.
- *(12) All mitigation measures included in the adopted Mitigation Measure Monitoring Program, included as Exhibit C in the Resolution, are hereby required.
- (13) The Project shall be designed to provide renewable energy production or energy savings that is equivalent to electrical generation resulting from installation of one photovoltaic (i.e., solar) power system no smaller than a 2-kilowatt solar panel for every single-family dwelling unit and for every 1,600 square feet of non-residential roof area. Through consultation and approval from the Planning and Natural Resources Director, the above provisions could be modified in such a manner that equivalent community energy savings to residents are provided through alternative solar facility or facilities rather than individual panel installation on each residential and non-residential unit; and

*** DENOTES MITIGATION MEASURE**

(c) Noncompliance with the adopted conditions of approval may cause permit revocation proceedings in accordance with Section 19.102.020 of said Ordinance Code; and

(d) The findings of this Commission upon which its decision is based are as follows:

- (1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.
- (2) The fee required by the California Department of Fish and Game Code Section 711.4 has been previously paid for the processing of the previously certified Environmental Impact Report for this project, and under Section 711.4(g), we find that the project is not tiered or phased as set forth in Sections 15385 and 15165, respectively, of the State CEQA Guidelines, and separate environmental documents or review by the Department of Fish and Wildlife is not required, and further, based on the public interpretation of these statutes by the Department of Fish and Wildlife staff, find this approval and related Notice of Determination exempt from the payment of the otherwise applicable fee.
- (3) The proposed Specific Plan Amendment is consistent with Public Resources Code Section 21166 and CEQA Guidelines Section 15162(a), which limit the circumstances under which subsequent environmental review is required after an Environmental Impact Report has been certified. Specifically, Section 15162(a) provides that no subsequent or supplemental EIR shall be prepared for a project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that one or more of the following conditions has occurred:
 - (a) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial environmental effect or a substantial increase in the severity of previously identified significant effects.
 - (b) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 - (c) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 1. The project will have one or more significant effects not discussed in the previous EIR.
 2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 4. Mitigation or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
- (4) CEQA Guidelines Section 15164(1) provides that a lead agency shall prepared an addendum to a previously Certified EIR (State Clearinghouse No. 2014041005) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- (5) CEQA Guidelines Section 15164(d) provides that the decision-making body shall consider the addendum with the final EIR prior to making a decision on the project, and Section 15164(e) provides that a brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in the addendum, the findings, or elsewhere in the record, supported by substantial evidence.
- (6) On the basis of substantial evidence in the whole record, including but not limited to the Addendum EIR, the certified SREIR, all documents incorporated by reference therein, and all testimony and evidence

received at the public hearing, that none of the conditions set forth in CEQA Guidelines Section 15162(a) have occurred with respect to the Modified Project, for the reasons set forth in Findings 5 through 11.

- (a) The proposed modified project does not involve substantial changes to the project that will require major revisions to the certified SREIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The Modified Project does not alter the maximum development caps of 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses. The Modified Project does not change the project boundary or ground disturbance area. The modifications consist of updates to figures, exhibits, tables, roadway network details within Planning Area 6A, internal roadway network language, elimination of references to expired Williamson Act contracts, revisions to development maximums within certain Sub Areas, and typographical corrections. As documented in the Addendum EIR, these changes do not result in any new significant environmental effects or substantially increase the severity of any previously identified significant effects.
- (b) The proposed modified project does not propose substantial changes have occurred with respect to the circumstances under which the Modified Project is being undertaken that will require major revisions to the certified SREIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The project setting, surrounding land uses, and environmental conditions remain substantially similar to those analyzed in the certified SREIR. As further documented in the Addendum EIR, no changes in circumstances have occurred that would result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR.
- (c) The proposed modified project does not contain new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SREIR was certified, shows that the Modified Project will have one or more significant effects not discussed in the certified SREIR. As documented in the Addendum, all environmental effects of the Modified Project fall within the scope of the effects previously analyzed in the certified SREIR.
- (d) The Modified Project does not contain new information of substantial importance that shows that significant effects previously examined in the certified SREIR will be substantially more severe as a result of the Modified Project. As documented in the Addendum EIR, all significance determinations from the certified SREIR remain unchanged. No new significant impacts would occur as a result of approval of the Modified Project, nor would there be any substantial increase in the severity of any previously identified significant environmental impacts.
- (e) The Modified Project does not contain new information of substantial importance that shows that mitigation measures or alternatives previously found not to be feasible in the certified SREIR would in fact be feasible and would substantially reduce one or more significant effects of the project, where the project proponent declines to adopt the mitigation measure or alternative. The Modified Project does not render any previously rejected mitigation measures or alternatives feasible. As documented in the Addendum EIR, no new information indicates previously rejected alternatives are feasible or that considerably different alternatives would substantially reduce significant effects.
- (f) The Modified Project does not contain new information of substantial importance shows that mitigation measures or alternatives which are considerably different from those analyzed in the certified SREIR would substantially reduce one or more significant effects on the environment, where the project proponent declines to adopt the mitigation measure or alternative. To the extent the Addendum EIR describes modifications to certain mitigation measures (including species-specific protocols for crotch bumble bee and monarch butterfly, revisions to fire hazard Mitigation Measure 4.8-21, and native seed mix requirements in Mitigation Measure 4.9-7), those modified measures are voluntarily adopted by the project proponent and maintain or strengthen the impact reductions previously identified. Pursuant to CEQA Guidelines Sections 15162(a)(3)(C) and (D),

the triggers for a subsequent EIR based on new or different mitigation apply only where the project proponent declines to adopt a measure; here, the proponent voluntarily adopts the species-specific protocols and modified measures. (See *Citizens Against Airport Pollution v. City of San Jose* (2014) 227 Cal.App.4th 788, 810-811 [upholding addendum modifying biological resource mitigation where substantial evidence showed changes maintained impacts at less-than-significant level].)

- (g) The Modified Project, to the extent any changes to the CEQA Guidelines have occurred since the certification of the SREIR in December 2019, has not changed to constitute new information of substantial importance requiring preparation of a subsequent EIR. (See *Olen Properties Corp. v. City of Newport Beach* (2023) 93 Cal.App.5th 270 [subsequent changes to CEQA guidelines are not new information so long as underlying environmental issue was understood at time of initial EIR]; *Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1301 [adoption of guidelines for analyzing data does not constitute new information if underlying information was known at time of EIR certification].) The underlying environmental issues addressed in the certified SREIR were understood at the time of certification, and subsequent regulatory developments do not alter the conclusions of the environmental analysis.
- (7) The Addendum EIR is the appropriate CEQA document for the Modified project pursuant to CEQA Guidelines Section 15164(a). Because some changes and additions to the previously certified SREIR are necessary to describe and analyze the Modified Project, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred, an addendum is the proper environmental document. (See *Friends of Coll. of San Mateo Gardens v. San Mateo Cnty. Cmty. Coll. Dist.* (2016) 1 Cal.5th 937 [addendum is appropriate vehicle to document determination that subsequent EIR is not required].)
- (8) The Addendum EIR prepared for the Modified Project satisfies the requirements of CEQA Guidelines Section 15164. The Addendum includes a brief explanation of the decision not to prepare a subsequent EIR, which explanation is supported by substantial evidence in the record. The Addendum EIR is hereby incorporated by reference as though fully set forth herein.
- (9) Because the appropriate CEQA document for the Modified Project is an Addendum EIR under Section 15164 rather than a subsequent or supplemental EIR, no new findings under Public Resources Code Section 21081 are required. (See *River Valley Preservation Project v. Metropolitan Transit Dev. Bd.* (1995) 37 Cal.App.4th 154, 168 [no new findings under PRC Section 21081 required when addendum prepared; change in mitigation measures does not trigger subsequent EIR absent showing of new significant impacts]; *Save Our Heritage Organisation v. City of San Diego* (2018) 28 Cal.App.5th 656, 677-678 [confirming that Section 15164 is a valid regulation and that no Section 21081 findings are required for an addendum].)
- (10) The Statement of Overriding Considerations previously adopted in connection with the 2019 approvals (Exhibit "B" to Resolution No. 2019-370) found that the significant and unavoidable impacts of the project were outweighed by the project's overriding benefits. Because the Modified Project does not result in any new significant impacts or any substantial increase in the severity of previously identified impacts, and because all significance determinations from the certified SREIR remain unchanged, the prior Statement of Overriding Considerations remains applicable and is not modified, superseded, or rendered inadequate by the Modified Project or the adoption of the Updated MMMP.
- (11) In accordance with CEQA Guidelines Section 15164(d), this Board has considered the Addendum EIR together with the certified SREIR prior to making a decision on the Modified Project. This Board has reviewed the Addendum EIR and the certified SREIR and all documents incorporated by reference therein, and has considered the environmental effects of the Modified Project as described in those documents. The Addendum EIR and the certified SREIR adequately describes the environmental effects of the Modified

Project, identifies appropriate mitigation measures, and provides a sufficient basis for informed decision-making by this Board.

- (12) Substantial evidence in the record supports the determination that an Addendum EIR is the appropriate CEQA document for the Modified Project. The Addendum EIR analyzes each environmental resource topic addressed in the certified SREIR and concludes that no new significant impacts would occur as a result of approval of the Modified Project, nor would there be any substantial increase in the severity of any previously identified significant environmental impacts. This Board has independently reviewed the Addendum EIR and concurs in these conclusions.
- (a) With respect to Aesthetics, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The project boundary and ground disturbance area remain unchanged, and the visual character of the development will be substantially similar to that analyzed in the certified SREIR. The aesthetics impacts remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (b) With respect to Agriculture and Forestry Resources, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The elimination of references to expired Williamson Act contracts reflects existing conditions and does not alter the agricultural impacts of the project. The project boundary remains unchanged, and no additional agricultural land is affected. The agriculture impacts remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (c) With respect to Air Quality, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The total development capacity remains unchanged at 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses, and therefore the project's operational and construction-related air quality impacts remain substantially as analyzed. The air quality impacts (ROG, NOx, PM10, PM2.5, and odors) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (d) With respect to Biological Resources, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The ground disturbance area remains unchanged, and the Modified Project's voluntary adoption of species-specific survey and avoidance protocols for crotch bumble bee (*Bombus crotchii*) and monarch butterfly (*Danaus plexippus*) strengthens the mitigation framework for biological resources. The native seed mix requirements in modified Mitigation Measure 4.9-7 further support habitat restoration. The biological resources impacts related to habitat loss remain significant and unavoidable as previously determined at both the project and cumulative levels, and the modifications do not increase the severity of those impacts.
 - (e) With respect to Greenhouse Gas Emissions, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The total development capacity remains unchanged, and the modifications do not affect the project's greenhouse gas emission profile. The greenhouse gas emissions impacts remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (f) With respect to Hazards and Hazardous Materials, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The revision to fire hazard Mitigation Measure 4.8-21 updates fire protection standards to reflect current best practices and maintains or strengthens the protection of public safety. This revision does not result in any new significant hazards impacts.

- (g) With respect to Noise, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The updates to the Planning Area 6A roadway network and internal roadway network language do not alter the overall traffic volumes or noise-generating activities within the plan area, as the total development capacity remains unchanged. The noise impacts (temporary construction and traffic noise) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (h) With respect to Transportation and Traffic, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The updates to the Planning Area 6A roadway network reflect refinements to internal circulation that do not affect the project's external traffic generation, which is determined by the total development capacity that remains unchanged. The transportation and traffic impacts remain significant and unavoidable at the cumulative level as previously determined, and the modifications do not increase the severity of those impacts.
 - (i) With respect to Utilities and Service Systems, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The redistribution of development maximums among Sub Areas does not increase overall demand for water, sewer, or other utility services beyond what was analyzed in the certified SREIR. The utilities and service systems impacts (cumulative groundwater) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (j) With respect to all other environmental resource topics analyzed in the certified SREIR, including but not limited to Cultural Resources, Geology and Soils, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, and Recreation, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. All significance determinations from the certified SREIR remain unchanged for these resource topics.
- (13) All development under the Grapevine Special Plan, as amended by the Modified Project, is consistent with the goals and policies of the Kern County General Plan and with density and intensity standards, as required by Section 19.52.150(A) of the Kern County Zoning Ordinance. The Amended Specific Plan (of which the Amended Special Plan is a component) has been found consistent with the Kern County General Plan, as determined by separate resolution of this Board adopted concurrently herewith. The Amended Special Plan maintains the density and intensity standards approved in 2019, including the maximum development caps of 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses.
- (14) Development under the Amended Special Plan is demonstratively superior to the development that could occur under any other zoning district or combination of zoning districts in the Zoning Ordinance that are consistent with the county general plan land use category applicable to the subject property, as required by Section 19.52.150(B) of the Kern County Zoning Ordinance. This finding of superiority is based on the following evaluation factors set forth in Section 19.52.150(B):
- (a) The uses authorized by the Amended Special Plan are appropriate at the proposed location. The project site is located at the southern end of the San Joaquin Valley, approximately 13 miles south of the Bakersfield City limits, east and west of Interstate 5 at the Laval and Grapevine interchanges. The Amended Special Plan provides for a comprehensively planned community that takes advantage of regional transportation access, existing infrastructure corridors, and the site's topographic and environmental characteristics. The modifications to Sub Area development maximums and the Planning Area 6A roadway network updates reflect site-specific planning that further optimizes the appropriateness of the planned uses at this location.

- (b) The Amended Special Plan provides for a diverse mix of housing styles and costs that could not be achieved under any other zoning district or combination of zoning districts in the Zoning Ordinance. The plan provides for a range of residential densities from large-lot estate residential to high-density multifamily development at up to 72 units per acre, including various housing types such as single-family detached, single-family attached, townhomes, condominiums, apartments, and mixed-use residential. The redistribution of development maximums among Sub Areas does not diminish the diversity of housing types available within the plan area and maintains flexibility to respond to market conditions.
- (c) The Kern Housing Element promotes the provision of adequate housing sites through appropriate land use map codes and zoning designations to accommodate the County's share of regional housing needs. The Amended Special Plan continues to provide for Village Mix Use (VMU) designations within the Specific and Special Plan that provide for up to 72 units per acre of multifamily residential that is allowed by right through a ministerial permit process (Site Plan Review), including units affordable to moderate income households. Implementation of the Modified Project will continue to contribute to meeting the County's projected growth needs for regional housing under the Kern County Housing Element.
- (d) The Amended Special Plan provides for comprehensive infrastructure improvements, including water supply, sewage treatment, drainage, roadways, and utilities. The plan includes detailed provisions for the phased construction of infrastructure concurrent with development, including the creation of special districts in conjunction with future annexation into the Tejon-Castac Water District to provide adequate infrastructure and the taxation necessary for construction and continued maintenance. The updates to the Planning Area 6A roadway network and internal roadway network language further demonstrate the plan's commitment to comprehensive infrastructure planning. These infrastructure provisions exceed what would be required under any other zoning district or combination of zoning districts in the Zoning Ordinance.
- (e) The Amended Special Plan provides for generous open space areas that exceed what would be required under any other zoning district or combination of zoning districts in the Zoning Ordinance. The plan designates substantial areas for open space, natural habitat preservation, parks, trails, and recreation. The overall project boundary and ground disturbance area remain unchanged from the approved plan, and the open space network continues to provide buffers between development areas, wildlife corridors, and recreational amenities for residents.
- (f) The uses authorized by the Amended Special Plan are compatible with each other and with uses in the surrounding area. The plan provides for careful land use planning with appropriate transitions between different use types, buffering of incompatible uses, and integration of commercial and residential uses in village centers. The redistribution of development maximums among Sub Areas has been planned to maintain internal compatibility of uses within the development area. The surrounding uses, including agriculture and open space, are buffered by the plan's open space network and transitional land use designations.
- (g) The Amended Special Plan provides for the use of innovative technology and materials in development. The plan incorporates contemporary sustainable design principles, energy-efficient building standards, water conservation measures, and innovative stormwater management techniques. The Special Plan district framework allows for flexibility to incorporate evolving technology and construction methods that would not be possible under any other zoning district or combination of zoning districts in the Zoning Ordinance.
- (h) The Amended Special Plan makes an overall contribution to the enhancement of the environment of the County. The plan provides for the permanent preservation of substantial natural open space areas, implementation of comprehensive habitat conservation measures (including species-specific protocols for crotch bumble bee and monarch butterfly that have been voluntarily adopted by the project proponent), native seed mix requirements, water conservation, and sustainable community

design. The Modified Project's voluntary adoption of strengthened mitigation measures further contributes to environmental enhancement.

- (i) The Amended Special Plan demonstrates creativity in design and use of land that is superior to what could be achieved under any other zoning district or combination of zoning districts in the Zoning Ordinance. The plan provides for a comprehensively designed, mixed-use community with village centers, interconnected open space, multi-modal transportation networks, and integrated community facilities. The updates to the Planning Area 6A roadway network and the internal roadway network language allowing efficient accommodation of buildout demonstrate continued creativity and flexibility in the design and use of land.
- (15) The Amended Special Plan is consistent with the goals and policies of the Kern County General Plan, as required by Section 19.52.150(A) of the Kern County Zoning Ordinance. This Board incorporates by reference the General Plan consistency findings adopted by separate resolution of this Board concurrently herewith in connection with the Specific Plan Amendment.
- (16) The Amended Special Plan shall be adopted by ordinance, as required by Section 19.52.160 of the Kern County Zoning Ordinance, which provides that each SP District shall be adopted by ordinance. The Amended Special Plan is designated as Grapevine Special Plan No. 2, Map No. 202; Special Plan No. 3, Map No. 218R; and Special Plan No. 3, Map No. 219.
- (17) The Amended Special Plan was prepared in accordance with the Kern County General Plan Appendix C guidelines, which provide standards and criteria for the preparation of special plans in Kern County. The Amended Special Plan satisfies the requirements of Appendix C for content, format, and analytical scope.
- (18) The Amended Special Plan as set forth in Exhibit A (revised text of Sections 1, 2, 3, and 5, shown in strikethrough and underline) and Exhibit B (replacement Figures 1-3, 1-4, 1-5, and 3-1) attached hereto and incorporated herein by this reference. Upon the effective date of this ordinance, the Grapevine Special Plan shall be deemed amended to incorporate the text changes shown in Exhibit A and to replace the existing Figures 1-3, 1-4, 1-5, and 3-1 with those set forth in Exhibit B. All other provisions of the Grapevine Special Plan not addressed in Exhibits A and B shall remain in full force and effect. The Amended Special Plan shall continue to serve as Attachment A to the Grapevine Specific and Community Plan, as amended.
- (19) Public Resources Code Section 21081.6 requires that, when a public agency makes findings pursuant to Public Resources Code Section 21081(a)(1) (i.e., that changes or alterations have been required in or incorporated into the project which avoid or substantially lessen the significant environmental effects identified in the EIR), the agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.
- (20) CEQA Guidelines Section 15091(d) provides that, when making findings as required by Section 15091(a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to mitigate or avoid significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (21) In connection with the 2019 approvals, a Mitigation Measure Monitoring Program (MMMP) was adopted pursuant to Resolution No. 2019-370 and the associated ordinances, which identified all mitigation measures required by the certified SREIR (State Clearinghouse No. 2014041005) and established monitoring and reporting requirements to ensure compliance.

- (22) The Addendum EIR identified certain modifications to mitigation measures in the previously adopted MMMP, including but not limited to: (a) modifications to biological resources mitigation measures to incorporate species-specific survey and avoidance protocols for crotch bumble bee (*Bombus crotchii*) and monarch butterfly (*Danaus plexippus*); (b) revisions to fire hazard Mitigation Measure 4.8-21 to update fire protection standards; and (c) modifications to Mitigation Measure 4.9-7 regarding native seed mix requirements. These modifications maintain or strengthen the effectiveness of the original mitigation measures and do not result in any new significant impacts or any substantial increase in the severity of previously identified significant impacts.
- (23) The updated Mitigation Measure Monitoring Program (MMMP) has been prepared that reflects the mitigation measure modifications described in the Addendum EIR. The updated Mitigation Measure Monitoring Program (MMMP) identifies each mitigation measure as modified, the responsible parties for implementation and monitoring, the timing and frequency of monitoring, and the criteria for compliance.
- (24) The updated MMMP is designed to ensure compliance with the mitigation measures during project implementation, as required by Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d). All mitigation measures contained in the updated MMMP are fully enforceable through permit conditions, development agreements, or other legally binding mechanisms.
- (25) The updated MMMP is adequate and appropriate to monitor and ensure the implementation of all mitigation measures applicable to the Modified Project. The updated MMMP supersedes the previously adopted MMMP with respect to those mitigation measures that have been modified by the Addendum, and all other provisions of the previously adopted MMMP remain in full force and effect.
- (26) The updated Mitigation Measure Monitoring Program (MMMP) as set forth in Exhibit C attached hereto. The updated MMMP shall be implemented in conjunction with the Project Approvals and shall apply to all development within the Grapevine Specific and Community Plan area and the Grapevine Special Plan area, each as amended.
- (27) The prior findings made pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091 in connection with the 2019 approvals (including the finding that changes or alterations have been required in or incorporated into the project which avoid or substantially lessen the significant environmental effects identified in the certified SREIR) remain applicable and support the adoption of the updated MMMP.
- (28) The adoption of the MMMP is consistent with the determination that an addendum is the appropriate CEQA document for the Modified Project. The CEQA findings adopted by separate resolution of this Board concurrently herewith determine that no new Section 21081 findings are required because the Modified Project is appropriately addressed through an addendum under CEQA Guidelines Section 15164. The updated MMMP reflects the modifications to mitigation measures described in the Addendum EIR and ensures their continued enforceability.
- (29) The Statement of Overriding Considerations previously adopted in connection with the 2019 approvals (Exhibit "B" to Resolution No. 2019-370) found that the significant and unavoidable impacts of the project were outweighed by the project's overriding benefits. Because the Modified Project does not result in any new significant impacts or any substantial increase in the severity of previously identified impacts, and because all significance determinations from the certified SREIR remain unchanged, the prior Statement of Overriding Considerations remains applicable and is not modified, superseded, or rendered inadequate by the Modified Project or the adoption of the updated MMMP.
- (30) The public hearing was conducted in accordance with all applicable procedural requirements of state law and County ordinances, including but not limited to the notice requirements of Government Code Section

65090 (for specific plan amendments), Government Code Section 65854 (for zoning amendments), and the Kern County Zoning Ordinance. All interested parties were afforded the opportunity to appear and be heard on the merits of the Project Approvals.

- (31) The legislative body of the County of Kern has the authority to adopt and amend specific plans (Gov. Code Section 65354), adopt and amend zoning ordinances (Gov. Code Section 65850), and make CEQA determinations as the lead agency (CEQA Guidelines Section 15051).
- (32) All findings recommended by staff, whether verbally or in their written reports, to the extent consistent with and not superseded by the findings set forth herein are incorporated.
- (33) In accordance with State law and the California Tribal Consultation Guidelines, the appropriate Native American tribes were consulted with respect to the project's potential impacts on Native American places, features, and objects and provided an opportunity for review and consultation.
- (34) The Specific Plan Amendment, Special Plan Amendment, Zoning Map Amendments, Addendum Determination, and Updated MMMP are each necessary to implement the Modified Project and are intended to be considered and approved together. However, each approval action is supported by independent findings set forth in the separate resolution or ordinance adopted by this Board concurrently herewith for that approval action and may stand independently if any other approval action is challenged or invalidated.
- (35) The proposed modified project is consistent with, and implements, the existing Development Agreement between the County of Kern and Tejon Ranchcorp. (approved by Resolution No. 2019-372). The modifications to the Specific Plan and Special Plan are within the scope of development contemplated by the Development Agreement, and no amendment to the Development Agreement is required.
- (36) If any provision of these findings, or the application thereof to any person or circumstances, is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of these findings which can be given effect without the invalid provision or application, and to this end the provisions of these findings are declared to be severable.
- (37) The Resolution approving the Specific Plan Amendment and the Addendum Determination shall be effective upon adoption. The ordinance approving the Special Plan Amendment shall be effective thirty (30) days following adoption, unless otherwise specified by law; and

(e) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:

Tejon Ranchcorp (PP26405) (applicant)
LiUNA (1)
File (3)

an

BEFORE THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

In the matter of:

RESOLUTION NO. 177-26

APPLICATION FOR MODIFICATION NO.1, SPECIAL PLAN NO. 3, MAP 219

Approximately 13 miles south of Bakersfield, east and west of Interstate 5 at the Laval and Grapevine interchanges, within unincorporated Kern County
Tejon Ranchcorp (PP26405)

FINDINGS AND DETERMINATION

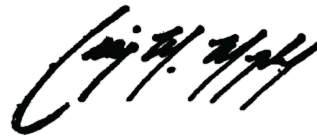
I, Craig M. Murphy, Secretary of the Planning Commission of the County of Kern, State of California, do hereby certify that the following resolution, proposed by Mr. Ashley, seconded by Mr. Dunbar, was duly passed and adopted by said Planning Commission at an official meeting hereof this **27th** day of **August, 2026**, by the following vote, to wit:

AYES: Ashley, Dunbar, Oliver, Skidmore

NOES: None

ABSTAINED: None

ABSENT: Brooks



SECRETARY OF THE PLANNING COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA

R E S O L U T I O N

SECTION 1. WHEREAS:

(a) Pursuant to the California Government Code, Title 7, Section 65354 (known as the Planning and Zoning Law), the Kern County Planning Commission considers proposed amendments to the County's General and Specific Plans and must provide a recommendation on all such proposed amendments to the Kern County Board of Supervisors; and

(b) Pursuant to the Zoning Ordinance, Section 19.102.135, such advisory actions shall be considered by the Planning Commission prior to consideration by the Board of Supervisors, following submission of an application containing the information specified in the applicable section of this title and a properly noticed public hearing; and

(c) The Kern County Planning Department has received an application pertaining to a parcel of real property which is located within that portion of the unincorporated area of the County for which an official Zoning Map has been adopted under Section **7297.531** of said Ordinance Code and for which precise land use and zoning regulations are in effect; and

(d) Said parcel of real property is described as follows:

APN: Various

Sections 4, 5, 6, 7, 8, and 9 of T10N, R19W; Sections 29, 30, 31, 32, 33, and 34 of T11N, R19W, all in the San Bernardino Base and Meridian. In addition, the portion of the project site south of T10N R19W Sections 7 through 12, are located within Rancho Castac and the very southeastern tip of the project site is located in Rancho El Tejon; the area within the Ranchos do not have Township, Range, and Section number designations. (A complete legal description is on file with the Kern County Planning and Natural Resources Department); and

(e) Said application has been made pursuant to provisions of Chapter 19.102 of said Ordinance Code, and requests to reallocate development maximums within the six (6) planning Sub Areas of the Grapevine Specific and Community Plan, update the roadway network within Sub Area 6a and revise language to allow final road alignment deviations to be determined at the Tract Map stage and update figures, exhibits, and tables throughout the Grapevine Specific and Community Plan and the Grapevine Special Plan to reflect the proposed changes:

Modifications to the Grapevine Special Plan (Mod No. 1 to SP No. 2, Map 202; Mod No. 1 to SP No. 3, Map 218R; Mod No. 1 to SP No. 3, Map 219) to reallocate single-family detached and single-family/multi-family attached residential units from Sub Areas 4 and 5a to Sub Area 6a; reallocate commercial square footage from Sub Area 6a to Sub Areas 4 and 5a; and reallocate industrial square footage from Sub Area 6a to Sub Areas 6b-6e, updates to figures and zoning references, and other minor text edits consistent with the proposed amendment to the Grapevine Specific and Community Plan.

Implementation of this request will not expand the previously approved project boundaries or expand the previously approved number of authorized residences or development within the Specific and Special Plan; and as an ordinance in accordance with Chapter 19.52 of the Kern County Zoning Ordinance; and

(f) Said application has been made in the form and in the manner prescribed by said Zoning Ordinance and is on file with the Secretary of this Commission, designated as above, and reference is hereby made thereto for further particulars; and

(g) The Secretary of this Commission has caused notice to be duly given of a public hearing in this matter in accordance with law, as evidenced by the affidavit of publication and the affidavit of mailing on file with the Secretary of this Commission; and

(h) Said notice of hearing stated that a Addendum Environmental Impact Report has been prepared for this project; and

(i) Said public hearing has been duly and timely conducted, during which the proposal was explained by a representative of the Planning Department and all persons so desiring were duly heard; and

(j) Before making any findings on said Addendum Environmental Impact Report or any consideration of the proposal on its merits, this Commission called for any objections or comments on said Addendum Environmental Impact Report; and

The Director of the Planning Department has furnished to this Commission, and the Commission has incorporated into the record of this matter, a document setting forth the significant environmental effects identified in said Addendum Environmental Impact Report, with proposed findings and consideration by this Commission in relation to said significant effects for the purposes of Section 21081 of the Public Resources Code and Section 15091 of the State CEQA Guidelines, and setting forth evidence in support of the proposed findings; and a member of the Planning Department Staff appeared before the Commission and gave additional testimony in support of the proposed findings; and

During said hearing, this Commission duly considered the adequacy and scope of said Addendum Environmental Impact Report and thereafter reviewed and considered the information therein contained with respect to the merits of the matters under consideration; and

(k) This Commission has considered the recommendation of the Planning Department and all the testimony presented during said public hearing, after which said public hearing was concluded.

SECTION 2. NOW, THEREFORE, BE IT HEREBY RESOLVED by the Planning Commission of the County of Kern, as follows:

(a) This Commission finds that the facts recited above are true and that this Commission has jurisdiction to consider the subject of this resolution; and

(b) This Commission has fully reviewed and considered the information in said Addendum Environmental Impact Report and Mitigation Measure Monitoring Program and hereby recommends it to be certified in relation to the subject of this resolution and, after careful consideration of all facts and evidence as presented at said hearing, it is the decision of the Planning Commission that the application herein described be, and hereby, recommends the Board of Supervisors **CERTIFY** said Addendum Environmental Impact Report and **ADOPT** Mitigation Measure Monitoring Program and recommended for **APPROVAL**, as recommended by Staff, by the Board of Supervisors, the application for the reasons specified in this Resolution with development to be in substantial conformity with the approved plan, and the approved plan shall include the following conditions of approval:

- (1) Development shall be subject to the requirements of the policies and implementation of the Grapevine Specific Plan and Community Plan.
- (2) This project allows a maximum of 12,000 dwelling units, (both single and multifamily, depending on the Specific Plan land use designation); a maximum of 5.1 million square feet of commercial/industrial use. As each development goes through a site development review process, each of the above referenced uses shall be calculated, totaled, a running summary of amount used versus amount remaining and shall be shown on each site plan review.
- (3) Development shall be in substantial conformity with the approved plan.
- (4) Development shall be reviewed through the Site Plan Review process identified as part of the adopted Specific and Special Plan, and all conditions of approval shall be imposed and implemented including all mitigation measures.
- (5) Modifications of this Special Plan may be made in accordance with the Review and Approval Procedures of this Special Plan.
- (6) Food facility plans shall be submitted to the Kern County Public Health Services Department/Environmental Health Division for plan check review and approval.
- (7) Within 30 days of project approval, the project proponent shall submit a final approved draft of the Special Plan. This Plan shall reflect any approved modifications to the proposed project identified by the Kern County Planning Commission and/or Kern County Board of Supervisors.
- (8) **Prior to the issuance of building or grading permits, the applicant shall submit documentation of the following:**
 - (a) The method of water supply and sewage disposal shall be as required and approved by the Kern County Public Health Services Department/Environmental Health Division.

- (b) Fire flows and fire protection facilities shall be as required and approved by the Kern County Fire Department.
 - (c) A plan for the disposal of drainage waters originating on site and from adjacent road rights-of-way shall be approved by the Kern County Public Works Department/Floodplain Management Section, if required. Easements or grant deeds shall be given to the County of Kern for drainage purposes or access thereto, as necessary.
- (9) **Prior to final occupancy approval, the following conditions shall be verified by the building inspector and shall be continuously maintained while this permit is active:**
- (a) All necessary building permits must be obtained.
 - (b) All easements shall be kept open, clear, and free from buildings and structures of any kind pursuant to Chapters 18.50 and 18.55 of the Kern County Land Division Ordinance. All obstructions, including utility poles and lines, trees, pole signs, or similar obstructions, shall be removed from the ultimate road rights-of-way in accordance with Section 18.55.030 of the Land Division Ordinance. Compliance with this requirement is the responsibility of the applicant and may result in significant financial expenditures.
- (10) **The property owner shall continuously comply with the following conditions of approval during implementation of this permit:**
- (a) The development shall comply with any requirements of the San Joaquin Valley Air Pollution Control District.
 - (b) Trash pickup shall occur a minimum of once each week. All trash and recyclable receptacles shall be enclosed within a six-foot-high, three-sided masonry enclosure with securable iron gate and shall be installed on an impervious surface at a location that is outside the required front-yard setback and convenient for refuse haulers and which does not interfere with on-site or off-site parking or circulation. For all multiunit developments consisting of five or more dwelling units, adequate space shall be provided for the collection and loading of recyclable materials.
- (11) At the time building permits are applied for, a filing fee of \$130 may be imposed to ensure that final plans are consistent with adopted conditions of approval. This fee may serve as an initial deposit for particularly complex cases, in which case a cost recovery agreement will be required and charges will be billed at \$100 per hour.
- *(12) All mitigation measures included in the adopted Mitigation Measure Monitoring Program, included as Exhibit C in the Resolution, are hereby required.
- (13) The Project shall be designed to provide renewable energy production or energy savings that is equivalent to electrical generation resulting from installation of one photovoltaic (i.e., solar) power system no smaller than a 2-kilowatt solar panel for every single-family dwelling unit and for every 1,600 square feet of non-residential roof area. Through consultation and approval from the Planning and Natural Resources Director, the above provisions could be modified in such a manner that equivalent community energy savings to residents are provided through alternative solar facility or facilities rather than individual panel installation on each residential and non-residential unit; and

*** DENOTES MITIGATION MEASURE**

(c) Noncompliance with the adopted conditions of approval may cause permit revocation proceedings in accordance with Section 19.102.020 of said Ordinance Code; and

(d) The findings of this Commission upon which its decision is based are as follows:

- (1) The applicable provisions of the California Environmental Quality Act, the State CEQA Guidelines, and the Kern County Guidelines have been duly observed in conjunction with said hearing in the consideration of this matter and all of the previous proceedings relating thereto.
- (2) The fee required by the California Department of Fish and Game Code Section 711.4 has been previously paid for the processing of the previously certified Environmental Impact Report for this project, and under Section 711.4(g), we find that the project is not tiered or phased as set forth in Sections 15385 and 15165, respectively, of the State CEQA Guidelines, and separate environmental documents or review by the Department of Fish and Wildlife is not required, and further, based on the public interpretation of these statutes by the Department of Fish and Wildlife staff, find this approval and related Notice of Determination exempt from the payment of the otherwise applicable fee.
- (3) The proposed Specific Plan Amendment is consistent with Public Resources Code Section 21166 and CEQA Guidelines Section 15162(a), which limit the circumstances under which subsequent environmental review is required after an Environmental Impact Report has been certified. Specifically, Section 15162(a) provides that no subsequent or supplemental EIR shall be prepared for a project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that one or more of the following conditions has occurred:
 - (a) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial environmental effect or a substantial increase in the severity of previously identified significant effects.
 - (b) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 - (c) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 1. The project will have one or more significant effects not discussed in the previous EIR.
 2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 4. Mitigation or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
- (4) CEQA Guidelines Section 15164(1) provides that a lead agency shall prepared an addendum to a previously Certified EIR (State Clearinghouse No. 2014041005) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- (5) CEQA Guidelines Section 15164(d) provides that the decision-making body shall consider the addendum with the final EIR prior to making a decision on the project, and Section 15164(e) provides that a brief

explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in the addendum, the findings, or elsewhere in the record, supported by substantial evidence.

- (6) On the basis of substantial evidence in the whole record, including but not limited to the Addendum EIR, the certified SREIR, all documents incorporated by reference therein, and all testimony and evidence received at the public hearing, that none of the conditions set forth in CEQA Guidelines Section 15162(a) have occurred with respect to the Modified Project, for the reasons set forth in Findings 5 through 11.
- (a) The Modified Project does not involve substantial changes to the project that will require major revisions to the certified SREIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The Modified Project does not alter the maximum development caps of 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses. The Modified Project does not change the project boundary or ground disturbance area. The modifications consist of updates to figures, exhibits, tables, roadway network details within Planning Area 6A, internal roadway network language, elimination of references to expired Williamson Act contracts, revisions to development maximums within certain Sub Areas, and typographical corrections. As documented in the Addendum EIR, these changes do not result in any new significant environmental effects or substantially increase the severity of any previously identified significant effects.
 - (b) The Modified Project does not propose substantial changes have occurred with respect to the circumstances under which the Modified Project is being undertaken that will require major revisions to the certified SREIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The project setting, surrounding land uses, and environmental conditions remain substantially similar to those analyzed in the certified SREIR. As further documented in the Addendum EIR, no changes in circumstances have occurred that would result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR.
 - (c) The Modified Project does not contain new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the SREIR was certified, shows that the Modified Project will have one or more significant effects not discussed in the certified SREIR. As documented in the Addendum, all environmental effects of the Modified Project fall within the scope of the effects previously analyzed in the certified SREIR.
 - (d) The Modified Project does not contain new information of substantial importance that shows that significant effects previously examined in the certified SREIR will be substantially more severe as a result of the Modified Project. As documented in the Addendum EIR, all significance determinations from the certified SREIR remain unchanged. No new significant impacts would occur as a result of approval of the Modified Project, nor would there be any substantial increase in the severity of any previously identified significant environmental impacts.
 - (e) The Modified Project does not contain new information of substantial importance that shows that mitigation measures or alternatives previously found not to be feasible in the certified SREIR would in fact be feasible and would substantially reduce one or more significant effects of the project, where the project proponent declines to adopt the mitigation measure or alternative. The Modified Project does not render any previously rejected mitigation measures or alternatives feasible. As documented in the Addendum EIR, no new information indicates previously rejected alternatives are feasible or that considerably different alternatives would substantially reduce significant effects.
 - (f) The Modified Project does not contain new information of substantial importance that shows that mitigation measures or alternatives which are considerably different from those analyzed in the certified SREIR would substantially reduce one or more significant effects on the environment, where the project proponent declines to adopt the mitigation measure or alternative. To the extent the Addendum EIR describes modifications to certain mitigation measures (including species-specific protocols for crotch bumble bee and monarch butterfly, revisions to fire hazard Mitigation Measure 4.8-21, and native seed mix requirements in Mitigation Measure 4.9-7), those modified measures are voluntarily adopted by the project proponent and maintain or strengthen the

impact reductions previously identified. Pursuant to CEQA Guidelines Sections 15162(a)(3)(C) and (D), the triggers for a subsequent EIR based on new or different mitigation apply only where the project proponent declines to adopt a measure; here, the proponent voluntarily adopts the species-specific protocols and modified measures. (See *Citizens Against Airport Pollution v. City of San Jose* (2014) 227 Cal.App.4th 788, 810-811 [upholding addendum modifying biological resource mitigation where substantial evidence showed changes maintained impacts at less-than-significant level].)

- (g) The Modified Project, to the extent any changes to the CEQA Guidelines have occurred since the certification of the SREIR in December 2019, has not changed to constitute new information of substantial importance requiring preparation of a subsequent EIR. (See *Olen Properties Corp. v. City of Newport Beach* (2023) 93 Cal.App.5th 270 [subsequent changes to CEQA guidelines are not new information so long as underlying environmental issue was understood at time of initial EIR]; *Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1301 [adoption of guidelines for analyzing data does not constitute new information if underlying information was known at time of EIR certification].) The underlying environmental issues addressed in the certified SREIR were understood at the time of certification, and subsequent regulatory developments do not alter the conclusions of the environmental analysis.
- (7) The Addendum EIR is the appropriate CEQA document for the Modified Project pursuant to CEQA Guidelines Section 15164(a). Because some changes and additions to the previously certified SREIR are necessary to describe and analyze the Modified Project, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred, an addendum is the proper environmental document. (See *Friends of Coll. of San Mateo Gardens v. San Mateo Cnty. Cmty. Coll. Dist.* (2016) 1 Cal.5th 937 [addendum is appropriate vehicle to document determination that subsequent EIR is not required].)
- (8) The Addendum EIR prepared for the Modified Project satisfies the requirements of CEQA Guidelines Section 15164. The Addendum includes a brief explanation of the decision not to prepare a subsequent EIR, which explanation is supported by substantial evidence in the record. The Addendum EIR is hereby incorporated by reference as though fully set forth herein.
- (9) Because the appropriate CEQA document for the Modified Project is an Addendum EIR under Section 15164 rather than a subsequent or supplemental EIR, no new findings under Public Resources Code Section 21081 are required. (See *River Valley Preservation Project v. Metropolitan Transit Dev. Bd.* (1995) 37 Cal.App.4th 154, 168 [no new findings under PRC Section 21081 required when addendum prepared; change in mitigation measures does not trigger subsequent EIR absent showing of new significant impacts]; *Save Our Heritage Organisation v. City of San Diego* (2018) 28 Cal.App.5th 656, 677-678 [confirming that Section 15164 is a valid regulation and that no Section 21081 findings are required for an addendum].)
- (10) The Statement of Overriding Considerations previously adopted in connection with the 2019 approvals (Exhibit "B" to Resolution No. 2019-370) found that the significant and unavoidable impacts of the project were outweighed by the project's overriding benefits. Because the Modified Project does not result in any new significant impacts or any substantial increase in the severity of previously identified impacts, and because all significance determinations from the certified SREIR remain unchanged, the prior Statement of Overriding Considerations remains applicable and is not modified, superseded, or rendered inadequate by the Modified Project or the adoption of the Updated MMMP.
- (11) In accordance with CEQA Guidelines Section 15164(d), this Board has considered the Addendum EIR together with the certified SREIR prior to making a decision on the Modified Project. This Board has reviewed the Addendum EIR and the certified SREIR and all documents incorporated by reference therein, and has considered the environmental effects of the Modified Project as described in those documents. The Addendum EIR and the certified SREIR adequately describes the environmental effects of the Modified Project, identifies appropriate mitigation measures, and provides a sufficient basis for informed decision-making by this Board.

- (12) Substantial evidence in the record supports the determination that an Addendum EIR is the appropriate CEQA document for the Modified Project. The Addendum EIR analyzes each environmental resource topic addressed in the certified SREIR and concludes that no new significant impacts would occur as a result of approval of the Modified Project, nor would there be any substantial increase in the severity of any previously identified significant environmental impacts. This Board has independently reviewed the Addendum EIR and concurs in these conclusions.
- (a) With respect to Aesthetics, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The project boundary and ground disturbance area remain unchanged, and the visual character of the development will be substantially similar to that analyzed in the certified SREIR. The aesthetics impacts remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (b) With respect to Agriculture and Forestry Resources, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The elimination of references to expired Williamson Act contracts reflects existing conditions and does not alter the agricultural impacts of the project. The project boundary remains unchanged, and no additional agricultural land is affected. The agriculture impacts remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (c) With respect to Air Quality, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The total development capacity remains unchanged at 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses, and therefore the project's operational and construction-related air quality impacts remain substantially as analyzed. The air quality impacts (ROG, NOx, PM10, PM2.5, and odors) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (d) With respect to Biological Resources, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The ground disturbance area remains unchanged, and the Modified Project's voluntary adoption of species-specific survey and avoidance protocols for crotch bumble bee (*Bombus crotchii*) and monarch butterfly (*Danaus plexippus*) strengthens the mitigation framework for biological resources. The native seed mix requirements in modified Mitigation Measure 4.9-7 further support habitat restoration. The biological resources impacts related to habitat loss remain significant and unavoidable as previously determined at both the project and cumulative levels, and the modifications do not increase the severity of those impacts.
 - (e) With respect to Greenhouse Gas Emissions, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The total development capacity remains unchanged, and the modifications do not affect the project's greenhouse gas emission profile. The greenhouse gas emissions impacts remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (f) With respect to Hazards and Hazardous Materials, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The revision to fire hazard Mitigation Measure 4.8-21 updates fire protection standards to reflect current best practices and maintains or strengthens the protection of public safety. This revision does not result in any new significant hazards impacts.
 - (g) With respect to Noise, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The updates to the Planning Area 6A roadway network and internal roadway network language do not alter the overall traffic volumes or noise-generating activities within the plan area, as the total development capacity

remains unchanged. The noise impacts (temporary construction and traffic noise) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.

- (h) With respect to Transportation and Traffic, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The updates to the Planning Area 6A roadway network reflect refinements to internal circulation that do not affect the project's external traffic generation, which is determined by the total development capacity that remains unchanged. The transportation and traffic impacts remain significant and unavoidable at the cumulative level as previously determined, and the modifications do not increase the severity of those impacts.
 - (i) With respect to Utilities and Service Systems, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. The redistribution of development maximums among Sub Areas does not increase overall demand for water, sewer, or other utility services beyond what was analyzed in the certified SREIR. The utilities and service systems impacts (cumulative groundwater) remain significant and unavoidable as previously determined, and the modifications do not increase the severity of those impacts.
 - (j) With respect to all other environmental resource topics analyzed in the certified SREIR, including but not limited to Cultural Resources, Geology and Soils, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, and Recreation, the Modified Project does not result in new significant impacts or substantially more severe impacts than those identified in the certified SREIR. All significance determinations from the certified SREIR remain unchanged for these resource topics.
- (13) All development under the Grapevine Special Plan, as amended by the Modified Project, is consistent with the goals and policies of the Kern County General Plan and with density and intensity standards, as required by Section 19.52.150(A) of the Kern County Zoning Ordinance. The Amended Specific Plan (of which the Amended Special Plan is a component) has been found consistent with the Kern County General Plan, as determined by separate resolution of this Board adopted concurrently herewith. The Amended Special Plan maintains the density and intensity standards approved in 2019, including the maximum development caps of 12,000 dwelling units and 5,100,000 square feet of commercial/industrial uses.
- (14) Development under the Amended Special Plan is demonstratively superior to the development that could occur under any other zoning district or combination of zoning districts in the Zoning Ordinance that are consistent with the county general plan land use category applicable to the subject property, as required by Section 19.52.150(B) of the Kern County Zoning Ordinance. This finding of superiority is based on the following evaluation factors set forth in Section 19.52.150(B):
- (a) The uses authorized by the Amended Special Plan are appropriate at the proposed location. The project site is located at the southern end of the San Joaquin Valley, approximately 13 miles south of the Bakersfield City limits, east and west of Interstate 5 at the Laval and Grapevine interchanges. The Amended Special Plan provides for a comprehensively planned community that takes advantage of regional transportation access, existing infrastructure corridors, and the site's topographic and environmental characteristics. The modifications to Sub Area development maximums and the Planning Area 6A roadway network updates reflect site-specific planning that further optimizes the appropriateness of the planned uses at this location.
 - (b) The Amended Special Plan provides for a diverse mix of housing styles and costs that could not be achieved under any other zoning district or combination of zoning districts in the Zoning Ordinance. The plan provides for a range of residential densities from large-lot estate residential to high-density multifamily development at up to 72 units per acre, including various housing types such as single-family detached, single-family attached, townhomes, condominiums, apartments, and mixed-use residential. The redistribution of development maximums among Sub Areas does

not diminish the diversity of housing types available within the plan area and maintains flexibility to respond to market conditions.

- (c) The Kern Housing Element promotes the provision of adequate housing sites through appropriate land use map codes and zoning designations to accommodate the County's share of regional housing needs. The Amended Special Plan continues to provide for Village Mix Use (VMU) designations within the Specific and Special Plan that provide for up to 72 units per acre of multifamily residential that is allowed by right through a ministerial permit process (Site Plan Review), including units affordable to moderate income households. Implementation of the Modified Project will continue to contribute to meeting the County's projected growth needs for regional housing under the Kern County Housing Element.
- (d) The Amended Special Plan provides for comprehensive infrastructure improvements, including water supply, sewage treatment, drainage, roadways, and utilities. The plan includes detailed provisions for the phased construction of infrastructure concurrent with development, including the creation of special districts in conjunction with future annexation into the Tejon-Castac Water District to provide adequate infrastructure and the taxation necessary for construction and continued maintenance. The updates to the Planning Area 6A roadway network and internal roadway network language further demonstrate the plan's commitment to comprehensive infrastructure planning. These infrastructure provisions exceed what would be required under any other zoning district or combination of zoning districts in the Zoning Ordinance.
- (e) The Amended Special Plan provides for generous open space areas that exceed what would be required under any other zoning district or combination of zoning districts in the Zoning Ordinance. The plan designates substantial areas for open space, natural habitat preservation, parks, trails, and recreation. The overall project boundary and ground disturbance area remain unchanged from the approved plan, and the open space network continues to provide buffers between development areas, wildlife corridors, and recreational amenities for residents.
- (f) The uses authorized by the Amended Special Plan are compatible with each other and with uses in the surrounding area. The plan provides for careful land use planning with appropriate transitions between different use types, buffering of incompatible uses, and integration of commercial and residential uses in village centers. The redistribution of development maximums among Sub Areas has been planned to maintain internal compatibility of uses within the development area. The surrounding uses, including agriculture and open space, are buffered by the plan's open space network and transitional land use designations.
- (g) The Amended Special Plan provides for the use of innovative technology and materials in development. The plan incorporates contemporary sustainable design principles, energy-efficient building standards, water conservation measures, and innovative stormwater management techniques. The Special Plan district framework allows for flexibility to incorporate evolving technology and construction methods that would not be possible under any other zoning district or combination of zoning districts in the Zoning Ordinance.
- (h) The Amended Special Plan makes an overall contribution to the enhancement of the environment of the County. The plan provides for the permanent preservation of substantial natural open space areas, implementation of comprehensive habitat conservation measures (including species-specific protocols for crotch bumble bee and monarch butterfly that have been voluntarily adopted by the project proponent), native seed mix requirements, water conservation, and sustainable community design. The Modified Project's voluntary adoption of strengthened mitigation measures further contributes to environmental enhancement.
- (i) The Amended Special Plan demonstrates creativity in design and use of land that is superior to what could be achieved under any other zoning district or combination of zoning districts in the Zoning Ordinance. The plan provides for a comprehensively designed, mixed-use community with village centers, interconnected open space, multi-modal transportation networks, and integrated community facilities. The updates to the Planning Area 6A roadway network and the internal

roadway network language allowing efficient accommodation of buildout demonstrate continued creativity and flexibility in the design and use of land.

- (15) The Amended Special Plan is consistent with the goals and policies of the Kern County General Plan, as required by Section 19.52.150(A) of the Kern County Zoning Ordinance. This Board incorporates by reference the General Plan consistency findings adopted by separate resolution of this Board concurrently herewith in connection with the Specific Plan Amendment.
- (16) The Amended Special Plan shall be adopted by ordinance, as required by Section 19.52.160 of the Kern County Zoning Ordinance, which provides that each SP District shall be adopted by ordinance. The Amended Special Plan is designated as Grapevine Special Plan No. 2, Map No. 202; Special Plan No. 3, Map No. 218R; and Special Plan No. 3, Map No. 219.
- (17) The Amended Special Plan was prepared in accordance with the Kern County General Plan Appendix C guidelines, which provide standards and criteria for the preparation of special plans in Kern County. The Amended Special Plan satisfies the requirements of Appendix C for content, format, and analytical scope.
- (18) The Amended Special Plan as set forth in Exhibit A (revised text of Sections 1, 2, 3, and 5, shown in strikethrough and underline) and Exhibit B (replacement Figures 1-3, 1-4, 1-5, and 3-1) attached hereto and incorporated herein by this reference. Upon the effective date of this ordinance, the Grapevine Special Plan shall be deemed amended to incorporate the text changes shown in Exhibit A and to replace the existing Figures 1-3, 1-4, 1-5, and 3-1 with those set forth in Exhibit B. All other provisions of the Grapevine Special Plan not addressed in Exhibits A and B shall remain in full force and effect. The Amended Special Plan shall continue to serve as Attachment A to the Grapevine Specific and Community Plan, as amended.
- (19) Public Resources Code Section 21081.6 requires that, when a public agency makes findings pursuant to Public Resources Code Section 21081(a)(1) (i.e., that changes or alterations have been required in or incorporated into the project which avoid or substantially lessen the significant environmental effects identified in the EIR), the agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.
- (20) CEQA Guidelines Section 15091(d) provides that, when making findings as required by Section 15091(a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to mitigate or avoid significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (21) In connection with the 2019 approvals, a Mitigation Measure Monitoring Program (MMMP) was adopted pursuant to Resolution No. 2019-370 and the associated ordinances, which identified all mitigation measures required by the certified SREIR (State Clearinghouse No. 2014041005) and established monitoring and reporting requirements to ensure compliance.
- (22) The Addendum EIR identified certain modifications to mitigation measures in the previously adopted MMMP, including but not limited to: (a) modifications to biological resources mitigation measures to incorporate species-specific survey and avoidance protocols for crotch bumble bee (*Bombus crotchii*) and monarch butterfly (*Danaus plexippus*); (b) revisions to fire hazard Mitigation Measure 4.8-21 to update fire protection standards; and (c) modifications to Mitigation Measure 4.9-7 regarding native seed mix requirements. These modifications maintain or strengthen the effectiveness of the original mitigation measures and do not result in any new significant impacts or any substantial increase in the severity of previously identified significant impacts.
- (23) The updated Mitigation Measure Monitoring Program (MMMP) has been prepared that reflects the mitigation measure modifications described in the Addendum EIR. The updated Mitigation Measure

Monitoring Program (MMMP) identifies each mitigation measure as modified, the responsible parties for implementation and monitoring, the timing and frequency of monitoring, and the criteria for compliance.

- (24) The updated MMMP is designed to ensure compliance with the mitigation measures during project implementation, as required by Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d). All mitigation measures contained in the updated MMMP are fully enforceable through permit conditions, development agreements, or other legally binding mechanisms.
- (25) The updated MMMP is adequate and appropriate to monitor and ensure the implementation of all mitigation measures applicable to the Modified Project. The updated MMMP supersedes the previously adopted MMMP with respect to those mitigation measures that have been modified by the Addendum, and all other provisions of the previously adopted MMMP remain in full force and effect.
- (26) The updated Mitigation Measure Monitoring Program (MMMP) as set forth in Exhibit C attached hereto. The updated MMMP shall be implemented in conjunction with the Project Approvals and shall apply to all development within the Grapevine Specific and Community Plan area and the Grapevine Special Plan area, each as amended.
- (27) The prior findings made pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091 in connection with the 2019 approvals (including the finding that changes or alterations have been required in or incorporated into the project which avoid or substantially lessen the significant environmental effects identified in the certified SREIR) remain applicable and support the adoption of the updated MMMP.
- (28) The adoption of the MMMP is consistent with the determination that an addendum is the appropriate CEQA document for the Modified Project. The CEQA findings adopted by separate resolution of this Board concurrently herewith determine that no new Section 21081 findings are required because the Modified Project is appropriately addressed through an addendum under CEQA Guidelines Section 15164. The updated MMMP reflects the modifications to mitigation measures described in the Addendum EIR and ensures their continued enforceability.
- (29) The Statement of Overriding Considerations previously adopted in connection with the 2019 approvals (Exhibit "B" to Resolution No. 2019-370) found that the significant and unavoidable impacts of the project were outweighed by the project's overriding benefits. Because the Modified Project does not result in any new significant impacts or any substantial increase in the severity of previously identified impacts, and because all significance determinations from the certified SREIR remain unchanged, the prior Statement of Overriding Considerations remains applicable and is not modified, superseded, or rendered inadequate by the Modified Project or the adoption of the updated MMMP.
- (30) The public hearing was conducted in accordance with all applicable procedural requirements of state law and County ordinances, including but not limited to the notice requirements of Government Code Section 65090 (for specific plan amendments), Government Code Section 65854 (for zoning amendments), and the Kern County Zoning Ordinance. All interested parties were afforded the opportunity to appear and be heard on the merits of the Project Approvals.
- (31) The legislative body of the County of Kern has the authority to adopt and amend specific plans (Gov. Code Section 65354), adopt and amend zoning ordinances (Gov. Code Section 65850), and make CEQA determinations as the lead agency (CEQA Guidelines Section 15051).
- (32) All findings recommended by staff, whether verbally or in their written reports, to the extent consistent with and not superseded by the findings set forth herein are incorporated.
- (33) In accordance with State law and the California Tribal Consultation Guidelines, the appropriate Native American tribes were consulted with respect to the project's potential impacts on Native American places, features, and objects and provided an opportunity for review and consultation.

- (34) The Specific Plan Amendment, Special Plan Amendment, Zoning Map Amendments, Addendum Determination, and Updated MMMP are each necessary to implement the Modified Project and are intended to be considered and approved together. However, each approval action is supported by independent findings set forth in the separate resolution or ordinance adopted by this Board concurrently herewith for that approval action and may stand independently if any other approval action is challenged or invalidated.
 - (35) The Modified Project is consistent with, and implements, the existing Development Agreement between the County of Kern and Tejon Ranchcorp. (approved by Resolution No. 2019-372). The modifications to the Specific Plan and Special Plan are within the scope of development contemplated by the Development Agreement, and no amendment to the Development Agreement is required.
 - (36) If any provision of these findings, or the application thereof to any person or circumstances, is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of these findings which can be given effect without the invalid provision or application, and to this end the provisions of these findings are declared to be severable.
 - (37) The Resolution approving the Specific Plan Amendment and the Addendum Determination shall be effective upon adoption. The ordinance approving the Special Plan Amendment shall be effective thirty (30) days following adoption, unless otherwise specified by law; and
- (e) The Secretary of this Commission shall cause copies of this resolution to be transmitted to the following:
- Tejon Ranchcorp (PP26405) (applicant)
 - LiUNA (1)
 - File (3)

an

**Exhibit A Mitigation
Measure Monitoring
Program (MMMP)**

EXHIBIT A

Mitigation Measure Monitoring Program (MMMP)

**ADDENDUM I TO THE FINAL SUPPLEMENTAL RECIRCULATED
ENVIRONMENTAL IMPACT REPORT FOR THE
GRAPEVINE SPECIFIC AND COMMUNITY PLAN
By Tejon Ranchcorp (PP26405)**

Modification No. 1, Special Plan No. 2, Map No. 202
Modification No. 1, Special Plan No. 3, Map No. 218R
Modification No. 1, Special Plan No. 3, Map No. 219
Specific Plan Amendment No. 163, Map No. 500



Final Environmental Impact Report

SCH # 2014041005

Lead Agency: Kern County Planning and Natural Resources Department

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.1	Aesthetics				
#1	MM 4.1-1 The project proponent shall include a 50-foot landscaped buffer in all tentative tract maps and site plans filed for lands adjacent to the project's boundary with the Interstate 5 (I-5) highway corridor.	Prior to issuing building and grading permits.	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The Kern County Planning and Natural Resources Department will verify landscaped buffers during tentative tract map and site plan approvals.			
#2	MM 4.1-2 As part of its application for a tentative tract map or site plan for land immediately adjacent to the Interstate 5 (I-5) highway corridor, the project proponent shall submit to the Kern County Planning and Natural Resources Department for its review and approval a landscape design and planting plan for the 50-foot landscaped buffer along the I-5 corridor. The landscaping shall be consistent with the visual character experienced by travelers along the I-5, including but not limited to, such features as orchards, vineyards, and native wildflower fields. Site plan and building permit approvals shall require that buffer area landscaping between I-5 and the development area shall be installed no later than completion of landscaping improvements for development located adjacent to the buffer area.	Prior to issuing building and grading permits.	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. Kern County Planning and Natural Resources Department will approve the landscape design and planting plan prior to issuance of grading or building permits. C. Kern County Public Works Department will verify in the field prior to final inspection of the project.			
#3	MM 4.1-3 The following aesthetic features shall be required in site plans and building permits for commercial buildings and multi-family residential buildings located within 1,000 feet of the Interstate 5 (I-5) corridor: a. Rooftop screening features shall be installed to create a visual screen for rooftop mechanical equipment. b. Reflective metal exteriors shall not be used as exterior architectural elements in buildings immediately adjacent to I-5.	Prior to issuing building or grading permits.	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. Kern County Planning and Natural Resources Department will approve the aesthetic treatments prior to issuance of grading or building permits. C. Kern County Public Works Department will verify in the field prior to final inspection of the project.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#4	MM 4.1-4 Project site plans and building permits shall comply with the County’s Dark Sky ordinance (Section 19.81 of the <i>Kern County Zoning Ordinance</i>) to reduce unnecessary night lighting and to minimize lighting impacts on surrounding properties.	Prior to issuing building or grading permits	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall adhere to Section 19.81 of the Kern County Zoning Ordinance so that light is appropriately shielded to protect the Dark Sky. C. Kern County Planning and Natural Resources Department will verify lighting during site plan approval. D. Kern County Public Works Department will verify in the field prior to final inspection of the project.			
		Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the Final SREIR to the extent feasible.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.2	Agricultural Resources				
#5	MM 4.2-1 Prior to issuance of a grading or building permit for one of the plan areas identified in the Grapevine Specific and Community Plan, the project proponent shall provide written evidence of completion of one or more of the following measures to mitigate the loss of agricultural lands identified within that particular plan area at a ratio of 1:1 for net acreage before conversion (the net acreage calculation shall exclude existing roads and areas already developed with structures). The following approximate acres shall be mitigated for each plan area: - Plan Area 6a – approximately 159 acres - Plan Area 6b – approximately 323 acres A plot plan shall be submitted to substantiate the net acreage calculation along with written evidence of compliance. Compliance shall be achieved by any one, or a combination, of the options listed below: - Recordation of conservation easements on Tejon Ranchcorp (TRC) lands that are not designated for development under the Tejon Ranch Land Use and Conservation Agreement (Ranchwide Agreement) within the San Joaquin Valley, and for which comparable agricultural uses are authorized under the Kern County General Plan and Zoning Code and the Ranchwide Agreement. - Funding and/or purchasing of agricultural conversation easements or deed restrictions within Kern County and on lands not owned by TRC (that will be managed and maintained by an appropriate entity). - Contribution of agricultural land or equivalent funding to an organization that provides for the preservation of farmland in California. - Purchase of credits from an established agricultural farmland mitigation bank or in-lieu fee program acceptable to Kern County. - Participation in any agricultural land mitigation program adopted by Kern County that provides equal or more effective mitigation than the measures listed above. Mitigation lands shall meet the definition of Prime Farmland, Farmland of Statewide Importance, and/or Unique Farmland, and be of similar agricultural quality or higher, as established by the California Department of Conservation. Completion of the selected measure or, with the Kern County Planning and Natural Resources Director’s approval, a combination of measures can occur on qualifying land within the San Joaquin Valley (San Joaquin, Stanislaus, Merced, Fresno, Madera, Kings, Tulare, or Kern County) or outside the San	Prior to issuing building or grading permits	Kern County Planning and Natural Resources Department		
Steps to Compliance: - This mitigation measure shall be incorporated as a condition of approval for any site plan review. - The proponent shall provide written evidence of completion of one or more of the measures listed such that any loss of agricultural lands is appropriately replaced at a ratio of 1:1. - Kern County Planning and Natural Resources Department will verify written compliance prior to issuance of grading or building permits.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	Joaquin Valley with written evidence that the same or equivalent crops can be produced on the mitigation land.				
#6	MM 4.2-2 The Grapevine Specific and Community Plan and zone change approval for project site lands currently enrolled in the Williamson Act program under existing contracts, and the removal of such lands from Agricultural Preserve No. 19, are held in suspense, until such time as the existing Williamson Act contracts have expired or been terminated. Upon expiration or termination of the Williamson Act contracts, the adopted Grapevine Specific and Community Plan land use designations and zoning, and the exclusion of such lands from Agricultural Preserve No. 19, shall immediately become effective. Any parcel and subdivision maps created for finance and conveyance purposes shall clearly show those areas remaining under Williamson Act contracts as of the project approval date and the anticipated expiration date of the contracts, and shall prohibit development until such time as the Williamson Act contract expires or has been terminated. The project proponent shall provide evidence that such lands are no longer under Williamson Act contracts shall be included as a condition of approval for a final subdivision map or site plan.	Prior to issuing building and grading permits for each phase until existing Williamson Act contracts expire or are terminated. Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall implement the land use designations and zoning found in the adopted Grapevine Specific and Community Plan upon expiration or termination of existing Williamson Act contracts. C. The proponent shall ensure that any parcel and subdivision maps created for finance and conveyance purposes clearly show areas that remain under Williamson Act contracts as of the project approval date. D. The proponent shall prohibit development until such time as the Williamson Act contract expires or has been terminated. E. The proponent shall provide evidence that such lands are no longer under Williamson Act contracts. F. This evidence shall be included as a condition of approval for a final subdivision map or site plan approved by Kern County Planning and Natural Resources Department.	Kern County Planning and Natural Resources Department		
#7	MM 4.2-3 The project proponent will include a note on all tentative tract maps and property deeds for residential lots located within 100 feet of irrigated farmlands or grazed lands stating “If the property in which you are taking an interest is located near agricultural lands or operations, or included within an area zoned for agricultural purposes, you may be subject to inconveniences or discomfort arising from such operations. Such inconveniences may include, but may not necessarily be limited to: noise, odors, fumes, dust, smoke, insects, operation of machinery (including aircraft) during any 24-hour period, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides. One or more of the inconveniences described may occur as a result of any agricultural operation which is in conformance with existing laws and regulations and accepted customs and standards. If you live near an agricultural area, you should be prepared to accept such inconveniences and discomfort as a normal and necessary aspect of living in a county with a strong rural character and an active agricultural sector.”	Prior to issuing building and grading permits Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall include a note on all tentative tract maps and property deeds for residential lots located within 100 feet of irrigated farmlands or grazed lands. C. Kern County Planning and Natural Resources Department and Kern County Public Works Department will verify the notes on the tentative tract maps prior to issuance of grading or building permits.	Kern County Planning and Natural Resources Department; Kern County Public Works Department		

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#8	MM 4.2-4 The project proponent will include a note on all tentative tract maps stating that land designated for the construction of Kindergarten through 12 th grade school shall not be sited within 100 feet of any commercial agricultural use that employ aerial pesticide application, with the exception of community or school gardens that may be located on or adjacent to a school, or other farming operations that do not involve aerial pesticide applications.	Prior to issuing building and grading permits	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall include a note on all tentative tract maps that land designated for schools will not be within 100 feet of commercial agricultural use. C. The Kern County Planning and Natural Resources Department and the Kern County Public Works Department will verify prior to issuance of building and grading permits.			
#9	MM 4.2-5 Sellers of future residential or commercial parcels located within 100 feet of irrigated farmlands or grazing lands shall provide buyers with a disclosure of adjacent agricultural uses, and of the value and benefits of such uses including environmental, fire safety, food security, and other values and benefits. The disclosure shall include the following statement: “The County of Kern encourages operation of properly conducted businesses in agriculture, oil, mining, manufacturing, and other nonresidential operations within the County. If the property you are purchasing is located near these businesses, you may be subject to inconveniences or discomforts arising from such operations to the extent allowed by law. This notice does not waive your legal rights.” The buyers of future residential parcels shall be provided with information regarding practical measures that can be voluntarily undertaken if desired to minimize impacts of adjacent agricultural uses (e.g., closing windows to minimize potential odor or dust occurrences).	Prior to occupancy	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall ensure that sellers of future residential or commercial parcels within 100 feet of irrigated farmlands or grazing lands provide buyers with a disclosure of adjacent agricultural uses. C. The Kern County Planning and Natural Resources Department will verify prior to occupancy.			
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the Final SREIR to the extent feasible.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.3 Air Quality					
#10	MM 4.3-1 The project is required to comply with applicable state and federal air pollution control laws and regulations, and with applicable rules and regulations of the San Joaquin Valley Air Pollution Control District (SJVAPCD) during construction and operations.	Throughout construction and operations.	Kern County Planning and Natural Resources Department; San Joaquin Valley Air Pollution Control District		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall take any necessary steps in order to comply with the rules and regulations of the SJVAPCD. C. The proponent shall submit evidence of compliance to the Kern County Planning and Natural Resources Department.			
#11	MM 4.3-2 Prior to issuance of grading or building permit, the project proponent shall submit a Fugitive Dust Control Plan to San Joaquin Valley Air Pollution Control District (SJVAPCD) for review and approval. The Fugitive Dust Control Plan shall reduce emissions, during construction of particulate matter that is 10 microns or less and 2.5 microns or less in diameter (PM ₁₀ and PM _{2.5}). The Fugitive Dust Control Plan shall include: 1. Name(s), address(es), and phone number(s) of person(s) responsible for the preparation, submission and implementation of the plan. 2. Description and location of operation(s). 3. Listing of all fugitive dust emissions sources included in the operation. 4. The following dust control measures shall be implemented: a) All on-site unpaved roads shall be effectively stabilized use water or chemical soil stabilizers that can be determined to be as efficient as or more efficient for fugitive dust control than California Air Resources Board approved soil stabilizers, and that shall not increase any other environmental impacts including loss of vegetation. b) All material excavated or graded will be sufficiently watered to prevent excessive dust. Watering will occur as needed with complete coverage of disturbed areas. The excavated soil piles will be watered as needed to limit dust emissions to less than 20 percent opacity or covered with temporary coverings. c) Construction activities that occur on unpaved surfaces will be discontinued during windy conditions when winds exceed 25 miles per hour and those activities cause visible dust plumes.	Prior to issuing building or grading permits	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall prepare a Fugitive Dust Control Plan and submit it to the Kern County Planning and Natural Resources Department prior to construction. C. The Kern County Planning and Natural Resources Department will approve the Plan prior to issuance of grading or building permits.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	Construction activities may continue if dust suppression measures are used to minimize visible dust plumes. d) Track-out debris onto public paved roads shall not extend 50 feet or more from an active operation and track-out shall be removed or isolated such as behind a locked gate at the conclusion of each workday. e) All hauling materials should be moist while being loaded into dump trucks. f) All haul trucks hauling soil, sand and other loose materials on public roads shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions). g) Soil loads should be kept below six inches or the freeboard of the truck. h) Drop heights should be minimized when loaders dump soil into trucks. i) Gate seals should be tight on dump trucks. j) Traffic speeds on unpaved roads shall be limited to a maximum of 25 miles per hour. k) All grading activities shall be suspended when visible dust emissions exceed 20 percent. l) Other fugitive dust control measures as necessary to comply with San Joaquin Valley Air Pollution Control District Rules and Regulations. m) Disturbed areas should be minimized.				
#12	MM 4.3-3 For off-road equipment with engines rated at 75 horsepower or greater, no construction equipment will be used that is less than Tier 2 at the commencement of construction (2016), less than Tier 3 starting in construction year 5 (2020), less than Tier 4 Interim starting in construction year 10 (2025), and Tier 4 Final starting in construction year 15 (2030). An exemption from these requirements may be granted by Kern County in the event that the project proponent documents that (1) equipment with the required tier is not reasonably available (e.g., reasonability factors to be considered include those available within Kern County within the scheduled construction period), and (2) corresponding reductions in criteria pollutant emissions are achieved from other construction equipment.	During construction and operation.	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review B. The proponent shall take the specified steps to reduce emissions during construction, including educating construction personnel in the requirements of this mitigation measure. C. The proponent shall submit evidence of compliance to Kern County Planning and Natural Resources Department. D. Kern County Planning and Natural Resources Department will approve the Fugitive Dust Plan prior to issuance of grading or building permits. E. Kern County Public Works Department will verify in the field during construction.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#13	MM 4.3-4 Developer Mitigation Contract. The project proponent shall enter into a Developer Mitigation Contract (DMC) with the San Joaquin Valley Air Pollution Control District (SJVAPCD) to reduce emissions of reactive organic gases (ROGs), oxides of nitrogen (NOx), and particulate matter with an aerodynamic diameter less than or equal to 10 microns (PM₁₀) to achieve emission reductions for projected construction and operational related emissions of ROG, NOx and PM₁₀ (inclusive of particulate matter with an aerodynamic diameter less than or equal to 2.5 microns [PM_{2.5}]). The DMC shall require full offsets of these pollutants, for construction and operational emissions, except to the extent that offsets equal to or greater than these full offsets are separately required under the District’s stationary source permit requirements. The project proponent shall report annually through the Mitigation Monitoring and Reporting program on compliance with the DMC. Additionally, no later than prior to recordation of a final tentative tract map, prior to approval of a grading permit for commercial/industrial site plan, the project proponent shall submit to the Kern County Planning and Natural Resources Department documentation confirming compliance with the DMC. The document entitled the “Voluntary Emission Reduction Agreement” that was executed by the SJV APCD and project proponent in February 2016, and was included as Exhibit H to Appendix E.1 of the EIR, serves as the DMC for this project. The Internalization Rate Report required under Mitigation Measure 4.16-9, below, shall include as an appendix an updated quantification of ROGs, NOx, and PM10 for prior and estimated future project construction and operational emissions of these criteria pollutants, to demonstrate whether past and estimated future project criteria pollutant emissions remain below the quantified emissions included in the DMC. If the Internalization Rate Reports required under MM 4.16-9 estimates quantities of future project emissions of ROGs, NOx, or PM10 in excess of the quantities of these emissions identified in the DMC, then the project proponent shall: (a) Implement with approval by the County and SJVAPCD, trip reduction measures or other measures to avoid exceeding the criteria emission quantities identified in the DMC; and (b) enter into a new or amended DMC with SJVAPCD to fully offset any exceedance of the criteria emission quantities identified in the DMC.	Prior to issuing building and grading permits	Kern County Planning and Natural Resources Department; San Joaquin Valley Air Pollution Control District		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall work with SJVAPCD to enter into a DMC. C. The proponent shall report annually on compliance with the DMC. D. The proponent shall provide Kern County Planning and Natural Resources Department written verification DMC compliance prior to approval of grading or building permits for commercial, and prior to recordation of a final tentative tract map.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#14	MM 4.3-5 Energy Plan. Concurrent with the submittal of the first application for a tentative tract map, parcel map (excluding financing map), or commercial site plan review, the project proponent shall submit to the Kern County Planning and Natural Resources Department an Energy Plan documenting compliance with all applicable energy conservation requirements of applicable Title 24 standards. The Energy Plan shall also confirm that a menu of energy efficiency design elements, along with other design considerations and options, has been made available by the project proponent to builders, developers, and property owners as part of the internal design review process. Each developer, builder, or property owner shall incorporate the design elements required to comply with then-applicable Title 24 requirements and select from the menu or implement other available technologies as may be needed to reduce energy consumption 15% below 2016 Title 24 requirements. Implementation of the energy efficiency requirements in the approved Energy Plan shall be included as conditions of approval for any commercial/industrial site plan, final subdivision map, or parcel map (except financing map).	Prior and tentative tract map and site plan approval	Kern County Planning and Natural Resources Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall prepare an Energy Plan documenting compliance with energy conservation requirements. C. The Kern County Planning and Natural Resources Department will review and approve the Plan prior to any tentative tract map approval. D. All provisions in the Energy Plan shall be conditions of approval for any site plan review. E. The Kern County Planning and Natural Resources Department will verify notes on all final subdivision maps prior to any approval.					
#15	MM 4.3-6 Valley Fever. Prior to ground disturbance activities, the project proponent shall implement the following Valley Fever Provisions 1. Provide evidence to the Kern County Planning and Natural Resources Department that the project operator and/or construction manager has developed a “Valley Fever Training Handout”, training, and schedule of sessions for education to be provided to all construction personnel. All evidence of the training session materials, handout(s) and schedule shall be submitted to the Kern County Planning and Natural Resources Department within 24 hours of the first training session. Multiple training sessions may be conducted if different work crews will come to the site for different stages of construction; however, all construction personnel shall be provided training prior to beginning work. The evidence submitted to the Kern County Planning and Natural Resources Department regarding the “Valley Fever Training Handout” and Session(s) shall include the following: a) A sign-in sheet (to include the printed employee names, signature, and date) for all employees who attended the training session. b) Distribution of a written flier or brochure that includes educational information regarding the health effects of exposure to criteria pollutant emissions and Valley Fever.	Prior to issuing building and grading permits	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall provide training session materials, handout(s) and schedule of training to Kern County Planning and Natural Resources Department within 24 hours of the first training session. C. The Kern County Planning and Natural Resources Department will verify evidence submitted. D. Kern County Public Works Department will verify compliance in the field during construction.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	c) Training on methods that may help prevent Valley Fever infection. d) A demonstration to employees on how to use personal protective equipment, such as respiratory equipment (masks), to reduce exposure to pollutants and facilitate recognition of symptoms and earlier treatment of Valley Fever. Where respirators are required, the equipment shall be readily available and shall be provided to employees for use during work. Proof that the demonstration is included in the training shall be submitted to the county. This proof can be via printed training materials/agenda, DVD, digital media files, or photographs. 2. The project proponent also shall consult with the County Health Services Department to develop a Valley Fever Dust Management Plan that addresses the potential presence of the <i>Coccidioides</i> spore and mitigates for the potential for <i>Coccidioidomycosis</i> (Valley Fever). Prior to issuance of permits, the project operator shall submit the Plan to the Kern County Public Health Department for review and approval. The Plan shall include a program to evaluate the potential for exposure to Valley Fever from construction activities and to identify appropriate safety procedures that shall be implemented, as needed, to minimize personnel and public exposure to potential <i>Coccidioides</i> spores. Measures in the Plan shall include the following: a) Provide High-Efficiency Particulate Air (HEPA) filters for heavy equipment equipped with factory enclosed cabs capable of accepting the filters. Require contractors utilizing applicable heavy equipment to furnish proof of worker training on proper use of applicable heavy equipment cabs, such as turning on air conditioning prior to using the equipment. b) Provide communication methods, such as two-way radios, for use in enclosed cabs. c) Require National Institute for Occupational Safety and Health (NIOSH)-approved half-face respirators equipped with minimum N-95 protection factor for use during worker collocation with surface disturbance activities, as required per the hazard assessment process. d) Cause employees to be medically evaluated, fit-tested, and properly trained on the use of the respirators, and implement a				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	full respiratory protection program in accordance with the applicable California Occupational Safety and Health Administration Respiratory Protection Standard (8 CCR 5144). e) Provide separate, clean eating areas with hand-washing facilities. f) Install equipment inspection stations at each construction equipment access/egress point. Examine construction vehicles and equipment for excess soil material and clean, as necessary, before equipment is moved off-site. g) Train workers to recognize the symptoms of Valley Fever, and to promptly report suspected symptoms of work-related Valley Fever to a supervisor. h) Work with a medical professional to develop a protocol to medically evaluate employees who develop symptoms of Valley Fever. i) Work with a medical professional, in consultation with the County Health Services Department, to develop an educational handout for on-site workers and surrounding residents within three miles of the project site, and include the following information on Valley Fever: what are the potential sources/causes, what are the common symptoms, what are the options or remedies available should someone be experiencing these symptoms, and where testing for exposure is available. Prior to construction permit issuance, this handout shall have been created by the project operator and reviewed by the project operator and reviewed by the County. No less than 30 days prior to any work commencing, this handout shall be mailed to all existing residences within three miles of the project boundaries. j) When possible, position workers upwind or crosswind when digging a trench or performing other soil-disturbing tasks. k) Prohibit smoking at the worksite outside of designated smoking areas; designated smoking areas will be equipped with handwashing facilities. l) Post warnings on-site and consider limiting access to visitors, especially those without adequate training and respiratory protection. m) Audit and enforce compliance with relevant California Occupational Safety and Health Administration health and safety standards on the jobsite.				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#16	MM 4.3-7 A. Sensitive Uses and High Volume Internal Roadways. Prior to County approval of a tentative tract map that includes residential units or other sensitive uses, the applicant shall submit to the County and San Joaquin Valley Air Pollution Control District (SJVAPCD) a health risk assessment (HRA). The HRA shall be completed in accordance with the methodological requirements of the SJVAPCD, and shall include a cumulative assessment if or as directed by SJVAPCD. The HRA shall consider TAC emissions from mobile sources from I-5 within the prescribed distances of 3,100 feet east of Interstate-5 or within 4,500 feet west of Interstate-5, or within 500 feet of the project's higher volume Freeway Connection and Major Arterial/Collector, which are the only internal project roadway street types that have the potential for exceeding 50,000 trips per day at project buildout. If the HRA identifies any sensitive receptor exposure that equals or exceeds 20 in 1 million for cancer risk or 1.0 for non-cancer indices (or future more stringent thresholds as may be adopted by the District and implemented by the County for use on projects subject to the County's lead agency authority under the California Environmental Quality Act) (District TAC Thresholds), the applicant shall submit a Toxic Air Contaminant (TAC) Emission Reduction Plan to the SJVAPCD for review and concurrence. Following SJVAPCD review and concurrence, a copy of the TAC Emission Reduction Plan, confirming that no sensitive receptors on the project site will be exposed to TAC risks in excess of District TAC Thresholds, shall be provided to the Kern County Planning and Natural Resources Department, prior to County approval of the tentative tract map. In the TAC Emission Reduction Plan, TAC exposure measures shall be implemented to assure that no sensitive receptors are exposed to TAC-related health impacts that equal or exceed the SJVAPCD thresholds. TAC exposure reduction measures include, but are not limited to, setbacks; vegetative barriers; heating, ventilation, and air conditioning (HVAC) system filtration technologies; etc., and shall be required as a condition of approval for the tentative tract map, and/or required as a condition prior to	Prior to issuing building and grading permits	Kern County Planning and Natural Resources Department; San Joaquin Valley Air Pollution Control District		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall prepare an I-5 TAC Emissions Reduction Plan and submit to SJVAPCD. C. The SJVAPCD will review and approve the Plan. D. The proponent shall provide a copy of the Plan to the Kern County Planning and Natural Resources Department. E. The Kern County Planning and Natural Resources Department will verify documentation prior to issuance of building or grading permits.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	issuance of a building permit approval for future sensitive use(s) included in the tentative tract map. B. Sensitive Uses and Future Employment Uses. Prior to County approval of a commercial site plan for a future commercial, industrial, or retail use, the applicant shall submit to the County and San Joaquin Valley Air Pollution Control District (SJVAPCD) a description of the types, quantities and uses of toxic air contaminants (TACs) from operational activities including but not limited to trucking and processing or light manufacturing activities, which shall include the distance between the site plan boundary and the nearest sensitive receptor. TAC usage associated with routine office and building maintenance operations does not need to be quantified. Unless otherwise directed by the District staff based on a staff determination that the TAC quantities associated with the commercial site plan do not present a potential TAC exposure risk to any project sensitive uses, the applicant shall submit a TAC health risk assessment (HRA) to the District for its review and concurrence. The HRA shall be completed in accordance with the methodological requirements of the SJVAPCD, and shall include a cumulative assessment of other project TAC emission sources if or as directed by SJVAPCD. If the HRA identifies any sensitive receptor exposure that equals or exceeds 20 in 1 million for cancer risk or 1.0 for noncancer indices (or future more stringent thresholds as may be adopted by the District and approved by the County for use on projects subject to the County’s lead agency authority under the California Environmental Quality Act) (District TAC Thresholds), the applicant shall submit a Toxic Air Contaminant (TAC) Emission Reduction Plan to the SJVAPCD for review and concurrence. Following SJVAPCD review and concurrence, a copy of the TAC Emission Reduction Plan, confirming that no sensitive receptor on the project site will be exposed to TAC risks in excess of District TAC Thresholds, shall be provided to the Kern County Planning and Natural Resources Department, prior to County approval of the commercial site plan. The TAC Emission Reduction Plan may include measures to be applied to future buildings within the commercial site plan area (e.g., installation of filtration devices, storage limitations, or other operational measures, as well as specifications for truck routes, loading dock configuration(s) and/or				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	location(s), loading procedures and other mobile source TAC emission measures) to assure that no sensitive receptors are exposed to TAC-related health impacts that equal or exceed the SJVAPCD thresholds from the commercial, industrial or retail use(s) included in the commercial site plan. C. Meteorological Data for Dispersion Modeling. All dispersion modeling in support of the health risk assessments (HRA) and ambient air quality analyses (AAQA) specified in MM-4.3-7A and MM-4.3-7B shall use meteorological data collected on the Grapevine project site. The meteorological data shall consist of one year of data collected onsite, and shall be reviewed by the San Joaquin Valley Air Pollution Control District (SJVAPCD) for use in U.S. Environmental Protection Agency approved air quality dispersion models prior to use in a health risk assessment (HRA).				
#17	MM 4.3-8 As part of the submittal packet for any proposed Special Use Permit with the potential to generate noxious odors. The project proponent shall be required to prepare an Odor Minimization and Complaint Management Plan. The Odor Minimization and Complaint Management Plan shall include provisions necessary to reduce odors generated from the proposed use. At minimum, the Odor Minimization and Complaint Management Plan shall include the following: - Name and telephone number of contact person(s) at the facility responsible for logging in and responding to odor complaints. - Policy and procedure describing the actions to be taken when an odor complaint is received, including the training provided to staff on how to respond. - Description of potential odor sources at the facility. - Description of potential methods for reducing odors, including minimizing idling of delivery and service trucks and buses, process changes, facility modifications, and/or feasible add-on air pollution control equipment, including a description of the specific measures to be implemented at the building design stage, the equipment installation and maintenance stage, and the operations management stage, to avoid or minimize adverse odor impacts. - Contingency measures to curtail emissions in the event of a public nuisance odor complaint.	Prior to issuing any special use permits Steps to Compliance: - This mitigation measure shall be incorporated as a condition of approval for any site plan review. - The proponent shall prepare an Odor Complaint Management Plan. - A copy of this Plan shall be provided to Kern County Planning and Natural Resources Department. - The Kern County Planning and Natural Resources Department shall verify documentation prior to issuance of any special use permits.	Kern County Planning and Natural Resources Department		

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#18	MM 4.3-9: Internet Infrastructure and Telecommuting. Each application for a tentative tract map, parcel map (excluding financing map), and commercial site plan review shall include telecommunications infrastructure to provide broadband service (internet) for all occupied structures, and to provide a community intranet with access for homeowners associations, interest groups, and residents, employers and employees; the intranet shall include information regarding scheduled local events , schools, library, carpool and transit services; and other on-site entertainment and amenities. An application for a building permit shall include broadband internet infrastructure to encourage telecommuting and working from home and in satellite offices. The intranet shall also provide education about greenhouse gas (GHG) emissions; GHG reduction opportunities; energy and water conservation opportunities; financial incentives (e.g., rebates and low-interest loans) for energy-efficiency improvements; and energy-efficiency technology systems, including those suitable for large commercial and industrial users.	Prior and tentative tract map, parcel map or commercial site plan approval Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any tentative tract map, parcel map or commercial site plan review. B. The Kern County Planning and Natural Resources Department shall verify documentation prior to issuance of building permits. C. Kern County Public Works Department will verify compliance in the field during construction.	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
#19	MM 4.3-10: Mobility Plan. Concurrent with the initial application for a tentative tract map, parcel map (excluding financing map), or commercial site plan review, the project proponent shall submit a Mobility Plan, which describes the system of sidewalks, greenway trails, community trails, a dedicated transit easement, and two transit hubs to serve as alternative means of transportation on the project site. The Mobility Plan shall also require, consistent with MM 4.16-2 and the requirement to form a Transportation Management Association (TMA), the ongoing operation of the TMA to implement ongoing transportation improvements and programs. Implementation of the approved Mobility Plan shall be required for each subsequent tentative tract map, parcel map (excluding financing map), and commercial site plan review. The Mobility Plan shall: • Through the TMA, provide future residents, visitors, and employees with information on multiple modes of transit/non-single occupancy vehicle (non-SOV) accessibility for internal and external trips. • Through the TMA, provide options to reduce vehicle trips and emissions by linking effective travel demand management with transportation systems and parking policies. • Through the TMA, provide residents and employees on the project site with multiple modes of transportation options (e.g., walk, bike, public transit, private auto, car share, bike share).	Prior and tentative tract map, parcel map or commercial site plan approval Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any tentative tract map, parcel map or commercial site plan review. B. The project proponent shall prepare a Mobility Plan. C. A copy of this Plan shall be provided to Kern County Planning and Natural Resources Department. D. The Kern County Planning and Natural Resources Department shall verify documentation prior to approval of a tentative tract map, parcel map, and commercial site plan review.	Kern County Planning and Natural Resources Department		

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	• Provide for 50% on average of residential units (single family and multi-family) to be located within 0.5 miles of a village center that includes retail and service uses. • Provide parks within a 10-minute walk (0.5 miles) of 80% of all residential units. • Provide a transit route easement no less than 25 feet wide to provide for a dedicated bus lane and bus pull-outs from the dedicated transit centers to the primary village mixed use center areas on the east and west sides of Interstate (I) 5. • Through the TMA, work with automotive dealers to help promote electric, compressed natural gas (CNG), hybrid electric vehicles, and vehicles using future zero or low emission technologies approved for use in California by the California Air Resources Board (CARB-approved zero and low emission vehicles) • Through the TMA, engage in outreach and education for agencies and businesses located on the site, and project residents, about CARB-approved zero and low emission vehicles, which help attain that would help achieve California’s air quality, greenhouse gas, and climate change mandates, and which could potentially meet the performance and affordability needs of project employers, employees and residents. • Require TMA implementation of a combination of measures to provide adequate temporary bike or personal electric vehicle (e.g., scooter) parking during large public events conducted at civic center, large amphitheaters, fairgrounds or athletic stadium uses that may be permitted, temporarily permitted, or conditionally permitted on the project site pursuant to the Specific Plan. Such measures may include, but are not limited to, providing valet bike parking, temporarily anchored bike parking racks, or a secured temporary bike parking enclosure. If approved by the California Department of Transportation (Caltrans) for use on State Roads and the County, and where maintenance and durability costs are comparable to traditional materials, the project proponent shall use “cool pavement materials to reduce heat island effects. The location of proposed cool pavement materials shall be specified in applications for tentative tract maps, parcel maps (excluding financing maps), and commercial site plan reviews. Installation of approved cool building materials shall be required as				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	conditions of project approvals for such tentative tract maps, parcel maps (excluding financing maps), and commercial site plan reviews.				
#20	MM 4.3-11: Transportation Demand Management (TDM). Each component of the Mobility Plan shall incorporate TDM features to reduce dependence on the automobile and provide for a more efficient use of transportation resources among project occupants, thereby reduce pollutant emissions. Related to this is the requirements of MM 4.16-2, which requires the creation and ongoing operation of a Transportation Management Association (TMA) to coordinate and support the operation of ongoing transportation programs, including but not limited to transit and on-demand services. The following are key TDM elements that are inherent in the overall Mobility Plan: • Sidewalks, greenway trails, and community trails that link residential, schools, shopping, and employment areas • Small- to medium-sized streets and blocks that allow for shorter walking distances to retail, parks, schools, and other destinations • Pedestrian environments incorporated with public streets • Transit route easement connecting the residential and commerce areas • Parking behind buildings to encourage walking in retail areas along street frontage • Provide bus shelters	Prior to tentative tract map, parcel map or commercial site plan approval Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any tentative tract map, parcel map (excluding financing map), or commercial site development plan. B. The project proponent shall incorporate Transportation Demand Management (TDM) features into the Mobility Plan. C. The Kern County Planning and Natural Resources Department shall verify documentation.	Kern County Planning and Natural Resources Department		
#21	MM 4.3-12: Locker/Shower Facilities. Applications for commercial site plan review and building permits for non-residential buildings shall include lockers and showers to encourage active transportation such as biking and walking to and at work in lieu of motorized vehicle. Proof of compliance shall be provided to the County prior to the issuance of occupancy permits. For buildings with over 10 tenant-occupants, changing/shower facilities shall be provided as follows: for 11 to 50 tenant-occupants, one shower and two 2-tier lockers; for 51 to 100 tenant-occupants, one shower and three 2-tier lockers; for 101 to 200 tenant-occupants, two showers and four 2-tier lockers; and for over 200 tenant-occupants, two additional showers for each 200 additional tenant-occupants and one 2-tier locker for each 50 additional tenant-occupants.	Prior to issuance of occupancy permits Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The Kern County Planning and Natural Resources Department shall verify documentation. C. Kern County Public Works Department will verify compliance prior to issuance of occupancy permits.	Kern County Planning and Natural Resources Department; Kern County Public Works Department		

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project																							
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials																		
#22	MM 4.3-13: Preferential Parking and Electric Vehicle Charging for Nonresidential Buildings.	Prior to issuance of building permits	Kern County Planning and Natural Resources Department																				
	(a) Applications for commercial site plan review and building permits for non-residential buildings shall include preferential parking for electric cars, low emission vehicles, and carpools/vanpools to encourage use of such vehicles. Proof of compliance shall be provided to the County prior to the issuance of occupancy permits. Preferential parking for such vehicles shall include two spaces for non-residential lots containing 10 to 25 spaces; four spaces for 26 to 50 space lots; six spaces for 51 to 75 space lots; nine spaces for 76 to 100 space lots; eleven spaces for 101 to 150 space lots; 18 spaces for 151 to 200 space lots; and at least 10% of total spaces for lots with more than 200 spaces.	Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any commercial and non-residential site plan review. B. The Kern County Planning and Natural Resources Department shall verify documentation prior to issuance of any building permits. C. Kern County Planning and Natural Resources Department shall verify the documentation prior to issuing the certificate of occupancy.																					
	(b) (1) Applications for commercial site plan review and building permits for non-residential buildings shall include Electric Vehicle (EV) Charging Spaces (EV space). Electrical infrastructure shall be installed to support future installation of Electric Vehicle Supply Equipment (EVSE) chargers, at each nonresidential building with 10 or more parking spaces, in the following ratios:																						
	<table><tr><th>Total Number of Actual Parking Spaces</th><th>Tier 1 Number of Required EV Spaces</th></tr><tr><td>0–9</td><td>0</td></tr><tr><td>10–25</td><td>2</td></tr><tr><td>26–50</td><td>3</td></tr><tr><td>51–75</td><td>5</td></tr><tr><td>76–100</td><td>7</td></tr><tr><td>101–150</td><td>10</td></tr><tr><td>151–200</td><td>14</td></tr><tr><td>>200</td><td>8% of total spaces rounded up to nearest whole number</td></tr></table>	Total Number of Actual Parking Spaces	Tier 1 Number of Required EV Spaces	0–9	0	10–25	2	26–50	3	51–75	5	76–100	7	101–150	10	151–200	14	>200	8% of total spaces rounded up to nearest whole number				
Total Number of Actual Parking Spaces	Tier 1 Number of Required EV Spaces																						
0–9	0																						
10–25	2																						
26–50	3																						
51–75	5																						
76–100	7																						
101–150	10																						
151–200	14																						
>200	8% of total spaces rounded up to nearest whole number																						
	(2) For parking lots requiring multiple EV spaces under subsection (b), the application for commercial site plan review and building permit shall include the location(s) and type of EVSE, raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to charge simultaneously all the electric vehicles (EV)																						

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#23	MM 4.3-14: Multi-Family Residential and Park/Trail Parking. Applications for a tentative tract map, parcel map (excluding financing map), or commercial site plan review, that include parking structures, parking lots with 20 or more parking spaces that serve uses other than residential or nonresidential buildings (e.g., trailhead, park), and parking structures and parking lots that serve multifamily residential buildings with 15 or more multifamily units, shall include the following: - A minimum of 5% of preferentially located parking spaces shall be reserved for electric vehicles. 5% of the total number of parking spaces provided in the parking facility, but in no case less than one, shall be Electric Vehicle Parking Spaces (EV spaces. Calculations for the required number of EV spaces shall be rounded up to the nearest whole number and the design and installation of each EV space shall be consistent with Section A4.106.8.2, Residential Voluntary Measures, and Section 4.106.4.2, of the CALGreen Code as follows: Single Charging Space Requirements. When only a single EV space is required, install a listed raceway capable of accommodating a dedicated branch circuit. The raceway shall not be less than trade size 1 (nominal 1-inch inside diameter). The raceway shall be securely fastened at the main service or subpanel and shall terminate in close proximity to the proposed location of the charging system into a listed cabinet, box, or enclosure. Multiple Charging Spaces Required. When multiple EV spaces are required, plans shall include the location(s) and type of EVSE, raceway method(s), wiring schematics, and electrical calculations to verify that the electrical system has sufficient capacity to charge simultaneously all the electric vehicles at all designated EV spaces at their full rated amperage. Plan design shall be based on Level 2 EVSE at its maximum operating ampacity. Only underground raceways and related underground equipment are required to be installed at the time of construction. - For multifamily residential parking facilities, bicycle parking shall be provided as specified in Section A4.106.9, Residential Voluntary Measures, of the CALGreen Code, which requires provision of on-	Prior to issuance of building permits	Kern County Planning and Natural Resources		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any tentative tract map, parcel map (excluding financing map), or commercial site development plan that include 20 or more parking spaces for uses other than commercial or residential uses. B. The Kern County Planning and Natural Resources Department shall verify documentation prior to issuance of any building permits.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	site bicycle parking for at least one bicycle per every two dwelling units. Any establishment with 25 or more full-time equivalent employees shall provide Class 1 bicycle parking at a minimum ratio of one space per 20 vehicle spaces plus 1 bicycle rack for each 25 employees; for uses with no employees a minimum of one bicycle rack shall be provided. Short-term bicycle parking spaces shall be at least 10% of the number of required automobile parking spaces.				
#24	MM 4.3-15: Residential Parking. Applications for building permits submitted to County by the project proponent/developer shall include plans and specifications County demonstrating that the following features have been incorporated into the building designs or specifications for multifamily residential buildings: - Visitor parking shall include preferentially located parking spaces for electric vehicles. - Bicycle parking shall be provided as specified in Section A4.106.9, Residential Voluntary Measures, of the California Green Building Standards (CALGreen) Code or as required by County Code Section 22.52.1225B, whichever is more stringent.	Prior to issuance of building permits	Kern County Planning and Natural Resources		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review for multi-family residential. B. The Kern County Planning and Natural Resources Department shall verify documentation prior to issuance of any building permits.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#25	MM 4.3-16: Electric Vehicle Charging and Incentive. Applications for building permits submitted to County by project proponent/developer shall include plans and specifications demonstrating to the County that one 208/240 volts of alternating current (VAC) receptacle for charging electric vehicles shall be installed in each detached and attached single-family residence in a manner consistent with 2016 California Green Building Standards (CALGreen) Code Voluntary Tier 1 Section A4.106.4.1. The installation shall comply with requirements of the 2016 CALGreen Code Section 4.106.4.1, or the most applicable code at the time of construction. The project proponent/developer shall offer a further credit of \$500 to 50% of future homeowners (as requested by homeowner) to pay for the type of charging device then in use for electric vehicles or, with County approval, to pay for other energy conservation uses. The availability of this electric vehicle (EV) incentive benefit shall be disclosed and promoted at the time of initial sale of single-family homes and shall thereafter be promoted by the Transportation Management Association (TMA) on its website.	Prior to issuance of building permits	Kern County Planning and Natural Resources; Kern County Public Works Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The project proponent shall submit a copy of promotional or disclosure materials related to the EV incentive to the Kern County Planning and Natural Resources Department. C. The Kern County Planning and Natural Resources Department shall verify documentation prior to issuance of any building permits. C. The Kern County Public Works Department will verify in the field during construction.					
#26	MM 4.3-17: Electric Vehicles. The project proponent/developer shall provide site plans and building and design specifications to the County demonstrating compliance with the Electric Vehicle Supply (EVS) charging station measures specified in MM-4.3-13. If and to the extent subsequently approved by the County, compliant with state laws, and resulting in no new significant impacts to the environment following County review and approval, EVS charging stations may be replaced by “alternative energy fueling stations,” which may include other types of electric vehicle charging technology (e.g., operating at higher or lower voltages), or alternative vehicular fuel technology that results in zero or near zero (as defined by California Air Resources Board [CARB]) greenhouse gas (GHG) emission such as hydrogen fuel cells, biofuels, or other qualifying fuel technologies. An electric charging station shall allow for simultaneous charging of two electric vehicles. • Business Park and Institutional land use designations shall provide a minimum of one EVS on site for the first 50,000 square feet of usable floor space and additional alternative energy vehicle fueling stations for each additional 50,000 square feet of usable floor space thereafter. • Multifamily residential buildings of at least 15 residential units shall provide a minimum of one EVS for the first 15 residential units and an additional EVS for each additional 15 residential units thereafter. • Each village center shall provide a minimum of one EVS.	Prior to issuance of building permits	Kern County Planning and Natural Resources		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The Kern County Planning and Natural Resources Department shall verify documentation prior to issuance of any building permits.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	The two primary transit centers on either side of I-5 shall provide a minimum of one EVS.				
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the Final SREIR to the extent feasible.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.4 Biological Resources					
#27	MM 4.4-1 Prior to issuance of a grading or building permit, the project proponent shall retain a Lead Biologist who meets the qualifications of an Authorized Biologist as defined by U.S. Fish and Wildlife Service (USFWS) to oversee compliance with protection measures for all listed and other special-status species. All appropriate contact information for the selected biologist shall be provided to the Planning and Natural Resources Department. The Lead Biologist, or their Designated Compliance Manager (other qualified biologists designated by the Lead Biologist to perform the Lead Biologist function), shall be on the project site during construction of any perimeter fencing or grading activities throughout construction phases. The Lead Biologist shall have the right to halt all activities that are in violation of the special-status species protection measures. Work shall proceed only after hazards to special-status species have been appropriately addressed through compliance with required mitigation measures and appropriate consultation with USFWS and California Department of Fish and Wildlife (CDFW) when appropriate. The Lead Biologist shall have in his/her possession a copy of all the compliance measures while work is being conducted on the project site. In addition to the above listed duties, the Lead Biologist or their Designated Compliance Manager shall be responsible for implementation of the following provisions: a) Construction Work Hours Night work and associated lighting shall not be permitted during initial ground disturbance construction activities with the exception of maintenance, security patrols, and emergency (defined by an imminent threat to life or significant property) activities. Lighting shall be minimized and directed away from natural areas. b) Flagging/Fencing/Demarcation The project Lead Biologist shall designate the construction area and any buffer zones using highly visible materials in the field and review with the contractor in accordance with the final grading plan. State-jurisdictional channels or wetland/ riparian areas within 50 feet of the construction area to be preserved will also be demarcated in the field and avoided.	Prior to issuing building or grading permits	Kern County Planning and Natural Resources Department; Kern County Public Works Department; United States Fish and Wildlife Service; California Department of Fish and Wildlife		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall comply with this mitigation measure pertaining to construction activities and biological resources. C. The proponent shall submit evidence of retainer of a Lead Biologist to the Kern County Planning and Natural Resources Department. D. The proponent shall notify the Kern County Planning and Community Development Department, the on-call biologist, and the appropriate resources agency before proceeding with construction. E. The proponent shall stop work if an injured or dead special status species are encountered. F. In any consultation with the United States Fish and Wildlife Service and the California Department of Fish and Game, the proponent shall implement construction and operational monitoring in accordance with the specifications of the mitigation measure. G. The Kern County Planning and Natural Resources Department will verify prior to issuance of building and grading permits. H. Kern County Public Works Department shall verify in the field during construction.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	c) Debris/Non-Native Vegetation/Pollution The project Lead Biologist shall monitor construction to ensure: 1) Fully covered trash receptacles that are animal-proof will be installed and used to contain all food, food scraps, food wrappers, beverage containers, and other miscellaneous trash. Trash contained within the receptacles will be removed at least once a week from the construction site. 2) No litter, construction materials, or debris will be discharged into state-jurisdictional waters. 3) All uses of weed and pest control compounds shall comply with the application restrictions mandated by the U.S. Environmental Protection Agency and the California Department of Pesticide Regulation. 4) Construction work areas shall be kept clean of debris, such as cable, trash, and construction materials. All construction/contractor personnel shall collect all litter and micro trash (for example anything shiny, such as broken glass), vehicle fluid containers, and food waste from the project area on a daily basis. 5) No construction material shall be stockpiled in the streambed, banks, or channels, except that native vegetation removed from the channel may be chipped and the chips used as mulch for disturbed sites in or near the work sites. 6) All disturbed invasive plants, such as tamarisk, shall be removed from the work site and not used in mulching, composting, etc. If weed biomass must be removed from the site to a designated disposal area, propagules shall be secured in a tarp (without holes or rips) and then carried to a vehicle. Biomass shall be properly wrapped to prevent plant parts from blowing away in transit, and vehicles carrying weed biomass shall be inspected prior to leaving the site to ensure that no plant parts are resting on the bumpers, tailgates, or other exposed areas. d) Vehicle and Equipment Restrictions and Maintenance The project Lead Biologist shall monitor construction to ensure:				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	1) .Maximum construction vehicle speed will be 15 miles per hour (mph) within the project footprint. If nighttime maintenance, security patrols, and emergency (defined by an imminent threat to life or significant property) activities are necessary, then the speed limit shall be 10 mph. 2) Vehicle operation within state-jurisdictional waters requires compliance with Fish and Game Code Section 1600 and when surface water is present will be prohibited. Any equipment or vehicles driven and/or operated within or adjacent to a state-jurisdictional channel will be checked and maintained by the operator daily to prevent leaks of oil or other petroleum products that could be deleterious to aquatic life if introduced to the watercourse. 3) Vehicles and equipment access will be limited to areas that will be directly impacted by project construction and ingress and egress on existing roads. 4) Staging and storage areas for spoils, equipment, materials, fuels, lubricants, and solvents will be located a minimum of 50 feet outside of the state-jurisdictional channels and within the designated project footprint. Stationary equipment, such as motors, pumps, generators, compressors, and welders, located within or adjacent to state-jurisdictional waters may only be conducted consistent with Fish and Game Code 1600 and shall be positioned over drip-pans or other containment. Prior to refueling and lubrication, vehicles and other equipment shall be moved away from the state-jurisdictional channels. 5) Construction vehicle and equipment access routes within the Project site will be clearly identified and will be restricted to existing roads and overland travel will be minimized and confined to areas where development will occur. e) Erosion/Silt The project Lead Biologist shall monitor construction to ensure:				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	1) During construction activities, temporary erosion control devices, such as straw bales, silt fencing, and sand bags, shall be used to prevent siltation in state-jurisdictional areas. Coir rolls, erosion control mats or blankets, straw or fiber wattles, or similar erosion control products shall be composed of natural-fiber, biodegradable materials; photodegradable or other plastic erosion control materials shall be prohibited. 2) Silt settling basins installed during the construction process will be located away from areas of ponded or flowing water to prevent discolored, silt-bearing water from reaching areas of ponded or flowing water during normal flow regimes. f) Other Restrictions on Construction Activities and Personnel The project Lead Biologist shall monitor construction to ensure: 1) During construction, no pets, such as cats or dogs, will be permitted on the project's construction sites. 2) No commercial hunting will be authorized or permitted on a portion of the project site under construction. 3) Any contractor, employee, or agency personnel who are responsible for inadvertently killing, injuring, or trapping a listed species (e.g., San Joaquin kit fox, blunt-nosed leopard lizard) shall immediately report the incident to the project Lead Biologist. The project Lead Biologist shall contact the U.S. Fish and Wildlife Service (USFWS) (for federal Endangered Species Act (FESA) species) and California Department of Fish and Wildlife (CDFW) (for California Endangered Species Act (CESA) species) immediately in the case of a dead, injured, or entrapped listed species. The Sacramento USFWS Office and CDFW shall be notified in writing within 3 working days of the accidental death or injury to a listed species during project-related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, at 2800 Cottage Way, Suite W-2605,				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	Sacramento, California 95825-1846, 916.414.6620 or 916.414.6600. The CDFW Central Region office is located at 1234 East Shaw Avenue, Fresno, California 93710, 559.243.4005. 4) To prevent inadvertent entrapment of San Joaquin kit fox during construction, all excavated, steep-walled holes or trenches more than 2 feet deep shall be covered with plywood or similar materials at the close of each working day, or be provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped San Joaquin kit fox. If trapped San Joaquin kit fox are observed, escape ramps or structures shall be installed immediately to allow escape. If San Joaquin kit fox are trapped, the USFWS and CDFW shall be contacted. 5) All pipes, culverts, or similar structures with a diameter of 4 inches or more that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for San Joaquin kit fox before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If San Joaquin kit fox is discovered, that section of pipe shall not be moved until the USFWS and/or CDFW has been consulted. If necessary, under the direct supervision of the project biologist, the pipe may be moved once to remove it from the path of construction activity until the species has escaped. g) Biological Monitoring and Compliance Documentation The project Lead Biologist shall be responsible for maintaining a database and/or tracking the following during construction: 1) Document that required pre-construction surveys, avoidance, mitigation, and/or relocation efforts that have been implemented. 2) Document compliance with construction measures (b)-(f) above. 3) Document compliance with worker training. h) Project Fencing Design Requirements.				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	Prior to approval of any tentative tract map, the Project Proponent shall provide evidence that the project Lead Biologist has reviewed the map to confirm that (i) the map includes fencing along the multiuse trail border with the creek corridors and south of Edmonston Pumping Plant Road to protect the creek corridor and southern foothills open space from trespass, and (ii) the fencing location and design in and adjacent to open space preserves wildlife passage through the project site (appropriate fencing design includes the following: cattle fences consisting of strands of smooth-bottom wire, “hog-wire” fences commonly used to keep sheep out with mesh openings measuring 6 inches (15 centimeters) on each side, decorative fencing with suitable gaps (minimum of approximately 4 inches in width), and raised fences a minimum of 6 inches off the ground. Standard chain-link fence is prohibited in the OA District and prohibited elsewhere unless required for health and safety and includes slats. i) <u>Kit Fox Habitat Enhancement Requirements</u> In association with the grading plan for the first phase of development in each planning area, implement the San Joaquin Kit Fox Escape Dens and Fencing Plan (Attachment A-4 to EIR Appendix F), and any revisions required by CDFW and/or USFWS, in the associated planning area OA District by overseeing installation of habitat enhancement activities including the creation of escape dens (e.g., 10–20 feet long and 8–10 inches in diameter covered pipes with exposed ends) for San Joaquin kit fox in on-site conservation areas, including Grapevine Creek, the tributary to Cattle Creek, areas north and south of the California Aqueduct right-of-way, and areas along the northern portion of the project site west of I-5. j) <u>Blasting Requirements</u> If blasting is required, applicable federal, state, and local requirements would be observed, and any necessary permits and authorizations would be obtained. Best Management Practices Guidelines developed by the Institute of Makers of Explosives (IME) would be implemented. To avoid impacts to special-status biological resources, blasting would occur during the rough-grading activities of construction phase of the project only between the hours of 10:00 am and 4:00 pm. To avoid potential				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	affects to birds, blasting would outside of the nesting bird season (i.e., no blasting shall occur between September 15 to February 15). Additionally, no blasting will occur within 1 mile of the winter perch for bald eagle during the winter season (October 15 and March 15). Prior to blasting, a blasting monitoring team including the project biologist and one acoustician would be formed. The project biologist would assess and provide guidance related to the criteria for impact on any nearby noise sensitive species. The acoustician should have a minimum of five years of acoustical measurement experience and would be responsible for the blast noise and vibration measurements. Blasts should be measured with a calibrated Type 1 sound level meter set to the fast or impulse integration response. If possible, the low frequency cut off should be set as low as possible, ideally 2 Hz or lower. Peak sound levels should be measured at a known distance from blast between the blast site and the noise sensitive species habitat (identified by the project biologist). If the project biologist sees fit, the low frequency cut off requirement may be waived or adjusted to address the sensitive species in the area. If measured peak levels exceed the criteria, blasts shall be altered in a way to reduce the impact. Such mitigation efforts may include reducing the explosive material, altering the packing and placement of the explosive material, or changing the location of the blasting efforts. The biologist has the authority to stop blasting efforts or advise the blast team on the method of mitigation.				
#28	MM 4.4-2 The project shall conserve on-site and off-site open space. a. On-Site Mitigation Area. Prior to the issuance of a grading permit for the first phase of development proposed to the east of I-5, the Project Proponent shall record a deed restriction or other instrument approved by the County over the designated Open Area (OA) District for planning areas 3, 4, 5a-b, and 6a-e (OA District to east of I-5). Prior to the issuance of a grading permit for the first phase of development proposed to the west of I-5, the project proponent shall record a deed restriction or other instrument approved by the County over the designated Open Area District for planning areas 1 and 2 (OA District west of I-5). b. Off-Site Mitigation Area. Prior to issuance of grading permits for each	Prior to issuing building and grading permits Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall prepare a conservation easement over the Off-Site Mitigation Area and 85 acres north of the California Aqueduct. C. The Kern County Planning and Natural Resources Department will verify the conservation easement is in place prior to the issuance of any grading or building permit.	Kern County Planning and Natural Resources Department		

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	Plan Area, the project proponent shall mitigate for the loss of special-status species habitat by recording a conservation easement over the Off-Site Mitigation Area and 87 acres to the north of the California Aqueduct over the corresponding acreage amount outlined below. In total, depending on the ultimate habitat area impacted, approximately 7,372 acres of habitat land will be preserved. No paved or lighted trails will be permitted in these mitigation areas. The mitigation would be dedicated by planning area and based on the impacts to kit fox habitat. If the project proponent records a conservation easement or deed restriction over a greater mitigation area in one phase, the next phase may be correspondingly reduced. The mitigation required is as follows: • Plan Area 1 – 615 acres • Plan Area 2 – 1,612 acres • Plan Area 3 – 1,381 acres • Plan Area 4 – 1,121 acres • Plan Area 5a – 930 acres • Plan Area 5b – 0 acres (On-site dedication fulfills mitigation requirement) • Plan Area 6a – 0 acres (On-site dedication fulfills mitigation requirement) • Plan Area 6b – 4 acres • Plan Area 6c – 568 acres • Plan Area 6d – 498 acres • Plan Area 6e – 484 acres • Off-Site Impact Areas – 71 acres to be added to the first grading permit.				
#29	MM 4.4-3 Environmental Awareness Training and Compliance Worker Environmental Awareness Program. Prior to issuance of grading or building permit and for the duration of construction activities, the Project Proponent shall demonstrate it has in place a Worker Environmental Awareness Program (WEAP) for all construction workers at the project site. The Lead Biologist shall ensure all construction personal on-site complete WEAP training prior to conducting any project related activities on-site. As part of the WEAP training, the project Lead Biologist shall perform the following training-related tasks:	Prior to issuing building or grading permits Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall prepare a Worker Environmental Awareness Program (WEAP). C. The proponent shall submit evidence of environmental training session to the Kern County Planning and Natural Resources Department.	Kern County Planning and Natural Resources Department		

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	a) Provide the training materials for WEAP training. These materials shall include the measures and mitigation requirements for protected plant and wildlife species (e.g., avoidance and buffer requirements, nighttime construction limitations, etc.); the location and mitigation requirements for waters of the state; and applicable fire protection measures. The WEAP training will also provide educational materials describing condor protection measures, including where condors potentially occur within the Grapevine site, prohibited behaviors related to condors such as the pursuit, capture, harassment, and all other potential direct interaction of the species. The information shall also identify types of micro trash that could be ingested by adult breeding condors and describe measures to eliminate micro trash on and near all construction sites, recreational areas, roads, and backcountry locations where human presence has occurred. WEAP training will also include driver training to avoid and minimize collision risks with protected species, and reporting protocols in the event that any dead or injured wildlife are discovered. - Contractor staff to be trained on the identification of monarch and avoidance of direct and indirect impacts to butterflies resembling this species. - Qualified biologists shall train any additional biological monotors needed. Training will cover the avoidance and minimization measures in the Monarch Avoidance Plan, as well as training to distinguish monarch from other common butterfly species known or expected to occur on-site. <u>Contractor/construction staff to be trained on the identification of bumble bees and avoidance of direct and indirect impacts to bee species.</u> b) Send a copy of all WEAP training materials to the Planning and Natural Resources Department. c) Maintain a list on-site of all employees who have undergone WEAP training. A copy of this list shall be provided to the Kern County Planning and Natural Resources Department as necessary.	D. The proponent shall stop work if an injured or dead special status species are encountered. E. The proponent shall submit written documentation that all steps have been followed, including educating workers on environmental resources. F. The Kern County Planning and Natural Resources Department will verify documentation prior to issuance of building and grading permits.			
#30	MM 4.4-4 Pre-Construction Surveys and Avoidance, Minimization and Mitigation Measures for Special Status Species. Prior to issuance of grading or building permit, the Project Proponent shall conduct appropriate pre-construction surveys as identified below.	Prior to issuing building or grading permits	Kern County Planning and Natural Resources Department; United States Fish and Wildlife Service; California Department of Fish and Wildlife		

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	1. Bat Roosts for Pallid Bat, Western Mastiff Bat, Western Red Bat, Townsend’s Big-Eared Bat a) Pre-Construction Surveys: No earlier than one year prior to the commencement of construction activities for each construction area, a pre-construction survey shall be conducted by 2 qualified project biologists to establish areas of roosts occupancy of special-status bats (including maternity roosts, non-maternity roosts, and winter hibernacula) are present in the project disturbance zone and within 300 feet of the project disturbance zone boundary. The surveys shall consist of: i. Two spring surveys (April through June) and two winter surveys (November through January); ii. Each survey consists of one dusk emergence survey (start one hour before sunset and last for three hours), followed by one pre-dawn re-entry survey (start one hour before sunrise and last for two hours), and one daytime visual inspection of all potential roosting habitat on the project site; iii. Conduct each survey within one 24-hour period; iv. Focus visual inspections on the identification of bat sign (i.e., individuals, guano, urine staining, corpses, feeding remains, scratch marks and bats squeaking and chattering); and v. Use bat detectors, bat call analysis and visual observations during all dusk emergence and pre-dawn re-entry surveys. Data collection for each survey shall include the following information: i. Whether bats are, or have been, present at roosts on the project site; ii. Assemblage of species using the site for roosting; iii. Type of roost (i.e., maternity roost, day roost, night roost, feeding perch, mating roost, satellite roost, transitional roost or winter hibernaculum); iv. Location, ambient temperature, internal dimensions and the aspect and orientation of the roost; v. Spatial and temporal distribution of bat roosting activity; vi. Flight paths, exit and entrance points; vii. Number of bats, time and duration of use observed				
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. A qualified biologist shall conduct a pre-construction sweep of the project site for special status wildlife species as specified in the mitigation measure. C. A qualified ornithologist shall conduct pre-construction nesting survey for Swainson’s hawks and bald eagles. D. A qualified biologist shall conduct pre-construction nest surveys during the appropriate breeding seasons. E. If nesting birds are encountered, the proponent shall consult with the United States Fish and Wildlife Service and/or the California Department of Fish and Wildlife, as appropriate. F. If California Condors are observed, the proponent shall consult with United States Fish and Wildlife Service and/or the California Department of Fish and Wildlife, as appropriate, within 24 hours of an encounter. G. The proponent shall submit the findings of the pre-construction sweep to the Planning and Natural Resources Department. H. The proponent shall implement burrowing owl measures as specified in the mitigation measure and in consultation with the California Department of Fish and Wildlife, as appropriate. I. The proponent shall furnish copies of all communications and other documentation to the Kern County Planning and Natural Resources Department. J. The Kern County Planning and Natural Resources Department will verify documentation. K. As directed by the agencies, the proponent shall implement appropriate measures to prevent impacts and provide all documentation to the Kern County Planning and Natural Resources Department. L. The Kern County Planning and Natural Resources Department shall verify prior to issuing grading and building permits.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	during roost surveys; viii. Photographs; and ix. Identification of any survey constraints. If roosts are detected during pre-construction surveys, the following avoidance measures will be implemented unless relocation and/or take is authorized under California Endangered Species Act (CESA), as required by applicable law. b) Avoidance Measures Fencing Installation i. <i>For Maternity Roosts:</i> If an active maternity roost is identified in these areas, the maternity roost will not be directly or indirectly disturbed by prohibiting clearing and grubbing adjacent to the roost site, prohibiting lighting use near the roost site where it would shine on the roost or interfere with bats entering or leaving the roost, prohibiting the bird netting and prohibiting the operation of internal combustion equipment, such as generators, pumps and vehicles within 300 feet of the roost site until the maternity roost is vacated and juveniles have fledged, as determined by the project biologist. The rearing season for native bat species in California is approximately April 1 through August 31. ii. <i>For Hibernacula or Non-Maternity Roosts:</i> If non-breeding bat roosts (hibernacula or non-maternity roosts) are found within the disturbance zone, the following shall be implemented: a. Avoid direct and indirect impacts to roosting sites by prohibiting all project-related activities within 100 feet of the roost. b. Additionally, within 300 feet of the roost, prohibit clearing and grubbing adjacent to the roost site and lighting use near the roost site where it would shine on the roost or interfere with bats entering or leaving the roost. Prohibit the operation of internal combustion equipment, such as generators, pumps and vehicles, and the use of bird netting.				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	c. If avoidance of roost sites is infeasible, maintain portions of the features that provide naturalized habitat to the greatest extent possible and improve existing roost sites and/or provide new roost sites on buildings or on the project site. Implement these measures only after consultation with CDFW. d. New roost sites must be in place prior to the initiation of project-related activities to allow enough time for bats to relocate. e. Design and locate new and enhanced roost sites to be compatible with the bats' search image and habitat requirements (i.e., thermal regulation, interior size, ventilation, etc.). Design new and enhanced roost sites in consultation with CDFW. f. Exclude bats from directly affected work areas selectively and only to the extent necessary to prevent morbidity or mortality to the colony. Use one-way bat exclusion devices, installed in a bat-safe way, to exclude bats and then use steel wool or other method to block the entrance, after the bats have gone. Exclude bats only after consultation with CDFW, at a time that is compatible with the species' normal behavior patterns (i.e., breeding, feeding, hibernating, etc.). In general, exclusions shall not occur during the maternity/pup-rearing season or during the hibernation season, as determined by conditions at the project site. 2. Blunt-Nosed Leopard Lizard a) Pre-Construction Surveys i. <i>Focused Protocol Surveys Prior to Construction:</i> Prior to the initiation of any on-site grading and construction related activities, the project biologist shall conduct focused protocol surveys in accordance with the CDFW Approved Survey Methodology for the Blunt-Nosed Leopard Lizard within suitable				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	habitat for blunt-nosed leopard lizard in the survey season immediately prior to grading or construction. ii. <i>Clearance Surveys Prior to Construction:</i> Prior to ground-disturbing activities that would occur between March and November, three to five clearance surveys shall be conducted for blunt-nosed leopard lizard in and within 50 feet of areas of proposed disturbance. The surveys shall be conducted within 30 days prior to the initiation of construction activities or re-initiation of construction activities after a period of delay or suspension of more than 30 days and shall be conducted, pursuant to CDFW protocol-required timing and weather criteria. If construction activities are initiated within 30 days of the focused protocol surveys, then clearance surveys are not required. Should any blunt-nosed leopard lizards be observed during the surveys, all locations where the species was observed shall be conspicuously marked in the field and on appropriate maps. In addition, all available burrows within 50 feet of the blunt-nosed leopard lizard observation shall be conspicuously marked in the field and on maps. If blunt-nose leopard lizards are detected during any identified survey of the project site, the following provisions shall be implemented. b) Avoidance Measures Fencing Installation i. If blunt-nosed leopard lizards are observed during the surveys, an appropriate buffer, the project proponent shall be required to establish an immediate 50 foot buffer as discussed below. In addition to the initial 50-foot minimum buffer, the project proponent shall be required to consult with the California Department of Fish and Wildlife to determine what appropriate development setbacks are required from the observation location to ensure impacts to the species are minimized. The initial buffer shall include a minimum 50-foot				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	setback from potential burrows within 50 feet of the siting and this initial buffer shall connect to intact habitat that is directly adjacent to the buffer. The initial buffer shall also be established by a qualified biologist to avoid the species and comply with applicable regulations, and exclusion fencing shall be installed in such a manner as to segregate blunt-nosed leopard lizard from the construction footprint and to ensure that direct take of the species does not occur. The actual distance from the construction area where exclusion fencing is installed may depend on each construction site, but the fencing will be installed at a minimum 50-foot radius from the outermost edge of the construction footprint and in accordance with recommendations received during consultation with CDFW. The project biologist shall be on site during the fencing installation to ensure that no blunt-nosed leopard lizards are inadvertently harmed/harassed during installation. ii. Fencing shall provide escape routes from excluded areas to enable blunt-nosed leopard lizards to move outside the excluded area away from construction activities. After exclusionary fences are installed in accordance with CDFW recommendations, a qualified Level 2 surveyor, as defined by CDFW shall perform a minimum of five consecutive daily surveys within the fenced area and in accordance with CDFW recommendations to ensure no blunt-nosed leopard lizards are located within the excluded zone. At the discretion of the project biologist, but no sooner than after the 5 days of surveys, the fencing escape routes shall be closed to prevent blunt-nosed leopard lizard from reoccupying the area prior to commencing earth-disturbing activities. The fenced zone will be phased as development occurs in the proposed project footprint, consistent with the buffer established above, as necessary and following the same survey and escape route protocol described above, to exclude individual blunt-nosed leopard lizard from construction zones.				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	iii. .If blunt-nosed leopard lizards are observed or suspected (based on scat, tail drag marks, or other sign) of occurring within a fenced construction zone during the exclusion zone surveys, CDFW will be consulted and daily surveys shall be conducted for another consecutive five days from the date of the observation to allow sufficient time for individual blunt-nosed leopard lizard to vacate the excluded area. c) Fencing Specifications Any exclusion fencing constructed for the blunt-nosed leopard lizard shall meet several criteria: i. The exclusion fencing shall be long-lasting and ultraviolet stable and shall be maintained and repaired as directed by the project biologist. ii. The fencing shall be constructed of a material that will not permit blunt-nosed leopard lizard to pass through or become endangered or trapped. iii. The fencing shall include 36-inch flashing buried 12 inches below the ground and reinforced with metal rebar or wood stakes. iv. Where needed, fencing shall provide escape routes from excluded areas, including the construction footprint. v. Tightly woven fiber netting or similar material shall not be used for erosion control or other purposes at the project site to ensure that blunt-nosed leopard lizard do not become entangled or trapped. d) Monitoring During Construction i. Relocation and/or take of a blunt-nosed leopard lizard may only occur if authorized pursuant to a Natural Community Conservation Plan (NCCP). ii. During on-site grading and construction activities, the exclusion fencing shall be maintained to continue to exclude blunt-nosed leopard lizard from entering all construction and activity areas per avoidance measure 2(b)(iii) above. During on-site grading and construction activities, the project biologist shall be on site in any areas where exclusion fencing has been installed to				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	confirm the absence of blunt-nosed leopard lizards within these areas and to serve as a monitor to ensure that no harm to individual blunt-nosed leopard lizards occurs in the event a blunt-nosed leopard lizard is observed or found to be within an excluded area. The project biologist shall also regularly inspect buffer and exclusion fencing during these activities to ensure the fencing remains in good condition. Construction crews and vehicles shall not enter (including temporarily entering) any designated buffer zones around suspected blunt-nosed leopard lizard burrows at any time. Buffer flagging and exclusion fencing will only be removed once all ground disturbance activities have ceased and it is confirmed that no additional ground-disturbance activities will occur within the fenced area or near burrow buffer zones. Once the fencing has been removed, appropriate signage will be installed to educate workers of the need to avoid known blunt-nosed leopard lizards within and near activity areas. e) Stop Work Authority The project Lead Biologist may authorize the cessation of construction activities for any of the following reasons: - The monitoring biologist believes, for any reason, blunt-nosed leopard lizards may be at risk; - If blunt-nosed leopard lizards are observed within a work area; - Poor fence condition necessitates repair; - If construction activities threaten established fence or buffers; Stop work may be rescinded only at the discretion of the project Lead Biologist and only when any threat to blunt-nosed leopard lizards has passed. f) Documentation Documentation shall be provided for focused protocol surveys, pre-construction clearance surveys, final fence design and installation, education training, and monitoring activities and monitoring results (i.e., the avoidance of take of blunt-nosed leopard lizard). This				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	documentation shall be submitted to the County and resource agencies. 3. Nelson’s Antelope Squirrel a) Pre-Construction Surveys Surveys for Nelson’s antelope squirrel shall be conducted by the project biologist in 10 to 30 meter transects during San Joaquin Valley Antelope Squirrel active season, from April – September when air temperatures are between 20° to 30°C (68° to 86°F) no more than 30 days prior to grading or construction activities. Surveys shall cover the disturbance area and a 50-foot buffer. If there is a break in construction activities for more than 14 days, subsequent clearance surveys shall be required prior to commencement of construction activities. A report documenting the results of the pre-construction surveys shall be submitted to the County within 30 days after performing surveys. If any Nelson’s Antelope Squirrel are detected as a result of these surveys, the following provisions shall be required. b) Avoidance Measures Any burrows that are suspected or known to be occupied by Nelson’s antelope squirrel will be avoided through establishing an appropriate buffer, which shall include a minimum 50-foot setback from such known or suspected burrows and will include intact adjacent habitat of sufficient size to support the species, by a qualified biologist to avoid the species and comply with applicable regulations, and shall include the erection of temporary fencing. If avoidance is not feasible, implement (3)(c) below. c) Relocation If burrows suspected or known to be occupied and/or the established avoidance buffer around the burrows cannot be avoided, then Nelson’s antelope squirrel shall be trapped				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	and relocated to an approved release site on Tejon Ranch pursuant to appropriate take authorizations. 4. San Joaquin Kit Fox a) Pre-Construction Surveys Pre-construction surveys shall be conducted within the disturbance zone and a 200-foot buffer around the disturbance zone in suitable habitat no less than 14 days and no more than 30 days prior to the beginning of each construction area of grading or construction activity. Pre-construction surveys will identify San Joaquin kit fox habitat features on the project site and evaluate use by San Joaquin kit fox. The status of all possible San Joaquin kit fox dens will be categorized as a potential, atypical, known, or pupping den type and will be mapped. The results of these surveys shall be submitted to the County and resource agencies (as required) within 5 days of survey completion and prior to commencement of ground disturbance and/or construction activities. If any signs of the San Joaquin kit fox are identified as a result of the required pre-construction surveys, the following provisions shall be required. per the USFWS Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox prior to or during Ground Disturbance (USFWS 2011) as modified below or as otherwise may be modified per any future resource agency permits. b) Avoidance Measures Buffer distances and measures shall be established, as described below, by den type prior to construction activities. If avoidance is not a reasonable alternative, limited destruction of kit fox dens is allowed (see item c below). i. San Joaquin kit fox potential or atypical den: If a potential or atypical den is found, placement of four or five flagged stakes 50 feet from the den entrance(s) will suffice to identify the den location; fencing will not be				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	required but the 50-foot exclusion zone must be observed. All construction, vehicle operation, material storage, or any other type of surface-disturbing activity should be prohibited or greatly restricted within the exclusion zones. ii. San Joaquin kit fox known den: If a known den is found, a 100-foot exclusion zone shall be demarcated by stakes and flagging around each den at the appropriate distance in a manner that does not prevent access to the den by San Joaquin kit fox. Exclusion zone marking materials should be maintained until all construction-related disturbances have been terminated. At that time, all marking materials shall be removed to avoid attracting subsequent attention to the dens. iii. San Joaquin kit fox natal/pupping den: If a San Joaquin kit fox natal/pupping den is documented during pre-construction surveys, the USFWS and CDFW will be contacted. iv. Buffer distances and measures can be modified with prior authorization from the CDFW and USFWS. c) Den Excavation Based on the results of the pre-construction surveys, if avoidance of dens is not a reasonable alternative, limited destruction of San Joaquin kit fox dens may be allowed. Dens shall be fully excavated, filled with dirt, and compacted to ensure that San Joaquin kit fox cannot reenter or use the den during the construction period. Hand excavation shall be used whenever feasible. If at any point during the excavation a San Joaquin kit fox is discovered inside the den, the excavation activity shall cease immediately and the den shall be monitored as described below. Destruction of the den may be completed when, in the judgment of the project Lead Biologist, the animal has escaped without further disturbance. Excavation of dens shall be conducted under the supervision of the project Lead Biologist, in accordance with USFWS <i>Standardized Recommendations for</i>				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	<i>Protection of the Endangered San Joaquin Kit Fox prior to or during Ground Disturbance, as follows:</i> i. Absolutely no excavation of San Joaquin kit fox known dens shall occur without prior authorization from the USFWS and CDFW. Destruction of any known or natal/pupping San Joaquin kit fox den requires take authorization from the USFWS and CDFW. ii. Hand excavation is required unless soil conditions necessitate the use of excavating equipment; however, extreme caution must be exercised. iii. Natal/pupping dens: Natal/pupping dens that are occupied will not be destroyed until the pups and adults have vacated and consultation with the USFWS and CDFW has occurred in accordance with take authorization from the USFWS and CDFW. iv. Known dens: Known dens within the footprint of the activity must be monitored for 3 days with a tracking medium or an infrared beam camera to determine the current use. If no San Joaquin kit fox activity is observed during this period, the den shall be destroyed immediately to preclude subsequent use. If San Joaquin kit fox activity is observed at the den during this period, the den shall be monitored for at least 5 consecutive days from the time of observation to allow any resident animal to move to another den during its normal activity. Use of the den can be discouraged during this period by partially plugging the entrance(s) with soil in such a manner that any resident animal can escape easily. Only when the den is determined to be unoccupied may the den may be excavated under the direction of the project Lead Biologist. If the animal is still present after 5 or more consecutive days of plugging and monitoring, the den may have to be excavated when, the project Lead Biologist has confirmed through monitoring that it is temporarily vacant, for example, during the animal's normal foraging activities. v. Potential/atypical dens: If a take authorization/permit has been obtained from the USFWS and CDFW, den				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	destruction may proceed with monitoring, unless other restrictions were issued with the take authorization/permit. If no take authorization/permit has been issued, then potential and atypical dens should be monitored as if they were known dens. If any den was considered to be a potential or atypical den, but is later determined during monitoring or destruction to be currently or previously used by San Joaquin kit fox (e.g., if San Joaquin kit fox sign is found inside), then all construction activities shall cease and the USFWS and CDFW shall be notified immediately. d) Reporting New sightings of San Joaquin kit fox shall be reported to the California Natural Diversity Database (CNDDDB). For federally listed species, a copy of the reporting form and a topographic map clearly marked with the location of where the San Joaquin kit fox was observed should also be provided to the USFWS. 5. Swainson’s Hawk a) Pre-Construction Surveys Pre-construction surveys for Swainson’s hawk shall be conducted during the two survey periods prior to construction by the project Lead Biologist following the survey methods developed by the Swainson’s Hawk Technical Advisory Committee (SWHA TAC 2000). These methods include surveying for active nests within a 0.5-mile radius of all project activities prior to construction activities. b) Avoidance Measures i. .If active Swainson’s hawk nests (defined as nests used during one or more of the last 5 years) are found during these surveys, the project proponents shall utilize the CDFW <i>Staff Report Regarding Mitigation for Impacts to Swainson’s Hawks (Buteo swainsoni) in the Central Valley of California</i> for addressing the species as modified below. During initial ground disturbance construction, no intensive disturbances (e.g., heavy				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	equipment operation associated with construction, use of cranes or draglines, new rock-crushing activities) or other project-related activities that may cause nest abandonment or forced fledging shall occur within 0.50 mile of an active nest between March 1 and September 15, unless take authorization is obtained and provides otherwise. The buffer zone may be decreased to 0.25 mile around nests for subsequent construction (i.e., in areas where disturbance—such as heavy equipment operation associated with construction, use of cranes or draglines, new rock-crushing activities—is not a normal occurrence during the nesting season). Active nest trees (where the nest is intact and has been used in the last 5 years) shall not be removed unless there is no practicable way of avoiding them. ii. If an active nest tree must be removed, a California Fish and Game Code Section 2081 Incidental Take Permit, including conditions to offset the loss of the nest tree, may be required to be obtained with the tree removal period specified in the Incidental Take Permit, generally between October 1 and February 1. Encroachment within a 0.5-mile no-disturbance buffer may also require prior acquisition of an Incidental Take Permit. c) Monitoring During Construction If construction or other project-related activities that may cause nest abandonment or forced fledging are necessary within the buffer zone, prior acquisition of an Incidental Take Permit may be required. Monitoring of the nest site by the project Lead Biologist is required to determine whether the nest is abandoned. If it is abandoned and if the nestlings are still alive, the master developer shall fund the recovery and hacking (i.e., the controlled release of captive-reared young) of the nestling(s). Existing activities such as agricultural activities, commuter traffic, and routine facility maintenance activities within 0.25 mile of an active nest shall not be prohibited. 6. Bald Eagle				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	a) Avoidance Measures There is a known eagle roost at Edmonston Pumping Plant Road. This roost and any other roost identified on the project site as a result of any biological observation shall not be removed between October 15 and March 15, when bald eagles winter in this region. b) Roost Relocation/Creation i. Prior to issuance of any grading or building permit located in Plan Area 5a, the project proponent shall conduct an assessment of the feasibility of relocating the snag tree. The assessment will include an evaluation of the integrity of the snag to withstand relocation, potential relocation sites, and methodology of relocation. If relocation of the snag is determined to be feasible and have a high degree of success, the snag shall be relocated to an appropriate on-site open space or a suitable off-site location as close to the existing snag as feasible, as approved by a qualified eagle biologist, but at a minimum distance of 200 meters (656 feet) from development and potential human disturbance areas, particularly foot traffic (e.g., trails). The snag shall be relocated prior to the bald eagle wintering season (generally October 15 through March 15 in this region). ii. If relocating the existing snag is considered not to be practical and not to have a high probability of success, a new roosting/perching area shall be created that shall meet the following criteria: a. The created roost in an appropriate foraging area shall be installed prior to the bald eagle wintering season (generally October 15 through March 15 in this region). b. Because bald eagles prefer dead trees for daytime perches, at least one snag along with deciduous trees (at a 1:1 ratio to the trees being removed near the existing snag) shall be installed. The snag and deciduous trees shall replicate as closely as possible the dimensions, structure, and overall				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	characteristics of the existing snag and deciduous trees to both provide unobstructed views and serve as a stable perch/roost site for the eagles. c. The snag and associated deciduous trees shall be located at an appropriate on-site open space or a suitable off-site location as close to the existing snag as feasible, as approved by a qualified eagle biologist, and at a minimum in a location that maximizes flight clearance, visibility of foraging grounds, and proximity to foraging habitat. In addition, the roosting/ perching area shall be located a minimum of 200 meters (656 feet) away from development and potential human disturbance, particularly foot traffic (e.g., trails). 7. California Condor a) Avoidance Measures If condors are observed landing in or near the construction site, construction within 500 feet of the sighting will cease until the bird(s) have left the area, or as otherwise authorized by CDFW and the USFWS. Should USFWS notify the project Lead Biologist that condors are roosting within 0.5 mile of the construction area, no construction activity shall occur between 1 hour before sunset to 1 hour after sunrise, or until the condors leave the area, or as otherwise directed by the USFWS. The USFWS and CDFW will be notified with 24 hours of an encounter with a California condor. <i>Other Special-Status Species</i> 8. American Badgers a) Pre-Construction Surveys (Wintering) Pre-Construction surveys shall be required for any construction activities commencing between November 1 and February 15. Surveys shall be conducted no more than 14 days prior to construction activities to determine whether American badger winter dens are present within disturbance zone or within 100 feet of the disturbance zone boundary. If project activities are delayed or suspended for				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	more than 14 days, the project-construction surveys shall be repeated. b) Avoidance Measures (Wintering/Non-Natal) If an American badger winter or non-natal den is occupied within the disturbance zone or within 100 feet of the disturbance zone, then the den location shall be clearly marked with fencing or flagging, in a manner that does not isolate the badger from intact adjacent habitat or prevent the badger from accessing the den, to avoid inadvertent impacts on the den. The den shall be monitored in accordance with the recommendations for San Joaquin kit fox above. If it is not practicable to avoid the wintering or non-natal den during construction activities, an attempt will be made to trap or flush the individual and relocate it to suitable open space habitat. Additionally, badgers can be relocated by slowly excavating the burrow, either by hand or mechanized equipment under the direct supervision of the project biologist, removing no more than 4 inches at a time. After necessary trapping, flushing, or burrow excavation is completed, construction may proceed and the vacated winter or non-natal den may be collapsed. If trapping is required, trapping will be limited to November 16 through the last day of February for winter dens in accordance with Section 461, Title 14 of the California Code of Regulations (14 CCR 461). A written report documenting the badger removal shall be provided to the CDFW within 30 days of relocation. c) Pre-Construction Surveys (Natal Dens) Pre-Construction surveys shall be required for any construction activities commencing between March 15 and July 31. Pre-construction surveys shall be conducted by the project biologist no earlier than 14 days prior to ground-disturbing construction activities to determine whether American badger natal dens are present within the project disturbance zone or within 200 feet of the disturbance zone.				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	d) Avoidance Measures (Natal Dens) If active natal dens are located within these areas during pre-construction surveys, construction activities shall be postponed. If natal dens are detected during construction, construction activities shall be halted within 200 feet of the natal den. This buffer may be reduced based on the location of the den or type of construction activity, based on the direction of the project biologist and CDFW has agreed in writing. Construction activities shall not preclude the ability of the documented badgers to disperse to on-site open space or off-site habitat when the natal den is vacated (i.e., habitat suitable for dispersal must be maintained until dispersal occurs). Construction will be postponed or halted in these areas until it is determined by the project biologist that the young are no longer dependent on the natal den. To avoid inadvertent impacts during construction and to ensure that construction activities are at least 200 feet from active natal dens, any active natal dens within the survey area shall be clearly marked with fencing or flagging in a manner that does not isolate the badger from sufficient intact adjacent habitat, prevent the badger from accessing the den, or inhibiting normal behavioral activities (e.g., foraging and dispersing from the site) by the mother and pups. 9. Burrowing Owl a) Pre-Construction Surveys The project biologist shall conduct pre-construction take-avoidance surveys no more than 30 days prior to ground-disturbing activities within each construction area. Focused burrowing owl surveys shall be conducted in accordance with the CDFW Staff Report on Burrowing Owl Mitigation (March 2012). Breeding season surveys shall include at least four survey passes completed between February 15 and July 15, with at least one visit between February 15 and April 15, and a minimum of three survey visits (at least 3 weeks apart) between April 15 and July 15, including at least one visit after June 15. Non-				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	breeding season surveys shall include at least four visits spread evenly throughout the non-breeding season. The surveys shall be conducted in suitable burrowing owl habitat within 150 meters (492 feet) of the project footprint. Surveys shall be conducted by walking 20-meter transects. Because burrowing owls can recolonize a site after a few days, time lapses between project activities trigger subsequent take avoidance surveys, including, but not limited to an additional survey within 24 hours of ground-disturbing activities. Once surveys are completed, the project biologist shall prepare a survey report on the survey methods and results. b) Avoidance and Mitigation Measures Implement Burrowing Owl Exclusion Plan, which includes four avoidance and relocation strategy tiers and associated mitigation requirements set forth in the CDFW Staff Report on Burrowing Owl Mitigation (CDFG 2012): Tier 1 – Avoidance Buffers; Tier 2 – Passive Relocation; Tier 3 – Prevention of Recolonization of Development Areas; and Tier 4 – Active Relocation (Optional). Refer to Appendix F of this EIR, specifically Appendix A-1 of the Biological Resources Technical Report for the Grapevine Specific Plan for more details on avoidance buffers and relocation methods. Avoidance buffers shall be established in accordance with the buffer distances described in the CDFW Staff Report on Burrowing Owl Mitigation (CDFG 2012), which range from 50 to 500 meters, depending on the season and level of disturbance. The buffers may be reduced, but only after consultation with and approval from CDFW. 10. Nesting Birds a) Pre-Construction Surveys i. The project biologist shall conduct pre-construction surveys no earlier than seven days prior to any project related construction ground disturbance activities within each construction area and a 500-foot buffer that occurs during the nesting/breeding season of special-				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	status bird species potentially nesting on the site, with the exception of the special-status bird species addressed in other measures (including burrowing owl and Swainson’s hawk). The pre-construction surveys shall be conducted between February and September, or as determined by the project biologist. If construction activities are delayed for more than 14 consecutive days, the surveys shall be repeated. ii. The purpose of the pre-construction surveys will be to determine whether occupied nests are present in the disturbance zone or within 500 feet of the disturbance zone boundary. b) Avoidance Measures If occupied nests are found, then limits of construction to avoid occupied nests shall be established by the project biologist in the field with flagging, fencing, or other appropriate barriers (The following minimum no-disturbance buffers will be required: 250 feet around active passerine nests and 500 feet around active non-listed raptor nests). Construction personnel shall be instructed on the sensitivity of nest areas. Project-related activities will not occur within the no-disturbance buffers. The project biologist shall serve as a construction monitor during those periods when construction activities are to occur near active nest areas to avoid inadvertent impacts to these nests. The project biologist may adjust the 250-foot or 500-foot setback to be greater at his or her discretion depending on the species, the behavioral baseline conditions determined through passive monitoring, and the location of the nest (e.g., if the nest is well protected in an area buffered by dense vegetation). Once the nest is no longer occupied for the season, construction may proceed in the setback areas. Once a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival, construction may proceed in the setback areas. Monitoring				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	reports shall include information regarding active nests and status of nests. 11. San Diego Black-Tailed Jackrabbit a) Pre-Construction Surveys No earlier than 72 hours prior to construction activities, the project biologist shall conduct a survey within the proposed construction disturbance zone and within 200 feet of the disturbance zone for San Diego black-tailed jackrabbit. If project activities are delayed or suspended for more than 14 days, the project-construction surveys shall be repeated. b) Avoidance Measures If San Diego black-tailed jackrabbits are present, the area shall be surveyed for occupied burrows. If occupied burrows are found, these shall be flagged with a 50-foot buffer and avoided until the burrows are vacated. At no time will construction completely encircle a burrow, preventing the animal from moving into a non-disturbance zone. 12. Western Spadefoot a) Pre-Construction Surveys Prior to approval of a Grading Permit the applicant shall provide to the County evidence verified by the Project Biologist that the area proposed to be graded, including a 300-foot buffer area, has been surveyed for suitable western spadefoot breeding habitat. If suitable breeding habitat is identified, the verification shall include a map of the delineated areas, including the 300-foot buffer which are to be avoided. Surveys shall be conducted within 60 days prior to construction during a time of year when the species can be detected above ground at suitable breeding sites. Suitable breeding habitat is defined as areas of temporarily ponded water, including within creeks and within the valley floor uplands. Suitable breeding sites should support ponded water for at least three weeks. To ensure that diseases are not conveyed between work sites				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	by the project biologist or his or her assistants, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force will be followed at all times. b) Avoidance Measures If western spadefoot is detected within the project footprint, measure “(i)” shall be implemented with appropriate review and concurrence from CDFW. If western spadefoot is detected outside the project footprint, but within 300 feet of the project footprint boundary, measure “(ii)” shall be implemented. Prior to implementation of avoidance measures, the project biologist shall confer with CDFW. i. If western spadefoot is detected (including egg masses, larvae) in water within the project footprint and cannot be permanently avoided (e.g., by placing a resource avoidance area over the site), suitable breeding habitat shall be created within suitable natural sites in open space outside the project footprint under the direction of the project biologist. The amount of occupied breeding habitat to be impacted by the project shall be replaced at a 2:1 ratio. The habitat creation location shall be in suitable habitat within on-site open space and as far away as feasible from residential and commercial development and roads. The created breeding habitat shall be designed such that it only supports standing water for no longer than three months following winter rains in order that aquatic predators (e.g., fish, bullfrogs, and crayfish) cannot become established. Terrestrial habitat surrounding the proposed relocation site shall be as similar in type, aspect, and density to the location of the impacted breeding site as feasible. No site preparation or construction activities shall be permitted within 300 feet of the vicinity of the impacted breeding site until the design and construction of the pool habitat in preserved areas of the site has been completed and all				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	detected western spadefoot tadpoles, egg masses, and adults are moved to the created breeding habitat. The project biologist shall monitor the relocation site for a cumulative total of five years in which environmental conditions are conducive for spadefoots to successfully complete the breeding cycle (i.e., adequate rain for pools to hold water for a sufficient period). Monitoring shall be conducted during and immediately following peak breeding season such that surveys can be conducted for adults as well as for egg masses and larval and metamorphic western spadefoot. Success criteria for the monitoring program shall include verifiable evidence of western spadefoot reproduction at the relocation site during five years with suitable breeding conditions. ii. If western spadefoot is detected (including egg masses, larvae) in water within 300 feet of the project footprint boundary, but not within the project footprint itself, an exclusion fence shall be constructed along the project boundary between the construction footprint and the occupied breeding site to prevent spadefoots from moving into and aestivating within the construction footprint. The exclusion fencing shall consist of 16-inch metal flashing, or an equivalent material, which shall be buried at least 6 inches below the ground surface, extending at least 8 inches above the ground. The fencing shall cover a sufficient length of the boundary to inhibit spadefoots from entering the project footprint without entrapping aestivating spadefoot. The necessary length and appropriate location of the exclusion fence relative to the occupied breeding site shall be determined by the project biologist. No construction activities involving heavy equipment generating noise, ground vibration, and/or dust shall be allowed within 300 feet of occupied breeding sites until western spadefoots have metamorphized and are no longer present in the breeding pool, as determined by the project biologist. Acceptable project activities (e.g.,				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	quiet and/or low impact activities) within 300 feet of the occupied breeding site shall be allowed at the discretion of the project biologist. 13. Least Bell’s vireo and Little Willow Flycatcher a) Pre-Construction Surveys In the season prior to construction within 500 feet of suitable habitat, the project biologist shall conduct focused surveys for least Bell’s vireo and little willow flycatcher. Least Bell’s vireo surveys will follow the currently accepted <i>Least Bell’s Vireo Survey Guidelines</i> (USFWS 2001). Surveys for flycatcher will be conducted using the methods outlined in <i>A Natural History Summary and Survey Protocol for the Southwestern Willow Flycatcher issued by the U.S. Geological Survey (USGS) and U.S. Department of the Interior and approved by the USFWS</i> (Sogge et al. 2010). Surveys for least Bell’s vireo and willow flycatcher will be conducted concurrently. b) Avoidance Measures If active nests are found, clearing and construction within 500 feet of the nest shall be postponed or halted until the nest is vacated and juveniles have fledged, as determined by the project Lead biologist, and there is no evidence of a second attempt at nesting. If no active nests are observed, construction may proceed. If active nests are found, work may proceed provided that construction activity is located at least 500 feet from active nests (or as authorized through take permits). This buffer may be adjusted provided noise levels do not exceed 60 dBA hourly Leq at the edge of the nest site as determined by a qualified biologist in coordination with a qualified acoustician. If the noise meets or exceeds the 60 dBA Leq threshold, or if the biologist determines that the construction activities are disturbing nesting activities, the biologist shall have the authority to halt the construction and shall devise methods to reduce the noise and/or disturbance in the vicinity. This may include methods such as, but not limited to, turning off vehicle engines and other equipment whenever possible to reduce noise, installing a protective noise barrier between the nest site and the construction activities, and working in other areas until the young have fledged. If noise levels still exceed 60 dBA Leq hourly at				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	the edge of nesting territories and/or a no-construction buffer cannot be maintained, construction shall be deferred in that area until the nestlings have fledged. All active nests shall be monitored on a weekly basis until the nestlings fledge. The qualified biologist shall be responsible for documenting the results of the surveys and the ongoing monitoring and for reporting these results to CDFG and USFWS. 14. Rare Plants a) Pre-Construction Surveys Pre-Construction Surveys: Prior to the commencement of construction activities in suitable habitat, a pre-construction survey shall be conducted in suitable habitat by the project biologist to determine whether special-status plants or vegetation communities are present in the disturbance zone or within 50 feet of the project disturbance zone boundary. Focused surveys for special-status plant species and vegetation communities shall be conducted by a qualified biologist according to: the CNPS Botanical Survey Guidelines (CNPS, 2001); Protocols for Surveying and Evaluating Impacts to Special Status Native Populations and Natural Communities (CDFG, 2009); and U.S. Fish and Wildlife Service General Rare Plant Survey Guidelines (Cypher, 2002). The pre-construction survey shall be conducted during a period when the target species would be observable and identifiable (e.g., blooming period for annuals). The target species and vegetation communities list will include Tejon poppy, Piute Mountains navarretia, and calico monkeyflower, and other special-status plants (e.g., federally or state listed, or with a CRPR of 1 or 2) as well as purple needle grass giant wild rye vegetation communities that have the potential to occur, as determined by the project biologist, in the disturbance zone or within 50 feet of the disturbance zone. b) Avoidance, Minimization, and Mitigation Measures If special-status plants are detected during pre-construction surveys, the location of the species will be mapped. If impacts to special-status plants cannot be avoided, the following measures will be implemented: 1) impacts to special status plants and vegetation communities will be limited to up to 40% of the total population onsite; and 2)				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	prior to consultation, special-status plants and vegetation communities in the vicinity of the disturbance will be temporarily fenced or prominently flagged and a 50-foot buffer established around the populations to prevent inadvertent encroachment by vehicles and equipment during the activity; ground surface disturbance will be limited to the dormant period (i.e., after seed set and prior to germination); seed/bulb collection, storage, and dispersal/transplanting following the construction activity; and topsoil salvage, stockpiling, and replacement as soon as practicable after project completion. Additionally, while it is not expected that a federally or state-listed plant would be observed during these surveys, the Project Proponent shall consult with the applicable agency (i.e., CDFW and/or USFWS) and written concurrence for measures required for federally or state-listed plant species, if observed. 15. <u>Monarch Butterfly</u> a) <u>Should the monarch be listed as Threatened or Endangered, and if take of monarch could occur with project implementation, an incidental take permit may be necessary prior to the start of project construction activities. If an incidental take permit is issued for monarch, that document shall supersede any inconsistent measures provided for the species in these mitigation measures or County Conditions of Approval. If a final determination is made to decline listing the species, this measure shall not be required.</u> b) <u>Should the monarch be listed as Threatened or Endangered, a Monarch Impact Avoidance Plan shall be prepared to include the following:</u>				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	i. <u>Preparation of a habitat assessment prior to ground disturbance and/or vegetation removal that will identify, assess, and map the presence of milkweed plants, including stem counts and species to determine locations with potential for monarch breeding. Floral resources potentially used by monarch are similar to those utilized by CBB and other pollinator species and will be mapped using the Roadside Habitat for Monarchs Rapid Assessment Field Protocol and Datasheet or USFWS-approved protocol.</u> ii. <u>Conducting pre-construction monarch breeding surveys within all known milkweed plant populations identified in subsection i. above that are within the construction impact area and a 50-foot buffer within 14 days of ground-disturbance activities. The surveys will occur within the monarch breeding season (generally March through June in southern California) and will include searches for the presence of monarch eggs, larvae, and/or chrysalis. The surveys would be conducted by a qualified biologist and would be based on the 2024 Monarch Joint Venture methodology used by the Integrated Monarch Monitoring Program.</u> iii. <u>Creation of a minimum 50-foot no-disturbance buffers around any observed breeding sites (i.e., milkweed with eggs,</u>				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	<u>larvae, and/or chrysalis) and construction monitoring during the monarch breeding period to ensure active breeding sites are adequately avoided. The no-disturbance buffer will remain in place until a qualified biologist determines, through the ongoing monitoring of the buffered area, that monarch breeding activity is no longer occurring in association with the buffered milkweed plants or that ground-disturbing activities near the nest buffer have ended.</u> iv. <u>Ongoing monitoring by a qualified biologist within all suitable monarch foraging habitat (blooming floral resources) during project ground-disturbance that will be conducted from March through August (breeding/foraging season in the project region). If a foraging monarch is observed within 50 feet of project activities that have the potential to impact the monarch, such activities will cease until a qualified biologist has determined that the monarch has left the affected area, for example, due to migration.</u> v. <u>Potential impacts resulting from the use of herbicides or pesticides by homeowners are generally not expected to occur, as all residential lots are set back from conserved open space. Impacts to monarch and suitable floral resources associated with herbicide and pesticide use in landscaped areas adjacent to open space areas would be avoided/minimized through best management practices in the</u>				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	<u>application of herbicides and pesticides to include the following:</u> a. <u>applying herbicide as locally and directly as possible (cut-stem application, hand applications, spraying directly onto the target plant).</u> b. <u>applying pesticides with minimal applications, targeted to address the species of concern, and in compliance with all federal and state laws.</u> vi. <u>While no monarch overwintering sites have been identified to date as occurring on Tejon Ranch, any work that will occur adjacent to large, protected stands of trees that have potential to impact overwintering habitat will avoid disturbance to trees during the overwintering period (generally October to March) and will avoid removing vegetation of any kind within 100 feet of potential overwintering habitat to preserve the microclimate of overwintering groves potentially used by monarch.</u> <u>The Monarch Impact Avoidance Plan will be reviewed and approved by the appropriate regulatory agency prior to the start of project construction activities.</u> <u>16. Crotch’s Bumble Bee</u> a) <u>Based on the known presence of suitable foraging and nesting Crotch’s bumble bee (CBB) habitat within the Grapevine Specific Plan Area, the project applicant shall ensure that pre-construction</u>				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	<u>presence/absence protocol surveys for individual foraging CBB and active CBB nests are conducted within suitable habitat by a qualified biologist within one year prior to vegetation removal and/or ground-disturbing activities. Per CDFW’s 2023 <i>Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species</i>, these surveys shall be conducted within the CAP with the goal of confirming if nectar resources are present.</u> i. <u>If no foraging CBB or active CBB nests are observed during the protocol surveys, ground-disturbing activities may proceed within suitable CBB habitat at any time, including during the CAP, provided that a qualified biologist is on site to monitor all such activities.</u> ii. <u>If individual foraging CBB and/or CBB active nests are detected within any of the proposed ground-disturbance areas during the pre-construction surveys, applicant shall not commence ground disturbance activities within suitable CBB habitat during the CAP unless a CBB Avoidance Plan has been prepared and approved in writing by CDFW. The CBB Avoidance Plan shall include the following take avoidance/minimization measures:</u>				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	a. <u>Pre-disturbance surveys shall be conducted by a qualified biologist immediately preceding all ground-disturbing activities within suitable CBB habitat. Such surveys shall follow the methodology outlined by CDFW in 2023.</u> b. <u>Ongoing monitoring by a qualified biologist will be conducted within all suitable CBB foraging and nesting habitat subject to ground-disturbing activities within and during the CAP to ensure avoidance of CBB individuals or active nests.</u> c. <u>If an active CBB nest is detected during the pre-disturbance surveys or during monitoring activities, a 50-foot no disturbance buffer shall be established around the active nest with the buffer to remain in place until the end of the CAP or until a qualified biologist otherwise determines that the nest is inactive or that ground-disturbing activities near the nest buffer have ended.</u> d. <u>If a foraging CBB is observed during pre-disturbance surveys or during disturbance monitoring, project activities that have the potential to impact the CBB will cease until a qualified biologist has</u>				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	<u>determined that the CBB has left the affected area.</u> b) <u>Impacts to CBB resulting from human access into conserved open space will be avoided through the following project design features:</u> i. <u>permanent fencing will be installed around biological open space areas where it abuts existing or proposed development.</u> ii. <u>signs prohibiting access will be posted along the perimeters of biological open space, including along areas where fencing is not installed.</u> c) <u>Ground-disturbing activities in previously undisturbed areas supporting suitable nesting and/or foraging habitat shall not continue past January 31 of the following year unless and until new presence/absence surveys are first conducted in areas not previously disturbed.</u> d) <u>Potential impacts resulting from the use of herbicides or pesticides by homeowners are generally not expected to occur, as all residential lots are set back from conserved open space. Impacts to CBB and suitable floral resources associated with herbicide and pesticide use in landscaped areas adjacent to open space areas would be avoided/minimized through best management practices in the application of herbicides and pesticides including the following:</u>				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	i. <u>applying herbicide as locally and directly as possible (cut-stem application, hand applications, spraying directly onto the target plant).</u> ii. <u>applying pesticides with minimal applications, targeted to address the species of concern, and in compliance with all federal and state laws.</u> iii. <u>applying herbicides and pesticides at times when insect pollinators are less active (e.g., after sunset or during cold temperatures) and/or when insect pollinators are absent or not observed in the area.</u> e) <u>Immediately prior to the initiation of project-related ground-disturbing activities, and as required by the certified EIR, a Worker Environmental Awareness Program (WEAP) will be presented by a qualified biologist to all construction workers at the project site. While the WEAP presentation is expected to include information on a variety of special-status species potentially occurring within the project development envelope, it shall also include the following regarding CBB:</u> i. <u>Information on the species' state regulatory protection status.</u> ii. <u>Identification of CBB.</u>				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	iii. <u>Requirements and characteristics associated with foraging, nesting, and overwintering habitat.</u> iv. <u>Measures to protect any observed foraging bees and active bee nests.</u>				
#31	MM 4.4-5 Aboveground Utilities. Prior to approval of any tentative tract map, the project proponent shall include a note on the map that no new aboveground high-voltage towers or power lines shall be built as part of the proposed construction or, if existing utilities are to be relocated, they shall be located within 1,000 feet of existing overhead structures and that construction specifications shall be consistent with the Avian Powerline Interaction Committee guidance.	Prior to issuing building and grading permits	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall include a note on any tentative tract map regarding existing and new aboveground high-voltage towers or powerlines. C. The Kern County Planning and Natural Resources Department shall verify the map note prior to issuing grading and building permits.			
#32	MM 4.4-6 Restrictions on Landscaping Palettes and Plants. Concurrent with the submittal of a tentative tract map, parcel map (excluding financing maps), or commercial/industrial site plan, the project proponent shall submit a landscape plan for review. The plan shall include plant palette proposed for use on landscaped slopes, street medians, park sites, and other public landscaped zones within 100 feet of open space and verification that the palette was reviewed by the project Lead Biologist to minimize the effects that proposed landscape plants could have on native vegetation and wildlife within adjacent open space areas. Landscape plans will not include invasive plant species, as identified by the most recent version of the California Invasive Plant Inventory for the Central Valley region, as published by the California Invasive Plant Council. Landscape plans, except those for commercial and community agriculture programs, projects, and gardens, will include a plant palette composed of native, non-invasive and drought tolerant species that do not require high irrigation rates. Each landscaping plan submitted with the maps shall require that immediately prior to installation of common landscape improvements, container plants to be installed within 100 feet of open space shall be inspected by the project biologist for the presence of disease, weeds, and pests, including Argentine ants (<i>Linepithema humile</i>). Plants with pests, weeds, or diseases will be rejected.	Prior to issuing building and grading permits	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall submit a Landscape Plan for review that is in compliance with this mitigation measure. C. Kern County Planning and Natural Resources Department will approve the Plan prior to issuing grading and building permits.			
#33	MM 4.4-7 The following provisions shall appear as notes on all tentative tract maps and site development plans and incorporated in the CC&Rs:	Prior to issuing building and grading permits	Kern County Planning and Natural Resources Department; Kern County Public Works Department		

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	1. Intentional feeding of California condor, bald and golden eagle, and San Joaquin kit fox on the Grapevine Project is prohibited; ducks and other water fowl in designated parks may be fed. 2. Use of anticoagulants (used for rodent control) at the Grapevine project site shall be prohibited. 3. Residents shall not use rodenticides outside, with the exception of areas where rodent activity threatens infrastructure or public safety. 4. Exterior lighting shall adhere to dark sky principles and be fully shielded and directed downward in a manner that will prevent light spillage or glare. 5. Property owners shall keep trash in covered containers that are fitted with animal- and weather-resistant lids. 6. No new multi-use paved trails, lighting or irrigated agriculture will be permitted in the OA District. 7. Unfenced basins shall be revegetated with native grasses to allow for grazing.	Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall include the contents of this mitigation measure as notes on all tentative tract maps and site development plans. C. Kern County Planning and Natural Resources Department shall verify the map notes prior to issuing grading and building permits. D. Kern County Public Works Department will verify in the field during construction.			
#34	MM 4.4-8 Conservation Education and Awareness Program for Occupants. Subsequent to issuance of the first building permit and prior to issuance of the first certificate of occupancy for the project site, the Project Proponent shall develop an environmental awareness education brochure approved by the Kern County Planning & Natural Resources Department and the project Lead Biologist, regarding special status species and any wildlife prohibitions and protection measures. This brochure shall be provided to occupants, by the Property Owners' Association (POA) or other public entity and updated annually. Provisions of the educational program shall be done via mail and website. In addition, the POA shall explore the possibility of having the prepared material available on social media and through both television and radio campaigns. Copies of all educational material prepared shall be submitted to the Kern County Planning and Natural Resources Department by April 1 st of each calendar year. The educational materials will focus on all special status species within the project site, but specifically target awareness to the San Joaquin kit fox as this species is the most likely to interact with residents in the built environment. The educational materials prepared including the required brochure shall be based on existing materials already approved by both the United States Fish and Wildlife Service and the California Department of Fish	Prior to issuing first certificate of occupancy for the project.	Kern County Planning and Natural Resources Department; Property Owner's Association		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall develop an environmental awareness education brochure. C. The proponent shall submit CC&Rs requiring annual information updates. D. The program and CC&Rs shall be implemented by the Property Owner's Association. E. Copies of all education material shall be submitted to the Kern County Planning and Natural Resources Department by April 1st of each year. F. Kern County Planning and Natural Resources Department shall verify the documentation prior to issuing the first certificate of occupancy, and after April 1st of each year, thereafter.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	and Wildlife. The education materials, website and interpretive signs around the bald eagle roost, shall include the following topics and information: 1. The requirement that people and their animals stay on existing trails at all times 2. The requirement that pets be leashed at all times while in project open space and on trails 3. The requirement that dog owners pick up and pack out their animals' feces when on trails 4. Prohibition against intentionally feeding condor, bald eagle, golden eagle, and San Joaquin kit fox, and the unauthorized capture of all wildlife species, both of which are prohibited 5. The dangers of microtrash and the benefits of trash receptacles fitted with animal- and weather-resistant lids 6. Notification that native animals (e.g., coyote [<i>Canis latrans</i>], bobcat [<i>Felis rufus</i>], and mountain lion [<i>Puma concolor</i>]) are present in the area and could prey on pets, and no actions will be taken against native animals should they prey on pets allowed outdoors by their owners 7. Required compliance with federal and state laws governing the use of fertilizer, pesticide, herbicide and rodenticide products and restrictions on the use of anticoagulants and pesticides. 8. Prohibited behaviors related to condors such as the pursuit, capture, and harassment of condors and all other potential direct interaction with the species and the negative effects of microtrash on the species. Mandatory reporting by occupants to POA Manager of any California condors seen on or near developed areas, including any condor seen perching on structures, drinking from standing water (e.g., swimming pools), or feeding on carcasses within an estimated 1,000 feet of development. 9. Prohibitions on the touching and collection of reptiles and amphibians. 10. The negative impacts of off-trail activities near oak trees (<i>Quercus</i> spp.). 11. Prohibitions on the capture or harm to native butterflies. 12. Prohibitions on the capture or harm to native bumble bees. The educational materials and CC&Rs shall require:				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	1. Interpretive and educational signage to be installed at appropriate locations informing the public about bald eagles, their habitat requirements, and their sensitivity to human disturbance during the wintering season for the species (late October through March). Appropriate signage regarding San Joaquin kit fox shall also be required in and around the developed areas of the project site as it is not uncommon for the species to be found in these locations. 2. The POA manager will restrict trail use near identified, San Joaquin kit fox sightings, and winter perch sites of bald eagles between October 15 and March 15; adequate setbacks from each perch site, considering location, viewshed, and other factors, will be determined by the biologist. Setbacks of 250 meters (820 feet) have been suggested for wintering eagles in open habitats as sufficient to buffer eagles from human activities. 3. The POA manager will restrict trail use and recreational activities within 0.25 to 0.5 mile of the viewshed of an active golden eagle nest during the nesting season (generally February 1 through July 30). Trail use may be allowed during the nesting season if the project biologist has determined that the nest has become inactive and trail use would not otherwise adversely affect golden eagles within the nest territory. 4. Guided hunting in the southern foothills shall be allowed for ongoing resource management or pest control (e.g., feral pig eradication) in accordance with the Ranch's existing wildlife management program permitting with CDFW. 5. If any dead cattle or other carcasses are observed, it shall be reported to the POA Manager and the Lead Biologist shall remove dead cattle, or other carcasses that are found or reported within 1,000 feet of development. Such carcasses shall be relocated to a predetermined location within an area identified for conservation in the Ranchwide Agreement or an area conserved as open space on the Ranch. The locations where carcasses shall be relocated shall be a minimum of 1,000 feet from the edge of the project footprint. Appropriate locations for transfer of carcasses include open grasslands and savannahs where condors can readily detect carcasses and easily land and take off without encountering physical obstacles such as power lines and other utility structures. Pursuant to this measure, a telephone				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	number for reporting dead cattle shall be provided and actively maintained. Any cattle carcasses transferred to the relocation areas shall be reported to the USFWS condor group. - If any California condor is observed or reported on or near developed areas (i.e., perched or on the ground within 1,000 feet of the project footprint), the POA manager must notify the U.S. Fish and Wildlife Service (USFWS) immediately. The POA manager must call the Hopper Mountain National Wildlife Refuge office (phone: 805.644.5185) and the Ventura Fish and Wildlife Office (phone: 805.644.1766). - If the USFWS has data to indicate that any California condor is on the vicinity of the Grapevine area, the USFWS shall be allowed access to the project to make visual observations of the bird(s) and attempt to haze the bird away from the area. Residents and people other than USFWS-designated personnel are not authorized to haze the condors. The USFWS shall be allowed to attempt hazing as often and repeatedly as it deems necessary to prevent habituation or other injury to a condor. - The POA manager may direct Tejon Ranch staff, Grapevine occupants and their guests to cease any behavior that constitutes an attractive nuisance or otherwise presents an unreasonable and avoidable danger to California condors, in consultation with the project Lead Biologist. - The POA manager shall also provide for routine community maintenance activities that will include regular efforts to eliminate micro trash on and near all roads where human presence has occurred.				
#35	MM 4.4-9 Trails.	Prior to approval of the first final map	Kern County Planning and Natural Resources Department; Kern County Public Works Department		

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	a) Construction. Prior to approval of the first final map, the Project Proponent will submit the final trail map for the associated designated open space and verification from the project Lead Biologist that the trail map is in substantial conformance with the trail map analyzed in the EIR (including up to 5 acres of ground disturbance for trail adjustments in the southern foothills and trail/underground utility crossings across the aqueduct) and the final trail alignment avoids impacts to riparian habitat, oak trees, two-striped garter snake, tricolored blackbird, oak titmouse, northern harrier, Nuttall's woodpecker, purple martin, yellow warbler, Lawrence's goldfinch (nesting habitat), black-chinned sparrow, and Buena Vista Lake shrew. No new trails will occur within 0.25 mile of an active golden eagle nest, within or outside of the viewshed of that nest. Trail alignments may be altered from the conceptual plan if the project Lead Biologist makes a determination that the revised alignment would not result in new or increased impacts than previously considered. b) Signage. At a minimum, the following information will be posted at trailheads and/or on-trail signage: - Pets must be leashed at all times while in project open space. - Dog owners are required to pick up and pack out their animals' feces. - Intentional feeding of wildlife is prohibited. - People and their animals must stay on existing trails at all times. - Access permitted only from dawn to dusk. Additionally, signage shall be clearly posted at the road or trail entrance to the TUMSHCP lands that is prominent and requires no admittance without permission and cites to the TUMSHCP.	Steps to Compliance: - This mitigation measure shall be incorporated as a condition of approval for any site plan review. - The proponent shall verify with the Lead Biologist that trail alignments avoid resources discussed within this mitigation measure. - The proponent shall provide drawings of signs and depict locations of signs on the final trail plan. - The Kern County Planning and Natural Resource Department will verify documentation and approve final trail plan and sign locations. - Kern County Public Works Department will verify in the field during construction.			
#36	MM 4.4-10 Riparian and Sensitive Natural Communities. Prior to issuance of the first grading permit in each Plan Area, the project proponent shall mitigate for the loss of riparian areas, following the Conceptual Mitigation Plan for Impacts to Waters of the State for the Grapevine Project (Attachment A-3 of Appendix F), at the following rates: <i>Wetland Waters:</i> 2:1, including 1:1 restoration and 1:1 enhancement, of wetland waters. <i>Streams:</i> 1:1 preservation of ephemeral and/or intermittent streams for permanent impacts to ephemeral non-wetland waters of the state (non-riparian)	Prior to issuing building and grading permits	Kern County Planning and Natural Resources Department		
		Steps to Compliance: - This mitigation measure shall be incorporated as a condition of approval for any site plan review. - The proponent shall submit evidence of mitigation for loss of riparian habitat to the Kern County Planning and Natural Resources Department. - Kern County Planning and Natural Resources Department will verify documentation.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	ii. 1:1 preservation of intermittent streams for permanent impacts to intermittent non-wetland waters of the state (non-riparian) iii. 1:1 restoration of intermittent streams for temporary impacts to intermittent non-wetland waters of the state (non-riparian) c. <i>Riparian Vegetation</i>: 2:1, including 1:1 restoration and 1:1 enhancement of riparian vegetation.				
#37	MM 4.4-11 Monitoring and Enforcement. Subsequent to issuance of the first building permit and prior to issuance of the first certificate of occupancy, the project proponent shall submit CC&Rs as provided in MM 4.4-8 that designate the POA manager and a Lead Biologist (which functions may be vested in one person), to be funded by the POA, and vest them with authority to enforce the CC&Rs and require the following management activities: a. Conduct periodic maintenance patrols to remove litter, control feral cats and dogs, maintain wildlife friendly fencing, manage fire hazards. b. Monitor OA District to ensure no ground disturbance in the 100-foot buffer along the aqueduct other than for the trail/road/utility rights of way across the aqueduct, no irrigation, no paved trails or lighting, and to ensure all uses are consistent with allowed/prohibited uses. c. Monitor OA District trail use, enforce bald eagle roost buffers or golden eagle nest buffers; d. If overuse of trails is documented by the land manager, then, in consultation with the Lead Biologist, one or more of the following management measures will be implemented: trail closures, trail repair, increased patrols, signage, and/or fencing to restrict use. e. Any future open space uses involving ground disturbance shall be reviewed by the project Lead Biologist to ensure zoning and CC&R restrictions are followed, ensure wildlife connectivity is maintained; listed species and riparian habitat would be avoided, if feasible. If avoidance of listed species and riparian habitat is not feasible, future permitting may be required.	Prior to issuance of the first certificate of occupancy	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall prepare a Resource Management Plan as specified in the mitigation measure. C. The proponent shall provide the results of these efforts to the Kern County Planning and Natural Resources Department for verification.			
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the Final SREIR to the extent feasible.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.5 Cultural Resources					
#38	MM 4.5-1 Prior to the issuance of grading permits, the project proponent shall retain a qualified archaeologist, defined as an archaeologist meeting the Secretary of the Interior’s Standards for professional archaeology, to carry out all mitigation measures related to archaeological and historical resources. Proof of hire shall be submitted to the Kern County Planning and Natural Resources Department.	Prior to the issuance of grading permits	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall retain a qualified archaeologist to carry out all mitigation measures related to archaeological and historical resources. C. The Kern County Planning and Natural Resources Department will verify the proof of hire.			
#39	MM 4.5-2 Prior to the issuance of grading permits, the project proponent shall retain a qualified paleontologist to carry out all mitigation measures related to archaeological and historical resources. Prior to the start of any ground disturbing activities, the qualified paleontologist shall conduct a Paleontological Resources Awareness Training program for all construction personnel working on the project. This may be conducted in conjunction with the required archaeological resources training. The training shall include an overview of potential paleontological resources that could be encountered during ground disturbing activities to facilitate worker recognition, avoidance, and subsequent immediate notification to the qualified paleontologist for further evaluation and action, as appropriate; and penalties for unauthorized artifact collecting or intentional disturbance of paleontological resources.	Prior to the issuance of grading permits	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall retain a qualified paleontologist to carry out all mitigation measures related to paleontological resources. C. The qualified paleontologist shall conduct a Paleontological Resources Awareness Training program as specified in this mitigation measure. D. All training materials will be submitted to the Kern County Planning and Natural Resources Department. E. The Kern County Planning and Natural Resources Department will verify documentation. F. Kern County Public Works Department will verify in the field during construction.			
#40	MM 4.5-3 Prior to the issuance of grading or building permits, and for the duration of construction activities, a Construction Worker Environmental and Cultural Awareness Training Program shall be provided to all construction personnel prior to commencing work at the project site. The training shall be prepared and conducted by the qualified archaeologist, defined as an archaeologist meeting the Secretary of the Interior’s Standards for professional archaeology, with the assistance of the Tejon Indian Tribe. The training shall be prepared and conducted by the qualified archaeologist. The training may be in the form of a video. The training may be discontinued when ground disturbance is completed or suspended, but must resume when ground-disturbing activities resume. A sticker shall be placed on hard hats indicating that the worker has completed the cultural training	Prior to issuing building or grading permits	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall retain a qualified archaeologist to carry out all mitigation measures related to cultural resources. C. The qualified archaeologist will prepare and conduct the Construction Worker Environmental and Cultural Awareness Training Program. D. The proponent shall submit evidence of compliance with the mitigation measure to the Kern County Planning and Natural Resources Department. E. The Kern County Planning and Natural Resources Department will verify documentation.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	program. Construction personnel shall not be permitted to operate equipment within the construction area unless they have attended the training and are wearing hard hats with the required sticker. A copy of the training transcript and/or training video, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgement forms shall be submitted to the Kern County Planning and Natural Resources Department. The purpose of the Cultural Awareness Training Program shall be to inform construction personnel of the types of cultural resources that may be encountered during construction, and to bring awareness to personnel of actions to be taken in the event of a cultural resources discovery. This may include: a discussion of applicable cultural resources statues, regulations and related enforcement provisions; an overview of the prehistoric and historic environmental setting and context, as well as current cultural information regarding local tribal groups; samples or visuals of artifacts that might be found in the project area; and a discussion of what prehistoric and historic archaeological deposits look like at the surface and when exposed during construction. The cultural training program shall include instruction that in the event cultural resources are unearthed during ground-disturbing activities, the project operator shall cease any ground disturbing activities within 100 feet of the find until it can be evaluated by a qualified archaeologist and a Native American monitor. The cultural training program shall also indicate that the qualified archaeologist and Native American monitor shall be empowered to halt or redirect ground-disturbing activities away from the vicinity of the find until the qualified archaeologist and Native American monitor has evaluated the find, determined whether the find is culturally sensitive, and designed an appropriate short-term and long term treatment plan. A Native American and/or archaeological monitor shall be present during all initial surface grubbing, initial ground surface grading and any excavation greater than one-half foot in depth. If no subsurface Native American or archaeological remains are identified during that initial grading, continuous monitoring will no longer be required but a Native American and/or archaeological monitor shall spot-check all additional subsurface excavations at least once a week for the duration of the grading and excavation or until monitor deems site clear.				
			F. Kern County Public Works Department will verify in the field during construction.		

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#41	MM 4.5-4 The following significant and potentially significant Cultural Resource sites shall be passively preserved in-place in dedicated or retained open-space or exclusive agricultural land: TP-SITE-03, TP-SITE-05, TP-SITE-11, TP-SITE-20, TP-SITE-21, TP-SITE-23, TP-SITE-24, TP-SITE-25, TP-SITE-26, TP-SITE-27, TP-SITE-28, TP-SITE-29, TP-SITE-30, TP-SITE-31, TP-SITE-32, TP-SITE-33, TP-SITE-34, TP-SITE-35, TP-SITE-36, TP-SITE-37, TP-SITE-38, TP-SITE-39, TP-SITE-40, TP-SITE-41, TP-SITE-42, TP-SITE-43, TP-SITE-44, TP-SITE-45, TP-SITE-46, TP-SITE-47, TP-SITE-48, TP-SITE-49, TP-SITE-52, TP-SITE-54, TP-SITE-58, TP-SITE-59, P-15-9629/ KER-5855, P-15-10845/ CA-KER-6306, P-15-10846/ CA-KER-6307, P-15-7743/ CHL 300, and P-15-007674 – CHL 133 (a significant district consisting of the following contributing significant sites: P-15-810/ KER-810, P-15-2185/ CA-KER-2185). Should passive preservation in place not be feasible based on infrastructure siting or other development needs, then the site(s) shall be preserved in place and capped with geotextile matting and fill. Utilities that may overlie the geotextile matting and fill will be embedded within the fill cap, above the geotextile mat, or routed southeast of the site. Alternatively, the project proponent may, in consultation with the Tejon Indian Tribe, a qualified archaeologist and Native American monitor, excavate the Cultural Resource and relocate the feature to nearby property owned and controlled by the Tejon Indian Tribe. However, notwithstanding the foregoing, in no event shall the two Cultural Resource sites identified as CA-KER-810 and CA-KER-2185 be capped with geotextile matting and fill, or be excavated and relocated; instead, these two sites shall be passively preserved in-place in dedicated or retained open-space or exclusive agricultural land, irrespective of infrastructure siting or other development needs. To ensure that additional remains are not uncovered and disturbed during development, the site and a 25-meter buffer shall be staked prior to any construction or grading within 100 meters of the site. Preservation and staking of these sites shall be overseen by a qualified archeologist and a Native American monitor to preserve the confidentiality of the protected resource, and shall be depicted on any grading or improvement plan (e.g., for a trail) within 100 meters of the site. A Native American monitor shall be present during any initial ground disturbance grading activity for areas located within 100 meters of the site.	Prior to issuing building and grading permits	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall retain a Native American monitor. C. The proponent shall show preservation in place on site plans. D. If preservation in place is not feasible, the proponent shall work with the Native American monitor and the Kern County Planning and Natural Resources Department as specified in this mitigation measure. E. The proponent shall submit evidence of compliance to the Kern County Planning and Natural Resources Department. F. The Kern County Planning and Natural Resources Department will verify prior to issuing building and grading permits. G. Kern County Public Works Department will verify in the field during construction.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#42	MM 4.5-5 The following significant Cultural Resource sites located within the development area of the Grapevine Specific and Community Plan shall be preserved in place in a pocket park or other appropriate open space area, with appropriate geotextile capping and fill: TP-SITE-15, TP-SITE-17, and TP-SITE-18. Preservation and staking of these sites shall be overseen by a qualified archeologist and a Native American monitor to preserve the confidentiality of the protected resource, and shall be depicted on any grading or improvement plan (e.g., for a trail) within 100 meters of the site. Alternatively, the project proponent may, in consultation with the Tejon Indian Tribe, a qualified archaeologist and Native American monitor, excavate the Cultural Resource and relocate the feature to nearby property owned and controlled by the Tejon Indian Tribe. A Native American monitor shall be present during the initial ground disturbance grading activity for areas located within 100 meters of such sites.	Prior to issuing building and grading permits	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall retain a Native American monitor. C. The proponent shall show preservation in place on site plans. D. The proponent shall submit evidence of compliance to the Kern County Planning and Natural Resources Department. E. The Kern County Planning and Natural Resources Department will verify prior to issuing building and grading permits. F. Kern County Public Works Department will verify in the field during construction.					
#43	MM 4.5-6 The project proponent shall continuously comply with the following: In the event that unanticipated cultural resources are encountered during the course of grading or construction, the project operator/contractor shall cease any ground disturbing activities within 50 feet of the find. Cultural resources may include prehistoric archaeological materials such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock, as well as historic materials such as glass, metal, wood, brick, or structural remnants. A qualified archaeologist and a Native American monitor shall evaluate the resource and recommend appropriate treatment measures, as appropriate. Per California Environmental Quality Act (CEQA) Guidelines Section 15126.4(b)(3), project redesign and preservation in place shall be the preferred means to avoid impacts to significant historical resources. Consistent with CEQA Guidelines Section 15126.4(b)(3)(C), if resources cannot be avoided, additional treatment measures shall be developed in consultation with Kern County, and may include testing and evaluation or data recovery excavation. Kern County shall consult with appropriate Native American representatives in determining appropriate treatment for unearthed cultural resources if the resources are prehistoric or Native American in nature. The qualified archaeologist shall prepare a report documenting evaluation and/or additional treatment of the resource. A copy of the report shall be provided to the Kern County Planning and Natural Resources Department and to the Southern San Joaquin Valley Information Center.	During construction and ground-disturbing activities	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall cease until the qualified professional archaeologist can evaluate the significance of the find and make recommendations. C. If a potentially-eligible resource is encountered, the qualified professional archaeologist, the Kern County Planning and Natural Resources Department, and the proponent shall determine the appropriate action (e.g. testing, significance evaluation, avoidance, and/or recovery). D. The determination shall be formally documented in writing and submitted to the Kern County Planning and Natural Resources Department as verification that the provisions for managing unanticipated discoveries have been met.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#44	MM 4.5-7 Prior to the issuance of grading permits, the project proponent shall retain a qualified paleontologist to prepare a Paleontological Resource Monitoring and Mitigation Plan for implementation during construction and operations. The Plan shall be submitted to the Kern County Planning and Natural Resources Department for review prior to the start of grading or construction and shall include the following: a) Procedures for the discovery, recovery, and salvage of paleontological resources encountered during construction, if any, in accordance with standards for recovery established by the Society of Vertebrate Paleontology; b) Identification and mapping of specific areas of high and undetermined paleontological potential that will be monitored during construction; c) Verification that the project proponent has an agreement with a recognized museum repository (e.g., the San Diego Natural History Museum or the University of California Museum of Paleontology), for the disposition of recovered fossils and that the fossils shall be processed (e.g., cleaned, repaired, identified, catalogued) prior to submittal to the repository as required by the repository; and d) Field activities shall be documented in a complete set of the daily monitoring logs that shall be kept on-site throughout the earthmoving activities. The logs shall be made available for inspection and shall be keyed to a location map to indicate the area monitored, the date, the assigned personnel, and the results of the monitoring activities, including rock unit encountered, fossil specimens recovered, and associated specimen data, as well as corresponding geologic and geographic site data. Within 90 days of the completion of the paleontological monitoring, a monitoring report, with an appended, itemized inventory of specimens, shall be submitted to Kern County.	Prior to issuance of building and grading permits	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall prepare a Paleontological Resources Monitoring and Mitigation Plan as specified in this mitigation measure. C. The Kern County Planning and Natural Resources Department shall verify the completion of the Plan prior to issuing grading permits. D. Kern County Public Works Department will verify in the field during construction.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#45	MM 4.5-8 Prior to the commencement of construction activities, the project proponent shall provide for a qualified paleontologist to provide construction personnel with training on implementation of the Paleontological Resource Monitoring and Mitigation Plan and, specifically, procedures to be followed in the event that a fossil site or fossil occurrence is encountered during construction. An information package shall be provided for construction personnel not present at the initial preconstruction briefing.	Prior to issuance of grading or building permits	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall retain a qualified paleontologist that shall provide construction personnel with training on implementation of the Paleontological Resource Monitoring and Mitigation Plan. C. The Kern County Planning and Natural Resources Department will verify that this has occurred.			
#46	MM 4.5-9 Prior to the commencement of construction activities, the project proponent shall retain a qualified paleontologist to implement the approved Paleontological Resource Monitoring and Mitigation Plan as follows: a) Monitoring shall occur during ground-disturbing activities in areas identified as having deposits with a high or undetermined paleontological potential rating, either at the surface or at depth (greater than 3 to 5 feet below natural ground surface). Monitoring shall consist of inspection of sedimentary exposures for contained fossil remains, and appropriate documentation of observed geologic and stratigraphic features in field notes and photographs. b) In the event fossils are discovered, fossils determined to be significant shall be salvaged using appropriate methods. If salvage of a large or unusually productive fossil discovery is warranted, earthmoving activities shall be diverted temporarily around the fossil site, and a recovery crew shall be mobilized to remove the material as quickly as possible. The paleontological monitor shall photograph and draw stratigraphic profiles of relevant cut surfaces, and if appropriate take samples for analysis of microfossils, dating, or other specified purposes, in accordance with the research design. Once the fossil discovery or an appropriate representative sample (as determined by the Project Paleontologist) of the fossil discovery has been salvaged, earthmoving activities may resume in the discovery area.	Prior to any ground-disturbing activities	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall retain a qualified paleontologist to carry out all mitigation measures related to paleontological resources. C. The qualified paleontologist shall implement the Plan. D. The proponent and the qualified paleontologist will provide documentation of compliance with the Plan E. The Kern County Planning and Natural Resources Department will verify documentation. F. Kern County Public Works Department will verify in the field during construction.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	c) All recovered specimens deemed significant shall undergo preparation and curation into a museum repository, in accordance with the standards of the repository. All preparation and curation tasks may be carried out by a qualified paleontologist, or submitted to a laboratory acceptable to the selected museum. Preparation shall include repair and cleaning of specimens to a point of identification, including, if appropriate, screenwashing of sediments to recover smaller fossil remains. Specimens shall be sorted into species lots, and identified to the lowest reasonable taxonomic level. Specimens shall then be curated into a museum repository. In accordance with museum repository standards, curation may involve cataloguing of species lots, painting of species lot numbers on individual specimens, and organizational tasks. If appropriate and in agreement with the research design, samples shall be submitted to a laboratory, acceptable to the selected museum, for dating, microfossil analysis, pollen analysis, and/or other suitable analyses.				
#47	MM 4.5-10 The project proponent shall continuously comply with the following: If human remains are uncovered during project construction, the project proponent shall immediately halt work and contact the Kern County Coroner to evaluate the remains, and follow the procedures and protocols set forth in Section 15064.5 (e)(1) of the CEQA Guidelines. If the County coroner determines that the remains are Native American, the Native American Heritage Commission shall be notified, in accordance with Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code 5097.98 (as amended by AB 2641). Per Public Resources Code 5097.98, the landowner shall ensure that the vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this section (PRC 5097.98), with the most likely descendent regarding their recommendations, if applicable, taking into account the possibility of multiple human remains.	During construction and ground-disturbing activities	Kern County Planning and Natural Resources Department; Native American Heritage Commission		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. If human remains are discovered during construction or operational activities, all work in the vicinity of the discovery shall cease. C. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission shall be followed, at the direction of the Kern County coroner. D. The proponent shall be required to ensure that all reports, correspondence, and determinations regarding the discovery of human remains on the project site are submitted to the Kern County Planning and Natural Resources Department.			
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the Final SREIR to the extent feasible.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.6 Geology and Soils					
#48	MM 4.6-1 Applicants for building permits for all structures constructed on the site shall comply with applicable seismic risk protection measures in the California Building Code, as confirmed with building permit plans submitted to the Kern County Public Works Department for review and approval.	Prior to issuing building permits	Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall ensure that plans comply with the seismic risk protection measures in the California Building Code. C. The Kern County Public Works Department will review and approve plans prior to issuing any building permits. D. The proponent shall submit a copy of the building plans to the Kern County Planning and Natural Resources Department.			
#49	MM 4.6-2 Prior to recordation of a tentative tract map or site plan for infrastructure improvements sensitive to ground rupture, and habitable structures, that are located east of the defined setback for active faults as depicted on Figure 4.6-4, <i>Landslides, Debris Flow Hazard, and Faulting Map</i> , the project proponent shall retain a qualified geological/geotechnical consultant to prepare a Seismic Report for submittal to and approval by the County. The Seismic Report shall include an additional fault investigation, and based on the investigation outcome, identify any necessary additional seismic safety design improvements for such infrastructure improvements and habitable structures.	Prior to approval of tentative tract maps or site plans	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall ensure that a full geotechnical study be completed for the project by a California-registered professional engineer, and that the study include the specifications of the mitigation measure. C. The proponent shall determine final facility siting based on the results of the geotechnical study and shall implement minimization measures for geologic hazards including not locating facilities on or immediately adjacent to a fault trace D. The proponent shall submit the geotechnical report and final siting design to the Kern County Public Works Department. E. The Kern County Public Works Department will review prior to issuing building and grading permits. F. The proponent shall submit a copy of the documentation to the Kern County Planning and Natural Resources Department.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#50	MM 4.6-3 The project proponent shall include in all approved final tract maps, commercial site development plans, and grading plans, information identifying the location of parcels subject to geologic hazards (seismicity, landslide, debris flow, liquefaction hazards) identified in the geologic hazard reports required as follows: • Seismic Report to identify any necessary additional seismic safety design improvements for infrastructure and habitable structures; • Landslide Hazards Report to define the extent of the landslide hazards and specific appropriate geotechnical improvements required; • Debris Flow Report to define the extent of the debris flow hazards and specify appropriate geotechnical improvements; and • Liquefaction-Collapsible Soil Report to define the extent potential for localized liquefaction, collapsible or expansive soils hazards, and shall specify appropriate geotechnical improvements.	Prior to approval of final tract maps, site development plans, and grading plans Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall ensure that all geotechnical studies, as specified in this mitigation measures, are completed for the project by a California-registered professional engineer. C. The proponent shall provide documentation of all completed studies. D. The proponent shall include information on tract maps, development plans, and grading plans the information for parcels subject to geologic hazards. E. The proponent shall submit the studies to the Kern County Public Works Department. F. The Kern County Public Works Department will review prior to issuing any permits. G. The proponent shall submit a copy of the documentation to the Kern County Planning and Natural Resources Department.	Kern County Public Works Department; Kern County Planning and Natural Resources Department		
#51	MM 4.6-4 Prior to final recordation of a tentative tract map or site plan approval in project areas subject to landslide hazards, the project proponent shall retain a qualified geologic/geotechnical consultant to perform focused geotechnical studies (Landslide Hazards Report) to define the extent of the landslide hazards and specify appropriate geotechnical improvements to be made, such as but not limited to landslide repairs, buttresses or other site specific designs necessary to avoid the hazards.	Prior to final recordation of tentative tract maps or site plans Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall ensure that a Landslide Hazard Report be completed for the project by a California-registered professional engineer, and that the study include the specifications of the mitigation measure. C. The proponent shall determine final facility siting or design based on the results of the report. D. The proponent shall submit the geotechnical report and final siting design to the Kern County Public Works Department. E. The Kern County Public Works Department will review prior to approval of any tentative tract maps or site plans. F. The proponent shall submit a copy of the documentation to the Kern County Planning and Natural Resources Department.	Kern County Public Works Department; Kern County Planning and Natural Resources Department		

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#52	MM 4.6-5 Prior to recordation of a tentative tract map or site plan approval for development of improvements in project areas subject to landslide and debris flow hazards as depicted on Figure 4.6-4, <i>Landslides, Debris Flow Hazard, and Faulting Map</i> , the project proponent shall retain a qualified geologic/geotechnical consultant to perform focused geotechnical studies (Debris Flow Report) to define the extent of the debris flow hazards and specify appropriate geotechnical improvements to be made, such as but not limited to a combination of avoidance of high hazard areas, construction of earthen berms designed to deflect flows to open space areas or to impound debris, or by construction of appropriately-sized debris retention basins that will intercept debris flows at the edges of proposed development.	Prior to final recordation of tentative tract maps or site plans	Kern County Public Works Department; Kern County Planning and Natural Resources Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall ensure that a Debris Flow Report be completed for the project by a California-registered professional engineer, and that the study include the specifications of the mitigation measure. C. The proponent shall determine final facility siting or design based on the results of the report. D. The proponent shall submit the geotechnical report and final siting design to the Kern County Public Works Department. E. The Kern County Public Works Department will review prior to approval of any tentative tract maps or site plans. F. The proponent shall submit a copy of the documentation to the Kern County Planning and Natural Resources Department.					
#53	MM 4.6-6 Maintenance of landslide and debris flow protection improvements located in common areas, including monitoring and sediment removal or other repairs as needed, will be the responsibility of the proposed Geologic Hazard Abatement District (GHAD) or similar entity acceptable to the County.	During construction and operation	Kern County Public Health Services Department; Kern County Planning and Natural Resources Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent will prepare and implement a GHAD as approved by the Kern County Planning and Natural Resources Department and the Kern County Public Works Department. C. The proponent shall provide documentation regarding the GHAD and responsibilities. D. The Kern County Planning and Natural Resources Department will verify documentation. E. The Kern County Public Works Department will verify in the field during operations.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#54	MM 4.6-7 Prior to final recordation of a tentative tract map or site plan approval for development of improvements in project areas subject to collapsible soils as depicted on Figure 4.6-5, <i>Collapsible Soils</i> , the project proponent shall retain a qualified geologic/geotechnical consultant to perform focused geotechnical studies (Liquefaction-Collapsible Soil Report) to define the extent potential for localized liquefaction, collapsible or expansive soils hazards, and shall specify appropriate geotechnical improvements to be made, such as but not limited to a combination of avoidance of high hazard areas, removal and replacement of susceptible soils with engineered fill, or by presoaking and/or surcharge preloading of collapsible soils to induce densification prior to construction of improvements.	Prior to final recordation of tentative tract maps or site plans	Kern County Public Works Department; Kern County Planning and Natural Resources Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall ensure that a Liquefaction-Collapsible Soil Report be completed for the project by a California-registered professional engineer, and that the study include the specifications of the mitigation measure. C. The proponent shall determine final facility siting or design based on the results of the report. D. The proponent shall submit the geotechnical report and final siting design to the Kern County Public Works Department. E. The Kern County Public Works Department will review prior to approval of any tentative tract maps or site plans. C. The proponent shall submit a copy of the documentation to the Kern County Planning and Natural Resources Department.					
#55	MM 4.6-8 The project proponent shall include in all approved final tract maps and site plans a figure that shows the location of surface water drainages, including notes on the figure that describe or refer to applicable surface water drainage and creek erosion protection measures as required by applicable State laws and regulations, and the Ordinance Code of Kern County including, for example construction stormwater management and pollution prevention plans to be implemented and enforced as part of the grading permit and construction process. All grading plans and building permits shall require compliance with such State and County requirements.	Prior to final recordation of final tract maps or site plans	Kern County Public Works Department; Kern County Planning and Natural Resources Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall show all specified information within this mitigation measure on final tract maps and site plans. C. The Kern County Planning and Natural Resources Department and Kern County Public Works Department will verify information and notes prior to approving tract maps and site plans.					
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the Final SREIR to the extent feasible.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.7 Greenhouse Gas Emissions					
#56	MM 4.7-1 Comply with Applicable Regulations and Rules. The project would be required to comply with all applicable state and San Joaquin Valley Air Pollution Control District (SJVAPCD) Rules and Regulations including, but not limited to: 1. Quantified GHG Reductions (Evaluated in CalEEMod): a) Pavley Motor Vehicle Standards (AB 1493) b) Low Carbon Fuel Standard (California Code of Regulations, Title 17, Division 3, Chapter 1, Subchapter 10, Article 4, Subarticle 7, Section 95480 et seq.) c) Title 24 (part 6 [Energy Code] and part 11 [CALGreen Code]) of the California Code of Regulations d) Renewable Portfolio Standard (SB X1 2 and SB 350) e) Wood Burning Fireplaces and Wood Burning Heaters (SJVAPCD Rule 4901) f) Solid Waste Diversion (AB 341) and statewide reduction in potable urban water usage of 25 percent relative to water use in 2013 (Executive Order B-29-15) g) Model Water Efficient Landscape Ordinance (MWELO) (California Code of Regulations, Title 23, Division 2, Chapter 2.7) h) Kern County Code of Ordinances – Landscaping Requirements and Water Efficient Landscaping (Kern County Code of Ordinances, Title 19, Chapter 19.86, Sections 19.86.050 and 19.86.060) i) California Water Code (Division 6, Part 2.10, Sections 10910–10915) 2. Additional GHG Reductions a) EPA and NHTSA GHG and CAFE standards for passenger cars, light-duty trucks, and medium-duty passenger vehicles (75 FR 25324–25728 and 77 FR 62624–63200) and for medium- and heavy-duty vehicles (76 FR 57106–57513) b) Cap-and-Trade Program for Electricity, Stationary Sources, and Fuels (California Code of Regulations, Title 17, Division 3, Chapter 1, Subchapter 10, Article 5, Section 95801 et seq.) c) Advanced Clean Cars Program (California Code of Regulations, Title 13, Division 3, Chapter 1, Articles 1, 2, 6 (parts); Chapter	During construction and ground disturbing activities.	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall comply with the reduction requirements as specified in this mitigation measure. C. The project proponent shall attest to its compliance with the rules and regulations described in this measure to the Kern County Planning and Natural Resources Department. D. The Kern County Planning and Natural Resources Department will verify documentation. E. The Kern County Public Works Department will verify in the field during construction.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	2, Articles 1, 2.1, 2.3, 2.4 (parts); Chapter 4.4 (parts); Chapter 8 (parts). d) Under Inflated Vehicle Tires (California Code of Regulations, Title 17, Division 3, Chapter 1, Subchapter 10, Article 4, Subarticle 8, Section 95550 et seq.) e) Heavy-Duty Vehicle Greenhouse Gas Emission Reduction Regulation (California Code of Regulations, Title 17, Division 3, Chapter 1, Subchapter 10, Article 4, Subarticle 1, Section 95300 et seq.) f) Management of High Global Warming Potential Refrigerants for Stationary Sources (California Code of Regulations, Title 17, Division 3, Chapter 1, Subchapter 10, Article 4, Subarticle 5.1, Section 95380 et seq.) g) Small Containers of Automotive Refrigerant (California Code of Regulations, Title 17, Division 3, Chapter 1, Subchapter 10, Article 4, Subarticle 5, Section 95360 et seq.) h) High-Global Warming Potential Greenhouse Gases in Consumer Products (California Code of Regulations, Title 17, Division 3, Chapter 1, Subchapter 8.5, Article 2) i) CALGreen Code as Adopted by the Building Standards Commission (California Code of Regulations, Title 24, Part 11 Emergency Building Standard DSA-SS EF-02/15) j) California Lighting Efficiency and Toxics Reduction Act (AB 1109 of 2007, Stats. 2007, ch. 534) and implementing regulations. (California Code of Regulations, Title 20, Division 2, Chapter 4, Article 4) k) Executive Order B-29-15 (April 1, 2015) (SWRCB mandatory water reductions) l) CARB In-Use Off-Road Diesel Vehicle Regulation (California Code of Regulations, Title 13, Division 3, Chapter 9, Article 4.8) m) CARB In-Use On-Road Heavy-Duty Diesel Vehicles Regulation (Truck and Bus Regulation) (California Code of Regulations, Title 13, Division 3, Chapter 1, Article 4.5) n) CARB CARB Landfill Methane Control Measure (California Code of Regulations, Title 17, Division 3, Chapter 1, Subchapter 10, Article 4, Subarticle 6) o) Mandatory Commercial Recycling (AB 341 of 2011, Statutes of 2011, Ch. 476)				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	p) Million Solar Roofs Program (Senate Bill 1 of 2006, Statutes of 2006, Chapter 132) q) California Solar Initiative- Thermal Program (California Public Utilities Commission Decision 10-01-022, January 21, 2010) r) Waste Heat and Carbon Emissions Reduction Act (Statutes of 2007, Chapter 713; Statutes of 2008, Chapter 253) s) Emergency State Water Board Regulations (California Code of Regulations, Title 23, Division 3, Chapter 2, Article 22.5) t) Executive Order B-37-16 (May 9, 2016) (water conservation regulations) u) Water Conservation Act of 2009 (Senate Bill X7-7, Statutes of 2009, Chapter 4) v) Water Reclamation Requirements for Recycled Water Use (SWRCB Order WQ 2016-0068-DDW) w) Regulations for Groundwater Replenishment Using Recycled Water (California Code of Regulations, Title 22, Division 4, Chapter 3) x) Policy for Water Quality Control for Recycled Water (SWRCB Resolution No. 2009-0011, as amended by Resolution No. 2013-0003)				
#57	MM 4.7-2 Greenhouse Gas Emissions Reduction Measures. Prior to approval of any final tentative tract map or commercial/industrial site development plan, or at building permit as appropriate and acceptable to Kern County, the project proponent shall provide evidence to the Kern County Planning and Natural Resources Department that the following menu of greenhouse gas emissions reduction measures are being implemented in conformance with the Grapevine Specific and Community Plan. Building design standards shall be made conditions of approval of any commercial/industrial site plan or included as notes on any final recorded tentative tract map. 1. Require service fleet vehicles to be powered with alternative fuel technology where feasible, as determined by the individual project applicants. 2. Designate at least two locations with adequate pedestrian, bicycle, and parking facilities for off-site transit connection service. 3. Provide multiple travel options for residents, workers, and visitors through a comprehensive multi-modal network including, but not	Prior to final recordation of tentative tract maps, development site plans, or prior to issuance of any building permits Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall document that GHG reduction measure are being implemented as specific in this mitigation measure. C. The Kern County Planning and Natural Resources Department will verify documentation.	Kern County Planning and Natural Resources Department		

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	limited to, transit, paths, trails, and connections integrated into the overall circulation network. 4. Ensure that higher density residential, commercial and offices and other high-demand uses are located near, and provide connection through Transit Management Association measures to, transit hubs. 5. Locate two transit hubs in the village centers on both sides of Interstate 5 (I-5) that would be accessible by local and regional transit routes and community multi-modal paths and trails. 6. Establish a Transit Management Association to promote, manage, and monitor transit and mobility services and infrastructure, as further described in Section 4.16, <i>Transportation and Traffic</i>. 7. Promote alternative fuels for transit system, if available. 8. Encourage use of best feasible alternative fuel technology to be used in homeowners association, refuse fleet, and other community service vehicles. 9. Provide a framework for a community-wide parking plan that is based on parking demand and need. 10. Provide preferential parking for carpool, shared, electric, and hydrogen vehicles. 11. Require builders to install broadband infrastructure or other communication technologies that encourage telecommuting and working from home. 12. Integrate traffic calming measures into the community-wide circulation network to promote reduced speeds and encourage pedestrian and bicycle trips. 13. Provide sidewalks and crosswalks at all streets (along with general pedestrian connectivity throughout project) to encourage pedestrian traffic and offer an alternative to vehicle trips. 14. Construct a multi-purpose internal trail system that includes off-road bikeways within the street right-of-way (paseos) and within a greenway system. 15. Incorporate natural gas or propane hookups, electrical outlets on patios, and prohibit wood-burning fireplaces.				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	16. Equip a minimum of 70 percent of public and community pools and spas with active solar water heating systems where heating is necessary or desired. 17. Provide all single-family homebuyers with the option to include a photovoltaic array system as a home design feature. 18. Implement energy-efficient design practices such as high-performance glazing, Energy Star compliant systems and appliances, radiant heat roof barriers (including but not limited to high-albedo white thermoplastic polyolefin roof membrane), high efficient HVAC with hot-gas reheat, insulation on all pipes, programmable thermostats, solar access, shading of HVAC systems from direct sunlight, use of formaldehyde-free insulation, use of recycled-content gypsum board, sealed ducts, orientation of building and incorporation of landscaping to maximize passive solar (heating during cool seasons, and minimize heat gain during hot season), and designs that take advantage of prevailing winds. 19. Prohibit use of chlorofluorocarbon refrigerants in commercial buildings. 20. Ensure recycling of construction debris and waste through administration by an on-site recycling coordinator and presence of recycling/separation area, as described in Section 4.14, <i>Public Services</i>, and by maintaining on the Grapevine Community website information about recycling, and the availability of and potential uses for recycled materials, such as the use of salvaged and recycled content materials for hard surface and non-plant landscaping materials. 21. Establish and operate a community waste recycling program including education and outreach, recycled waste pickup and drop-off services, as described in Section 4.14, <i>Public Services</i>. 22. Implement a water wise program that includes all feasible measures to reduce indoor water use and associated energy use (e.g., for interior fixtures, require tankless water heaters and low-flow plumbing and fixtures), as described in Section 4.17, <i>Utilities and Service Systems</i>. 23. Implement landscape standards that include irrigation standards to maximize efficiency and decrease water use and waste. Prepare and distribute landscape design guidelines to minimize the use of exterior water by requiring each homeowner to select from landscape				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	materials that are within the Maximum Applied Water Allowance budget that will be assigned to each lot or home, as described in Section 4.17, <i>Utilities and Service Systems</i>. 24. Use recycled water from on-site wastewater treatment plant(s) as a permanent source of water for landscaped common areas and other authorized uses, as described in Section 4.17, <i>Utilities and Service Systems</i>. 25. Use recycled water for irrigation of 50 percent of commercial landscape areas, as described in Section 4.17, <i>Utilities and Service Systems</i>. 26. Use native species and drought tolerant species for a minimum of 75 percent of the ornamental plant palette in non-turf areas for all commercial, industrial, common and public areas, and residential front-yard landscaping to minimize water demand, as described in Section 4.17, <i>Utilities and Service Systems</i>. 27. Minimize turf areas and encourage alternative ground covers (20 percent maximum turf in landscaped commercial areas and 45 percent maximum turf in residential front yard landscaping), as described in Section 4.17, <i>Utilities and Service Systems</i>. 28. Design irrigation systems to conform to the hydrozones of the landscape design plan and optimize water efficiency by matching plant type, utilizing drip or subsurface irrigation wherever possible, and applying water at agronomic rates, as described in Section 4.17, <i>Utilities and Service Systems</i>. 29. Require “smart” controllers, such as weather-based irrigation controllers or other self-adjusting irrigation controllers, for all irrigation systems that will accommodate all aspects of the landscape and irrigation design plans, as described in Section 4.17, <i>Utilities and Service Systems</i>. 30. Include in street design proposals for County review technically feasible (given expected future uses) and legally feasible (given applicable ordinances and other requirements) street designs that include permeable pavement, groundcovers, or other measures to reduce use of concrete and asphalt. 31. Require garages in single family homes to be wired with a 240 kV outlet, suitable for future electric car charging devices or service.				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	32. Require non-residential uses to have at least one electric vehicle charging station for every 50,000 square feet of gross-leasable areas. 33. Require one electric vehicle charging station for every 15 dwelling units. 34. The TMA shall work with automotive dealers to help promote CNG electric and hybrid electric vehicles. 35. Incorporate electric truck charging capabilities in loading docks by installing a 240 kV outlet in the vicinity of the loading dock. 36. The project applicant shall maintain a Grapevine Community website that includes, but is not limited to, information about greenhouse gas (GHG) reduction opportunities to help educate project residents, as well as schools, other agencies, and businesses with facilities on the project site. 37. Include on the Grapevine Community website information about rebates and low-interest loans to residents that make energy-saving improvements to their homes. 38. Site and design building to take advantage of daylight where feasible and consistent with building purpose. 39. Use trees, landscaping and sunscreens to west and south exterior building walls to reduce energy use where feasible and consistent with building and site purpose, and consistent with other applicable requirements such as encouraging higher density and restricted plant palette. 40. Install cool pavements if approved by Caltrans and County Roads to roadway uses, provided that road installation and maintenance durability and costs are comparable to existing approved roadway materials (since early replacements or more intensive repair result in higher GHG emissions). 41. Require use of removal covers for pools and spas. (“Automatic” covers may result in accidental drownings or other injuries; efficient pumps and motors for pools and spas are already required under applicable Building Energy Efficiency Standards (Cal. Code Regs., Title 24, Part 6 §§ 110.3, 110.4, 110.5) and Title 20 Standards (Cal. Code Regs., Title 20 §§ 1605.1(g), 1605.3(g)). 42. Require use of CARB-approved or electric landscape maintenance equipment for public common areas.				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	43. Include on the Grapevine Community website information about the air quality and greenhouse gas benefits of electric landscape maintenance equipment. 44. Limit the hours of community-managed lighting on public streets to midnight unless later lighting will advance public safety and walkability goals. 45. Educational information on energy and water conservation and efficiency for project residents, customers, tenants and large energy users shall be maintained on the Grapevine community website. 46. Include in Grapevine Community website information about energy conservation and financial incentive programs, and about potential energy technology systems that may be suitable for larger commercial and institutional users such as combined heat and power systems. 47. All single family homes are required to be wired for a 240 kv line to accommodate electric vehicle charging uses and devices.				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#58	MM 4.7-3 Greenhouse Gas Emissions Reduction Reporting on Compliance with 29 Percent Reduction Threshold. Prior to the issuance of building permits, a focused greenhouse gas report shall be submitted that identifies the measures (regulatory or applicant-implemented, in all sectors relevant to project GHG emissions, including but not limited to cleaner fuels and more efficient cars and trucks, cleaner energy from the grid, more energy-efficient buildings materials and standards used onsite, emission offsets, applicant-funded offsite energy conservation improvements to existing homes and structures, etc.) to confirm that the project is reducing by 29 percent in relation to business as usual (2008) its carbon dioxide (CO₂) equivalent emissions as quantified in the Environmental Impact Report consistent with the San Joaquin Valley Air Pollution Control District Greenhouse Gas Guidance (SJVAPCD, 2009), as applied to the final number of houses or square footage and type of commercial/industrial constructed for each site. The focused greenhouse gas report shall be submitted to the San Joaquin Valley Air Pollution Control District for review and comment regarding the methodology used to quantify greenhouse gas reductions. The report can be for an individual house, multiple structures, or for a phase of a tract or commercial/industrial site plan.	Prior to issuing building permits	Kern County Public Health Services Department; San Joaquin Valley Air Pollution Control District		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall retain a qualified air quality specialist. C. The air quality specialist shall prepare a focused GHG report, identifying measures to confirm that the project is reducing GHG emissions by 29 percent. D. The proponent shall submit the report to the SJVAPCD for review and comment. E. The proponent shall provide a copy of the final report and evidence of consultation with SJVAPCD to the Kern County Planning and Natural Resources Department. F. The Kern County Planning and Natural Resources Department will verify documentation and compliance with this mitigation measure.					
#59	MM 4.7-4 Energy Conservation. Prior to approval of any tentative tract map (excluding financing maps) approval or commercial site development plan, the project proponent shall provide the Kern County Planning and Natural Resources Department with an Energy Plan documenting compliance with all applicable energy conservation requirements of applicable Title 24 standards in the California Code of Regulations, including but not limited to the 2019 Title 24 standards (effective as of January 1, 2020) The Energy Plan shall also confirm that a menu of energy efficiency design elements, along with other design considerations and options, has been made available by the project proponent to builders, developers, and property owners as part of the internal design review process. Each developer, builder, or property owner shall incorporate the design elements required to comply with then-applicable Title 24 requirements, and select from the menu or implement other available technologies as may be needed to reduce energy consumption 15% below 2016 Title 24 requirements. All provisions outlined in the approved Energy Plan shall be either conditions of approval for any commercial/industrial site plan or included as notes on all final subdivision maps.	Prior to approval of tentative tract maps or development site plans	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall prepare an Energy Plan pursuant to the specifics of this mitigation measure. C. All provisions outlined in the Energy Plan shall become conditions of approval for any commercial/industrial site plan. D. All conditions of approval shall be included as notes on all final subdivision maps. E. The Kern County Public Works Department will review prior to approval of any tentative tract maps or site plans. F. The Kern County Public Works Department will verify in the field during construction.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#60	MM 4.7-5: Exterior Lighting Plan. An Exterior Lighting Plan shall be prepared by an electrical engineer who is registered in the State of California, and approved by the County prior to the submittal of each building permit. The Lighting Plan shall apply to all proposed structures and for development areas that border natural open space resources. The Lighting Plan shall be consistent with County’s Outdoor Lighting Dark Skies Ordinance (Chapter 19.81 of the Zoning Code) and shall provide guidelines for the outdoor lighting to be used throughout the project site. Final lighting orientation and design shall be approved by the County. The Lighting Plan shall include, but not be limited to, the following: a. All lighting within 300 feet of natural open space areas shall only be implemented where needed for safety and shall be directed away from these areas and shielded so that light is not directed into open space or riparian areas. Where possible, these safety lights shall be motion sensor activated with infrared light sensors to prevent daytime lighting. b. Mercury vapor and halide lighting shall not be used on the perimeter of the developed areas or adjacent to designated open space. c. Illumination levels should be compatible with the character and use of surrounding development as determined by national lighting organizations. The Illuminating Engineering Society of North America publishes recommendations for the lighting industry that include illumination levels for outdoor lighting. d. Low-pressure sodium lighting fixtures or flashing lights shall not be used except in emergency situations. e. Exterior lighting standards and fixtures shall be located and designed to minimize direct glare beyond the site boundaries. Lighting shall be fully shielded and directed downwards to confine light spread solely within necessary locations. Illumination or glare from the exterior lighting system onto adjacent properties or streets should be minimized. f. Security lighting fixtures shall not project above the roof line of the building on which they are mounted. g. Where applicable, time-control devices shall be utilized on exterior lighting sources. Street, parking lot, and structural lighting fixtures shall provide adequate illumination for safety and comfort of vehicular and pedestrian traffic while minimizing light spillover.	Prior to issuance of building permits	Kern County Planning and Natural Resources; Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The project proponent shall prepare an Exterior Lighting Plan. C. The Kern County Planning and Natural Resources Department shall verify documentation prior to issuance of any building permits. D. The Kern County Public Works Department will verify in the field during construction.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#61	MM 4.7-6: On-Site Renewable Energy. Applications for a tentative tract map, parcel map (except financing map), or commercial site plan review shall include plans and analysis to demonstrate 50% of the project’s anticipated electrical energy demand at buildout shall be satisfied from on-site renewable energy generation. Subsequent building permit applications shall include plans identifying renewable energy source and specifications, or location of renewable source if not located on a specific building pad for which a building permit is being sought. “Anticipated electrical energy demand” shall be determined on the basis of the anticipated loads for each building as shown in the reports submitted at the time of building permit application pursuant to the Building Energy Efficiency Standards of Title 24. “On-site renewable energy generation” includes, but is not limited to, solar, wind, geothermal, biofuel, and hydroelectric systems. These systems shall be installed in connection with the development of one or more of the following: residential units, nonresidential buildings, public buildings, or Specific Plan utility facilities located within the Specific Plan area. The project shall also be designed to include rooftop solar generation that is the more stringent of a) compliance with Calgreen solar rooftop compliance mandate and b) provide renewable energy production for energy savings that is equivalent to electrical generation resulting from installation of one photovoltaic (i.e., solar) power system no smaller than a 2-kw solar panel for every single-family dwelling unit and for every 1600 square feet of non-residential roof area. Through consultation and approval from the Planning and Natural Resources Director, to the extent allowed by applicable state laws, including Calgreen, the above provisions could be modified in such a manner that equivalent community energy savings to residence are provided through alternative solar facility or facilities rather than individual panel installation on each residential and non-residential unit.	Prior to tentative tract map, parcel map, or commercial site plan approval	Kern County Planning and Natural Resources; Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any tentative tract map, parcel map or commercial site plan. B. The Kern County Planning and Natural Resources Department shall verify documentation prior to approval of tentative tract map, parcel map, or site plan. C. The Kern County Public Works Department will verify in the field during construction.			
#62	MM 4.7-7: Energy Efficient Appliances. Energy efficient major appliances and heating, ventilation, and air conditioning (HVAC) systems that meet the more stringent of applicable California Energy Commission (CEC) requirements or ENERGY STAR requirements, or equivalent, shall be offered by residential builders. Major appliances subject to this requirement include dishwashers, clothes washers, refrigerators, fans, and room air conditioners.	Prior to issuance of building permits	Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The Kern County Public Works Department will verify in the field during construction.			
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the Final SREIR to the extent feasible.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.8 Hazards and Hazardous Materials					
#63	MM 4.8-1 Prior to site plan or special permit approval for the commercial and industrial uses designated in the Grapevine Special Plan, the project proponent shall provide to the County a description of planned hazardous material transportation, use and disposal, an assessment of compatibility with adjacent land uses, and measures to assure avoidance of incompatible adjacent land uses such as siting loading docks and hazardous substance storage areas at appropriate distances away from sensitive uses, and accident prevention and emergency response measures.	Prior to approval of site plans or special permits	Kern County Planning and Natural Resources Department;		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall prepare a description of hazardous material handling as specified in this mitigation measure. C. The proponent shall provide this documentation to the Kern County and include a copy to the Kern County Planning and Natural Resources Department. D. The Kern County Planning and Natural Resources Department shall verify documentation.			
#64	MM 4.8-2 Prior to approval of a demolition or grading permit for existing gas stations, leach fields, unlined ponds, and the Grapevine Wastewater Treatment Plant subsurface testing, compliant with the Phase II ASTM E1903-11 standard, shall be completed. Appropriate remediation, with regulatory agency oversight, shall be undertaken if contamination is discovered prior to issuance of a building permit for a residence, school, or place of assembly on the contaminated area. Potential remediation options could include excavation and off-site disposal of contaminated soil, in-place treatment, and/or the installation of protective barriers.	Prior to issuance of a demolition permit or grading permit.	Kern County Planning and Natural Resources Department; Kern County Environmental Health Services		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall provide appropriate remediation for any contamination found in the circumstances outlined in this mitigation measure. C. The Kern County Planning and Natural Resources Department shall verify documentation. D. The Kern County Environmental Health Services shall verify in the field prior to construction.			
#65	MM 4.8-3 Prior to issuance of any building permit for a residence, school or place of assembly in existing almond groves and grape fields, subsurface testing, compliant with the Phase II ASTM E1903-11 standard, shall be completed. Appropriate remediation, with regulatory agency oversight, shall be undertaken if contamination is discovered prior to issuance of any building permit for a residence, school or place of assembly on the contaminated area. Potential remediation options could include excavation and off-site disposal of contaminated soil, in-place treatment, and/or the installation of protective barriers.	Prior to issuing any building permits	Kern County Public Health Services Department; Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall conduct subsurface testing and prepare a report documenting the findings, pursuant to Phase II ASTM E1903-11 standards. C. The Kern County Planning and Natural Resources Department shall verify the report. D. If remediation is identified, proper treatment and documentation of compliance shall be completed by the proponent. E. The Kern County Public Health Services Department shall approve remediation and verify in the field prior to any ground-disturbing activities.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
		F. Copies of all documentation and verification of compliance shall be provided to the Kern County Planning and Natural Resources Department.			
#66	MM 4.8-4 If previously unknown soil contamination conditions are discovered during construction activities, the project proponent will (a) report these conditions to the County and, as applicable, other environmental oversight agencies; (b) prepare and implement a Soil Management Plan (SMP) addressing the newly discovered environmental conditions under the oversight of the County or alternate environmental oversight agency.	During construction and operation	Kern County Planning and Natural Resource Department; Kern County Public Health Services Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. If during grading or soil removal, evidence of petroleum products is discovered and appears to continue below the ground surface, the project proponent shall ensure that construction activities in the area cease immediately if soil contamination is suspected. C. A qualified hazardous materials professional shall be contacted to make a proper assessment of the suspect materials on-site and prepare the Soil Management Plan. D. The Kern County Environmental Health Services Department/Hazardous Materials Section shall be notified. E. All actions related to encountering unanticipated hazardous materials at the site shall be documented and submitted to the Kern County Environmental Health Services Department/Hazardous Materials Section and the Kern County Planning and Natural Resources Department.			
#67	MM 4.8-5 The project proponent shall include in its grading plan application the location and descriptions of any oil and gas equipment in the area proposed for grading. a) Prior to issuance of a grading permit for lands that include abandoned oil and gas wells, or abandoned oil and ancillary equipment, such wells shall be decommissioned and ancillary equipment removed, as required by applicable law, including but not limited to the regulatory requirements of the Division of Oil, Gas and Geothermal Resources. If soil contamination conditions exist in the oil and gas equipment areas, testing and remediation shall be required. b) All grading permits approved for the site shall require the permittee to report to the County any previously-unknown oil and gas equipment that is discovered during site grading or construction activities, and to comply with (a), above, prior to obtaining a building permit for the construction of a structure at the location of the newly-discovered oil and gas equipment. c) Site construction and development is required to avoid oil and gas equipment, including wells and ancillary equipment such as pipelines	Prior to issuing building and grading permits	Kern County Planning and Natural Resources Department; Kern County Public Works Department; California Department of Conservation, Division of Oil, Gas, and Geothermal Resources		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. In the event of unanticipated discovery of abandoned or unrecorded wells, all work on-site shall cease, and the proponent shall notify the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources. C. The proponent shall submit copies of approvals from the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources to the Kern County Planning and Natural Resources Department. D. The proponent shall comply with all applicable requirements of the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources. E. The proponent shall prepare and submit final grading plans (indicating that the California Department of Conservation, Division of Oil, Gas and Geothermal			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	and storage tanks, with a 210-foot setbacks that comply with Chapter 19.98 of the Ordinance Code of Kern County.	Resources shall be contacted in the event of discovery of any abandoned or unrecorded wells) to the Kern County Public Works Department for review and approval.			
#68	MM 4.8-6 The project proponent shall include in its grading plan application the location and description of electrical transformers, and if transformers are present, an inspection report by a qualified expert that identifies any transformer leakage, damage or deterioration. Transformers that are leaking or deteriorated that contain polychlorinated biphenyls shall be replaced with newer models that do not contain polychlorinated biphenyls (PCBs) prior to issuance of any building permit for a structure on the transformer site. Any replaced transformers containing polychlorinated biphenyls shall be disposed of through a commercially permitted polychlorinated biphenyls disposal company, as identified by the U.S. Environmental Protection Agency.	Prior to issuing building and grading permits	Kern County Public Works Department; Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall provide an inspection report prepared by a qualified hazardous materials expert identifying any transformer leakage, damage, or deterioration. C. This information shall be included as part of any grading plan. D. Any replacement shall be disposed of properly and compliance documented. E. The Kern County Planning and Natural Resources Department will verify documentation. F. This Kern County Public Works Department will approve grading plans and verify in the field during construction.			
#69	MM 4.8-7 Decommissioning and abandonment of oil and gas wells will be required to meet current applicable regulatory standards. Oil and gas well decommissioning procedures are addressed in WZI, Inc.'s August 2015 report entitled "Mineral Resources Evaluation". Where significant oil and gas production is currently occurring and has occurred in the past and visible contamination is present or is likely present, an ASTM E1903-11 compliant Phase II investigation shall be conducted with appropriate environmental agency oversight to evaluate environmental impacts so that appropriate remedial or other mitigation measures are undertaken, if necessary. A minimum of 30 days prior to construction (for motor vehicle fuel), the project proponent shall prepare and submit a Spill Prevention, Control, and Countermeasures Plan to the U.S. Environmental Protection Agency, the California Environmental Protection Agency, the Kern County Planning and Natural Resources Department, and to the Kern County Public Health Department for review. The Plan will be for the storage and use of gasoline or diesel fuel at the site in quantities of 660 gallons or greater. The purpose of the Plan will be to mitigate the potential effects of a spill of gasoline or diesel fuel. The Plan shall include features during construction that will contain accidental releases of petroleum products from construction equipment.	Prior to issuing building and grading permits	U.S. Environmental Protection Agency; California Environmental Protection Agency; Kern County Planning and Natural Resources Department; Kern County Public Health Services Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall retain a qualified hazardous materials professional to conduct a Phase II investigation where significant oil and gas production is currently occurring or has occurred in the past and has visible contamination. C. The proponent shall prepare and submit a Spill Prevention, Control, and Countermeasures Plan as specific in this mitigation measure. D. The proponent shall submit the Plan to the appropriate agencies identified in this mitigation measure. E. The Kern County Public Health Services Department will verify documentation. F. A copy of documentation will be provided to the Kern County Planning and Natural Resources Department. G. The Kern County Public Works Department will verify in the field during grading and construction.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#70	MM 4.8-8 As set forth in the Grapevine Special Plan, designated commercial and industrial uses are required to complete a special permit process with Kern County to avoid incompatible land uses.	Prior to approval of tentative tract maps or site plans	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall complete a special use permit process for commercial and industrial land uses. C. The Kern County Planning and Natural Resources Department shall review and approval the special permit prior to approval of any tentative tract maps or site plans.			
#71	MM 4.8-9 Prior to the issuance of grading or building permits, the project proponent shall appoint an Emergency Response Liaison to coordinate the reduction of construction-related traffic for the duration of any emergency at or nearby the project site. The Kern County Fire Department, Kern County Sherriff's Department, and the California Highway Patrol shall be provided with the construction schedule and the on-site contact information for the Liaison prior to construction. The Liaison shall be immediately reachable at all times during project construction. The Liaison shall have radio contact with project construction vehicles at all times to coordinate traffic reduction measures. In addition, the Liaison shall coordinate with the Kern County Fire Department, the Kern County Sherriff's Department, and the California Highway Patrol to establish emergency procedures for access to the project site in the event of emergency during construction activities.	Prior to issuing building or grading permits	Kern County Planning and Natural Resources Department; Kern County Fire Department; Kern County Sheriff's Department; California Highway Patrol		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall appoint an Emergency Response Liaison to coordinate the reduction of construction-related traffic for the duration of any emergency at or nearby the project site. C. The proponent shall provide the construction schedule and the on-site contact information for the Liaison to the Kern County Fire Department, Kern County Sherriff's Department, and the California Highway Patrol prior to the start of construction. D. The Liaison shall coordinate with the Kern County Fire Department, the Kern County Sheriff's Department and the California Highway Patrol to establish emergency procedures for access to the project site in the event of emergency and shall be reachable and in radio contact with construction vehicles at all times during construction. E. Documentation of coordination activities shall be submitted to the Kern County Planning and Natural Resources Department prior to the start of construction. F. The Kern County Planning and Natural Resources Department shall verify.			
#72	MM 4.8-10 Each project area tentative tract map shall be designed to be consistent with the requirements of the Grapevine Fire Protection Plan and the Kern County Fire Department.	Prior to approval of tentative tract maps or site plans	Kern County Planning and Natural Resources Department; Kern County Fire Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall comply with the Fire Protection/Management Plan and include appropriate measures in the CC&Rs.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
		C. The Plan will be approved by the Kern County Fire Department. D. The proponent shall ensure that each project area tentative tract map shall be designed to be consistent with the requirements of the Grapevine Fuel Management Plan and the Kern County Fire Department. E. A copy of the documentation of compliance shall be provided to the Kern County Planning and Natural Resources Department and the Kern County Fire Department.			
#73	MM 4.8-11 A note shall appear on all tentative tract maps specifying the applicable vegetation management zone requirements and prohibited plant list. Furthermore, the project proponent shall ensure that all prospective landowners within the project are aware of the prohibited plants list and vegetation management zone requirements and limitations as set forth in the Grapevine Fire Protection Plan through the following methods: a) Prior to purchase of property within the Grapevine Specific and Community Plan area, all future landowners will be provided with the prohibited plant list and vegetation management zone requirements and limitations. b) The project proponent shall maintain a community website that includes the prohibited plant list and vegetation management zone requirements and limitations. c) The project proponent shall ensure that the prohibited plant list and provisions of the Fire Management Plan shall be enforced by recording applicable covenants, codes, and restrictions on each private lot.	Prior to approval of tentative tract map or site plans	Kern County Fire Department; Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall comply with the Fire Protection/Management Plan and include appropriate measures in the CC&Rs. C. The Plan will be approved by the Kern County Fire Department. D. A copy of the documentation of compliance shall be provided to the Kern County Planning and Natural Resources Department and the Kern County Fire Department.			
#74	MM 4.8-12 Applications for tentative tract maps and site plans shall show that access roads have been designed to meet all applicable state and local fire codes as described in the Grapevine Fire Protection Plan, or include equivalent fire protection performance features as approved by the Kern County Fire Department.	Prior to approval of tentative tract map or site plans	Kern County Planning and Natural Resources Department; Kern County Fire Department; Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall ensure that tentative tract maps and site plans show access roads that have been designed to meet all applicable state and local fire codes. C. The Kern County Fire Department will review and approve compliance with state and local fire codes. D. The Kern County Planning and Natural Resources Department will review and approve maps and plans. E. The Kern County Public Works Department will verify in the field during construction.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#75	MM 4.8-13 All new permanent power lines shall be installed underground. Temporary overhead power lines may be used during construction, and existing lines may be temporarily relocated above-ground during construction, provided that the tentative tract map or site plan application includes compliance with the vegetation clearing and restrictions specified in the Grapevine Fire Protection Plan, or alternate measures providing an equivalent level of fire protection as approved by the Kern County Fire Department.	Prior to issuing building and grading permits	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall include compliance to the specifics of this mitigation measure in tentative tract maps and site plans. C. Any restrictions pertaining to power lines shall be approved by the Kern County Fire Department. D. The Kern County Fire Department will review and approve compliance with state and local fire codes. E. The Kern County Planning and Natural Resources Department will review and approve maps and plans. F. The Kern County Public Works Department will verify in the field during construction.					
#76	MM 4.8-14 Site plans and building permit applications shall include compliance with all applicable state and local fire codes as described in the Grapevine Fire Protection Plan, and occupancy permits shall be issued following Kern County inspection and confirmation of compliance.	Prior to approving site plans and issuing building or grading permits	Kern County Planning and Natural Resources Department; Kern County Public Works Department; Kern County Fire Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall ensure that site plans and building plans comply with all applicable state and local fire codes. C. The Kern County Fire Department will review and approve compliance with state and local fire codes. D. The Kern County Planning and Natural Resources Department will review and approve plans. E. The Kern County Public Works Department will verify in the field during construction.					
#77	MM 4.8-15 Any application for Certificate of Occupancy or Business License within ¼ mile of an existing or designated school site will be required to identify any hazards materials used or stored on-site, and consult with the Kern County Public Health Department Services, Environmental Health Division for appropriate storage and handling.	Prior to certificate of occupancy or business license	Kern County Planning and Natural Resources Department; Kern County Public Health Services Department/Environmental Health Division		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent or business owner shall provide information regarding hazardous materials used or stored on-site.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
		C. The proponent or business owner shall consult with the Kern County Public Health Department/Environmental Health Division for approval of appropriate storage and handling. D. The Kern County Planning and Natural Resources Department will receive verification of compliance.			
#78	MM 4.8-16 The project proponent shall continuously comply with the following during the construction of the project: When a Red Flag Warning is issued by the National Weather Service for the project site, all non-emergency construction activities shall cease. This provision shall be clearly stated in the Fire Safety Plan. The required Emergency Response Liaison shall ensure implementation of a system that allows for immediate receipt of Red Flag Warning information from the Los Angeles/Oxnard office of the National Weather Service.	During red flag warnings	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall cease non-emergency construction and maintenance activities and shall ensure that this requirement be clearly stated in the Fire Safety Plan. C. The Emergency Response Liaison (see Mitigation Measure 4.8-9) shall ensure implementation of a system that allows for immediate receipt of Red Flag Warning information from the Los Angeles/Oxnard office of the National Weather Service. D. Documentation of Red Flag Warning information receipt shall be provided to the Kern County Planning and Natural Resources Department prior to the start of construction. E. The Kern County Planning and Natural Resources Department will verify.			
#79	MM 4.8-17 Prior to the issuance of grading or building permits, the project proponent shall develop and implement a Fire Safety Plan for use during construction. The project proponent shall submit the Fire Safety Plan, along with maps of the project site and access roads, to the Kern County Fire Department for review and approval prior to the issuance of any building permit or grading permits. The Fire Safety Plan shall contain notification procedures and emergency fire precautions including, but not limited to, the following: a) All internal combustion engines, stationary and mobile, shall be equipped with spark arresters. Spark arresters shall be in good working order. b) Light trucks and cars with factory-installed (type) mufflers shall be used only on roads where the roadway is cleared of vegetation. Said vehicle types shall maintain their factory-installed (type) muffler in good condition. c) Fire rules shall be posted on the project bulletin board at the contractor's field office and areas visible to employees.	Prior to issuing grading or building permits	Kern County Planning and Natural Resources Department; Kern County Public Works Department; Kern County Fire Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall develop a Fire Safety Plan according to the specifications of the mitigation measure C. The proponent shall submit the Fire Safety Plan with project site and access road maps to the Kern County Fire Department. D. The Kern County Fire Department will review and approve the Fire Safety Plan prior to issuing building and grading permits. E. Verification of approval shall be provided to the Kern County Planning and Natural Resources Department and the Kern County Public Works Department.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	d) Equipment parking areas and small stationary engine sites shall be cleared of all extraneous flammable materials. e) Personnel shall be trained in the practices of the Fire Safety Plan relevant to their duties. Construction personnel shall be trained and equipped to extinguish small fires in order to prevent them from growing into more serious threats. f) The project proponent shall make an effort to restrict use of chainsaws, chippers, vegetation masticators, grinders, drill rigs, tractors, torches, and explosives to outside of the official fire season. When the above tools are used, water tanks equipped with hoses, fire rakes, and axes shall be easily accessible to personnel. g) Smoking shall be prohibited in wildland areas and shall be limited to paved areas or areas cleared of all vegetation. h) The project proponent shall confer with the Kern County Fire Department regarding the need to install water or dip tanks within the project site. Should dip tanks be required, the project proponent shall construct dip tanks as specified by the Kern County Fire Department. i) Perimeter fuel modification zones around building pads shall be implemented and approved by the Kern County Fire Department prior to combustible materials being brought to the project site areas adjacent to conservation areas that include flammable vegetation. j) Existing flammable vegetation shall be removed on vacant lots prior to commencement of construction and prior to bringing combustible construction materials on-site. k) Dead fuel, ladder fuel (fuel which can spread fire from ground to trees), and downed fuel shall be removed and trees/shrubs shall be properly limbed, pruned, and spaced per this plan.				
80	MM 4.8-18 Prior to project approval, the project proponent shall submit tentative tract maps for each project area submitted for approval to the Kern County Planning and Natural Resources Department. These tentative tract maps shall also be submitted to Kern County Fire Department for review to ensure that the map is consistent with applicable plans, policies, and regulations as identified by the Kern County Fire Department.	Prior to approval or tentative tract maps	Kern County Planning and Natural Resources; Kern County Public Works Department; Kern County Fire Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall ensure that tentative tract maps comply with all applicable state and local fire codes.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
		C. The Kern County Fire Department will review and approve compliance with state and local fire codes. D. The Kern County Planning and Natural Resources Department will review and approve plans. E. The Kern County Public Works Department will verify in the field during construction.			
#81	MM 4.8-19 Prior to issuing the first certificate of occupancy, the project proponent shall implement the Grapevine Fire Protection Plan. The project proponent shall submit the Grapevine Fire Protection Plan, along with maps of the project site and access roads, to the Kern County Fire Department for review and approval prior to the issuance of any building permit or grading permits. The Grapevine Fire Protection Plan requires the project proponent enforce the following: a) Residents, employees, and employers shall implement passive protections (fuel modification, interior sprinklers, ignition resistant construction) designed to work with little human intervention. b) The project proponent shall inform residents, employees, and employers within the project site that they shall maintain landscape and structural components according to the appropriate standards and embracing a “Ready, Set, Go” stance on evacuation. c) Fire rules shall be posted on a business bulletin board for all businesses within the project site. These rules shall be posted in areas visible to employees, typically a break room or main office.	Prior to issuing the first certificate of occupancy.	Kern County Planning and Natural Resources Department; Kern County Fire Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall comply with the Fire Protection/Management Plan and include appropriate measures in the CC&Rs. C. The Plan will be approved by the Kern County Fire Department prior to issuing building or grading permits D. The proponent shall ensure the long-term compliance with the Grapevine Fuel Management Plan. E. The proponent shall document compliance F. A copy of the documentation of compliance shall be provided to the Kern County Planning and Natural Resources Department and the Kern County Fire Department.			
#82	MM 4.8-20 Prior to the issuance of certificate of occupancy for any residential unit, all prospective landowners within the project site shall be provided copies of the prohibited plants list and vegetation management zone requirements and limitations as set forth in the Grapevine Fire Protection Plan. These provisions shall be enforced by recording applicable covenants, codes, and restrictions on each private lot and by notifying each private lot owner in writing prior to the lot or other property purchase of applicable plant use prohibitions and vegetation zone management requirements.	During operation	Kern County Planning and Natural Resources Department; Kern County Fire Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall comply with the Fire Protection/Management Plan and include appropriate measures in the CC&Rs. C. The Plan will be approved by the Kern County Fire Department prior to issuing building or grading permits D. The proponent shall ensure the long-term compliance with the Grapevine Fuel Management Plan. E. The proponent shall document compliance F. A copy of the documentation of compliance shall be provided to the Kern County Planning and Natural Resources Department and the Kern County Fire Department.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#83	MM 4.8-21 Prior to the issuance of certificate of occupancy, the homeowner association(s) within the project site shall provide education information to homeowners specific to the project site and the residential development locations. Homeowners shall be made aware of their responsibilities to maintain fire safe landscaping, and well and maintaining fuel modification zones. All fuel modification areas shall be maintained in perpetuity by the homeowner if private property or by the Property Owners' Association/ Management Company if part of the common area. Per Public Resources Code 4290 and 4291, owners of properties adjacent to wildland fuels are required to maintain fuel modification areas. a) High Fire Hazard Severity Zone – Residential Fuel Modification Zones The development area in the southeast portion of the project site is adjacent to the project's steeper terrain (Foothill Area) and within the designated high fuel hazard severity zone. Therefore, the structures located on the perimeter edge of this area shall be required to maintain a full 100 feet of fuel modification from the structure outward, toward the conservation area fuels. The fuel modification zones provided for the perimeter exposed structures shall be located within the development footprint as opposed to occurring off-site. However, off-site conservation area fuel management will continue under the direction of the Tejon Ranch and will be accomplished by managed grazing. b) Moderate Fire Hazard Severity Zone –Fuel Modification Zones Development of the project site within the moderate fire hazard severity zone shall be located in areas that include flat terrain and adjacent agriculture or other managed landscapes that present low fire risk and do not result in high flame lengths, high fire intensity, or particularly fast fire spread. Fuel modification zones for these areas shall include at least 30 feet of fuel modification area, which shall include, but are not limited to, mowed non-native grasses, thinned area or irrigated landscaped area including yards, parkways, roads, ornamental agriculture such as orchards and vineyards. This fuel modification area is applicable for perimeter structures' exposed sides that are adjacent to conservation areas or off-site fuels. c) Local Resource Area Unzoned Designations Project areas within the Local Resource Area, are unzoned, and will not require formal fuel modification zones. These areas are primarily	Prior to certificate of occupancy	Kern County Planning and Natural Resources Department; Kern County Fire Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall prepare education information for homeowners regarding fire safety. C. The Kern County Fire Department will approve the material. D. A copy of the homeowner information shall be provided to the Kern County Planning and Natural Resources Department prior to the issuance of certificate of occupancy.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	planned for industrial land uses. Landscaping in these areas shall provide a buffer around structures. d) Special Fuel Management • Roadside tree planting when the road is directly adjacent to a conservation area is acceptable, as long as it meets the following restrictions: • Crowns of trees located within defensible space shall maintain a minimum horizontal clearance of 10 feet for fire-resistant trees. No non-fire-resistant trees will be allowed. • Mature trees shall be pruned to remove limbs up to one-third the height of the trees or 6 feet above the ground surface adjacent to the trees, whichever is less. • Deadwood and litter shall be regularly removed from trees. • Ornamental trees along roadways at the interface with conservation areas shall be limited to groupings of two to three trees, with canopies for each grouping separated horizontally by 10 feet. This does not apply to irrigated and maintained groves, orchards, or other agricultural crops or any areas outside the fuel modification zones. e) On-site fuel modification areas will require ongoing maintenance as follows; • For roadside plantings that are within fuel modification zones, i.e., where a road occurs between the project and the conservation areas, fire-resistant trees shall be allowed for landscaping as long as vertical clearance is maintained at street edge. Care shall be given to the type of tree selected, so that it will not encroach into the roadway or produce a closed canopy effect. • Limit planting of large unbroken masses, especially trees and large shrubs within the fuel modification zones. Groups shall be two to three trees maximum, with mature foliage of any group separated horizontally by at least 10 feet if planted on a slope less than 20 percent, and 20 feet if planted on a slope greater than 20 percent. This does not apply to groves, orchards, or other irrigated, maintained agriculture operations. • If shrubs are located underneath a tree's drip line, the lowest tree branch shall be at least three times as high as the understory shrubs or 10 feet, whichever is greater.				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	- Existing trees can be pruned 10 feet away from roof, eave, or exterior siding, depending on the tree's physical or flammable characteristics and the building construction features. - All tree branches shall be removed within 10 feet of a fireplace chimney or outdoor barbecue.				
#84	MM 4.8-22 The project proponent shall continuously comply with the following during construction implementation of the project: In order to eliminate the risk of generating disease vectors at the site, during project construction, the project proponent shall ensure that trash is stored in closed containers and removed from the site at regular intervals. Open containers shall be inverted and construction ditches shall not be allowed to accumulate water. Construction activities shall not generate standing water. Naturally occurring depressions, drainages, or pools at the site shall not be drained or filled without consulting with the appropriate resource agency (Kern County, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, California Department of Fish and Wildlife) as applicable, and obtaining the appropriate permits. The environmental monitor shall ensure that standing water and large quantities of trash do not accumulate onsite. Project compliance shall be verified by the Kern County Public Works Department during the course of that agency's performance of any on-site inspections.	During construction	Kern County Public Health Services Department; Kern County Public Works Department		
Steps to Compliance: - This mitigation measure shall be incorporated as a condition of approval for any site plan review. - The proponent shall keep areas clean and remove debris at regular intervals. - The proponent shall ensure water does not accumulate in construction ditches. For naturally occurring depressions and drainages or pools, the proponent shall consult the appropriate resource agency prior to draining or filling. - The Kern County Public Works Department will verify project compliance in the field during construction.					
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the Final SREIR to the extent feasible.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.9 Hydrology and Water Quality					
#85	MM 4.9-1 Prior to the initiation of construction activity that qualifies for coverage under the California General Construction Permit, the project proponent shall comply with applicable permit coverage and notice requirements and construction-period management requirements, including the preparation and implementation of a stormwater pollution prevention plan (SWPPP) and the identification of erosion and sediment control options that meet applicable best available technology economically achievable and best conventional pollutant control technology (BAT/BCT) standards. During ground disturbance construction activities, the project proponent shall: - Implement erosion control measures to prevent erosion from the construction site, including: - physical soil stabilization using hydraulic mulch, soil binders, straw mulch, bonded fiber matrices, and erosion control blankets as appropriate; - limiting the area and duration of exposure of disturbed soils to the extent feasible; - soil roughening of graded areas through track walking, scarifying, sheepsfoot rolling, or imprinting; - vegetation stabilization through temporary seeding; and - applying water or other dust controls. - Implement sediment control measures to prevent sedimentation impacts off the construction site, including: - perimeter protection using silt fences, fiber rolls, gravel bag berms, sand bag barriers, or straw bale barriers, including the protection of environmentally sensitive areas; - storm drain inlet protection; - sediment capture using sediment traps, storm drain inlet protection, or sediment basins; - velocity reduction using check dams, sediment basins, outlet protection, or velocity dissipation devices; and - off-site sediment tracking controls using stabilized construction entrances and exits, construction road stabilization, or entrance and exit tire wash facilities. - Implement waste and materials management measures to avoid unauthorized releases to and from the construction site, including measures to:	Prior to issuing building and grading permits Kern County Planning and Natural Resources Department; Central Valley Regional Water Quality Control Board; Kern County Public Works Department			
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall submit an approved copy of a Storm Water Pollution Prevention Plan from the Central Valley Regional Water Quality Control Board to the Kern County Planning and Natural Resources Department. C. The Kern County Public Works Department will verify compliance in the field during construction.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	a) avoid releases and control solid, sanitary, concrete, hazardous, and equipment-related wastes; and b) protect soil stockpiles using covers, water or soil binders, or perimeter control measures. 4. Implement non-stormwater management measures to reduce or limit potential stormwater exposure to construction-related pollutants, including: a) water conservation practices; b) vehicle and equipment cleaning; and c) vehicle fueling practices that avoid and control pollutant discharges. 5. Implement training and education measures, including: a) training individuals who are responsible for storm water pollution protection program preparation, implementation, and compliance, including construction contractors and subcontractors; b) providing signage that identifies storm water pollution protection program management requirements, such as site cleanup policies and designated washout locations; and disseminating construction-period water quality management measures and requirements to custom lot contractors prior to construction. 6. Conduct maintenance, monitoring, and inspections as required to ensure compliance with construction-period water quality control measures, including: a) regular site inspections and inspections before, during (for storm events greater than 24 hours in duration), and after storm events; b) maintenance and repair of mitigation measures as required; and c) preparation and implementation of a sampling and analysis plan for non-visible pollutants of concern. 7. Implement a dry- and wet-weather control measures that include the following provisions: a) dry-weather controls, including dust control, soil roughening of graded areas, sediment control measures at the down-gradient site perimeter and all operational storm drain inlets internal to the site, soil tracking mitigation, waste management and materials pollution control measures, non-stormwater measures to prevent or reduce stormwater contact with construction materials, and an				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	action plan to deploy additional erosion and sediment controls as may be required within 48 hours of a predicted storm event; and b) wet-weather controls, including limiting the area and duration of exposure of disturbed soil areas, erosion and sediment control measures for disturbed areas, and maintaining sufficient on-site materials to implement additional erosion and sediment controls within 48 hours of a predicted storm event.				
#86	MM 4.9-2 Prior to approval of any final subdivision map or commercial/industrial site plan, the project proponent shall: 1. Process and obtain from the Federal Emergency Management Agency (FEMA) a Conditional Letter of Map Revision (CLOMR) for the proposed project area; and 2. Prepare a stormwater and drainage plan that is consistent with the provisions and requirements of any obtained CLOMR issued by FEMA and which will ensure the retention of stormwater within the project site consistent with Kern County’s design standards. The project proponent shall consult with the Kern County Public Works Department to ensure that the stormwater and drainage plan is prepared in accordance with applicable methodologies. The stormwater management and drainage plan shall meet or exceed the requirements in Kern County’s Hydrology Manual. The stormwater and drainage management features to be included in the plan may include but are not limited to routing and management of proposed project stormwater runoff with both distributed low impact development (LID) best management practices (BMPs) (e.g., bioretention, biofiltration, infiltration trenches, stormwater planter boxes, flow dispersion of roof and driveway runoff) and a series of retention basins, referred to as “community-scale BMPs” to comply with the Kern County required sump volume capacity of capturing and retaining the runoff generated by the Intermediate Storm Design Discharge (ISDD) 10-year, 5-day storm event. The drainage management features, including “community-scale BMPs”, shall be collectively sized to control site runoff produced from storms up to and including ISDD 10-year, 5-day storm event, such that the volume of runoff produced from the ISDD event is fully captured and retained, reducing the peak flow and volume in the post-development condition. Drainage plan conveyance infrastructure shall also be	Prior to approval of subdivision maps or site plans	Kern County Public Works Department; Federal Emergency Management Agency; Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall obtain a Conditional Letter of Map Revision from the Federal Emergency Management Agency. C. The proponent shall provide a copy of the CLOMR to the Kern County Public Works Department and the Kern County Planning and Natural Resources Department. D. The proponent shall prepare a stormwater and drainage plan consistent with the CLOMR and Kern County standards. E. The Plan shall be submitted to the Kern County Public Works Department for approval. F. The Kern County Planning and Natural Resources Department, in consultation with the Kern County Public Works Department, will verify prior to approving any subdivision maps or site plans.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	designed to meet Kern County Development Standards (e.g., to convey the ISDD event and/or the capital storm design (CSDD) event, as required). The plan shall also include adjustable diversion structure(s) to allow releases from the flood control sumps downstream to Grapevine Creek and/or tributaries to Pastoria Creek to allow for historical volumes of stormwater runoff to flow off-site, as sufficient to support downstream biological resources.				
#87	MM 4.9-3 Prior to receipt of an occupancy permit for a residential or commercial structure on areas of the project site that include a standard curb and gutter system, the project proponent or building permittee shall stencil a statement or graphical icon above publicly accessible storm drain system inlets that prohibits dumping improper wastes into the storm drain system and shall install inserts to collect trash from storm drain inlets in high-use areas of the site that include a standard curb and gutter system.	Prior to receipt of an occupancy permit	Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall stencil a statement or graphical icon above publicly accessible storm drain system inlets that prohibits dumping improper wastes into the storm drain system. C. The proponent shall install inserts to collect trash from storm drain inlets in high-use areas of the site that include a standard curb and gutter system prior to receipt of an occupancy permit. D. The Kern County Public Works Department will verify in the field during inspections.			
#88	MM 4.9-4 Prior to recordation of a final subdivision map or approval of any commercial/industrial site plan on the project site, the project proponent shall provide evidence that maintenance inspection of common area treatment controls shall be conducted by the Tejon Castac Water District, project area Geologic Hazard Abatement District (GHAD), or other government agency with treatment control management responsibilities, as identified and approved by the Kern County Administrative Office, in consultation with the Kern County Planning and Natural Resources Department. The maintenance interval shall be at least once per year. The project proponent shall vest the lead biologist with the responsibility to monitor the operations of the diversion structures and direct releases as needed to ensure sufficient off-site flows to continue to support off-site biological resources and include common area treatment control maintenance responsibilities and obligations in the conditions, covenants, and restrictions (CC&Rs), or similar restrictions, applicable to all private residences, commercial areas, or other privately owned or managed facilities within the project.	Prior to approval of final subdivision maps or site plans	Kern County Planning and Natural Resources Department; Tejon Castac Water District		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall provide evidence that the appropriate agency has accepted responsibility for performing the requirements in this measure. C. The responsible agency will provide the Kern County Planning and natural Resources Department an annual reporting and compliance report. D. Information regarding maintenance shall be included in the CC&Rs. E. The proponent shall provide evidence of maintenance inspections conducted by the Tejon Castac Water District. F. The Kern County Planning and Natural Resources Department will verify the maintenance interval and inspections and will receive verification of inclusion in the CC&Rs.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#89	MM 4.9-5 Prior to recordation of the first final subdivision map or site plan on the project site, the project proponent shall provide evidence to the County that the Tejon Castac Water District, a Geologic Hazard Abatement District (GHAD) with jurisdiction over the project site, or other government agency with water quality facility management and compliance responsibilities, as approved by the Kern County Administrative Office, has accepted responsibility for performing the following activities and shall submit annual reporting of compliance to the Kern County Planning and Natural Resources Department: 1. Develop and provide environmental awareness education materials to all project residents and employees that include the following information: a) household and other chemicals that should not be discharged from use locations, including discharge via hosing or other direct discharge to gutters, catch basins, and storm drains; b) the proper handling of fertilizers, pesticides, cleaning solutions, paint products, automotive products, trash and debris, and swimming pool chemicals; c) the environmental and legal impacts of illegal or harmful discharges into storm drains and sewers; d) alternative household products that reduce environmental impacts; e) household hazardous waste collection programs; f) used oil recycling programs; g) proper procedures for spill prevention and cleanup; h) proper storage of materials that pose pollution risks to local waters; i) public or private transportation alternatives; j) approved car washing facilities and locations in multi-unit residential areas; and k) proper management of pet wastes, including the use of disposal bins in high-use common areas, and the avoidance of feeding waterfowl, particularly near water bodies. 2. Conduct regular litter patrols and shall regularly empty trash receptacles in common areas to prevent trash spillage or overflow.	Prior to recordation of the first final subdivision map or site plan	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall provide evidence that the appropriate agency has accepted responsibility for performing the responsibilities as specified in the mitigation measure. C. The responsible agency will provide the Kern County Planning and Natural Resources Department an annual reporting and compliance report. D. The Kern County Planning and Natural Resources Department will verify the annual documentation.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	3. Ensure that common area and private streets and parking lots in high-use areas are swept prior to the onset of the first storm of the rainy season each year.				
#90	MM 4.9-6 Prior to the final recordation of the first tentative tract map, parcel map, (not including finance maps), or processing of a commercial/industrial site plan, the project proponent shall submit final design for the debris basins and buried lateral stabilization (if needed) and calculations evidencing that the channel crossings/bank stabilization will withstand potential erosion and scour associated with peak flow discharge for the 100-year event.	Prior to recordation of the first tentative tract map, parcel map, or site plan	Kern County Public Works Department; Kern County Planning and Natural Resources		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall evaluate soils pursuant to the need for bank stabilization. C. Any bank stabilization shall be shown on applicable maps and plans. D. The Kern County Public Works Department will review prior to issuing building and grading permits. E. Evidence of compliance shall be provided to the Kern County Planning and Natural Resources Department.			
#91	MM 4.9-7 Concurrent with the submittal of a tentative tract map, parcel map (excluding financing maps), or commercial/industrial site plan, the project proponent shall submit as an element of the Landscape Plan measures that addresses integrated pest management (IPM), pesticide and fertilizer application guidelines. IPM is a strategy that focuses on long-term prevention or suppression of pest problems (i.e., insects, diseases and weeds) through a combination of techniques including: using pest-resistant plants; biological controls; cultural practices; habitat modification; and the judicious use of pesticides according to treatment thresholds, when monitoring indicates pesticides are needed because pest populations exceed established thresholds. The Landscape Plan shall include the following components: 1. Pesticide applicator certifications, licenses and training – in particular, all pesticide applicators must be certified by the California Department of Pesticide Regulation. 2. Pest identification. 3. Practices to prevent pest incidence and reduce pest buildup. 4. Monitoring to examine vegetation and surrounding areas for pests to evaluate trends and to identify when controls are needed and to prevent harm to native pollinators. 5. Establishment of action thresholds that trigger control actions.	Prior to issuing building and grading permits	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall prepare and submit a Landscape Management Plan as specified in this mitigation measure. C. Kern County Planning and Natural Resources Department will approve the Plan prior to issuance of grading or building permits. D. Kern County Public Works Department will verify in the field during construction.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	6. Pest control methods- cultural, mechanical, environmental, and biological controls, as well as appropriate, more conventional pesticides. 7. Pesticide management–safety (e.g., Material Safety Data Sheets, precautionary statements, protective equipment), regulatory requirements, spill mitigation, groundwater and surface water protection measures associated with pesticide use. 8. Recommendations for fertilizer management - The guidelines will include soil assessment, fertilizer types, application methods, and storage and handling. 9. Native seed mixes will be developed to be used throughout the project for landscaping or restoration of temporary disturbances and will contain a diverse assemblage of native wildflowers, including milkweed, as appropriate. Seed mixes will be used as follows: • <u>Apply native seed mixes in bare soil areas, including those recently cleared, graded, or disturbed.</u> • <u>Landscape facilities with native flowering plants that act as nectar resources providing nectar producing plants throughout the monarch flight period.</u> • <u>Implement enhancement projects that increase the habitat available for foraging, nesting, breeding/migration, and overwintering, as appropriate.</u> • <u>Seed mixes shall be free of invasive or aggressive non-native species that inhibit species diversity when established.</u> • <u>Seed mixes and plugs should not be treated with systemic insecticides.</u> • <u>Determine applicability of seeding and planting based on seasonality, frequency, location, and timing for implementation based on CDFW/USFWS/Xerces guidance.</u>				
#92	MM 4.9-8 The project proponent shall participate in the groundwater management planning and implementation actions by the Tejon Castac Water District under the Sustainable Groundwater Management Act to protect and manage groundwater resources in the project area.	During construction and operation. Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review.	Tejon Castac Water District		

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
		B. The proponent shall participate in the groundwater management planning and implementation with Tejon Castac Water District. C. Evidence of participation shall be provided to the Kern County Planning and Natural Resources Department.			
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the Final SREIR to the extent feasible.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.10 Land Use and Planning					
#93	MM 4.10-1 Within 180 days after adoption of the Grapevine Specific and Community Plan and associated Grapevine Special Planning District Plan, the Kern County Planning and Natural Resources Department shall review for consistency the Grapevine Specific and Community Plan and Grapevine Special Plan land use designations and zoning classifications within the Grapevine Specific and Community Plan Area. Kern County shall initiate amendments to the Zoning Map to correct any inconsistencies between the documents. The intent of this mitigation is to eliminate potential conflicts with the Kern County Zoning Ordinance, thereby complying with California Code Section 65860.	No later than 180 days after adoption of the Specific and Community Plan and Special Plan	Kern County Planning and Natural Resources Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. Kern County Planning and Natural Resources Department will review the Grapevine Specific and Community Plan and associated Grapevine Special Planning District Plan for consistency with the County Zoning Ordinance within 180 days after adoption. C. Kern County Planning and Natural Resources Department shall initiate amendments to the Zoning Map to correct any inconsistencies between the documents.					
#94	MM 4.10-2 The following statement shall be included as a note on the final map for all subdivisions, commercial site plans and included in the project Covenants, Conditions and Restrictions (CC&Rs): “This property is presently located under military training routes and a supersonic corridor subject to use by the Department of Defense. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to the routes and corridor (for example: noise, vibration, low-level over flight or sonic booms). Tejon Ranch currently operates a helistop and you may be exposed to noise impacts from helicopter overflights. Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.”	Prior to final subdivision maps and site plans	Kern County Planning and Natural Resources Department		
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the Final SREIR to the extent feasible.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.11 Minerals					
#95	MM 4.11-1 The project proponent shall identify the location of oil and gas equipment, including wells and ancillary equipment such as pipelines and storage tanks, located onsite and within 210 feet of the site included in a tentative tract map or site plan application. Plugged and abandoned well locations shall be recorded on all project subdivision maps and submitted to the Department of Conservation Division of Oil, Gas and Geothermal Resources (DOGGR). Compliance with the DOGGR Well Review Program shall be required prior to constructing any new structure within 100 feet of a plugged or abandoned well. No occupied structures may be built on top of a plugged or abandoned well. Prior to constructing any unoccupied structure, road or parking lot on top of a plugged or abandoned well, the well head must be excavated for surface plug inspection and leakage testing prior to any new surface development over the wellhead location. 48-hour advance written notice of any such plug inspection and leakage testing shall be provided to DOGGR, along with a written request that a DOGGR engineer witness such inspection and testing and provide a letter to the County and project proponent addressing leakage testing results. The plugged or abandoned well may need to be re-abandoned, if necessary, per compliance with DOGGR standards. If an abandoned or unrecorded well is uncovered or damaged during project-related excavation or grading, the discovery shall be reported to DOGGR and the County, and DOGGR shall be contacted by the County or project proponent to determine whether remedial plugging operations in accordance with DOGGR standards are required. Building permit applications for residences, schools, and places of assembly shall identify the location of oil and gas equipment, including wells and ancillary equipment, and new structures for such uses must comply with the applicable setback requirements and all applicable permitting requirements set forth in Chapter 19.98 of the Ordinance Code of Kern County (inclusive of applicable standards and mitigation measures). Oil and gas operators on the project site are required to complete either the Oil and Gas Conformity Review or Minor Activity Review process set forth in Chapter 19.98 of the Ordinance Code of Kern County for oil and gas activities undertaken within the Grapevine Specific and Community Plan, including but not limited to compliance with applicable noise and air quality setback distances between wells and residences, schools and other sensitive receptors, applicable release reporting and spill cleanup laws, and applicable worker	Prior to issuing building and grading permits	Kern County Planning and Natural Resources Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The project proponent shall identify the location of oil and gas equipment as specified in this mitigation measure on tentative tract maps or site plans. C. Building permit applications for residences, schools, and places of assembly shall identify the location of oil and gas equipment, as specified in this mitigation measure, and structure siting for such uses must comply with the setback and permitting requirements set forth in this mitigation measure. D. Oil and gas operators on the project site are required to complete either the Oil and Gas Conformity Review or Minor Activity Review process for activities undertaken within the Grapevine Specific and Community Plan area. E. The proponent shall prepare site plans that do not preclude potential future access to regionally significant mineral resources within and adjacent to the project site. F. The Kern County Planning and Natural Resources Department shall verify site plans, including identification of oil and gas equipment and access to mineral resources, prior to issuance of any building or grading permits.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	training and emergency preparation and response laws, promptly report and cleanup spills, manage stormwater, and complete training to assure safe emergency preparation and response actions and obtain all State and any Federal permits required by law. Conditional Use Permits shall be required only for equipment and activities that do not qualify for Oil and Gas Conformity review or Minor Activity Review. Additionally, all project development shall be sited to not preclude potential future access to regionally significant mineral resources within and adjacent to the project site.				
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the Final SREIR to the extent feasible.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.12 Noise					
#96	MM 4.12-1 The following shall be implemented by the project proponent during project construction: 1. Project construction hours shall comply with Kern County Noise Ordinance. 2. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors. 3. The construction contractor shall locate pile drivers, or other machinery capable of causing strong vibrations or load noises, such that the rear of the vibratory pile driver or machinery faces toward the noise sensitive receptor when the machine is being utilized. 4. The construction contractor shall locate equipment staging in areas that will create the greatest possible distance between construction–related noise sources and noise sensitive receptors nearest the project site during all project construction to the extent practical. 5. The construction contractor shall ensure proper maintenance and working order of equipment and vehicles, and that all construction equipment is equipped with manufacturer’s approved mufflers and baffles. 6. The construction contractor shall install sound-control devices in all construction and impact equipment, no less effective than those provided ion the original equipment. 7. The construction contractor shall establish a noise disturbance coordinator for the project during construction. The disturbance coordinator shall be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the complaint and shall be required to implement reasonable measures to resolve the complaint.	During construction	Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall adhere to noise reduction measures outlined in this mitigation measure. C. The proponent shall comply with the Kern County Noise Ordinance. D. The proponent shall establish a noise disturbance coordinator to respond to any local complaints regarding construction noise. E. The Kern County Public Works Department will very compliance with the Kern County Noise Ordinance.			
#97	MM 4.12-2 Prior to the issuance of grading permits, the project operator shall submit evidence of the following: Construction contracts shall specify that notices shall be sent out to all residences located within a 1,000 feet from the project site at least 15 days prior to commencements of construction. The notices shall include the construction schedule and a telephone number where complaints can be registered with the noise disturbance coordinator. A sign,	Prior to issuing building and grading permits	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall be responsible for ensuring that construction contracts specify that notices shall be sent out to all residences immediately adjacent to the construction areas at least 15 days prior to commencement of construction.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	legible at a distance of 50 feet, shall also be posted at the construction sites throughout construction which includes the same details as the notices.	C. A sign (legible at a distance of 50 feet) shall be posted on-site throughout construction to identify how noise complaints can be registered with the noise disturbance coordinator. D. The proponent shall provide confirmation of conformance with noticing requirements to the Kern County Planning and Natural Resources Department prior to issuing building permits.			
#98	MM 4.12-3 Prior to issuance of grading permits, the project proponent shall submit evidence of methods of implementation and shall continuously comply with the following during construction: A “noise disturbance coordinator” shall be established. The disturbance coordinator shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall be required to implement reasonable measures such that the complaint is resolved.	Prior to issuing building and grading permits	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall establish a noise disturbance coordinator to respond to any local complaints regarding construction noise. C. The noise disturbance coordinator shall be responsible for responding to any local complaints about construction noise. D. The proponent shall submit evidence of retention of a noise disturbance coordinator to the Kern County Planning and Natural Resources Department. E. The Kern County Public Works Department will verify compliance in the field during construction.			
#99	MM 4.12-4 a. Prior to approval of any subdivision map that would authorize residential development, park site, or other sensitive noise receptor within 1,000 feet of the centerline of Interstate 5, the project proponent shall provide to the County a noise assessment prepared by a qualified, County-approved acoustical engineer. The noise assessment shall identify noise reduction measures necessary to ensure that sensitive noise receptors located adjacent to Interstate-5 will not be exposed to ambient noise levels that exceed 65 dBA (outside) and 45 dBA (inside) respectively. Acceptable noise reduction measures could include, but not be limited to, sound barriers, vegetated buffers, ventilation filters, noise attenuating window glazing, and noise attenuating insulation. Noise reduction measures identified in the required noise assessment shall be required as conditions of approval to the final subdivision map, commercial site plan, and/or building permit to assure compliance with the County’s ambient noise standards. b. Prior to approval of any subdivision map that would authorize residential development, park site, or other sensitive noise receptor	Prior to approval of final subdivision maps or site plans; prior to issuing grading or building permits	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall retain a noise specialist to identify noise reduction measures necessary to ensure residential uses within 1,000 feet of I-5 do not exceed noise thresholds. C. Any measures identified by the noise specialists shall be incorporated as a condition of approval to any final subdivision map. D. Documentation of the noise analysis and proposed reduction measures shall be provided to the Kern County Planning and Natural Resources Department for review and approval. E. The Kern County Planning and Natural Resources Department will verify. F. Kern County Public Works Department will verify in the field.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	within 500 feet of the centerline of any internal roadway, the project proponent shall provide to the County a noise assessment prepared by a qualified, County-approved acoustical engineer. The noise assessment shall identify noise reduction measures necessary to ensure sensitive noise receptors located adjacent to internal project roadways will not be exposed to ambient noise levels that exceed 65 dBA (outside) and 45 dBA (inside) respectively. Acceptable noise reduction measures could include, but not be limited to, sound barriers, vegetated buffers, ventilation filters, noise attenuating window glazing, and noise attenuating insulation. Noise reduction measures identified in the required noise assessment shall be required as conditions of approval to the final subdivision map, commercial site plan, and/or building permit to assure compliance with the County's ambient noise standards.				
#100	MM 4.12-5 Prior to issuance of final occupancy, the project proponent shall reduce noise impacts by ensuring the installation of acoustical shielding around all new rooftop heating-ventilation-air-conditioning (HVAC) equipment, or by placing the HVAC equipment below grade in basement space, as needed to assure that that exterior noise levels do not exceed 65 dBA CNEL at the property line of the nearest noise-sensitive land use.	Prior to issuance of final occupancy certificate	Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The project proponent shall reduce noise impacts by ensuring the installation of acoustical shielding around all new rooftop heating-ventilation-air-conditioning (HVAC) equipment. C. The Kern County Public Works Department will verify in the field during building final inspections.			
#101	MM 4.12-6 Prior to the submittal of any Commercial/Industrial Site Development Plan or modification to an approved Commercial Site/Industrial Development Plan, the project proponent shall demonstrate that a distance of not less than 35 feet will be established between proposed school, park, or community center activity areas (playgrounds, athletic fields etc.) and neighboring residential neighborhoods.	Prior to approval of site development plans	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall maintain a distance of 35 feet between proposed schools, parks, or community center activity areas and residential neighborhoods on all site plans. C. The Kern County Planning and Natural Resources Department, in consultation with the Kern County Public Works Department, will verify prior to approving any development site plans.			
#102	MM 4.12-7 Prior to the submittal of any Commercial Site/Industrial Development Plan or modification to an approved Commercial Site/Industrial Development Plan, the project proponent shall demonstrate that pump stations located adjacent to residential land uses or water treatment / wastewater	Prior to approval of site development plans	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
		Steps to Compliance:			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	treatment facilities located within 55 feet of residential land uses shall place pumps, emergency generators, and any other motorized equipment within a masonry enclosure that minimizes noise levels outside the enclosure. Prior to operation, the noise levels from stationary motorized equipment (including emergency generators) shall be measured to ensure that operation of the equipment would not exceed an exterior noise level of 65 dBA CNEL at the nearest residential property line.	A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall maintain a distance of 55 feet between pumps and emergency generators and residential land uses on all site plans. C. The proponent shall place pumps and emergency generators in masonry enclosures if within 55 feet of residences. D. Noise measurements shall be conducted prior to operation to ensure that noise levels are within acceptable thresholds. E. The Kern County Planning and Natural Resources Department will verify prior to approving any development site plans and will verify noise measurements. F. Kern County Public Works Department will verify in the field.			
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the Final SREIR to the extent feasible.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.14 Public Services					
#103	MM 4.14-1 Prior to the issuance of the 1,500 th residential building permit, the project proponent will have designated a site for and constructed a fire station to serve the project. In addition, the project proponent will provide the following three pieces of equipment: (1) One fully-equipped Type 1 Fire Engine; (2) One fully-equipped aerial ladder truck; and (3) One fully-equipped Type 6 Wildland Patrol.	Prior to issuing the 1,500 th residential building permit	Kern County Planning and Natural Resources Department; Kern County Public Works Department; Kern County Fire Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall design and construct a fire station within the project boundaries prior to the 1,500 th residential building permit. C. The Kern County Planning and Natural Resources Department, in consultation with the Kern County Fire Department, will verify site plans. D. The Kern County Public Works Department will verify construction of the fire station in the field. E. The proponent shall provide three pieces of equipment as specified by the Kern County Fire Department, including an aerial ladder truck. F. The Kern County Fire Department will verify receipt of equipment.			
#104	MM 4.14-2 Prior to the issuance of the 4,000 th residential building permit, or as otherwise may be agreed with Fire Department, the project proponent will have designated a site for and constructed a 2nd fire station to serve the project. In addition, the project proponent will provide the following two pieces of equipment as follows: (1) One fully-equipped Type 1 Fire Engine; (2) One fully-equipped Type 3 Wildland Patrol.	Prior to issuing the 4,000 th residential building permit	Kern County Planning and Natural Resources Department; Kern County Public Works Department; Kern County Fire Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall design and construct a fire station within the project boundaries prior to the 4,000 th residential building permit. C. The Kern County Planning and Natural Resources Department, in consultation with the Kern County Fire Department, will verify site plans. D. The Kern County Public Works Department will verify construction of the fire station in the field. E. The proponent shall provide two pieces of equipment as specified by the Kern County Fire Department. F. The Kern County Fire Department will verify receipt of equipment.			
#105	MM 4.14-3 Prior to issuance of the first certificate of occupancy for a residential unit within Grapevine, the project proponent shall provide the Kern County Sheriff's Department with an office facility at the Tejon Ranch Commerce Center Outlets at Tejon or at another location that is acceptable to the Sheriff's Department, so that they are able to provide service to the project's first 1,000 residences.	Prior to issuing first certificate of occupancy for residential units	Kern County Sheriff's Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
		B. The proponent shall provide the Kern County Sheriff's Department with an office facility at the Tejon Ranch Commerce Center Outlets at Tejon or at another acceptable location approved by the Sheriff's Department.			
#106	MM 4.14-4 The project proponent will designate a site for, and will construct, a permanent Sheriff's facility to serve the Grapevine Specific and Community Plan Area. Prior to issuance of the 1,000th residential building permit, or as may otherwise be agreed with Sheriff's Department, the project proponent will have designated a site of up to 4.5 acres (or such other smaller size as may be agreed to by the Sheriff's Department as sufficient to meet the Sheriff's operational needs) and will have constructed an initial phase of the permanent Sheriff's facility. The construction of the facility may be completed in a phased manner consistent with the project's build-out in coordination with the Sheriff's operational needs and may be developed as a joint-use facility with other community serving or civic uses such as, but not limited to, Fire and Emergency Services.	Prior to issuing 1,000 th residential building permit	Kern County Planning and Natural Resources Department; Kern County Public Works Department; Kern County Sheriff's Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent will design and construct a Sheriff's station within the project boundaries prior to the 1,000 th residential building permit. C. The Kern County Planning and Natural Resources Department, in consultation with the Kern County Sheriff's Department, will verify site plans. D. The Kern County Public Works Department will verify construction of the fire station in the field. E. The proponent shall coordinate with the Kern County Sheriff's Department regarding operational needs.			
#107	MM 4.14-5 Kindergarten through Eighth Grade (K-8) Students for Initial Project Phase. Students will be housed within the applicable school district's existing facilities capacity at General Shafter School on an interim basis. Completion of construction and opening of the initial new K-8 school shall occur when K-8 student generation from the project exceeds 125 students or by such other date mutually agreed upon by project proponent and the applicable district, and at such time the initial 125 students housed in existing facilities will be re-located to the K-8 school at the project site.	Prior to the student population exceeding 125 students	Kern County Planning and Natural Resources Department; General Shafter School District		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The K-8 students present during the Initial Project Phase will be housed within the applicable school district's existing facilities as identified by the General Shafter School District. C. Completion of construction and opening of the initial new K-8 school shall occur prior to the introduction of 125 students or by such other date mutually agreed upon by the proponent and the General Shafter School District. D. Evidence of compliance will be provided to the Kern County Planning and Natural Resources Department.			
#108	MM 4.14-6 High School Students for Initial Project Phase. Students generated from the project prior to opening of a high school on site will be housed within the high school district's existing facilities capacity at high schools in South Bakersfield on an interim basis. If excess facility capacity is	Prior to the student population exceeding 1,000 high school freshman and sophomore students	Kern County Public Works Department; Kern High School District		

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	used prior to the opening of the new high school on site, students will be housed through the addition of temporary leased portables that will be located at existing high school site(s). The leasing of temporary portables will be paid for by the project proponent. Completion of construction and opening of the new high school shall occur when high school student generation from the Project reaches 1,000 freshman and sophomore year students or by such other date mutually agreed upon by project proponent and the high school district and at such time the initial students from the project site housed in existing facilities will be re-located to the High School at the project site.	Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The high school students present during the Initial Project Phase will be housed within the applicable school district's existing facilities as identified by the Kern High School District. C. The proponent will provide temporary leased portables if the addition of students exceeds facility capacity. D. Completion of construction and opening of the initial new K-8 school shall occur prior to the introduction of 1,000 freshman and sophomore students or by such other date mutually agreed upon by the proponent and the Kern High School District. E. Evidence of compliance will be provided to the Kern County Planning and Natural Resources Department.			
#109	MM 4.14-7 School Facilities Funding. Prior to approval of the first final map for the project, project proponent and the applicable district(s) shall enter into a mutually agreeable School Facilities and Financing Agreement. The School Facilities and Financing Agreement shall address financing mechanisms for funding facilities to serve the students from the project, shall maximize access to and use of third party school funding sources, and shall include other mutually agreeable provisions for the final description and conveyance of school sites, the design and construction of school facilities in accordance with local and State standards and the determination of final student generation rates and the timing of school construction and opening. Pursuant to California Government Code Section 65995 <i>et seq.</i> , and except as otherwise provided in a School Facilities and Financing Agreement entered into between project proponent and the applicable district(s), the project proponent shall pay applicable developer fees to the appropriate school district(s) at the time building permits are issued for the project.	Prior to approval of final map	Kern County Public Works Department; Kern High School District; General Shafter School District		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent, in coordination with the applicable school districts, shall enter into a School Facilities and Financing Agreement as specified in this mitigation measure. C. The proponent will pay applicable developer fees to the appropriate school district(s) at the time the building permits are issued. D. Evidence of the Agreement and fee payment(s) will be provided to the Kern County Planning and Natural Resources Department, in consultation with the Kern High School District and the General Shafter School District.			
#110	MM 4.14-8 School Site Designation. Prior to submittal of the first tentative tract map for each planning area the project proponent shall identify with specificity the site(s) for any new school facilities to be located therein and such site(s) shall be acquired by and conveyed to the applicable school district, or be made available as otherwise agreed pursuant to the terms and conditions of the applicable School Facilities and Financing Agreement. As may be more expressly outlined in the School Facilities and Financing Agreement, prior to final school site designation, project proponent and the General Shafter School District and Kern High School District, as appropriate, will work cooperatively to determine the projected student population for the service area of the school	Prior to submittal of first tentative tract map for each planning area	Kern County Public Works Department; Kern High School District; General Shafter School District		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall identify the site(s) for new school facilities on each tentative tract map.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	site to be designated and based upon such information, designate the appropriate school site(s).	C. The proponent shall acquire and convey the property to the applicable school district(s) or as agreed pursuant to the School Facilities and Financing Agreement. D. Proponent shall work with the General Shafter and Kern High School Districts to determent projected student population and to designate the appropriate school site(s). E. The Kern County Planning and Natural Resources Department will verify prior to approving any tentative tract map for each planning area.			
#111	MM 4.14-9 The project will provide a minimum of 96 acres of parks, as required by Kern County and state development codes in the following manner: 1. Four (4) acres of park land will be designated and improved for every 500 residential dwelling units built. The cumulative total of park land provided will be tracked by project proponent and reported on each tract map application, and 4 acres of park land will be required to be provided prior to the issuance of the certificate of occupancy for each 500 th residential unit. 2. Tentative subdivision tract maps shall depict the location of parks lands. 3. Joint use park lands may be counted toward the project’s park requirement so long as a joint-use agreement between the project proponent and appropriate entity is submitted to Kern County concurrent with the application for the applicable tentative tract map. 4. The project proponent shall construct a variety of parks including “regional parks.” Prior to the completion of the 2,500 th residential unit the project proponent shall have designated and constructed a minimum of one park that meets the following definition of a “regional parks.” A “regional park” is park land that include any of the following features: a) Can accommodate large numbers of people without significant deterioration of the recreation experience; b) Have proximity to high volume corridors, except in the case of multi-use and nature trails which may be more remote; c) Developed indoor or outdoor facilities for competitive/ active uses; d) May provide competition level athletic fields; e) Natural/environmental areas or areas that preserve natural habitat; f) Adequate support amenities, such as restrooms, parking, and community programming; g) Unique facilities such as dog parks, skate parks, and equestrian facilities.	Prior to approval of any tentative tract map or site plan; during construction and operation	Kern County Public Works Department; Kern County Public Works		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent will designate four (4) acres of park for every 500 residential dwelling unit and shown on tentative subdivision tract maps. C. The cumulative total of park land will be tracked by the proponent and reported on each tract map application as specified in this mitigation measure. D. Park land development will be provided prior to the issuance of the certificate of occupancy for each 500 th residential unit. E. Prior to the completion of the 2,500 th residential unit, the proponent shall design and construction a “regional park” as specified in this mitigation measure. F. The Kern County Planning and Natural Resources Department will verify prior to approval of any tentative tract map. G. The Kern County Public Works Department will verify in the field during construction.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project						
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials	
#112	MM 4.14-10 Prior to issuance of the 500 th residential building permit, the project proponent will designate a location for and construct a building to house a temporary 1,500 square feet public library facility. The temporary facility may be developed as part of a joint-use facility with other community serving or civic uses. Prior to issuance of the 4,000 th residential building permit, the project proponent will designate a location for and construct an up to 6,500 square feet public library facility. The facility may be developed as part of a joint-use facility with other community serving or civic uses.	Prior to issuing the 500 th residential building permit	Kern County Planning and Natural Resources Department; Kern County Libraries; Kern County Public Works Department			
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent will designate and construct a building to house a temporary library (1,500 square feet minimum) as specified in this mitigation measure. C. Prior to the 4,000 th residential building permit, the proponent will design and construct up to 6,500 square feet public library in consultation with the Kern County Library. D. The Kern County Planning and Natural Resources Department, in consultation with the Kern County Library, will verify site plans. E. The Kern County Public Works Department will verify construction of the temporary and permanent library in the field.				
		Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the Final SREIR to the extent feasible.				

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.15 Recreation					
#113	MM 4.15-1 The project proponent shall include on tentative tract maps the location of planned pedestrian and bicycle trails as part of the project’s multi-modal transportation program as set forth in the Grapevine Specific and Community Plan and Grapevine Special Plan. As a condition of approval for recordation of a final subdivision map, the project proponent shall construct and maintain, or enter into an agreement with an alternate entity, to construct and maintain, features such as pedestrian and bicycle trails. For trails identified in Open Space areas in the Tehachapi foothills and in major drainages that will not be subdivided for development purposes, the trails shall be identified in the first tentative tract map application for lands located adjacent to each Open Space area, and shall be constructed and maintained as a condition in the corresponding final tract map. Tentative and final maps shall also provide for continued use of existing under-crossings, pass-throughs and culverts of sufficient size to allow for pedestrian, bicycle, and/or equestrian use, may be retained and utilized as part of the project’s trail system.	Prior to approval of tentative tract maps	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
		Steps to Compliance:			
		A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall include location of pedestrian and bicycle trails on tentative tract maps as specified in this mitigation measure. C. The proponent shall construct and maintain (or enter into an agreement) pedestrian and bicycle trails as a condition of approval. D. The proponent shall identify trails within Open Space areas on the first tentative tract map. E. Tentative and final maps shall also provide for continued use of existing under-crossings, pass-throughs and culverts as specified in this mitigation measure. F. Kern County Planning and Natural Resources Department will verify prior to approval of tentative tract maps. G. The Kern County Public Works Department will verify in the field during construction.			
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the Final SREIR to the extent feasible.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.16 Transportation and Traffic					
#114	MM 4.16-1 All project circulation elements, including on-site public roadways and driveways, will be designed and constructed in compliance with the goals, policies and design criteria described in the Grapevine Specific and Community Plan and the Grapevine Special Plan.	Prior to issuing building and grading permits	Kern County Public Works Department; Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent will design all public roadways and driveways in compliance with the Grapevine Specific and Community Plan and the Grapevine Special Plan. C. The proponent shall submit engineering drawings of public roadway and driveway design to the Kern County Public Works Department – Roads. D. The Kern County Planning and Natural Resources Department will verify compliance with the Grapevine Specific and Community Plan and the Grapevine Special Plan.			
#115	MM 4.16-2 Prior to the recordation of any tentative tract map, parcel map (excluding financing map), or commercial site development plan, a Transportation Management Association (TMA) shall be formed and funded to implement transportation demand management measures that reduce vehicle trips and encourage multi-modal movement in a phased manner as development occurs within the project area. The Transportation Management Association shall fund a transportation coordinator for the project area and shall be responsible for implementing a commute trip evaluation and reduction program that includes the following strategies: 1. Coordinating transit schedules to align with employer work schedules; 2. Providing discounted transit passes; 3. Organizing ridesharing, bike-share or car-share programs; 4. Sponsored shuttle/vanpool services, in collaboration with employers, to serve major employment centers; 5. Preferential carpool and vanpool parking; 6. End of trip facilities for bicyclists; 7. Conducting marketing campaigns to encourage non-automotive modes for commuting and other movement requirements such as the encouragement of flexible work schedules and telecommuting, and the benefits of parking fees and parking cash-out programs; 8. Coordinating with project employers to establish a ride home service for employees needing to respond to an emergency condition (e.g., playground injury of a child) that have used project transit to commute	Prior to issuing first occupancy permit	Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall form and fund a Transportation Management Association to implement transportation demand mitigation measures as specified in this mitigation measure. C. Upon construction commencement, the Transportation Management Association will provide annual reports regarding measures implemented as specified in this mitigation measure. D. The Transportation Management Association will provide a copy of the annual report to the Kern County Planning and Natural Resource Department and the Kern County Public Works Department by April 15 th of each calendar year.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	to work, such as on-demand transportation provided by taxis and ride services such as Uber and Lyft; 9. Coordinating with local schools to establish and maintain a Safe Routes to School program to facilitate students walking and biking to schools; 10. Maintaining a TMA website accessible to project residents, employers and employees that includes educational information about air quality and greenhouse gas benefits of implementing a compressed work week schedule and home-based telecommunication program; and 11. Implementing other feasible trip reduction measures to avoid causing a significant adverse traffic impact within the project’s roadway segments and intersections. Upon commencement of project construction activities, the TMA or its designee shall prepare an annual report that outlines program reduction measures implemented during the past year. At the earlier of five year intervals after commencement of projection construction activities, and for each of the traffic reports submitted for an application for a tentative tract map as required by MM 4.16-3 below, the TMA or its designee shall prepare a report describing the effectiveness of program reduction measures (and any other relevant change in transportation legal mandates, or transportation services or technologies) to reduce single-occupancy automobile use in Home-Based Work trips, and may include reductions in other automobile trips. This TMA trip reduction data shall be used in subsequent project traffic reports to calibrate actual trips in relation to the estimated average daily, and AM/PM peak trips. A copy of all TMA reports shall be submitted to the Kern County Planning and Natural Resource Department and the Kern County Public Works Department by April 15th of each calendar year.				
#116	MM 4.16-3 Concurrent with the submittal of any application for tentative tract map, parcel map (excluding financing maps), or commercial/industrial site plan development, the project proponent shall conduct an appropriate traffic study, which shall include an analysis to determine if project traffic volumes are consistent with the trip distribution and internal capture (ICR) rate projections identified in the SREIR and whether the trip distribution and/or internal capture rate information in the traffic study identifies a potentially significant adverse impact to roadway segments or intersection operations. The study shall also specifically evaluate queuing level and traffic conditions at	Prior to approval of tentative tract maps	Kern County Public Works Department; Kern County Planning and Natural Resources Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall include location of pedestrian and bicycle trails on tentative tract maps as specified in mitigation measures (refer to Mitigation Measure MM 4.15-1).					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	both the I-5/Wheeler Ridge Road/Laval Road Interchange and the I-5/Grapevine Road Interchange. 1) A 10% deviation in trip distribution or internal capture rates shall be considered a potentially significant adverse impact, and the traffic study shall identify the extent to which this or a greater deviation reflects a temporary snapshot of the partial buildout of the project or is likely to continue under then-reasonably foreseeable circumstances through future project buildout. For any reasonably foreseeable persistent significant deviations from the trip distribution and/or internal capture rates identified for the project in the most recent EIR, the traffic study shall further identify whether this change to the trip distribution and/or internal capture rate would result in a significant adverse traffic impact to roadway segments or intersection operations. If such a significant traffic impact is identified in the traffic study, the project proponent shall be required to consult with the County to review whether intersection and roadway performance is consistent with applicable County and Grapevine Specific and Community Plan criteria, or if any additional measures are required to avoid a significant adverse impact to roadway segments or intersection operations. If such measures are required, the project proponent shall: (a) Identify and implement additional trip reduction measures through the Transportation Management Association pursuant to the TMA procedures set forth in MM 4.16-2 to avoid causing any significant new impact to a local intersection, peak hour road, or local freeway segment; (b) Identify and implement roadway and signalization design modifications within the development area of the project site, identified in the 2019 Traffic Study or most recent Environmental Document for the project, that are sufficient to avoid a new significant impact or avoid substantially worsening a previously-identified significant impact. Or (c) Identify and implement a combination of (a) and (b) above. 2) In each tentative tract map submittal, the project proponent shall reserve the right of way required for potential implementation of such roadway improvements, identified in the 2019 Traffic Study or most		C. The proponent shall construct and maintain (or enter into an agreement) pedestrian and bicycle trails as a condition of approval (refer to Mitigation Measure MM 4.15-1). D. The proponent shall identify trails within Open Space areas on the first tentative tract map (refer to Mitigation Measure MM 4.15-1). E. Tentative and final maps shall also provide for continued use of existing under-crossings, pass-throughs and culverts as specified in this mitigation measure (refer to Mitigation Measure MM 4.15-1). F. Kern County Planning and Natural Resources Department will verify prior to approval of tentative tract maps. G. The Kern County Public Works Department will verify in the field during construction.		

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	recent Environmental Document for the project, that will avoid significant new impacts to local intersections, local roadways, and local freeway segments. The project proponent may apply to the County for the release of any such road right of way reservation in an amended tentative tract map, parcel map, or final map, or as part of a commercial site plan review, at such time as the project proponent can demonstrate that it is no longer reasonably foreseeable that such expanded roadway improvements are needed to avoid the significant impact identified. Any such application shall include a traffic report documenting the absence of a current or reasonably foreseeable significant adverse impact to such local intersection, local roadways, and local freeway segments. In the interim, the reserved right of way may be developed with uses that support multi-modal transportation, including but not limited to walking, biking, or NEV trails, until such a time as the right of way is needed to construct the required roadway improvements or such right of way is released per above procedure. 3) Any identified roadway or signalization improvements, or reservations of right of way to accommodate potential future improvements, required by the County and Caltrans to be implemented under MM 4-16-3(1) (b) and (2) above shall be included as conditions of approval of any final subdivision maps or commercial/industrial site plans.				
#117	MM 4.16-4 Prior to the issuance of the first building permit within each Plan Area as identified in the Grapevine Specific and Community Plan and the Grapevine Special Plan, the project proponent shall be required to provide a one-time road maintenance endowment to off-set ongoing costs of roadway maintenance. Payments(s) shall be provided in eight (8) installments as identified below. - Plan Area 1: Total Due \$280,000 - Plan Area 2: Total Due \$481,800 - Plan Area 3: Total Due \$363,400 - Plan Area 4: Total Due \$391,600 - Plan Area 5a: Total Due \$382,000 - Plan Area 5b: Total Due \$76,400 - Plan Area 6a: Total Due \$246,400	Prior to issuing the first building permit	Kern County Public Works Department; Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall provide payment in eight (8) installments to Kern County Public Works Department as specified in this mitigation measure. C. Receipt of payment shall be provided to the Kern County Planning and Natural Resources Department prior to issuance of the first building permit within each Plan Area.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	Plan Area 6b-6e: Total Due \$68,800				
#118	MM 4.16-5 The project proponent is responsible for ensuring construction activities associated with development of the Grapevine Project are not detrimental to any County maintained road(s) within the Grapevine Specific and Community Plan. Prior to issuance of any grading or building permit, the project proponent shall adhere to the following provisions: - Obtain an Encroachment Permit from Kern County Public Works Department and enter into a secured agreement for unanticipated construction related road repairs. The purpose of this secured agreement is to ensure that any County maintained road within the Grapevine Specific and Community Plan boundary that is demonstrably damaged by the construction related activities are promptly repaired and, if necessary paved, slurry sealed or reconstructed as per requirements of the state and/or Kern County. The project proponent shall identify and provide the Kern County Public Works Department with a videotape of the pre- and post-construction condition of all County maintained public roadways within the Grapevine Specific and Community Plan boundary that will be utilized by the project proponent to access the proposed construction site. - Upon conclusion of the construction activities, the project proponent shall make any necessary construction related repairs to County roadways within the Grapevine Specific and Community Plan boundary in consultation with Public Works Staff. Any grading or building permit for a single family residential dwelling unit located within an approved tentative tract map or parcel map that has already complied with this measure is specifically exempt from any further maintenance requirements. Any roadways that have been specifically over engineered and constructed by the project proponent to withstand large scale construction traffic and use, as determined by the Kern County Public Works Department shall also be exempt from future maintenance requirements.	Prior to issuing building or grading permits	Kern County Public Works Department; Kern County Planning and Natural Resources Department		
		Steps to Compliance: - This mitigation measure shall be incorporated as a condition of approval for any site plan review. - The proponent shall obtain an encroachment permit with the Kern County Public Works Department. - The proponent shall adhere to all conditions in this permit. - The Kern County Planning and Natural Resources Department will verify receipt of encroachment permit. - The proponent shall enter into a secured agreement with Kern County Public Works Department to ensure that any County roads that are demonstrably damaged by project-related activities are promptly repaired and improved as per requirements of the state and or Kern County. - The proponent shall conduct a pre- and post-construction condition survey of all County-maintained roads within the project area. - The proponent shall coordinate with the Kern County Public Works Department to implement repairs and improvements. - The Kern County Planning and Natural Resources Department will verify receipt of the agreement.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#119	MM 4.16-6 The project proponent shall implement the following measures to ensure adequate performance at internal intersections within the Grapevine Specific Plan area and eliminate any significant impacts on project and local roadways. 1) As part of any traffic study submitted with an application for a tentative tract map, parcel map (with the exception of financing maps), or commercial/industrial site plan development, the project proponent shall be required to identify any project or local roadway or intersection that could potentially fall below Level of Service (LOS) D under cumulative plus project conditions. This traffic study shall also identify residential and commercial uses for previously-approved tentative and/or final tract maps, occupancy permits issued for residential and commercial uses, and available traffic information from the TMA. 2) Prior to issuance of the 5,000th, 7,500th, and 10,000th residential building permit (single family and multi-family), the project proponent shall prepare a traffic report to identify the Level of Service (LOS) on all constructed project and local roadways and intersections. This traffic report may be included as part of the traffic study required for each tentative tract map if the tentative tract map (TTM) aligns with these residential buildout milestones but need not be included if the TTM does not align with these milestones. If the study traffic report determines that any such project or local roadway or intersection is operating within LOS E or LOS F, the project proponent, in consultation with the County shall review whether this performance is consistent with County and Grapevine Specific and Community Plan criteria and determine if any additional improvements or implementation of additional transportation demand measures are required to ensure ongoing functioning of the facility. Any such improvements shall be constructed by the project proponent or implemented through another agreement in consultation with the Kern County Public Works Department.	Prior to approval of tentative tract maps, plan maps, or site plans; prior to issuing the 6,000th and then 10,000th occupancy permit Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall identify any intersection that could potentially fall below Level of Service (LOS) D under cumulative conditions. C. The proponent shall reserve sufficient right-of-way within these intersections to implement future improvements in consultation with the Kern County Public Works Department. D. The proponent shall prepare an intersection evaluation report to identify the LOS at all constructed intersections prior to the 6,000th and 10,000th occupancy permits. E. If intersections will operate at LOS E or F, the proponent, in consultation with Kern County Public Works, will determine if the intersection operations are consistent with the Grapevine Specific and Community Plan or require additional measures. F. The proponent shall implement improvements in consultation with the Kern County Public Works Department. G. Copies of the studies and intersection evaluations will be provided to Kern County Planning and Natural Resources Department.	Kern County Public Works Department		

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#120	MM 4.16-7 Prior to the issuance of any occupancy permit that would facilitate development within the project site that could be accessed utilizing the existing I-5/Grapevine Road interchange, the project proponent shall be required to consult with Caltrans and implement appropriate interchange enhancements by relocating northbound and southbound exit and entrance ramps approximately ½ mile to the north, and other improvements such as auxiliary lanes, acceleration lanes, lighting, and signage.	Prior to issuing building or permits	Kern County Public Works Department; California Department of Transportation		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent, in consultation with the California Department of Transportation (Caltrans), will implement interchange enhancements to the I-5/Grapevine Road interchange. C. The Kern County Public Works Department will verify Caltrans consultation and will verify improvements in the field during construction.			
#121	MM 4.16-8 Subsequent to the commencement of construction activities on the project site, the project proponent shall be required to conduct a biennial traffic monitoring report at the existing I-5/Wheeler Ridge Road/Laval Road interchange and, following the completion of operational enhancements, at the existing I-5/Grapevine Road interchange. The purpose of this program is to monitor Level of Service and queuing conditions at project utilized interchanges. The required report will include delay, level of service and queue length by movement / segment at the project utilized interchange to determine the operating conditions during AM and PM Peak Hour conditions. Caltrans has an operational goal for freeway mainline, on-ramp merge, off-ramp diverge and weaving section of LOS D or better. If any movement / segment is within 10 percent of falling below the acceptable LOS D threshold, improvements will be implemented to reduce delay and improve level of service and queue lengths to improve interchange operations. The required report shall be submitted to Kern County and to Caltrans by April 15th every other year. If at any time, the results of this biennial traffic monitoring report indicate that the project is within 10 percent of falling below Level of Service (LOS) D at either interchange, the project proponent shall implement the following actions: 1. Provide Kern County and Caltrans a detailed breakdown of how many additional permits (Interim Permits) can be issued while still maintaining a Level of Service (LOS) D at either interchange. Once the Interim Permits have been issued, no additional building permits shall be issued until such time as appropriate expanded and/or relocated improvements have been constructed. 2. Initiate with Caltrans all necessary actions to expand and/or relocate the existing I-5/Grapevine Interchange. Improvements can include, but are not limited to the following options:	During construction and operation	Kern County Public Works Department; California Department of Transportation		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall conduct biennial traffic monitoring at I-5/Wheeler Ridge Road/Laval Road and I-5/Grapevine Road. C. The reports shall be submitted to Kern County Public Works and Caltrans by April 15 th of every other year. D. If the interchanges are within 10 percent of falling below LOS D, the project proponent shall determine appropriate action as specified within this mitigation measure, in consultation with Kern County Public Works and Caltrans. E. The project proponent shall provide any phased improvement provisions that have been approved by Caltrans to the Kern County Public Works Department and Kern County Planning and Natural Resources Department. F. Any phased improvement provisions shall be included as conditions of approval for any applicable future tentative tract map, parcel map or commercial/industrial site plan development.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	a) Variant 1 – Relocate the I-5/Grapevine interchange approximately one (1) mile north of the existing interchange, with construction phased to capacity requirements. This proposal would further connect with planned streets, construct a 2-lane overpass ½ mile north of the existing interchange, close freeway access while maintaining the underpass at the existing Grapevine interchange and require the replacement of the existing California Vehicle Enforcement Facility (CVEF) on Tejon Ranchcorp land west of the junction of I-5 and State Route (SR) 99 with a new access and bypass ramps connecting the CVEF to the freeway and a southbound auxiliary lane to the existing I-5/Laval Road interchange. b) Variant 2 – Would include similar improvements to Variant 1, except the location of the relocated I-5/Grapevine Interchange and the 2-lane overpass would be reversed. Further, this option would not require relocation of the existing California Vehicle Enforcement Facility (CVEF), but will require braided ramp improvements. Through consultation with Caltrans, required improvements as identified above can be construed in phases as development occurs. The project proponent shall provide any phased improvement provisions that have been approved by Caltrans to the County of Kern, and any such phased improvement provisions shall be included as conditions of approval for any applicable future tentative tract map, parcel map or commercial/industrial site plan development.				
#122	MM 4.16-9 Prior to issuance of the 5,000th, 7,500th, and 10,000th residential building permits the project proponent shall prepare and submit to the County of Kern and to Caltrans an Internalization Rate Report for all AM and PM project related trips. The Internalization Rate Report shall assess whether internalization rates are progressing towards the projected total trip buildout internalization rates of 59.8 percent for the AM peak hour and 64.2 percent for the PM peak hour by confirming whether rates are within a certain percentage range of buildout total trip internalization rates. • 5,000 residential units – 35% (24.8% for AM and 29.2% for PM) • 7,500 residential units – 20% (39.8% for AM and 44.2% for PM) • 10,000 residential units – 10% (49.8% for AM and 54.2% for PM) If the required internalization rate report indicates that internalization rates are below projected buildout total trip AM and PM peak hour internalization rates	Prior to issuing various building permits	Kern County Public Works Department; California Department of Transportation		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The project proponent shall prepare two Internalization Rate Reports for all AM and PM project related trips. C. The first report shall be submitted to the Kern County Public Works Department and Caltrans after the issuance of the 6,000th building permit and prior to the 7,000th building permit. D. The second report shall be submitted to the Kern County Public Works Department and Caltrans after the issuance of the 9,000th building permit and prior to the 10,000th building permit. E. If the first report indicates that internalization rates are more than 20 percent below projected buildout levels of 59.8 percent for the AM peak hour and 64.2			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	by more than the percentages identified above, the project proponent shall consult with Caltrans and the project proponent shall elect to either (1) implement additional transportation demand management strategies as necessary to ensure that Caltrans facilities serving the project operate within applicable level of service standards, (2) provide fair share funding for impacts to state highway and freeway facilities not covered by the 2017 fair share funding agreements between the project proponent and Caltrans, or (3) implement a combination of (1) and (2) herein.	percent for the PM peak hour, the proponent shall consult with Caltrans and implement additional transportation demand management strategies. F. If the second report indicates that the internalization rates are more than 10 percent below projected levels, the project proponent shall consult with Caltrans and implement additional transportation demand management strategies.			
#123	MM 4.16-10 The following statement shall be included as a note on the final map for all subdivisions, commercial site plans and included in the project Covenants, Conditions and Restrictions (CC&Rs): “This property is presently located under military training routes and a supersonic corridor subject to use by the Department of Defense. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to the routes and corridor (for example: noise, vibration, low-level over flight or sonic booms). Tejon Ranch currently operates a helistop and you may be exposed to noise impacts from helicopter overflights. Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.”	Prior to approval of final subdivision maps or site plans	Kern County Public Works Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval on the final maps for all subdivisions. B. The proponent shall include a note of the final subdivision or site plan maps as specified in the mitigation measure. C. The proponent shall include this note in the CC&Rs as specified in the mitigation measure. D. Kern County Planning and Natural Resources Department will verify the note on plans and CC&Rs prior to approval of the final subdivision maps or site plans.					
#124	MM 4.16-11A Construction Traffic Management Plan shall be submitted with each application for a project tract or parcel map to ensure that safe operating conditions are maintained on local roadways, freeway facilities and for all pedestrian, cycling, trail and transit facilities. At a minimum, the plan shall include: (a) the number and arrival and departure timing of construction truck and equipment trips; (b) the time and day of construction related street closures; (c) the circulation pattern that will be implemented to ensure compatibility with and the safety of other movement activities; (d) identification of detour routes and a signing plan for street closures; (e) the maintenance of safe and efficient emergency vehicle access routes; (f) manual traffic controls when necessary for safety or compatibility; (g) advance warning and posted signage concerning street closures; and (h) provisions for pedestrian and bicycle safety. The Construction Traffic Management Plan shall be subject to the review and approval of the Kern County Public Works Department in consultation with Caltrans, as applicable. A copy of the plan shall be submitted to local emergency response agencies and transit providers as directed by Kern County, and to Caltrans. These agencies shall be notified at least 30 days before the	Prior to approval of tract or parcel maps	Kern County Public Works Department; Kern County Planning and Natural Resources Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall prepare and submit to the Kern County Public Works Department and the Caltrans District 9 office a Construction Traffic Management Plan prepared in accordance with the specification of the mitigation measure. C. The Kern County Public Works Department, in consultation with Caltrans, shall approve the Plan prior to approval of tract or parcels maps. D. A copy of the Plan shall be submitted to local emergency response agencies and transit providers.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	commencement of construction that would partially or fully obstruct public roadways.				
#125	MM 4.16-12 Prior to the issuance of any building permit, the project proponent shall provide evidence that the following off-site impact mitigation requirements have been completed: Execute traffic impact mitigation agreements with Caltrans that identify project funding that will be paid to Caltrans to mitigate the project’s incremental contribution to I-5 cumulative impacts to the Grapevine Grade in Kern County and Los Angeles County and cumulative impacts to State Route (SR) 138 in Los Angeles County.	Prior to issuing building permits	Kern County Public Works Department; California Department of Transportation		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall provide evidence that off-site mitigation requirements have been completed as specified in the mitigation measure. C. The proponent will provide appropriate fees to Caltrans for off-site mitigation. D. Receipt of payment shall be provided to the Kern County Public Works Department prior to issuance of building or grading permits.			
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the Final SREIR to the extent feasible.					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
4.17 Utilities and Service Systems					
#126	MM 4.17-1 Prior to issuance of building permits for the first residence or for commercial or industrial development, the project proponent will provide written verification of an agreement with the Tejon-Castac Water District for the method of managing and disposing of the project-generated biosolids.	Prior to issuing first building permit	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The project proponent will provide verification of an agreement with the Tejon-Castac Water District for the method of managing and disposing biosolids. C. Kern County Planning and Natural Resources Department, in consultation with the Kern County Public Works Department, will verify documentation prior to issuing first building permits.			
#127	MM 4.17-2 Prior to issuance of building permits for commercial or industrial development, the project proponent will provide written verification of an agreement with the Tejon-Castac Water District for a pretreatment program that establishes wastewater pretreatment standards for commercial and industrial facilities under Code of Federal Regulations Title 40, Part 403.	Prior to issuing building permits	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall provide verification of an agreement with Tejon-Castac Water District for a wastewater pretreatment program. C. Kern County Planning and Natural Resources Department, in consultation with the Kern County Public Works Department, will verify documentation prior to issuing first building permits.			
#128	MM 4.17-3 The wastewater treatment facility operator will implement appropriate Best Management Practices (BMPs) for control of vectors such as mosquitos, rodents, and flies at the wastewater treatment facilities and recycled water storage ponds. The BMPs will include: i. Elimination of stagnant water; ii. Removal of emergent vegetation from edges of recycled water ponds; iii. Promotion of circulation within all recycled water ponds; and iv. Adequate stabilization of biosolids.	Prior to issuing building permits	Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The wastewater treatment facility operator will implement BMPs for control of the vectors listed in the mitigation measure. C. The Kern County Public Works Department will verify BMPs.			
#129	MM 4.17-4 The building permit for the project wastewater treatment facilities will require implementation of Best Practicable Treatment or Control (BPTC) to protect groundwater. BPTCs would include nitrate reduction, ultraviolet (UV) disinfection to Title 22 standards, application of recycled water at rates not in excess of reasonable agronomic demand in areas where the project uses recycled water for non-residential irrigation, sludge handling and hauling off-	Prior to issuing building permits	Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The building permit will include Best Practicable Treatment or Control (BPTC) as specified in the mitigation measure.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	site, certified operators, source water and discharge monitoring, and salinity management.	C. The Kern County Public Works Department will verify the building permit and BPTC.			
#130	MM 4.17-5 Prior to issuance of building permits for the first residence or for commercial or industrial development, the project proponent will provide written verification of an agreement with the Tejon-Castac Water District to implement a salinity education and management program discouraging or prohibiting the use of products that may increase salinity in wastewater, such as self-regenerative water softeners and high-salts-containing cleaning products.	Prior to issuing first building permits	Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall provide verification of an agreement with the Tejon-Castac Water District to implement a salinity education and management program as specified in this mitigation measure. C. The Kern County Public Works Department will verify documentation prior to issuing any building permits.			
#131	MM 4.17-6 Prior to issuance of building permits for the first residence or for commercial or industrial development, the project proponent will provide written verification of an agreement with the Tejon-Castac Water District for the method of odor control at the wastewater treatment facilities.	Prior to issuing first building permits	Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall provide verification of an agreement with the Tejon-Castac Water District for the method of odor control at the wastewater treatment facilities. C. The Kern County Public Works Department will verify documentation prior to issuing any building permits.			
#132	MM 4.17-7 Prior to approval of each tentative tract map or site plan, the applicant will provide a will-serve letter for wastewater service from the Tejon-Castac Water District, which will operate the project water and wastewater treatment facilities.	Prior to issuing building and grading permits	Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall provide a will-serve letter for wastewater service from Tejon-Castac Water District. C. The Kern County Public Works Department will verify documentation prior to issuing any building permits.			
#133	MM 4.17-8 Prior to issuance of any building permits or other development approvals, the project proponent shall provide written verification of compliance with applicable water efficiency design standards required by the California Uniform Building Code and the Grapevine Special Plan.	Prior to issuing building or grading permits	Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall provide verification of compliance with applicable water efficiency design standards. C. The Kern County Public Works Department will verify documentation prior to issuing any building permits.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
#134	MM 4.17-9 As part of any submittal application for final land division maps, commercial/industrial site plan reviews or Special Use Permits, the project proponent shall establish a Maximum Applied Water Allowance (MAWA) budget including indoor and outdoor use, for each type of residential and commercial/industrial use proposed. The MAWA budget allocation for each use shall be established prior to approval of any subdivision map or commercial/industrial site plan review. The total MAWA for each use shall be included as a note on any final map or commercial/industrial site plan. Establishment of a MAWA is not necessary for the processing of any financing maps associated with the project. In addition, during each phase of development, the project proponent shall provide the Planning and Natural Resources Department with a summary of total water usage that has been previously allocated to the project site.	Prior to approval of final subdivision maps, industrial site plan or Special Use Permit	Kern County Public Works Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall record Conditions, Covenants and Restrictions on property deeds requiring a Maximum Applied Water Allowance (MAWA) budget. C. The Kern County Public Works Department will verify documentation prior to issuing any building permits.					
#135	MM 4.17-10 All building permit applications shall include compliance with applicable water conservation state laws and regulations, and local ordinances, including but not limited to those applicable to interior fixtures, tankless water heaters, and low-flow plumbing, compliance with which shall be used to meet the required Maximum Applied Water Allowance for each land use.	Prior to issuing building permits	Kern County Public Works Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall comply with applicable water conservation state laws and regulations, and local ordinances, and specifications within the mitigation measure. C. The proponent shall include these within the MAWA for each land use. D. The Kern County Public Works Department will verify documentation prior to issuing any building permits.					
#136	MM 4.17-11 The project proponent shall record Conditions, Covenants and Restrictions or other construction notification on property deeds requiring compliance with the landscaping design criteria and specifications for plant materials, turf and mulch, irrigation systems, soil management, water features, and grading design described in the Grapevine Sustainability Principles and required by the Grapevine Special Plan.	Prior to issuing certificate of occupancy	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall record Conditions, Covenants and Restrictions on property deeds requiring compliance with the water efficient landscaping design criteria and specifications as specified in this mitigation measure. C. The Kern County Planning and Natural Resources Department and the Kern County Public Works Department will verify documentation prior to issuing any building permits.					
#137	MM 4.17-12 Water Supply Verifications shall be prepared by Tejon-Castac Water District (TCWD), and included as a condition of approval for project subdivision maps. Prior to the expiration of the initial term of the Nickel Water agreement, the project proponent shall provide the Director of the Kern County	Prior to approving tentative tract maps	Kern County Planning and Natural Resources Department; Tejon-Castac Water District		
Steps to Compliance:					

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	Planning and Natural Resources Department with written evidence that the Nickel Water agreement has been extended for an additional period of 35 years in accordance with Section 10(a) of the agreement and that the Nickel Water is available to TCWD for project use. If the required written evidence is not provided by January 1, 2044, the County of Kern will stop issuing building permits until such time as it is provided.	A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The Tejon-Castac Water District, shall prepare a Water Supply Verification as a condition of approval. C. The Kern County Planning and Natural Resources Department will verify documentation. D. The TCWD will provide information regarding water supply prior to the expiration of the Nickel Water Agreement in 2043 as specified in the mitigation measure. E. The TCWD will provide information regarding water supply prior to the expiration of the Nickel Water Agreement in 2078 as specified in the mitigation measure. F. The Kern County Planning and Natural Resources Department will verify documentation prior to 2043 and 2078.			
#138	MM 4.17-13 Prior to approval of any site plan for any commercial/industrial site, the project proponent will obtain a will-serve letter for water services from the Tejon-Castac Water District that confirms the availability of water for the commercial/industrial site pursuant to the approved water Supply Verification for the subdivision map that includes the commercial site.	Prior to approving site plans	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall obtain a will-serve letter for water service from the Tejon-Castac Water District that confirms the availability of water for the commercial site. C. The Kern County Planning and Natural Resources Department, in consultation with the Kern County Public Works Department shall verify documentation.			
#139	MM 4.17-14 Prior to the issuance of a building permit for the construction of a potable water treatment facility within the Grapevine Specific Plan area, the permit applicant shall confirm in the building permit application that the facility will concentrate backwash water by means of a secondary filtration system, sedimentation basin or other backwash water concentration system of equal or greater effectiveness in reducing the volume of solids and increasing the amount of potable water generated by the water treatment process.	Prior to issuing building permits	Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall use available tertiary treated recycled water produced to meet non-residential irrigation demands as specified in the mitigation measure. C. The building permit will require secondary filtration or sedimentation basins as specified in the mitigation measure. D. The Kern County Public Works Department will verify compliance prior to approving building permits.			
#140	MM 4.17-15 Tejon-Castac Water District water and wastewater facilities shall be utilized during initial development of the project site. Once capacity at existing Tejon-Castac Water District facilities reaches 75 percent, no additional building permits shall be issued by the County of Kern, until such time as necessary water and wastewater facilities are constructed on the project site to meet existing and future demand. During each proposed development stage,	During construction	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent, in consult with Tejon-Castac Water District, will complete water and wastewater treatment facilities to meet project demand.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	which may include submittal of a land division action, commercial/industrial site plan or submittal of a Special Use Permit, the project proponent shall consult with Tejon-Castac Water District and provide in writing to the Planning and Natural Resources Department a summary of the District's capacity status and ability to meet the proposed development.	C. The proponent shall construct additional facilities when the existing TCWD facility reaches 75 percent capacity. D. The Kern County Planning and Natural Resources Department will verify documentation regarding facility capacity. E. The Kern County Public Works Department will verify in the field during construction.			
#141	MM 4.17-16 Building permit applicants shall include measures to recycle demolition debris and construction wastes to the extent feasible. The applicant shall submit a Construction/ Demolition Recycling Plan to the Kern County Public Works Department for review and approval. An on-site recycling coordinator shall be designated by the project applicant to facilitate recycling of all construction waste through coordination with the onsite contractor, local waste haulers, and/or other facilities that recycle construction/demolition wastes. The on-site recycling coordinator will also be responsible for ensuring that wastes requiring special disposal are handled according to state and County regulations that are in effect at the time of disposal. The name and phone number of the coordinator and the site plan for the disposal area shall be provided to the Kern County Public Works Department prior to the issuance of a grading permit. Additional measures to be included in the Plan include: a) Reducing the quantity of waste generated by construction activities (e.g., by using onsite spoils and bulk site-clearing materials for existing project needs, such as backfill, mulch, erosion and sedimentation control), donating reusable materials to charitable organizations, or exporting materials for use in other construction projects; b) Maintaining a centralized information repository on site to identify which construction materials can be recycled and provide direction as to which sources will accept recyclable building and construction materials; and c) Requiring building or construction materials that are not recyclable to be taken to the nearest waste disposal facility. These materials shall be transported in bulk to reduce multiple truck trips, thereby reducing emissions generated from waste transportation.	Prior to issuing building and grading permits and during construction	Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall provide Construction/Demolition Recycling Plan which includes specification provided in the mitigation measure. C. The proponent shall identify an on-site recycling coordinator responsible for compliance with the Construction/Demolition Recycling Plan and shall provide contact information. D. The Kern County Public Works Department will verify documentation prior to issuance of a building or grading permit.			
#142	MM 4.17-17 In order to reduce the amount of ongoing waste disposal that will be taken to the landfill, the following shall be included as conditions of approval in tentative and final tract maps, and site plans: Implementation of mandatory three-cart residential solid waste collection within the project area. Universal collection will be serviced by the local franchise hauler and waste	Prior to approving tract maps or site plans	Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	will be hauled to the nearest landfill, the Bena SLF, or as determined through coordination with Kern County Public Works Department. Household recyclable materials (i.e. cardboard, paper) and green waste (i.e. yard trimmings) shall be diverted from the landfill and hauled to the nearest recycling facility, as applicable. Green waste that can be composted on-site shall be reused within common area landscaping.	B. The proponent shall implement waste management collection, disposal, and recycle in consultation with the Kern County Public Works Department. C. The Kern County Public Works Department will verify prior to approving any tract map or site plan.			
#143	MM 4.17-18 Prior to recordation of the first tract or parcel map for division of the project site, the owner of the project site shall coordinate with Kern County for the implementation of universal solid waste collection on all residential and commercial development. The owner further shall agree to vote for (or waive his protest rights connected with the imposition of such) solid waste collection fees or assessments. It is a goal that this development will have solid waste collection, source separated curbside organic waste collection, source separated curbside recycling collection, and bulky item collection.	Prior to recording first tract or parcel map	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall implement universal solid waste collection on all residential and commercial development as specified in the mitigation measure. C. The Kern County Public Works Department will verify universal solid waste collection.			
#144	MM 4.17-19 Prior to the first certificate of occupancy for any multifamily unit, the project proponent shall construct, segregated, onsite screened storage for the collection of multifamily residential solid waste and source separated recyclable materials. The area shall be distinct and in addition to any requirements for the development of multifamily units. The area shall not prevent security of the recyclables. Recycling area bins or containers must provide for the preclusion of vectors and offer protection against adverse environmental conditions, such as rain or snow, which might render the collected materials unmarketable. Driveways and/or travel aisles shall provide, at a minimum, unobstructed access for collection vehicles and personnel. A sign clearly identifying all recycling/solid waste collection and loading areas and the materials accepted shall be posted adjacent to all points of direct access to the area.	Prior to first certificate of occupancy for multifamily	Kern County Public Works Department; Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall construct separate storage areas for solid waste and recyclable materials. C. The area shall comply with the specifications of the mitigation measure. D. A site plan showing the recycling storage area shall be submitted to the Kern County Planning and Natural Resources Department and the Kern County Public Works Department. E. The Kern County Public Works Department will verify the fenced storage areas in the field.			
#145	MM 4.17-20 In order to reduce the amount of waste generated from the commercial sector being taken to the landfill, the following shall be incorporated into the Conditions, Covenants and Restrictions (CC&Rs) for the project: Businesses generating four cubic yards or more of commercial solid waste per week are required to recycle and take one, or any combination of the following actions:	Prior to issuance of commercial occupancy certificate	Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall include in the CC&Rs, for any business generating four cubic yards or more of commercial solid waste per week are required to recycle and take one, or any combination of the four actions listed in the mitigation measure.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	1. Subscribe to source separated recycling service with a regional franchise hauler authorized to provide service for the area in which the business is located; 2. Subscribe to a mixed solid waste recycling service with a regional franchise hauler authorized to provide service for the areas in which the business is located; and 3. Self-recycle and certify compliance with Kern County Ordinance No. G-8337 4. Undertake a combination of such measures, or such alternate measures as may be approved by the County to reduce the amount of waste from the commercial sector being taken to a landfill.	C. The Kern County Public Works Department will verify documentation prior to commercial occupancy permits.			
#146	MM 4.17-21 Prior to the first certificate of occupancy for any commercial development, the project proponent shall construct, subject to the review and approval of the Building Inspection Division of the Kern County Public Works Department and the Kern County Planning and Natural Resources Department, adequate, segregated, onsite screened storage for collection of commercial solid waste and source separated recyclable materials. The area shall be designed to be architecturally compatible with the development and shall not prevent security of the recyclables. Recycling areas of the bins or containers must provide for the preclusion of vectors and offer protection against adverse environmental conditions, such as rain or snow, which might render the collected materials unmarketable. Driveways and/or travel aisles shall provide, at a minimum, unobstructed access for collection vehicles and personnel. A sign clearly identifying all recycling/solid waste collection and loading areas and the materials accepted shall be posted adjacent to all points of direct access to the area.	Prior to first commercial occupancy certificate	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall construction on-site, separate, screened storage for solid waste and recyclable waste for commercial uses as specified in the mitigation measure. C. A site plan showing the recycling storage area shall be submitted to the Kern County Planning and Natural Resources Department and the Kern County Public Works Department. D. The Kern County Public Works Department will verify the fenced storage areas in the field.			
#147	MM 4.17-22 In order to provide efficient means of universal solid waste collection and reduce the impacts the project may have on roadways and increased traffic resulting from the local franchise hauler's collection routes, the following shall be incorporated into the design of the project: a) Streets within the project area shall be wide enough to safely accommodate the maneuverability of standard refuse collection vehicles, including the ability to turn around in cul-de-sac areas and the ability to make right turns without encroachment into on-coming traffic.	Prior to issuing building and grading permits	Kern County Planning and Natural Resources Department; Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent shall incorporate into project design the specifications within the mitigation measure on site plans. C. The Kern County Planning and Natural Resources Department and the Kern County Public Works Department shall verify the site plans. D. The Kern County Public Works Department will verify in the field during construction.			

EXHIBIT A

Mitigation Measure Monitoring Program – Grapevine Specific and Community Plan Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	b) Implementation of mandatory three-cart universal solid waste collection within the Project area shall be used to prevent self-haulers from driving long distances to the nearest landfill to dispose of municipal solid waste. Universal solid waste collection will decrease vehicle trips to the landfill thereby reducing the amount of vehicle emissions that contribute to air pollution and smog.				
#148	MM 4.17-23 Prior to the recordation of the first tract map the project proponent will designate and dedicate one contiguous area sufficient to accommodate up to a 20-acre facility, to be located in Plan Areas 6c through 6e, to Kern County Public Works Department for a transfer station to facilitate self-haul and special waste collection.	Prior to approval of first tract map	Kern County Public Works Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent will dedicate one up to a 20-acre transfer station facility to within Plan Areas 6c through 6e per the specification in the mitigation measure. C. A site plan showing the transfer facility shall be submitted to the Kern County Planning and Natural Resources Department and the Kern County Public Works Department. D. The Kern County Public Works Department will verify in the field during construction.			
#149	MM 4.17-24 Prior to issuance of any building permit, Tejon Ranchcorp shall enter into an agreement with Tejon-Castac Water District (TCWD) that ensures any Nickel Water transferred to the District from Tejon Ranchcorp for the Grapevine Project shall be utilized for the Grapevine Project. An original signed copy of the executed agreement shall be provided to the Planning and Natural Resources Department. No water supplies other than Nickel Water and recycled water may be used by the project until (i) all applicable permits for such use have been issued to TCWD; and (ii) all applicable California Environmental Quality Act review has been completed. Use of any other approved water shall fully comply with existing Federal, and State laws, including any locally adopted ordinances.	Prior to issuance of any building permit.	Kern County Planning and Natural Resources Department		
		Steps to Compliance: A. This mitigation measure shall be incorporated as a condition of approval for any site plan review. B. The proponent in consultation with the TCWD will comply with the Sustainable Groundwater Management Act. C. The proponent shall provide documentation of compliance. D. The Kern County Planning and Natural Resources Department will verify documentation.			
Justification: Changes or alterations to the project have been required to substantially reduce the potentially significant environmental effects identified in the Final SREIR to the extent feasible.					