

FINDINGS OF FACT
AND
STATEMENT OF OVERRIDING CONSIDERATIONS

FOR THE

CITY OF TAFT GENERAL PLAN UPDATE EIR

SCH#2009021056

PREPARED BY:

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INTRODUCTION

The City of Taft Project includes a comprehensive update of the City’s existing General Plan.. For the purposes of these Findings, the term “project” or “proposed project” refers to the General Plan update and its associated project components.

General Plan Update

The General Plan is the official policy framework guiding physical, social, and economic development within the City’s Planning Area, as well as the City’s own operations and decisions. Taft’s General Plan is a long-range guide for attaining the City’s goals within its ultimate service area and accommodating the projected increase in population.

The General Plan for the City of Taft addresses land within the city limits and an area beyond the city that impacts the City’s planning efforts. This area is referred to as the General Plan Planning Area and encompasses roughly 93 square miles. Taft has an interest in guiding land use and circulation decisions within the General Plan Planning Area because of the impacts that decisions made for this area may have upon the City. The General Plan Planning Area is also seen as an area into which the incorporated city boundaries may eventually expand.

State law requires that general plans include seven elements: Land Use, Circulation, Housing, Conservation, Open Space, Noise, and Safety. This General Plan includes the required elements plus three optional elements. In addition, the City of Taft is committed to being a leader in sustainability and therefore has included “green” and sustainable principles throughout all of the elements of this General Plan (refer to *Chapter 2.0: Planning a Sustainable Community* for more discussion). Following are the elements included in the City of Taft General Plan:

- 3.0 Land Use Element (*required per state law*)
- 4.0 Circulation Element (*required per state law*)
- 5.0 Open Space and Conservation Element (*required per state law*)
- 6.0 Housing Element (*required per state law*)
- 7.0 Energy Element (*optional*)
- 8.0 Noise Element (*required per state law*)
- 9.0 Safety Element (*required per state law*)
- 10.0 Public Facilities and Services Element (*optional*)
- 11.0 Economic Development Element (*optional*)

Together, these elements present the City’s goals and policies on a broad range of issues related to the future of Taft, its livability, and its desire to be a leader in innovative and sustainable planning.

The City of Taft General Plan Update Environmental Impact Report (EIR) identified significant impacts associated with the adoption of the General Plan Update. Approval of a project with significant impacts requires that findings be made by the Lead Agency pursuant to the California Environmental Quality Act (CEQA, California Public Resources Code Sections 21000 et seq.), and State CEQA Guidelines (California Administrative Code, Title 14, Chapter 3) Sections

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15043, 15091, and 15093. The Lead Agency for this EIR is the City of Taft. Significant impacts of the project would either: 1) be mitigated to a less than significant level pursuant to the mitigation measures identified in the EIR; or 2) mitigation measures notwithstanding, have a residual significant impact that requires a Statement of Overriding Consideration. Specifically, CEQA Guidelines Section 15091 requires lead agencies to make one or more of the following written findings:

1. Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the final EIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the findings. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, social or other considerations make infeasible any mitigation or project alternative identified in the Final EIR.

These Findings accomplish the following: a) they address the significant environmental effects identified in the EIR for the approved project; b) they indicate whether a significant effect is avoided or reduced to a less-than-significant level, or remain significant and unavoidable because there are not feasible mitigation measures; and, c) they address the feasibility of all project alternatives identified in the EIR. For any effects that will remain significant and unavoidable, a “Statement of Overriding Considerations” is presented. The conclusions presented in these Findings are based on the Final EIR (consisting of the Draft EIR, Response to Comments, and Errata to the Draft EIR) and other evidence in the administrative record.

For purposes of these Findings, the term “mitigation measures” shall constitute the “changes or alterations” discussed above. The term “avoid or substantially” will refer to the effectiveness of one or more of the mitigation measures or alternatives to substantially lessen an otherwise significant environmental effect or to reduce it to a less than significant level. (*See Laurel Hills Homeowners’ Association v. City Council* (1978) 83 Cal.App.3d 515) Although CEQA does not require findings to address environmental effects that an EIR identifies as merely “potentially significant,” these Findings will address such potential impacts. Subsequent references in these Findings will account for all such effects identified in the EIR for the project. When an impact remains significant or potentially significant with mitigation, the Findings will indicate that the impact is still “significant.” Subsequent references in these Findings to “significant effects” shall include both significant and potentially significant effects.

In the process of adopting mitigation, the City of Taft has had to decide whether the mitigation proposed in the EIR is “feasible.” Pursuant to the CEQA Guidelines, “[f]easible’ means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” (CEQA Guidelines, § 15364.) The concept of “feasibility” also encompasses the question of whether a particular alternative or policy or action item promotes the underlying goals and objectives of a project. (*Sequoyah Hills Homeowners Association v. City of Oakland* (1993) 23 Cal.App.4th 704, 715;

City of Del Mar v. City of San Diego (1982) 133 Cal.App.3d 410, 417.) “[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (City of Del Mar, supra, 133 Cal.App. 3d at 417.) The City of Taft General Plan Update was designed as a self-mitigating document. Any possible mitigation measure was incorporated into the General Plan Update as a policy or action item.

The City of Taft, upon review of the Final EIR, which includes the Draft EIR, and based on all the information and evidence in the administrative record, hereby makes the Findings set forth herein.

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CEQA PROCESS OVERVIEW

In accordance with Section 15082 of the CEQA Guidelines, the City of Taft prepared and circulated a Notice of Preparation (NOP) for the Taft General Plan Update EIR for public and agency review on February 13, 2009. The comments received in response to the NOP were included as an appendix to the Draft EIR. Comments raised in response to the NOP were considered and addressed during preparation of the EIR.

Upon completion of the Taft General Plan Update Draft Environmental Impact Report (State Clearinghouse No. 2009021056), the City prepared and distributed a Notice of Availability on July 28, 2009 pursuant to CEQA Guidelines Section 15087. Pursuant to CEQA Guidelines, Sections 15087 and 15105, a 45-day public comment and review period was opened on July 28, 2009, and was closed on September 10, 2009. A public meeting was held at the City of Taft City Hall on August 12, 2009, in order to obtain comments on the Draft EIR. Written comment letters and oral comments were received during this public review period. Based upon the comments received during the comment period, the City chose to reduce the Planning Area to a modified Alternative 2. No new significant environmental issues, beyond those already covered in the Draft EIR, were raised during the comment period, and the Final EIR was prepared. Responses to comments received on the Draft EIR did not involve any changes to the project that would create new significant impacts or provide significant new information that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5. Responses to comments were provided in the Final EIR, and responses were sent to public agencies that commented on the Draft EIR on May 24, 2010, more than ten days prior to certification of the Final EIR.

ADMINISTRATIVE RECORD

The environmental analysis provided in the Draft and Final EIR and the Findings provided herein are based on and are supported by the following documents, materials and other evidence, which constitute the Administrative Record for the City of Taft General Plan Update EIR:

1. The NOP, comments received on the NOP and all other public notices issued by the City in relation to the General Plan Update EIR (e.g., Notice of Availability).
2. The Draft EIR, associated appendices to the Draft EIR and technical materials cited in the Draft EIR.
3. The Final EIR, including all comment letters, inquiries, recorded oral testimony concerning the CEQA documents received by the City in relation to the project and technical materials cited in the document.
4. All non-draft and/or non-confidential reports and memoranda, maps, minutes and other planning documents prepared by the City of Taft and its consultants.

5. Any documents that embody the City's action on the Project, including staff reports, statements of decisions and resolutions, minutes and transcripts of the discussions regarding the project and/or project components at public hearings, scoping meetings, or workshops held by the City of Taft Planning Commission and City Council.
6. Staff reports associated with Planning Commission and City Council meetings on the General Plan Update.
7. Any other documents required for inclusion in the administrative record in accordance with Public Resources Code sections 21167.6(e).
8. The existing Taft General Plan and the Taft General Plan Update.

The City Clerk is the custodian of the administrative record. The documents and materials that constitute the administrative record are available for review at the City of Taft at 209 East Kern Street, Taft, CA 93268.

DISCRETIONARY ACTIONS

The discretionary actions for the Project involve the following approvals by the City Council:

1. Certification of the EIR;
2. Adoption of these Findings of Fact and Statement of Overriding Considerations;

The City Council has primary approval authority over the Project. However, a number of potentially responsible agencies may also have discretionary authority over the Project.

LEGAL EFFECT OF THE FINDINGS

The City of Taft makes these Findings pursuant to Public Resources Code section 21081(a) and section 15091 of the CEQA Guidelines. The City of Taft finds that where more than one reason exists for any finding, each reason independently supports these findings. All feasible mitigation measures that avoid or substantially lessen the significant effects of the project and that are adopted are binding on the City of Taft and its assigns or successors in interest at the time of approval of the Project.

MONITORING PROGRAM

The City of Taft General Plan Update was designed as a self-mitigating document. Any possible mitigation measure was incorporated into the General Plan Update as a policy or action item. Consequently, there is no Mitigation Program required.

DOCUMENT ORGANIZATION

The findings are organized into the following sections:

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1. Findings Associated with Less Than Significant Impacts Identified in the EIR
2. Findings Associated with Significant, Potentially Significant, and Cumulatively Considerable Impacts which can be Mitigated to a Less Than Significant Level
3. Findings Associated with Significant, Potentially Significant and Cumulatively Considerable Impacts which Cannot Feasibly be Mitigated to a Less Than Significant Level
4. Findings Associated with Project Alternatives
5. Additional Findings Associated with Final Modifications to the General Plan Update
6. Statement of Overriding Considerations for Significant and Unavoidable Impacts

FINDINGS REGARDING SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The City of Taft has reviewed the EIR for the project and has considered the public record on the Project. The EIR sets forth environmental effects of the Project that would be potentially significant or significant in the absence of mitigation measures for the Project. These effects (or impacts) are set forth below along with the changes or alterations that will avoid or substantially lessen those potentially significant or significant effects.

The City of Taft is not required by law to adopt mitigation measures for impacts that are less than significant.

After reviewing the public record, the City of Taft makes the following findings regarding the significant effects of the Project.

1.0 FINDINGS ASSOCIATED WITH LESS THAN SIGNIFICANT AND LESS THAN CUMULATIVELY CONSIDERABLE IMPACTS IDENTIFIED IN THE EIR

1.1 LAND USE

- 1.1.1 **Impact 4.1.1** Implementation of the proposed project would not physically divide an established community.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that implementation of the proposed Taft General Plan Update would not result in the physical division of any established communities because the General Plan focuses on redevelopment and infill within existing underdeveloped areas and preservation and revitalization of the existing neighborhoods within the City, rather than developing in a way that might divide an established community.

Reference: DEIR pages 4.1-17 through 4.1-20 (page references in all instances are to the written copy); FEIR page 3.0-2 (page numbers in all instances are to the printed copy); and General Plan Policies LU-1, 29, 32, 35, 56, 58, 61, 67, 78, 79, 87, 90.

- 1.1.2 **Impact 4.1.2** Implementation of the project has the potential to result in incompatibilities or conflicts between existing and future land uses in the Planning Area, including land located outside the existing city limits.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with land use incompatibilities and conflicts are less than significant because General Plan Policies LU-2, 27, 39, 40, 53, 56, 69, 78, 81, 83, 86; C-5, 7, 8, 32, 33, 34; N-1, 2, 3, 4, 5, 6, 7, 8, 9, 10, S-11; E-7, 8; and Actions LU-27a, 27b, 40a, 83a; C-5a; N-1a, 1b, 1c, 4a, 5a, 8a, 9a, 10a; S-11a, E-7a, 7b, 8a, and 8b include requirements intended to avoid potential incompatibilities between land uses within the Planning Area. Specifically, these policies require comprehensive land use plans for future applications for annexations and for each of the Policy Areas identified in the General Plan to protect existing neighborhoods, discourage the encroachment of non-compatible uses, ensure land use and circulation connections with the City, and, where appropriate, require buffers in the form of open space preserves, reduced development densities, landscape screening, and/or additional development setbacks.

Reference: DEIR pages 4.1-20 through 4.1-25; FEIR pages 3.0-2 through 3.0-4; General Plan Policies LU-2, 27, 39, 40, 53, 56, 69, 78, 81, 83, 86; C-5, 7, 8, 32, 33, 34; N-1, 2, 3, 4, 5, 6, 7, 8, 9, 10, S-11; E-7, 8; and Actions LU-27a, 27b, 40a, 83a; C-5a; N-1a, 1b, 1c, 4a, 5a, 8a, 9a, 10a; S-11a, E-7a, 7b, 8a, and 8b.

- 1.1.3 **Impact 4.1.3** Implementation of the project has the potential to conflict with relevant Land Use Plans, policies, or regulations.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with relevant Land Use Plans, policies, or regulations are less than significant because the proposed General Plan Land Use Map has designated the Expansion Area for uses that are generally consistent with those of the County General Plan.

Proposed designations that are in conflict with the County General Plan occur in the unincorporated communities of Taft Heights, South Taft, and Ford City, which are located immediately adjacent to the Taft City limits but are currently under Kern County jurisdiction.

Although the proposed General Plan land use designations in some areas are not consistent with the County's existing land use designations and could represent conflicts between the two plans, these areas would require annexation into the City prior to any development under the City's proposed General Plan. Proposed General Plan Policy LU-90 specifically encourages annexation of the Taft Heights, South Taft, and Ford City communities. Upon annexation, the County would no longer have jurisdiction over these areas and any potential conflicts would thus be resolved. Where the proposed General Plan designates a more intense use as compared to the County General Plan (i.e., General

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Commercial rather than Resource Management), potential environmental impacts could occur related to aesthetics, air quality, biological resources, cultural resources, soil erosion, hazardous materials, water quality, noise, growth inducement, public services and utilities, and traffic. These potential environmental impacts are addressed in the appropriate sections of this DEIR (Sections 4.2 through 4.13).

Reference: DEIR pages 4.1-25 through 4.1-28 and General Plan Policy LU-90.

1.1.4 **Impact 4.1.4** Implementation of the project has potential conflicts with Taft-Kern County Airport

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with potential conflicts with Taft-Kern County Airport are less than significant because, although some of the proposed land use designations could allow for uses that are prohibited within the individual airport safety zones, the airport has been annexed into the City limits and is subject to City regulations. As such, future development projects proposed within the ALUCP area would be reviewed by the City of Taft Planning Department prior to approval to ensure that they are appropriate and that they comply with City regulations including the height restrictions of the City's Zoning Ordinance.

Reference: DEIR page 4.1-28 and General Plan Policies LU-6 and CI-39.

1.2 AGRICULTURAL RESOURCES

No impacts in this section were determined to be less than significant.

1.3 POPULATION AND HOUSING

1.3.1 **Impact 4.3.2** Implementation of the proposed project may result in the displacement of housing and/or persons due to the construction of infrastructure necessary to serve new development or revitalization efforts.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with the displacement of housing and/or persons due to the extension of infrastructure are less than significant because federal and state law require just compensation for required relocations. Implementation of the General Plan would not, in and of itself, displace substantial numbers of housing units or people.

Reference: DEIR pages 4.3-16.

1.4 TRAFFIC AND CIRCULATION

- 1.4.1 **Impact 4.4.2** Implementation of the proposed project would result in an increased demand for pedestrian and bicycle infrastructure.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with a demand for pedestrian and bicycle infrastructure are less than significant because the General Plan provides for increased pedestrian and bicycle use in the Planning Area. The proposed project would be consistent with proposed pedestrian and bicycle facilities in the area and would allow for a mix of residential densities and commercial uses to promote options for movement other than the use of motor vehicles, as shown in the proposed Bikeways and Pedestrian Trails map. The central portion of lands within the existing City limits of Taft is largely built out with institutional/public, commercial businesses and residential uses around the downtown core, particularly south of SR 33 and east of Lincoln Street, and near the intersection of SRs 33 and 119. The proposed General Plan Update allows for the intensification of retail, office, and residential uses in the downtown core area, as well as new residential, commercial, and mixed-use development in the undeveloped areas within the existing City limits and within portions of the Expansion Area. Implementation of the proposed General Plan Update may lead to increased walking and bicycling for recreation, shopping, and employment purposes. However, the Circulation Element contains numerous policies and actions to guide the implementation of the bicycle and pedestrian system.

Reference: DEIR page 4.4-34 through 4.4-38; FEIR pages 3.0-9 through 3.0-10; General Plan Policies CI-22, 25, 26, 30, 31, 32, 33, 34, 36; and Actions CI-22a, 22b, 25a, 25b, 25c, 25d, 25e, 25f, 26a, 30a, and 36a.

- 1.4.2 **Impact 4.4.3** Implementation of the proposed project would result in an increase in the demand for public transit service (e.g., bus service).

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with an increase in the demand for public transit service are less than significant because General Plan accommodates a mix of residential densities, commercial uses, and pedestrian and bicycle facilities to promote options for movement beyond the use of motor vehicles and includes proposed enhancements to existing transit services. No conflicts with current transit provisions or plans are expected as a result of implementation of the proposed General Plan Update. General Plan Policy CIR-1.12 requires the City to coordinate with regional agencies and transit providers to support transit program.

Reference: DEIR pages 4.4-38 through 4.4-39; General Plan Policies CI-18 and 19; and Actions CI-19a, 19b, 19c, 19d, 19e, 19f, 19g, and 20b.

- 1.4.4 **Impact 4.4.6** Implementation of the proposed project has the potential to contribute to cumulative demands for pedestrian and bicycle infrastructure.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that cumulative impacts associated with bicycle and pedestrian infrastructure are less than cumulatively significant because the General Plan plans for a better mix of transportation uses as well as expanded pedestrian and bicycle facilities to encourage these alternative modes of transportation both within the city limits and between the City and surrounding communities. Further, no conflicts with current bicycle and pedestrian infrastructure are expected as a result of the proposed project even under cumulative conditions.

Reference: DEIR page 4.4-42 through 4.4-43; General Plan Policies General Plan Policies CI-22, 25, 26, 30, 31, 32, 33, 34, 36; and Actions CI-22a, 22b, 25a, 25b, 25c, 25d, 25e, 25f, 26a, 30a, and 36a.

- 1.4.4 **Impact 4.4.7** Implementation of the proposed project has the potential to contribute to an increase in the demand for public transit service (e.g., bus service and demand-responsive transit services).

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that cumulative impacts associated with public transit service are less than cumulatively significant because the General Plan plans for a better mix of transportation uses as well as expanded pedestrian and bicycle facilities to encourage these alternative modes of transportation both within the city limits and between the City and surrounding communities. Further, no conflicts with current transit provisions and plans are expected as a result of the proposed project even under cumulative conditions.

Reference: DEIR pages 4.4-43 through 4.4-44; General Plan Policies CI-18 and 19; and Actions CI-19a, 19b, 19c, 19d, 19e, 19f, 19g, and 20b.

1.5 Air Quality and Climate Change

- 1.5.1 **Impact 4.5.2** The project would allow continued growth in population, housing, and jobs in the City of Taft that would increase traffic volumes on local roadways over time. This could result in elevated carbon monoxide (CO) emissions from motor vehicle congestion that violates federal CO standards. However, based on the projections of traffic congestion, these projected traffic volumes are not expected to exceed CO standards.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with a violation of an air quality standard for CO are less than significant because traffic modeling conducted for the EIR projected that traffic

congestion levels in the City of Taft would not result in any significant delay or idling that could result in CO violations of ambient air quality standards.

Reference: DEIR pages 4.5-34 through 4.5-35.

- 1.5.2 **Impact 4.5.3** Implementation of the proposed project may result in future siting of land uses that create objectionable odors or expose future sensitive receptors to existing odor sources.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with exposure to objectionable odors are less than significant because the General Plan Update is designed to ensure that development considers environmental constraints and opportunities, existing land uses, the circulation system, and other factors.

Reference: DEIR pages 4.5-35 through 4.5-36; FEIR pages 3.0-11 through 3.0-12; and General Plan Policies LU-5 and 39 and C-29.

- 1.5.3 **Impact 4.5.5** Implementation of the General Plan Update will lead to development that may expose sensitive receptors to short-term emissions of particulates and contribute to the region's non-attainment status for the PM₁₀ standard.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impact associated with development that may expose sensitive receptors to short-term emissions of particulates and contribute to the region's non-attainment status for the PM₁₀ standard are less than significant because General Plan Policies C-27 and 29 directly address air quality and the reduction of construction emissions.

Reference: DEIR pages 4.5-39 through 4.5-40; FEIR page 3.0-13; and General Plan Policies C-27 and 29.

- 1.5.4 **Impact 4.5.6** Implementation of the General Plan Update may result in reduced visibility to nearby Class I areas.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impact that may result in reduced visibility to nearby Class I areas are less than significant because General Plan Policies C-27, 28, and 29 directly address air quality and are specifically applicable to visibility.

Reference: DEIR pages 4.5-40 through 4.5-41; FEIR page 3.0-14; and General Plan Policies C-27, 28, and 29.

- 1.5.5 **Impact 4.5.7** Implementation of the General Plan may result in occurrences of Valley Fever.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impact that result in occurrences of Valley Fever are less than significant because General Plan Policy C-29 directly addresses actions required to reduce occurrences of Valley Fever. Release of the Valley Fever spore occurs during construction and other groundbreaking activities. In regard to the proposed General Plan Update land use changes, conversion to an expansion of commercial and industrial uses may result in the release of spores during future construction activities at the time of site development. However, given that these areas are currently designated for industrial and agricultural uses, this land use conversion would likely decrease the potential for release of Valley Fever spores over the existing condition. Mineral/petroleum production uses, as well as agricultural uses, involve ongoing soil disturbance as a part of land use operations. The conversion of the areas discussed above to commercial and industrial land uses, where such soil disturbance would only occur on a temporary, construction-phase basis.

Reference: DEIR pages 4.5-41 through 4.5-42; FEIR page 3.0-14; and General Plan Policy C-29.

- 1.5.6 **Impact 4.5.10** Implementation of the proposed project could substantially increase emissions of greenhouse gas emissions over existing conditions that could result in environmental effects to the City.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with potential environmental effects from climate change are less than cumulatively considerable. It is not fully understood how global climate change may affect the state or the City; however, based on consideration of recent climate change studies, and based on the fact that Kern County Water Agency's surface water sources are anticipated to largely remain intact (though the form of precipitation in the Sierra Nevada Mountains is expected to come from rain rather than snowmelt), it is reasonably expected that the impacts of global climate change on the City would be less than significant.

Reference: DEIR pages 4.5-73 through 4.5-74.

- 1.5.7 **Impact 4.5.12** Implementation of the proposed project resulting in growth in the City of Taft and the Expansion Area could contribute to global increases in temperature that could increase exposure to risk related to significant storm events, extreme heat, and flooding resulting from global climate change. The projects and programs in the General Plan Update could expose people and the infrastructure to risk. However, the potential extent and severity of any such risk is speculative, given the unknown nature of potential impacts of climate change on Taft.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that resulting in growth in the City of Taft and the Expansion Area could contribute to global

increases in temperature that could increase exposure to risk related to significant storm events, extreme heat, and flooding resulting from global climate change are less than cumulatively considerable.

Within Taft, increased frequency and intensity of storms due to climate change could lead to subsidence and/or erosion damage to roads, bridges, and other facilities. Low-lying areas would also be at risk from both storm-related flooding. Flooding could also close or damage roadways within the City. Increased exposure to extreme heat episodes is also possible. These potential impacts are real, given the general concurrence in the scientific community about the potential impacts of climate change on the environment. However, the severity of such impacts is still speculative at this time. Nevertheless, proposed General Plan policies are intended to help the City and the region reduce potential exposure of people and projects to future impacts of climate change.

Reference: DEIR pages 4.5-80 through 4.5-81; FEIR page 3.0-22; General Plan Policies C-34, C-35, 36, 37, 38, 39, and 54; and Actions C-34a, C-35a, 36a, 36b, 36c, and 37a.

1.6 NOISE

No impacts in this section were determined to be less than significant.

1.7 HAZARDS AND HUMAN HEALTH

1.7.1 **Impact 4.7.1** Implementation of the proposed project could include the routine transportation, use, or disposal of hazardous materials on the Planning Area transportation network.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with the routine transportation, use, or disposal of hazardous materials are less than significant because any such activity would be required to remain in compliance with state and federal laws for the transportation of hazardous materials.

Reference: DEIR pages 4.7-26 through 4.7-28; General Plan Policies LU-5 and S-12; and Actions S-12a, 12b, 12c, 12d, and 12e.

1.7.2 **Impact 4.7.2** The Planning Area contains land uses that have the potential to result in an increased risk of release of hazardous materials.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with accidental release and exposure to hazardous materials are less than significant because the use, storage, and transport of hazardous materials by developers, contractors, business owners, industrial businesses, and others are required to be in compliance with local, state, and federal regulations during project construction and operation. Furthermore, facilities that use hazardous materials are required to obtain

permits and comply with appropriate regulatory agency standards designed to avoid hazardous waste releases. General Plan Policies address issues associated with hazardous materials and contamination through the regulation of hazardous waste storage, compliance with up-to-date standards, and the provision of buffer zones.

Reference: DEIR pages 4.7-28 through 4.7-31; FEIR pages 3.0-24 through 3.0-25; General Plan Policies LU-5, S-8, 9, 10, and 11; and Actions S-8a, 8b, 9a, 9b, 9c, 10a, and 11a.

- 1.7.3 **Impact 4.7.3** Implementation of the General Plan Update would locate development within an airport land use plan, potentially resulting in a safety hazard for people residing or working in the area.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with the implementation of the General Plan Update that would locate development within an airport land use plan, potentially resulting in a safety hazard for people residing or working in the area are less than significant because General Plan policies address potential operational and safety conflicts with the Taft-Kern County Airport.

Reference: DEIR pages 4.7-31 through 4.7-32 and General Plan Policies LU-6 and CI-39.

- 1.7.4 **Impact 4.7.4** Implementation of the proposed General Plan update could impair implementation of or physically interfere with the Kern County Multi-Jurisdictional Hazard Mitigation Plan.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with interference with emergency response plans are less than significant because general Plan Policies and Actions address potential interference with emergency response plans by keeping emergency plans updated and emergency staff trained.

Reference: DEIR pages 4.7-32 through 4.7-33; FEIR page 3.0-25; General Plan Policy S-2,; and Actions S-2a, 2b, 2c, and 2e.

- 1.7.5 **Impact 4.7.5** Implementation of the project could contribute to the cumulative exposure of persons to contaminated soil or groundwater during development of previously contaminated sites or sites undergoing remediation.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that contributions to the cumulative exposure of persons to contaminated soil or groundwater during development of previously contaminated sites or sites undergoing remediation are

less than cumulatively considerable because applicable local, state, and federal laws and regulations and General Plan policies reduce the hazard and health risk impact.

Reference: DEIR pages 4.7-33 through 4.7-35; General Plan Policies LU-5, CI-38, S-2, 8, 9, 10, 11, and 12; and Actions S-2a, 2b, 2c, 8a, 8b, 9a, 9b, 9c, 10a, 11a, 12a, 12b, 12c, 12d, and 12e.

1.8 GEOLOGY AND SOILS

- 1.8.1 **Impact 4.8.1** Implementation of the proposed General Plan Update may expose new development to seismic hazards, including but not limited to strong ground shaking and seismically related ground failure.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with seismic hazards are less than significant because implementation of General Plan Policies S-2, 13, and 14 and Actions S-2a, 2b, 2c, 2d, 14a, and 14b would reduce impacts associated with seismic hazards. Specifically, the Policies and Actions would ensure that for new development projects, consistent with the updated General Plan, comply with CBC regulations to reduce seismic risk.

Reference: DEIR pages 4.8-27 through 4.8-29; General Plan Policies S-2, 13, and 14; and Actions S-2a, 2b, 2c, 2d, 14a, and 14b.

- 1.8.2 **Impact 4.8.2** Implementation of the proposed General Plan update could result in new and/or increased development that would result in soil erosion, wind and water erosion, and loss of topsoil.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with soil erosion or loss of topsoil would be less than significant because implementation of General Plan Policies S-7, 13, and 14 and Actions S-7b, 7c, 7d, and 14b as well as compliance with NPDES requirements would ensure that future development projects would be evaluated for potential soil erosion impacts on a site-by-site basis and that runoff and erosion control measures would be integrated into the construction process and project site design that would fully mitigate any potential impacts.

Reference: DEIR pages 4.8-29 through 4.8-31; FEIR page 3.0-26; General Plan Policies S-7, 13, 14; and Actions 7b, 7c, 7d, and 14b.

- 1.8.3 **Impact 4.8.3** Implementation of the proposed project may result in development in areas subject to landslide.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that

impacts associated development in areas subject to landslide are less than significant because implementation of General Plan Policies C-59 and S-1, 13, and 14 and Actions S-1c and 14b as well as compliance with California Building Code requirements ensure the adequate design and construction of building foundations to resist soil movement.

Reference: DEIR pages 4.8-31 through 4.8-32; General Plan Policies C-59, S-1, 13, and 14; and Actions S-1c and 14b.

- 1.8.4 **Impact 4.8.4** Implementation of the proposed project may result in new development on expansive soils.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with location on unstable and/or expansive soil are less than significant because implementation of proposed General Plan Action S-14b requires that a geotechnical investigation be conducted on new development sites and that the investigation must identify unstable and expansive soils on the site. Furthermore, this policy requires that the investigation provide appropriate recommendations to remediate potential hazards associated with such soils. Site-specific geotechnical investigations would identify and mitigate any impacts associated with future development being placed on unstable or expansive soils on a site-by-site basis.

Reference: DEIR pages 4.8-33 through 4.8-34; General Plan Policies S-13 and 14; and Action S-14b.

- 1.8.5 **Impact 4.8.5** Implementation of the proposed project could impact areas where soils may be incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts on areas where soils may be incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems are less than significant because implementation of proposed General Plan Policy S-14 and Action S-14b requires that a septic system site evaluation and/or geotechnical report be provided to assure the proper operation of such systems.

Reference: DEIR pages 4.8-34 through 4.8-35; General Plan Policy S-14; and Action S-14b.

- 1.8.6 **Impact 4.8.7** Implementation of the proposed project, along with other planned, proposed, recently approved, and reasonably foreseeable development within the Planning Area, would not contribute to cumulative geology, soils, and seismicity impacts, as the impacts would be site-specific and not additive in character.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that cumulative geologic, soil, and seismic impacts are less than significant because adherence to all federal, state, and local requirements, in addition to implementation of proposed General Plan Policies C-59, S-7, 13 and 14 and Actions C-59a, S-7b, 7c, 7d, and 14b would further minimize the City of Taft's contribution to cumulative geology, soils, and seismicity impacts.

Reference: DEIR pages 4.8-36 through 4.8-38; General Plan Policies C-59, S-7, 13 and 14; and Actions C-59a, S-7b, 7c, 7d, and 14b.

1.9 CULTURAL AND PALEONTOLOGICAL RESOURCES

No impacts in this section were determined to be less than significant.

1.10 BIOLOGICAL RESOURCES

1.10.1 Impact 4.10.4 Implementation of the proposed project may affect biological resources differently from local policies and ordinances currently in effect. However, potential conflicts would be addressed by the revisions of the implementing ordinances to ensure that they conform to the proposed policies. In addition, land uses and development consistent with the General Plan Update would not conflict with any adopted Habitat or Natural Community Conservation Plans.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts related to riparian corridors, wetlands, special-status species, sensitive natural communities, and wildlife movement corridors are less than significant. Upon adoption of the new policies, in particular Land Use Policy LU-5 and Conservation Policies C-13, C-14, C-15, C-16, C-17, C-18, and C-19 contained within the General Plan Update, applicable City ordinances would be updated to conform to the policies so that these conflicts would no longer exist.

Reference: DEIR pages 4.10-42 through 4.10-43 and General Plan Policies LU-5 and C-13, 14, 15, 16, 17, 18, and 19.

1.11 HYDROLOGY AND WATER QUALITY

1.11.1 Impact 4.11.1 Implementation of the proposed General Plan Update could result in the discharge of polluted runoff during construction and operation of future urban development potentially violating water quality standards or otherwise substantially degrading surface water quality.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with adverse impacts to water quality from construction activities are

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less than significant because General Plan Policy C-7 and Actions 7a, 7b, 7c, and 7d, the requirements of applicable subsequent orders and permits issued by the SWRCB, and Section 10-3-11 of the Taft Municipal Code require compliance with grading and erosion control requirements to minimize the amount of sediments and other contaminants generated by construction activities that enter surface waters.

Reference: DEIR pages 4.11-28 through 4.11-32; General Plan Policy S-7; and Actions S-7a, 7b, 7c, and 7d.

- 1.11.2 **Impact 4.11.2** New development associated with implementation of the proposed project may result in adverse impacts to groundwater quality from construction and operation of future urban development.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with adverse impacts to water quality from construction activities are less than significant because General Plan Policies S-7 and PF-11, and Actions S-7b, 7c, and 7d as well as the statewide NPDES requirements require the provision of water quality control measures that would protect groundwater quality.

Reference: DEIR pages 4.11-32 through 4.11-33; General Plan Policies S-7 and PF-11, and Actions S-7b, 7c, and 7d.

- 1.11.3 **Impact 4.11.6** Implementation of the proposed General Plan Update, in combination with existing, proposed, approved, and reasonably foreseeable development activities within the watershed, would contribute to a cumulative degradation of water quality from construction activities and increased urban runoff.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with adverse impacts to water quality from construction activities are less than cumulatively considerable because General Plan Policies S-7 and PF-11, and Actions S-7a, 7b, 7c, and 7d as well as the other state and local requirements provide the provision of water quality control measures that would protect groundwater quality.

Reference: DEIR pages 4.11-42 through 4.10-44; General Plan Policies S-7 and PF-11, and Actions S-7a, 7b, 7c, and 7d.

- 1.11.4 **Impact 4.11.8** Implementation of the proposed General Plan Update, in combination with existing, approved, proposed, and other reasonably foreseeable development activities in the Kern County Groundwater Subbasin, would contribute to an increased demand for municipal water supply, requiring increased groundwater pumping and potentially contributing to groundwater level declines and overdraft of the aquifer.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that

impacts associated with increased demand for municipal water supply, requiring increased groundwater pumping and potentially contributing to groundwater level declines and overdraft of the aquifer are less than significant because General Plan Policies LU-71, C-10 and 21, and PF-10 and 11, and Actions C-21a, 21b, 21c, 21d, 21e, 21f, 21g, and 21h and PF-10a and 10b encourage the expanded use of reclaimed water and require the identification of an adequate water supply and infrastructure prior to development.

Reference: DEIR pages 4.11-32 through 4.10-33; General Plan Policies S-7 and PF-11, and Actions S-7b, 7c, and 7d.

1.12 VISUAL RESOURCES

- 1.12.1 **Impact 4.12.1** Implementation of the proposed General Plan update and other project components would not result in substantial damage to scenic resources within a state or county scenic highway.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that there are no scenic highways within the project area and there would be no impact to scenic resources within a scenic highway.

Reference: DEIR page 4.12-16.

- 1.12.2 **Impact 4.12.2** Implementation of the proposed project would encourage new development and redevelopment activities that could potentially degrade existing scenic vistas.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with degradation of scenic vistas are less than significant. Implementation of the proposed General Plan Policies LU-4, 61, 71, 75, 85, and 86, and C-6, 57, and 58 and Actions LU-75a, 75b, 75c, 86a, and C-57a and 58a would reduce impacts to scenic vistas by promoting infill development and preservation of agricultural lands as well as positive imagery at City entrances.

Reference: DEIR pages 4.12-16 through 4.12-17; FEIR 3.0-32 through 3.0-33; General Plan Policies LU-4, 61, 71, 75, 85, and 86, and C-6, 57, and 58; and Actions LU-75a, 75b, 75c, 86a, and C-57a and 58a.

1.13 PUBLIC SERVICES AND UTILITIES

- 1.13.1 **Impact 4.13.1.1** Implementation of the project would result in the need for additional fire protection and emergency medical staff, equipment, and facilities that could result in physical environmental impacts.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with fire protection and emergency medical services are less than significant because of the continued partnership with the providers and implementation of General Plan Policies PF-6, 7, 8, 12, and 16, and S-20, 21, and 22; and Actions PF-7a and 7b and S-20a, 20b, 21a, and 21b would ensure that adequate fire protection and emergency medical services are provided.

Reference: DEIR pages 4.13-7 through 4.13-10; General Plan Policies PF-6, 7, 8, 12, and 16, and S-20, 21, and 22; and Actions PF-7a and 7b and S-20a, 20b, 21a, and 21b.

- 1.13.2 **Impact 4.13.1.2** Implementation of the proposed project, in combination with other existing, planned, proposed, approved, and reasonably foreseeable development within the KCFD and HAS service areas, would increase the demand for fire protection and emergency medical services and could therefore require additional staffing, equipment, and related facilities.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts upon the KCFD and HAS service areas are less than cumulatively considerable because General Plan Policies PF-6, 7, 8, 12, and 16, and S-20, 21, and 22; and Actions PF-7a and 7b and S-20a, 20b, 21a, and 21b would reduce the General Plan Update's contribution to cumulative impacts in providing fire protections and emergency medical services.

Reference: DEIR pages 4.13-10 through 4.13-11; General Plan Policies PF-6, 7, 8, 12, and 16, and S-20, 21, and 22; and Actions PF-7a and 7b and S-20a, 20b, 21a, and 21b.

- 1.13.3 **Impact 4.13.2.1** Implementation of the proposed project would increase the Planning Area population and would result in additional residential, commercial, industrial, and recreational uses in the Planning Area, which may result in additional law enforcement protection facilities that could result in physical environmental impacts.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with police protection are less than significant because implementation of General Plan Policies PF-6, 7, and 8, and S-18 and 19; and Actions PF-7a, and 7b, and S-19a would ensure that new development would fund new public facilities and personnel, that development proposals would be reviewed for law enforcement concerns, and that the City would review police services regularly to assure adequate levels of service.

Reference: DEIR pages 4.13-14 through 4.13-16; FEIR page 3.0-37; General Plan Policies PF-6, 7, and 8, and S-18 and 19; and Actions PF-7a, and 7b, and S-19a.

- 1.13.4 **Impact 4.13.2.2** Implementation of the proposed project, in combination with other existing, planned, proposed, approved, and reasonably foreseeable development within the TPD service area, would increase the demand for law enforcement services which could result in the need for additional staffing, equipment, and related facilities under cumulative conditions.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts upon the Taft Police Department are less than cumulatively considerable because General Plan Policies PF-6, 7, and 8, and S-18 and 19; and Actions PF-7a, and 7b, and S-19a would ensure that new development would fund new public facilities and personnel, that development proposals would be reviewed for law enforcement concerns, and that the City would review police services regularly to assure adequate levels of service.

Reference: DEIR pages 4.13-16 through 4.13-17; General Plan Policies PF-6, 7, and 8, and S-18 and 19; and Actions PF-7a, and 7b, and S-19a..

- 1.13.5 **Impact 4.13.3.1** Implementation of the proposed project would result in increased development in the Planning Area, which would subsequently increase student enrollment in TCSD and TUHSD schools. New or expanded school facilities would be necessary to serve the increased demand.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with increased enrollments at TCSD and TUHSD are less than significant because of the General Plan Policies for school siting that minimizes land use and environmental conflicts (Policies PF-18 and PF-19) and would ensure that the City would coordinate with school districts regarding new development and other planning issues (Policies PF-4, PF-9, and LU-89).

Reference: DEIR pages 4.13-25 through 4.13-27; General Plan Policies PF.4, 9, 18, and 19 and LU-89; and Actions PF-9a and 19a and LU-89a.

- 1.13.6 **Impact 4.13.3.2** Implementation of the proposed project would increase population in the Planning Area, which is served by the West Kern Community College District.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with increased enrollments at TCSD and TUHSD are less than significant because General Plan Policies PF.4, 9, 18, and 19 and LU-89; and Actions PF-9a and 19a and LU-89a would encourage retention and growth of Taft College and the location of new colleges and universities within the City. In addition, Policies PF-18 and PF-19 encourage school siting that minimizes land use and environmental conflicts and Policies PF-4, PF-9, and LU-89 would ensure that the City would coordinate with the WKCD regarding new development and other planning issues.

Reference: DEIR pages 4.13-27 through 4.13-29; General Plan Policies PF.4, 9, 18, and 19 and LU-89; and Actions PF-9a and 19a and LU-89a.

- 1.13.7 **Impact 4.13.3.3** Population growth associated with implementation of the proposed General Plan update, in combination with other existing, planned, proposed, approved, and reasonably foreseeable development in the cumulative setting, would result in a cumulative increase in student enrollment and require additional schools and related facilities to accommodate the growth.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with increased enrollments requiring additional schools and related facilities to accommodate the growth are less than significant because of the General Plan Policies PF-4, 9, 18, and 19 and LU-89; and Actions PF-9a and 19a and LU-89a provide for the means to accommodate such growth and assure that the City coordinate with TCSD, TUHSD, AND WKCCD regarding new development and other planning issues.

Reference: DEIR pages 4.13-29 through 4.13-31; FEIR page 3.0-37; General Plan Policies PF-4, 9, 18, and 19 and LU-89; and Actions PF-9a and 19a and LU-89a.

- 1.13.8 **Impact 4.13.4.1** Implementation of the proposed General Plan update would increase the demand for existing facilities and require additional parks and recreational facilities to accommodate the anticipated growth associated with the GPU.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that cumulative impacts associated with parks and recreational facilities are less than significant because General Plan Policies OS-1, 2, 4, 5, 6, 7, 8, 9, 10, and 11, and Actions OS-2a, 2b, 2c, 4a, 5a, 5b, 11a, and 11b provide for the establishment of parkland standards and funding mechanisms, coordination between the City and the WSRPD regarding future park and facility needs..

Reference: DEIR pages 4.13-37 through 4.13-39; General Plan Policies OS-1, 2, 4, 5, 6, 7, 8, 9, 10, and 11, and Actions OS-2a, 2b, 2c, 4a, 5a, 5b, 11a, and 11b.

- 1.13.9 **Impact 4.13.4.2** Implementation of the proposed project along with other existing, planned, proposed, approved, and reasonably foreseeable development within the service areas of WSRPD and Kern County Parks and Recreation Department, would result in cumulative park and recreation impacts.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that cumulative impacts associated with parks and recreational facilities are less than cumulatively considerable because General Plan Policies OS-1, 2, 4, 5, 6, 7, 8, 9, 10, and 11, and Actions OS-2a, 2b, 2c, 4a, 5a, 5b, 11a, and 11b provide for the establishment of

parkland standards and funding mechanisms, coordination between the City, the WSRPD, and Kern County regarding future park and facility needs..

Reference: DEIR pages 4.13-40 through 4.13-41; General Plan Policies OS-1, 2, 4, 5, 6, 7, 8, 9, 10, and 11, and Actions OS-2a, 2b, 2c, 4a, 5a, 5b, 11a, and 11b.

- 1.13.10 **Impact 4.13.5.2** Implementation the GPU would require additional water supply infrastructure to meet the projected water demands.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with water supply infrastructure are less than significant because implementation of proposed General Plan Policies PF-2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12; and Actions PF-3a, 3b, 7a, 7b, 9a, 10a, and 10b would ensure that new development does not occur without adequate water supply infrastructure.

Reference: DEIR pages 4.13-63 through 4.13-67; FEIR page 3.0-38; General Plan Policies PF-2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12; and Actions PF-3a, 3b, 7a, 7b, 9a, 10a, and 10b.

- 1.13.11 **Impact 4.13.6.2** Implementation of the proposed GPU could result in wastewater discharge that would exceed wastewater treatment requirements of the Central Valley Regional Water Quality Control Board.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with wastewater conveyance and treatment capacity are less than significant because implementation of proposed General Plan Policies PF-11 and 15; and Actions PF-15a and 15b would ensure that new development does not occur without adequate wastewater conveyance and treatment capacity.

Reference: DEIR pages 4.13-81 through 4.13-83; General Plan Policies PF-11 and 15; and Actions PF-15a and 15b.

- 1.13.12 **Impact 4.13.6.3** Implementation of the proposed General Plan update, as well as existing, planned, proposed, approved, and reasonably foreseeable development within the City's wastewater service area, would substantially increase wastewater flows and require additional infrastructure and treatment capacity to accommodate anticipated demands. However, implementation of proposed General Plan policies would require that wastewater treatment and infrastructure capacity be available in time to meet the demand created by new development.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with cumulative wastewater impacts are less than significant cumulatively considerable because implementation of proposed General Plan Policies PF-

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2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 16, 14, and 15; and Actions PF-3a, 3b, 7a, 7b, 9a, 13a, 15a, and 15b would ensure that public facilities be available on time to maintain desired service levels and avoid capacity shortages and negative impacts on safety and quality of life.

Reference: DEIR pages 4.13-83 through 4.13-84; General Plan Policies PF-2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 16, 14, and 15; and Actions PF-3a, 3b, 7a, 7b, 9a, 13a, 15a, and 15b.

- 1.13.13 **Impact 4.13.7.1** Implementation of the proposed GPU would result in increased demand for solid waste services and facilities to serve the Planning Area.

Findings: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with increased demand for solid waste services are less than significant because implementation of the proposed General Plan Policies PF-2, 3, 4, and 9; and Actions PF-3a, 3b, and 9a would ensure sufficient capacity be available in all public services and facilities on time to maintain desired service levels and avoid capacity shortages.

Reference: DEIR pages 4.13-90 through 4.13-92; General Plan Policies PF-2, 3, 4, and 9; and Actions PF-3a, 3b, and 9a.

- 1.13.13 **Impact 4.13.7.2** Implementation of the proposed General Plan update, along with other existing, planned, proposed, approved, and reasonably foreseeable development within the WKWMD service area, would result in increased demand for solid waste services.

Findings: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with increased demand for solid waste services are less than cumulatively considerable because implementation of the proposed General Plan Policies PF-2, 3, 4, and 9; and Actions PF-3a, 3b, and 9a would ensure sufficient capacity be available in all public services and facilities on time to maintain desired service levels and avoid capacity shortages.

Reference: DEIR pages 4.13-93 through 4.13-94; General Plan Policies PF-2, 3, 4, and 9; and Actions PF-3a, 3b, and 9a.

- 1.13.14 **Impact 4.13.8.1** Implementation of the proposed project would require additional electric, natural gas, and telecommunications services, including associated infrastructure.

Findings: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts associated with electrical, natural gas, and telecommunications services are less than significant because adherence to state standards and regulations, and implementation of the proposed General Plan Policies PF-2, 3, 4, and 9; and Actions PF-3a, 3b, and 9a would ensure adequate utilities are available to meet demands associated with increased development.

Reference: DEIR pages 4.13-99 through 4.13-100; General Plan Policies PF-2, 3, 4, and 9; and Actions PF-3a, 3b, and 9a.

1.13.20 **Impact 4.13.8.2** Implementation of the proposed General Plan update, along with other existing, planned, proposed, approved, and reasonably foreseeable development, would contribute to the cumulative demand for electrical, natural gas, and telecommunications services and associated infrastructure.

Findings: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that cumulative impacts associated with electrical, natural gas, and telephone service are less than cumulatively considerable because adherence to state standards and regulations, and implementation of the proposed General Plan Policies PF-2, 3, 4, and 9; and Actions PF-3a, 3b, and 9a would ensure adequate utilities are available to meet demands associated with cumulative development.

Reference: DEIR pages 4.13-101 through 4.13-102; General Plan Policies PF-2, 3, 4, and 9; and Actions PF-3a, 3b, and 9a.

2.0 FINDINGS ASSOCIATED WITH SIGNIFICANT, POTENTIALLY SIGNIFICANT, AND CUMULATIVELY CONSIDERABLE IMPACTS WHICH CAN BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

The City of Taft (City) hereby adopts and makes the following findings relating to its approval of the Taft General Plan Update. Having received, reviewed, and considered the entire record, both written and oral, relating to the Taft General Plan Update and associated Draft and Final EIR, the City makes the following findings associated with significant, potentially significant, and cumulatively significant impacts which can be mitigated to a less-than-significant level through implementation of proposed General Plan policies and action items and/or the implementation of mitigation measures identified in the Final EIR.

2.1 LAND USE

No impacts in this section were determined to be significant, potentially significant, or cumulatively considerable and mitigable to a less-than-significant level.

2.2 AGRICULTURAL RESOURCES

No impacts in this section were determined to be significant, potentially significant, or cumulatively considerable and mitigable to a less-than-significant level.

2.3 POPULATION AND HOUSING

No impacts in this section were determined to be significant, potentially significant, or cumulatively considerable and mitigable to a less-than-significant level.

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2.4 TRAFFIC AND CIRCULATION

No impacts in this section were determined to be significant, potentially significant, or cumulatively considerable and mitigable to a less-than-significant level.

2.5 AIR QUALITY AND CLIMATE CHANGE

- 2.5.1 **Impact 4.5.4** Implementation of the General Plan Update may result in the siting of future land uses that emit TACs or expose future sensitive receptors to existing TAC sources.

Finding: Proposed mitigation measures MM 4.5.2 and 4.5.3 have been incorporated into General Plan as policies and action items. Implementation of General Plan Policies LU-39, C-5, 7, 33, and 34 and E-8, 9, and 10 would help ensure that adequate buffers between land uses that could expose sensitive receptors to unhealthful levels of TACs or odors. Therefore, the City hereby finds that changes or alterations have been incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.5-36 through 4.5-38; FEIR pages 3.0-12 through 3.0-13; General Plan Policies LU-39, C-5, 7, 33, and 34 and E-8, 9, and 10.

2.6 NOISE

- 2.6.1 **Impact 4.6.3** Sensitive land uses constructed near Taft-Kern County Airport could be exposed to aircraft noise in excess of applicable noise standards for land use compatibility.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts upon sensitive land uses constructed near Taft-Kern County Airport that could be exposed to aircraft noise in excess of applicable noise standards for land use compatibility are less than significant because implementation of the proposed General Plan Policies N-1, 2, 3, and 5 and Actions N-1a, 1b, 1c, and 5a would ensure future development near Taft-Kern County Airport would meet applicable noise criteria for land use compatibility and/or include noise attenuation features to meet applicable noise standards. Proposed future development projects located within air traffic patterns, corridors, and airport influence zones would be reviewed the assure continued consistency with the ALUCP. Therefore, the City hereby finds that changes or alterations have been incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.6-29 through 4.6-30; FEIR page 3.0-123; General Plan Policies N-1, 2, 3, and 5; and Actions N-1a, 1b, 1c, and 5a.

- 2.6.2 **Impact 4.6.6** As additional development occurs throughout the City, the potential exists for noise-sensitive land uses to be exposed to construction-generated sources of groundborne vibration.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts that may occur as additional development occurs throughout the City for noise-sensitive land uses to be exposed to construction-generated sources of groundborne vibration are less than significant because implementation of the proposed General Plan Policy N-4 and Action N-4a would restrict noise-generating construction activities that would result in increased levels of annoyance to nearby noise-sensitive land uses to the daytime hours of operation. Also, the applicable policies and action items would reduce construction-generated groundborne vibration associated with future development projects to an insignificant level. In addition, individual development projects will be subject to site-specific environmental review, which will necessitate identification of site-specific mitigation in the event that significant impacts are identified. Therefore, the City hereby finds that changes or alterations have been incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.6-33 through 4.6-34; General Plan Policy N-4; and Action N-4a.

2.7 HAZARDS AND HUMAN HEALTH

No impacts in this section were determined to be significant, potentially significant, or cumulatively considerable and mitigable to a less-than-significant level.

2.8 GEOLOGY AND SOILS

No impacts in this section were determined to be significant, potentially significant, or cumulatively considerable and mitigable to a less-than-significant level.

2.9 CULTURAL AND PALEONTOLOGICAL RESOURCES

- 2.9.1 **Impact 4.9.1** Future development to implement the proposed project could potentially cause a direct substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts that may occur from future development to implement the proposed project and potentially cause a direct substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5 are less than significant because implementation of the proposed General Plan Policies LU-5 and C-55, 56, and 57; and Actions C-55a, 55b, 55c, 57a, 57b and 57c would minimize impacts to historical

resources by requiring an evaluation of any proposed demolition or modification to historic or architectural resources that are either listed in or determined eligible for inclusion in the National Registry of Historical Places (NHRP), the California Registry of Historic Resources (CRHR), or the local historical registry, to determine whether the project proposal would result in an adverse impact on the historic resource. Therefore, the City hereby finds that changes or alterations have been incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.9-12 through 4.9-14; DEIR pages 3.0-26 through 3.0-27; General Plan Policies LU-5 and C-55, 56, and 57; and Actions C-55a, 55b, 55c, 57a, 57b and 57c.

- 2.9.2 **Impact 4.9.2** Future development to implement the proposed General Plan Update could result in the potential disturbance of cultural resources (i.e., prehistoric archaeological sites, historical archaeological sites, and isolated artifacts and features) and human remains within the Planning Area.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts that may occur from future development to implement the proposed General Plan Update that could result in the potential disturbance of cultural resources (i.e., prehistoric archaeological sites, historical archaeological sites, and isolated artifacts and features) and human remains within the Planning Area are less than significant because implementation of the proposed General Plan Policies LU-5 and C-57; and Actions C-57a and 57c. would assist in reducing impacts to known and undiscovered prehistoric resources and human remains. Therefore, the City hereby finds that changes or alterations have been incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.9-14 through 4.9-15; DEIR page 3.0-28; General Plan Policies LU-5 and C-57; and Actions C-57a and 57c.

- 2.9.3 **Impact 4.9.3** Adoption of the proposed project could result in the potential disturbance of paleontological resources.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts that may occur from future development to implement the proposed General Plan Update that could result in the potential disturbance of paleontological resources are less than significant because implementation of the proposed General Plan Policies LU-5 and C-57; and Actions C-57a and 57c. would assist in reducing impacts to known and undiscovered paleontological resources. Therefore, the City hereby finds that changes or alterations have been incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.9-16 through 4.9-17; FEIR page 3.0-28; General Plan Policies LU-5 and C-57; and Actions C-57a and 57c.

- 2.9.4 **Impact 4.9.4** Adoption of the proposed project, its associated subsequent projects and specific plans within the Planning Area, in combination with all other foreseeable development projects within Kern County and the surrounding areas of the San Joaquin Valley, has the potential to disturb cultural resources (i.e., prehistoric sites, historic sites, historic buildings, and isolated artifacts and features) and human remains.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts that may occur from adoption of the proposed project, its associated subsequent projects and specific plans within the Planning Area, in combination with all other foreseeable development projects within Kern County and the surrounding areas of the San Joaquin Valley, that could disturb cultural resources (i.e., prehistoric sites, historic sites, historic buildings, and isolated artifacts and features) and human remains are less than cumulatively considerable because implementation of the proposed General Plan Policies LU-5 and C-55, 56, and 57; and Actions C-55a, 55b, 55c, 57a, 57b and 57c provide for procedures and methods for the identification, avoidance, protection, and preservation of cultural resources. Therefore, the City hereby finds that changes or alterations have been incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-cumulatively-considerable level.

Reference: DEIR pages 4.9-17 through 4.9-18; FEIR page 3.0-29; General Plan Policies LU-5 and C-55, 56, and 57; and Actions C-55a, 55b, 55c, 57a, 57b and 57c.

- 2.9.5 **Impact 4.9.5** Adoption of the proposed project, its associated subsequent projects and specific plans within the Planning Area, in combination with all other foreseeable development projects within Taft and Kern County has the potential to disturb paleontological resources (i.e., fossils and fossil formations).

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts that may occur from adoption of the proposed project, its associated subsequent projects and specific plans within the Planning Area, in combination with all other foreseeable development projects within Kern County and the surrounding areas of the San Joaquin Valley, that could disturb paleontological resources are less than cumulatively considerable because implementation of the proposed General Plan Policies LU-5 and C-57; and Actions C-57a and 57c provide for procedures and methods for the identification, avoidance, protection, and preservation of paleontological resources. Therefore, the City hereby finds that changes or alterations have been incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-cumulatively-considerable level.

Reference: DEIR pages 4.9-18 through 4.9-19; FEIR page 3.0-29; General Plan Policies LU-5 and C-57; and Actions C-57a and 57c.

2.10 BIOLOGICAL RESOURCES

2.10.1 **Impact 4.10.1** Implementation of the proposed General Plan and associated project components could result loss of populations or essential habitat for special-status plant and wildlife species.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts that could result in loss of populations or essential habitat for special-status plant and wildlife species are less than significant because implementation of the proposed General Plan Policies LU-5, C-3, 13, 14, 15, 16, 17, 18, and 19; and Actions C-3a, 13a, 13b, 14a, 14b, 14c, 14d, 14e, 14f, 15a, 15b, 17a, and 19a, in addition to those identified for water quality impacts under Section 4.11 (Hydrology and Water Quality), would ensure that impacts from future development that may be possible under the updated General Plan to special-status species are identified and mitigated to ensure viability of the species, and to ensure that habitat areas are avoided or mitigated if avoidance is determined to be infeasible. The proposed General Plan update policies and actions contain specific, enforceable requirements and/or restrictions that address this impact. Therefore, the City hereby finds that changes or alterations have been incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.10-29 through 4.10-39; FEIR pages 3.0-29 through 3.0-30; General Plan Policies LU-5, C-3, 13, 14, 15, 16, 17, 18, and 19; and Actions C-3a, 13a, 13b, 14a, 14b, 14c, 14d, 14e, 14f, 15a, 15b, 17a, and 19a.

2.10.2 **Impact 4.10.2** Land uses and development consistent with the proposed project could result in the loss of riparian habitat and other sensitive natural communities including Waters of the U.S.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts that could result in loss of riparian habitat and other sensitive natural communities including Waters of the U.S. are less than significant because implementation of the proposed General Plan Policies LU-5, C-3, 13, 14, 15, 16, 17, 18, and 19; and Actions C-3a, 13a, 13b, 14a, 14b, 14c, 14d, 14e, 14f, 15a, 15b, 17a, and 19a, as well as the goals, policies, and actions proposed in the Land Use Element and Open Space and Conservation Element, as described under Impact 4.10.1, would assist in reducing any potential biological impacts to sensitive natural communities, including waters of the U.S. Implementation of these proposed General Plan Update policies and actions would help to reduce and minimize impacts to sensitive natural communities from future development that may be possible under the updated General Plan. Therefore, the City hereby finds that changes or alterations have been incorporated into the project

which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.10-39 through 4.10-40; FEIR pages 3.0-29 through 3.0-30; General Plan Policies LU-5, C-3, 13, 14, 15, 16, 17, 18, and 19; and Actions C-3a, 13a, 13b, 14a, 14b, 14c, 14d, 14e, 14f, 15a, 15b, 17a, and 19a.

2.10.3 **Impact 4.10.3** Land uses and development consistent with the proposed General Plan Update could restrict aquatic or terrestrial wildlife movement through travel corridors.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts that could result in loss of wildlife travel corridors are less than significant because implementation of the proposed General Plan Policies LU-5, C-3, 13, 14, 15, 16, 17, 18, and 19; and Actions C-3a, 13a, 13b, 14a, 14b, 14c, 14d, 14e, 14f, 15a, 15b, 17a, and 19a, as well as the goals, policies, and actions proposed in the Land Use Element and Open Space and Conservation Element, as described under Impact 4.10.1, would assist in reducing any potential biological impacts to wildlife movement corridors. Implementation of these proposed General Plan Update policies and actions would help to reduce and minimize impacts to wildlife movement corridors from future development that may be possible under the updated General Plan. Therefore, the City hereby finds that changes or alterations have been incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.10-40 through 4.10-41; FEIR pages 3.0-29 through 3.0-30; General Plan Policies LU-5, C-3, 13, 14, 15, 16, 17, 18, and 19; and Actions C-3a, 13a, 13b, 14a, 14b, 14c, 14d, 14e, 14f, 15a, 15b, 17a, and 19a.

2.10.4 **Impact 4.10.5** The proposed project, in combination with other reasonably foreseeable projects, would result in direct mortality and loss of habitat for special-status species, and waters of the U.S., including wetlands.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts that could result in direct mortality and loss of habitat for special-status species, and waters of the U.S., including wetlands are less than cumulatively considerable because implementation of the proposed General Plan Policies LU-5, C-3, 13, 14, 15, 16, 17, 18, and 19; and Actions C-3a, 13a, 13b, 14a, 14b, 14c, 14d, 14e, 14f, 15a, 15b, 17a, and 19a would reduce the project's impacts to these resources through either resource avoidance or replacement measures. Therefore, the City hereby finds that changes or alterations have been incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than- cumulatively-considerable level.

Reference: DEIR pages 4.10-42 through 4.10-44; FEIR pages 3.0-29 through 3.0-30; General Plan Policies LU-5, C-3, 13, 14, 15, 16, 17, 18, and 19; and Actions C-3a, 13a, 13b, 14a, 14b, 14c, 14d, 14e, 14f, 15a, 15b, 17a, and 19a.

2.11 HYDROLOGY AND WATER QUALITY

2.11.1 **Impact 4.11.4** Implementation of the proposed General Plan Update would increase impervious surfaces and alter drainage conditions and rates in the Planning Area, which could result in increased runoff and potential flooding impacts.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts that would increase impervious surfaces and alter drainage conditions and rates in the Planning Area, which could result in increased runoff and potential flooding impacts are less than significant because implementation of the proposed General Plan Policies OS-2 and 5, C-14, and S-5, 6, and 7; and Actions OS-2c and S-7a, 7b, 7c, and 7d,. The policies in the Open Space and Conservation Element would help reduce stormwater runoff and flooding impacts by ensuring adequate open space areas and stormwater basins to help slow runoff and provide retention areas. Policy S-6 would ensure that new parcels are appropriate for development and conform to flood control measures. In conformance with proposed General Plan Policy S-7, it is recommended that new development be required to incorporate runoff control measures such as Low Impact Development (LID) techniques to minimize runoff events and peak flows of runoff. LID techniques have the capability of reducing the frequency of the more common runoff events to pre-development levels. LID practices include measures such as bioretention and rain gardens; vegetated swales, buffers and strips; roof leader disconnection; rain barrels and cisterns, permeable pavers, and impervious surface reduction and disconnection. LID practices affect the more frequent storm events, generally up to and including the two-year storm event. Actions S-7a and S-7b would require implementation of the recommendations made in the Sandy Creek Hydrology Study as well as the preparation of a geotechnical study to evaluate soil conditions at proposed development sites. These measures would serve to offset the impacts of new development on stormwater flows and volumes by addressing both frequent storm events and the rarer, high-magnitude storm events. Therefore, the City hereby finds that changes or alterations have been incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.11-37 through 4.11-40; General Plan Policies OS-2 and 5, C-14, and S-5, 6, and 7; and Actions OS-2c and S-7a, 7b, 7c, and 7d.

2.11.2 **Impact 4.11.5** Implementation of the proposed General Plan Update could result in the development of urban uses within areas subject to flooding and/or dam failure inundation.

Finding: Proposed mitigation measure MM 4.11.5 has been incorporated into General Plan as policies and action items. Implementation of General Plan Policies S-3, 4 and 6 will ensure that future development is designed and constructed in a manner that will

provide adequate site access during flood events thereby further minimizing the risk of loss, injury, or death involving flooding. Therefore, the City hereby finds that changes or alterations have been incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.11-40 through 4.11-42; DEIR pages 3.0-31 through 3.0-32; General Plan Policies S-3, 4 and 6.

- 2.11.3 **Impact 4.11.7** Implementation of the proposed project, in combination with existing, approved, proposed, and reasonably foreseeable development in the watershed, would increase impervious surfaces and alter drainage conditions and rates in the Planning Area, which could contribute to cumulative flood conditions along the Kern River, Sandy Creek, and/or other local waterways. In addition, the proposed General Plan Update may allow for development within existing flood hazard zones, including the inundation area of Isabella Dam.

Finding: Proposed mitigation measures MM 4.11.4 and MM 4.11.5 have been incorporated into General Plan as policies and action items. Implementation of General Plan Policies OS-2 and 5, C-14 would help reduce storm water runoff and flooding impacts by ensuring adequate open space areas and stormwater basins to help slow runoff and provide retention areas. Policies S-3 and S-4 in the Safety Element relate specifically to land that is within the 100-year floodplain and require development to be placed outside of the areas subject to flooding, and the City's approval is required if fill is proposed to create a buildable area within a floodplain. Policy S-6 would ensure that new parcels are appropriate for development and does not conflict with flood control measures. In conformance with proposed General Plan Policy S-7, it is recommended that new development be required to incorporate runoff control measures such as Low Impact Development techniques to minimize runoff events and peak flows of runoff. LID techniques have the capability of reducing the frequency of the more common runoff events to pre-development levels. LID practices include measures such as bioretention and rain gardens; vegetated swales, buffers, and strips; roof leader disconnection; rain barrels and cisterns, permeable pavers, and impervious surface reduction and disconnection. LID practices affect the more frequent storm events, generally up to and including the 2-year storm event. These policies would help reduce storm runoff and flooding. Continued maintenance and expansion of the City's storm drainage system, particularly as areas of the Planning Area are annexed into the City and developed in accordance with the proposed General Plan, would minimize the potential for greater risk of flooding due to increased storm runoff. Incorporation of LID techniques in new development projects per Policy S-6 would further minimize flooding potential by reducing runoff volumes. Continued compliance with the NFIP and implementation of the proposed General Plan policies listed above would also minimize risks associated with developing in FEMA flood zones. General Plan Action S-7b provides for consideration of access constraints during a flooding event and requires site-specific geotechnical analysis where appropriate. Therefore, the City hereby finds that changes or

alterations have been incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-considerably-cumulative level.

Reference: DEIR pages 4.11-44 through 4.11-46; DEIR page 3.0-32; General Plan Policies OS-2 and 5, C-14, and S-3, 4, 5, 6, and 7; and Actions OS-2c and S-7a, 7b, 7c, and 7d.

2.12 VISUAL RESOURCES

2.12.1 **Impact 4.12.3** Development allowed under the proposed General Plan Update could result in the conversion of existing agricultural lands and open space to urban uses and could alter the visual character of the Planning Area.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts that conversion of existing agricultural lands and open space to urban uses altering the visual character of the Planning Area are less than significant because implementation of the proposed General Plan Policies LU-1, 4, 22, 27, 28, 29, 35, 40, 50, 53, 58, 61, 63, 65, 67, 71, 74, 75, 76, 78, 80, 84, 85, and 86 and C-6, 55, 56, 58, 59, and 60; and Actions LU-22a, 27a, 27b, 28a, 35a, 40a, 50a, 50b, 50c, 50d, 58a, 61a, 63a, 63b, 63c, 63d, 67a, 67b, 75a, 75b, 75c, 76a, 78a, 84a, and 85a and C-55a, 55b, 55c, 58a, and 59a would assist in reducing impacts associated with land use changes that have the potential to change the overall visual character of the Planning Area. Since all new development would have to comply with the General Plan policies, the scale, massing, and height of all new development would be sensitive to potential impacts on the existing visual character of the area to be developed. In addition, the City's Zoning Ordinance contains substantial protection for visual resources and aesthetic character, as discussed under Regulatory Framework. Furthermore, a large portion of the Planning Area would retain land use designations consistent with current agricultural uses. Therefore, the City hereby finds that changes or alterations have been incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.12-17 through 4.12-23; FEIR pages 3.0-33 through 3.0-35; General Plan Policies LU-1, 4, 22, 27, 28, 29, 35, 40, 50, 53, 58, 61, 63, 65, 67, 71, 74, 75, 76, 78, 80, 84, 85, and 86 and C-6, 55, 56, 58, 59, and 60; and Actions LU-22a, 27a, 27b, 28a, 35a, 40a, 50a, 50b, 50c, 50d, 58a, 61a, 63a, 63b, 63c, 63d, 67a, 67b, 75a, 75b, 75c, 76a, 78a, 84a, and 85a and C-55a, 55b, 55c, 58a, and 59a.

2.12.2 **Impact 4.12.4** Implementation of the proposed General Plan Update could increase the amount of daytime glare and nighttime lighting in developed portions of the Planning Area and create new sources in undeveloped areas. These increased daytime glare and nighttime lighting levels could have an adverse effect on adjacent areas and land uses.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts in the amount of daytime glare and nighttime lighting in developed portions of the Planning Area and creation of new sources in undeveloped areas are less than significant because implementation of the proposed General Plan Policies Policies LU-22, 27, and 29; and Actions LU-22a, 27a, and 27b require the implementation of design guidelines which would include standards for lighting. The Zoning Ordinance sets development standards for lighting and requires that all outdoor lighting associated with both residential and nonresidential uses, excluding recreational uses, be shielded and directed away from surrounding residential uses. Lighting is not allowed to blink, flash, oscillate or be of unusually high intensity or brightness. Nonresidential uses are prohibited from having lighting exceeding 0.5 foot-candles of illumination beyond the property containing the nonresidential uses and residential uses are not allowed to have outdoor pole lighting exceeding 12 feet in height. Therefore, the City hereby finds that changes or alterations have been incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.12-23 through 4.12-25; FEIR pages 3.0-35 through 3.0-36; General Plan Policies Policies LU-22, 27, and 29; and Actions LU-22a, 27a, and 27b.

2.13 PUBLIC SERVICES AND UTILITIES

2.13.2 **Impact 4.13.6.1** Implementation of the proposed project would substantially increase wastewater flows, thus increasing demand for wastewater service. Increased wastewater flows would also require additional infrastructure and treatment capacity, the construction of which could cause significant environmental effects.

Finding: Based upon the analysis presented in the Final EIR and considering the information contained in the Administrative Record, the City Council hereby finds that impacts in increased wastewater flows, with increased demand for wastewater service and additional infrastructure and treatment capacity, the construction of which could cause significant environmental effects, are less than significant because implementation of the proposed General Plan Policies PF-2, 3, 4, 5, 6, 7, 8, 9, 13, 14, and 15; and Actions PF-3a, 3b, 7a, 7b, 9a, 13a, 15a, and 15b would reduce this impact by ensuring that adequate wastewater facilities would be available to serve new development. In particular, Policy PF-15 requires that sewage conveyance and treatment capacity be available in time to meet the demand created by new development and Action PF-3b requires the City to adopt master plans for the development of public facilities. In fact, the City is currently preparing a wastewater master plan to comply with this policy. Therefore, implementation of the proposed General Plan policies and associated action items would ensure that adequate wastewater services would be available, thus reducing wastewater service impacts to less than significant. Furthermore, new or expanded wastewater conveyance and treatment facilities needed to serve new development would undergo site-specific, project-level CEQA analysis at such time as they are proposed for development and their design and alignment are known. Therefore, the City hereby finds

that changes or alterations have been incorporated into the project which avoid or substantially lessen the significant environmental effect to a less-than-significant level.

Reference: DEIR pages 4.13-75 through 4.13-81; General Plan Policies PF-2, 3, 4, 5, 6, 7, 8, 9, 13, 14, and 15; and Actions PF-3a, 3b, 7a, 7b, 9a, 13a, 15a, and 15b.

3.0 FINDINGS ASSOCIATED WITH SIGNIFICANT AND CUMULATIVE SIGNIFICANT IMPACTS WHICH CANNOT FEASIBLY BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

Based upon the criteria set forth in the Draft Environmental Impact Report and the Final Environmental Impact Report, the City finds that the following environmental effects of the project are significant and unavoidable and cannot be reduced through mitigation measures to a less-than-significant level. However, as explained in the Statement of Overriding Considerations contained in Section 7 below, these effects are considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project.

3.1 LAND USE

3.1.1 Impact 4.1.5 When considered with existing, proposed, approved and planned development in the region, implementation of the proposed Taft General Plan Update has the potential to contribute to cumulative land use conditions in the region that result in significant impacts to the physical environment.

Finding: No Feasible Mitigation Measures Available to Fully Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies LU-1, 2, 27, 28, 29, 32, 35, 39, 40, 53, 56, 58, 61, 67, 69, 78, 79, 81, 83, 86, 87, and 90, OS-5, 7, 8, 32, and 34, N-1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, S-11, and CI-39; and Actions LU-27a, 27b, 28a, 35a, 40a, 61a, and 83a, C-5a, N-1a, 1b, 1c, 4a, 8a, 9a, and 10a, and S-11a would assist in reducing the environmental effects of the proposed development under the GPU, urban development would still occur under the proposed General Plan, and currently undeveloped lands would still be converted to urban uses. This would also occur in other parts of the County over which the City has no jurisdiction, either under the County's GP development potential, or the development potential of other jurisdictions' General Plans. Therefore, the anticipated cumulative impacts described previously would take place, although the GP policies would reduce the City's cumulative contribution. There are no feasible mitigation measures available that could fully offset the project's impacts to the physical environment. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: The land use patterns and development within the Planning Area would contribute to the environmental effects of growth expected to occur in the region over the

next 30 – 65 years. The proposed project does provide environmental benefits by accommodating a larger population and employment base within the Planning Area through the intensification of development, revitalization of underutilized development, and provision of transit and opportunities for alternative transportation. This would reduce the conversion of additional land area under lower development intensities. However, the proposed General Plan land use pattern and development intensity would still substantially contribute to the conversion of vacant/undeveloped land in the region resulting in significant effects to the environment. In addition, future development under the proposed GPU could bring development closer to the City of Bakersfield, to the northeast of Taft. These potential environmental effects are discussed and analyzed in greater detail in the sections relating specifically to those particular issue areas (see Sections 4.2 through 4.13 of the Draft EIR). The proposed General Plan goals, policies, and actions intended to minimize the environmental effects of future land development are also provided in these sections of this Draft EIR.

Reference: DEIR pages 4.1-30 through 4.1-31; FEIR pages 3.0-4 through 3.0-5, General Plan Policies LU-1, 2, 27, 28, 29, 32, 35, 39, 40, 53, 56, 58, 61, 67, 69, 78, 79, 81, 83, 86, 87, and 90, OS-5, 7, 8, 32, and 34, N-1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, S-11, and CI-39; and Actions LU-27a, 27b, 28a, 35a, 40a, 61a, and 83a, C-5a, N-1a, 1b, 1c, 4a, 8a, 9a, and 10a, and S-11a.

3.2 AGRICULTURE

- 3.2.1 **Impact 4.2.1** Implementation of the proposed project would result in the loss of Important Farmlands (Prime Farmland, Unique Farmland and Farmland of Statewide Importance) as designated by the Farmland Mapping and Monitoring Program.

Finding: No Feasible Mitigation Measures Available to Fully Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation General Plan Policies C-1, 2, 3, 4, 5, 6, 7, 9, 10, 11, and 12; and Actions C-3a, 4a, 5a, and 12a provide some agricultural resource benefit, there are no feasible mitigation measures available that will lessen this significant adverse effect on the environment to a less-than-significant level. These policies would encourage the conservation and continued use of agricultural lands. In particular, the policies that prioritize infill development and the protection of lands with prime and other important soil classifications would guide development away from agricultural lands. Nevertheless, the General Plan Update does propose land use designations that could result in non-agricultural uses on existing Important Farmland. In response to comments, the City has modified and reduced Alternative 2 to reduce impacts upon farmlands and identified Alternative 2 as the preferred alternative. While implementation of the above General Plan policies would reduce impacts to agricultural land conversion, it would not fully avoid conversion and loss of Important Farmlands as these farmlands would remain designated for non-agricultural uses. Therefore, the City further finds that there are no further feasible mitigation measures that might minimize, avoid or reduce this impact. Thus, this impact is significant and unavoidable. However, this impact is considered to

be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Land use development within the city limits associated with implementation of the proposed Land Use Map could result in the conversion of 4,532 acres of Important Farmlands within the city limits. As originally proposed, an additional 37,080 acres of Important Farmland would have been affected in the Expansion Area. Responding to comments, the City has modified and reduced Alternative 2 and identified it as the preferred alternative. Alternative 2, as modified and reduced, excludes all Farmland Security Zone lands, greatly reducing the impacts on Important Farmlands. Although implementation of General Plan Policies C-1, 2, 3, 4, 5, 6, 7, 9, 10, 11, and 12; and Actions C-3a, 4a, 5a, and 12a would reduce the impacts of conversion of any Important Farmlands to nonagricultural use, the conversion of Important Farmland is considered a permanent, irreversible impact that cannot be fully mitigated through off-site conservation. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan.

Reference: DEIR pages 4.2-32 through 4.2-38; FEIR pages 3.0-5 through 3.0-6, General Plan Policies C-1, 2, 3, 4, 5, 6, 7, 9, 10, 11, and 12; and Actions C-3a, 4a, 5a, and 12a.

3.2.2 **Impact 4.2.2** Implementation of the proposed project could result in indirect farmland conversion due to agricultural/urban interface conflicts.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies C-1, 2, 3, 4, 5, 6, and 7; and Actions C-3a, 3b, 3c, 4a, and 5a provide some mitigation of agriculture/urban interface conflicts, these measures would not fully mitigate agricultural/urban interface conflicts, especially in regard to farm equipment and vehicle conflicts on area roadways, potential trespassing and vandalism to active farmlands, and growth pressure on farmland in proximity to urban uses in the city. Implementation of the above General Plan policies would encourage existing agricultural uses to continue and would require agricultural uses to be buffered from urban uses. Such buffers would lessen physical effects to urban uses such as chemical spraying, noise, and odors and would, in turn, reduce effects to agricultural operations such as nuisance complaints, trespassing and vandalism. The City’s right to farm provisions would further protect existing agricultural uses from nuisance complaints associated with encroaching urban uses by making residents aware of potential nuisances prior to purchasing properties adjacent to agricultural uses. The vast majority of land within the Planning Area designated for agricultural use would not be located adjacent to proposed urban uses and would not be subject to agriculture/urban interface conflicts. However, where such interface conflicts could occur, ongoing urban develop would continue to place pressure on active agricultural operations and could result in the conversion of farmland to urban uses. Therefore, the City further finds that

there are no feasible mitigation measures that might minimize, avoid or reduce this impact. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed Taft General Plan Update and other project components could result in the placement of urban uses adjacent to agricultural uses both within and outside the city limits. Implementation of General Plan Policies and Actions listed above would minimize the conversion of agricultural land and would assist in reducing agricultural/urban interface conflicts through the use of buffers, the adoption of specific development standards, the disclosure of potential nuisances to home buyers, the adoption of noise standards, and the restriction of construction and commercial-activities in close proximity to residences. However, the measures would not fully mitigate agriculture/urban interface conflicts, especially in regard to farm equipment and vehicle conflicts on area roadways, potential trespassing and vandalism to active farmlands, and growth pressures on farmland in proximity to urban uses in the City, for which there is no feasible mitigation available. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan.

Reference: DEIR pages 4.2-38 through 4.2-40; FEIR pages 3.0-6 through 3.0-7, General Plan Policies C-1, 2, 3, 4, 5, 6, and 7; and Actions C-3a, 3b, 3c, 4a, and 5a.

3.2.3 **Impact 4.2.3** Implementation of the proposed General Plan could result in a conflict with active Williamson Act and FSZ contracts.

Finding: No Feasible Mitigation Measures Available to Fully Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies C-1, 2, 3, 4, 5, 6, and 7; and Actions C-3a, 3b, 3c, 4a, and 5a provide agricultural resource benefit by discouraging the conversion of agricultural lands and provide for the continuation and establishment of Williamson Act and FSZ contracts, there are no feasible mitigation measures available that will lessen this significant adverse effect on the environment. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: As originally proposed, within the City of Taft Planning Area, there are approximately 46,251 acres of Prime, Nonprime, and Mixed Enrollment Agricultural land under active Williamson Act contracts. In addition, there are 29,625 acres of land under FSZ contracts within the Planning Area. A Notice of Nonrenewal has been filed by property owners for 576 acres within the Planning Area. While the vast majority of the land under Williamson Act and FSZ contracts are located in areas that are conducive to their continued agricultural use, subsequent land uses permitted by right under implementation of the proposed General Plan Update could have the potential to conflict

with existing Williamson Act and FSZ lands. All lands under Williamson Act and FSZ contracts are located within the Expansion Area. The California Government Code prohibits annexation of Williamson Act and FSZ contracted land unless specific criteria are met but does not preclude annexation entirely. Therefore, lands within the expansion area could be annexed and developed consistent with the proposed General Plan Update, providing those criteria were met. Based on comments received, the City modified and reduced Alternative 2 to reduce impacts on farmlands, including Williamson Act and FSZ contracted lands. Alternative 2, as modified and reduced, excludes all Farmland Security Zone lands. As noted above, there are no Williamson Act or FSZ lands within the City limits. Any Notice of Nonrenewal will be made to another jurisdiction and is outside the control of the City. There are no feasible mitigation measures to fully reduce or minimize this impact. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan.

Reference: DEIR pages 4.2-40 through 4.2-42; FEIR pages 3.0-7 through 3.0-8, General Plan Policies C-1, 2, 3, 4, 5, 6, and 7; and Actions C-3a, 3b, 3c, 4a, and 5a.

- 3.2.4 **Impact 4.2.4** Implementation of the proposed project, along with other proposed development in Kern County, would contribute to the cumulative conversion of Important Farmlands to other uses and may increase agriculture/urban interface conflicts.

Finding: No Feasible Mitigation Measures Available to Fully Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation General Plan Policies C-1, 2, 3, 4, 5, 6, 7, 9, 10, 11, and 12; and Actions C-3a, 4a, 5a, and 12a provide agricultural resource benefit, there are no feasible mitigation measures available that will lessen this significant adverse effect on the environment. Thus, this impact is cumulatively considerable and significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed Taft General Plan Update and associated project components in combination with other planned development in the region would contribute to the ongoing statewide loss of farmland due to direct conversion and conflicts with encroaching urban development. Implementation of General Plan Policies C-1, 2, 3, 4, 5, 6, 7, 9, 10, 11, and 12; and Actions C-3a, 4a, 5a, and 12a would provide significant agricultural resource benefit by discouraging the conversion of agricultural lands and minimizing land use conflicts related to noise, dust, and pesticide spray drift within the Planning Area. However, the project would still result in the loss of farmland and urban/agriculture interface conflicts and there are no feasible mitigation measures to fully reduce or avoid these impacts. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project

components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan.

Reference: DEIR pages 4.2-43 through 4.2-44; FEIR page 3.0-8, General Plan Policies C-1, 2, 3, 4, 5, 6, 7, 9, 10, 11, and 12; and Actions C-3a, 4a, 5a, and 12a.

3.3 POPULATION AND HOUSING

3.3.1 **Impact 4.3.1** Implementation of the proposed General Plan Land Use Map and other project components would result in land uses that promote an increase in population, housing, and employment in the Planning Area and thus induce substantial growth.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies LU-1 and 3, CI-2, and PF-1 and 6; and Actions CI-2a and 2b reduce this impact, there are no feasible mitigation measures available that will lessen this significant adverse on the environment to a less-than-significant level. intensification of land uses, mixed-use development, and housing in infill locations in close proximity to employment centers and or transit, thereby reducing the increase in vehicle traffic and its associated air and noise impacts associated with the proposed General Plan, as well as assist in the reduction of traffic, air and noise impacts by providing for community design that promotes alternative transportation resources. All of these policies and actions would aid in the reduction of impacts to the environment, nevertheless, implementation of the General Plan would allow for a substantial increase in population, housing units, and employment in the City and Planning Area which would have a considerable impact on the surrounding environmental regardless of the above listed policies and actions. As noted in Section 7.0, implementation of the General Plan and its associated growth is expected to result in several significant and avoidable effects to the environment. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed Taft General Plan Update and associated project components could result in substantial population growth within the Planning Area requiring significant new development which could result in environmental impacts. Implementation of General Plan Policies LU-1 and 3, CI-2, and PF-1 and 6; and Actions CI-2a and 2b encourage infill development and sustainable, energy-efficient, and phased growth in order to minimize environmental impacts. However, the project would still result in significant new development that would have adverse impacts on the environment and there are no feasible mitigation measures to fully reduce or avoid these impacts. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan.

Reference: DEIR pages 4.3-14 through 4.3-16; FEIR pages 3.0-8 through 3.0-9, General Plan Policies LU-1 and 3, CI-2, and PF-1 and 6; and Actions CI-2a and 2b.

- 3.3.2 **Impact 4.3.3** proposed General Plan Update, in addition to existing, approved, proposed, and reasonable foreseeable projects, could result in a cumulative increase in population and housing growth in the City of Taft as well as in the surrounding Cities and unincorporated areas of the County, along with associated environmental impacts.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies LU-1 and 3, CI- 2, and PF-1 and 6; and Actions CI-2a and 2b assist in reducing this impact, there are no feasible mitigation measures available that will lessen this significant adverse impact on the environment to a less-than-cumulatively-considerable level. These policies provide for housing in close proximity to employment centers and or transit, therefore reducing the vehicle traffic and its associated air and noise impacts. The General Plan growth boundary also minimizes impacts to agricultural and biological resources by creating more compact, dense development that results in fewer land acres being impacted. These policies and actions would aid in the reduction of increased impacts to the environment. But, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed Taft General Plan Update and associated project components in combination with other planned development in the region would result in substantial population, housing and employment growth. Such growth is anticipated to result in significant adverse effects to the environment. Implementation of General Plan Policies LU-1 and 3, CI-2, and PF-1 and 6; and Actions CI-2a and 2b would encourage infill development and sustainable, energy-efficient, and phased growth in order to minimize environmental impacts. However, given the land use designations and density ranges established by the General Plan, substantial growth would still occur that could result in significant environmental impacts. There are no additional feasible mitigation measures that could fully reduce or avoid this impact. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan

Reference: DEIR pages 4.3-14 through 4.3-16; FEIR page 3.0-9, General Plan Policies LU-1 and 3, CI-2, and PF-1 and 6; and Actions CI-2a and 2b.

3.4 TRANSPORTATION AND CIRCULATION

- 3.4.1 **Impact 4.4.1** Implementation of the proposed project would result in an increase in traffic volumes beyond traffic volumes associated with the existing General Plan that would result in deficient level of service conditions and conflict with Caltrans standards for level of service.

Finding: No Feasible Mitigation Measures Available to Fully Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies CI-2, 7, 8, 9, 14, 16, and 24; and Actions CI-2a, 2b, 14a, 14b, 14c, 14d, 24a, and 24b will assist in reducing this impact, there are no feasible mitigation measures available that will lessen this significant adverse impact on the environment to a less-than-significant level. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed Taft General Plan Update would lower the minimum level of service (LOS) required within the City thereby allowing traffic conditions to deteriorate and resulting in conflicts with existing Caltrans LOS policy. The City is using a lesser LOS because of the few City streets that would need additional capacity, the capacity deficiencies are minimal, the cost of providing additional capacity that would benefit few people, and the desire to make alternative modes more attractive as alternative ways of moving around the City by embracing the complete streets concept. Implementation of General Plan Policies CI-2, 7, 8, 9, 14, 16, and 24; and Actions CI-2a, 2b, 14a, 14b, 14c, 14d, 24a, and 24b would help to achieve the City’s circulation system goals. There are no additional feasible mitigation measures that could fully reduce or avoid this impact. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan.

Reference: DEIR pages 4.4-25 through 4.4-33; FEIR page 3.0-9, General Plan Policies CI-2, 7, 8, 9, 14, 16, and 24; and Actions CI-2a, 2b, 14a, 14b, 14c, 14d, 24a, and 24b.

3.4.2 **Impact 4.4.4** Implementation of the proposed General Plan Update would result in an increase in the demand for airport use in the area.

Finding: No Feasible Mitigation Measures Available to Fully Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies General Plan Policies CI-37 and 38 will assist in reducing this impact, there are no feasible mitigation measures available that will lessen this significant adverse impact on the environment to a less-than-significant level. There is an ongoing investigation regarding the feasibility of the airport, including reconstruction or relocation. Thus, the short-term impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed Taft General Plan Update Development that could be accommodated under the proposed General Plan Update has the potential to attract more residents and workers into the Planning Area, particularly from surrounding cities such as Bakersfield, and other unincorporated portions of the County. This may

increase demand at the Taft-Kern County Airport which currently operates with one runway and has been deemed an unsatisfactory facility for the area. Implementation of General Plan Policies CI-37 and 38 would help to achieve the City's circulation system goals. There are no additional feasible mitigation measures that could fully reduce or avoid this impact. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan.

Reference: DEIR page 4.4-40; FEIR page 3.0-10; General Plan Policies CI-37 and 38.

- 3.4.3 **Impact 4.4.5** When considered with existing, proposed, approved and planned development in the region, implementation of the proposed project have the potential to contribute to an increase in traffic volumes that would result in deficient level of service conditions under cumulative conditions (including build-out of the Planning Area) resulting in significant impacts to the physical environment.

Finding: *No Feasible Mitigation Measures Available to Fully Mitigate the Impact.* Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies CI-2, 7, 8, 9, 14, 16, and 24; and Actions CI-2a, 2b, 14a, 14b, 14c, 14d, 24a, and 24b will assist in reducing this impact; however, there are no feasible mitigation measures available that will lessen this significant adverse impact on the environment to a less-than-cumulatively-considerable level. The City lacks jurisdiction over improvements outside of its jurisdiction, and the City cannot assure that those improvements will be completed. With the exception of funding sources for regional traffic improvements associated with the Kern COG RTP, there are no other regional traffic mitigation programs that the City could participate in to minimize its regional traffic impact. Thus, this impact is cumulatively considerable and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: The traffic impact analyses are based on cumulative conditions (year 2035) that take into account anticipated traffic volumes from development in the region. However, the General Plan would still add substantial traffic volumes on local roadways and state highway facilities that would result in significant traffic impacts within the Planning Area as well as in adjoining jurisdictions. Implementation of the proposed project would result in some service levels exceeding proposed standards and policies of Caltrans. Potential issues with funding, the effect of regional traffic through the City, timing of required permits and coordination with the County and Caltrans could result in delays in delivering roadway improvements. Improvements to regional transportation facilities associated with cumulative traffic conditions are intended to be addressed through implementation of regional programs, such as the Kern COG RTP. However, the City cannot ensure these improvements will be timely in all circumstances. Implementation of the General Plan Policies CI-2, 7, 8, 9, 14, 16, and 24; and Actions CI-

2a, 2b, 14a, 14b, 14c, 14d, 24a, and 24b will reduce the cumulative impacts. There are no additional feasible mitigation measures that could fully reduce or avoid this impact. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan.

Reference: DEIR pages 4.4-41 through 4.4.42; General Plan Policies CI-2, 7, 8, 9, 14, 16, and 24; and Actions CI-2a, 2b, 14a, 14b, 14c, 14d, 24a, and 24b.

- 3.4.4 **Impact 4.4.8** When considered with existing, proposed, planned and approved development in the region, implementation of the proposed General Plan Update would result in an increase in the demand for airport use in the area.

Finding: No Feasible Mitigation Measures Available to Fully Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies CI-37 and 38 will assist in reducing this impact, there are no feasible mitigation measures available that will lessen this significant adverse impact on the environment to a less-than-cumulatively-considerable level. Implementation of the proposed General Plan policies and action items would support reconstruction of the existing facility or support relocation of the facility to improve service to the area. Since it is the FAA and Kern County, not the City, that have the ultimate decision making power on the future of the airport, and since there have not been any feasibility studies assessing potential future demand at the airport finalized by the FAA, the County, or the City, expansions or even possible relocation of the airport cannot be planned by the City under its General Plan growth scenario. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed Taft General Plan Update Development that could be accommodated under the proposed General Plan Update has the potential to attract more residents and workers into the Planning Area, particularly from surrounding cities such as Bakersfield, and other unincorporated portions of the County. This may increase demand at the Taft-Kern County Airport which currently operates with one runway and has been deemed an unsatisfactory facility for the area. Implementation of General Plan Policies CI-37 and 38 would help to achieve the City’s circulation system goals. There are no additional feasible mitigation measures that could fully reduce or avoid this impact. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan.

Reference: DEIR pages 4.4-44 through 4.4.45; FEIR page 3.0-10; General Plan Policies CI-37 and 38.

3.5 AIR QUALITY AND CLIMATE CHANGE

- 3.5.1 **Impact 4.5.1** The proposed project would accommodate future growth in population, housing, commercial development, and jobs in the City of Taft. These activities would result in the emission of non-attainment pollutants within Kern County. Specific to the production of the pollutant, ozone, implementation of the General Plan and its associated project components would allow for population growth that may exceed projections assumed in the 2004 Kern County Regional Transportation Plan (RTP). Although there presently is no ozone attainment standard, traffic congestion in excess of projections may impair compliance with any ozone attainment plan adopted in the future. The traffic congestion could also increase particulate matter (PM₁₀ and PM_{2.5}) emissions in excess of State and federal standards.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies LU-29, 30, 332, 38, and 52, CI-2, and C-26, 27, 28, 29, 30, 31, 32, and 33 assist in reducing this impact, there are no feasible mitigation measures available that will off-set this significant adverse impact on the environment to a less-than-significant level. Proposed mitigation measure MM 4.5.1 (DEIR) has been incorporated into General Plan Policy C-32 and Action C-37d. Even with the proposed policies, the rate of growth within the City and Planning Area exceeds that which is accommodated by the regional attainment plans. General Plan Action C-37d requires the City to provide San Joaquin Valley Air Pollution Control District, Kern Council of Governments, and other stakeholders with updated growth forecasts for use in regional transportation and ozone attainment plans. The coordination with Kern COG and SJVAPCD is designed to assure that the City's projected growth will not obstruct regional ozone, PM₁₀, and PM₂₅ attainment and maintenance plans. However, until such attainment demonstrations can be made that accommodate this level of growth, the General Plan Update could conflict with future attainment plans for the region. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed Taft General Plan Update and associated project components would accommodate significant future growth resulting in increased emission of nonattainment air pollutants including ozone and particulate matter. Because the project would result in growth beyond that projected in the 2004 Kern County RTP, the project would conflict with the RTP and may significantly impact regional ozone air quality. Implementation of General Plan Policies LU-29, 30, 332, 38, and 52, CI-2, and C-26, 27, 28, 29, 30, 31, 32, and 33 would promote efficient, phased growth, would reduce traffic congestion and would otherwise minimize air emissions. However, in the absence of an updated ozone and particulate matter attainment plan by the San Joaquin Valley Air Pollution Control District (SJVAPCD), the project could impact the region's attempts to develop an ozone and particulate matter plan. The City cannot control or guarantee that the SJVAPCD will update its air quality plan in response to the new

growth projections for the City. There are no additional feasible mitigation measures that could fully reduce or avoid this impact (Draft EIR pages 4.5-15 through 4.5-20). The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan.

Reference: DEIR pages 4.5-30 through 4.5.34; FEIR pages 3.0-10 through 3.0-11; and General Plan Policies LU-29, 30, 332, 38, and 52, CI-2, and C-26, 27, 28, 29, 30, 31, 32, and 33.

- 3.5.2 **Impact 4.5.8** Implementation of the proposed project, in combination with cumulative development in the San Joaquin Valley Air Basin, would contribute to a cumulative air quality impacts and could conflict with ozone and particulate matter attainment efforts.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policy C-28; and Action C-28a, 28b, and 28c assist in reducing this impact, there are no feasible mitigation measures available that will offset this significant adverse impact on the environment to a less-than-cumulatively-considerable level. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed Taft General Plan Update and associated project components, in combination with other planned development in the region, would accommodate significant future growth that could exceed growth projections used in regional air quality planning and attainment efforts under year 2035 conditions. Build-out of the Planning Area would generate additional emissions beyond 2035 and could further conflict with attainment efforts. Implementation of General Plan Policy C-28; and Actions C-28a, 28b, and 28c would promote efficient, phased growth, would reduce traffic congestion and would otherwise minimize air emissions within the Planning Area. However, build-out of the Planning Area in combination with other planned development in the region would still exceed growth projections in the Kern COG RTP, and would result in substantial increases in emissions. There are no additional feasible mitigation measures that could fully reduce or avoid this impact. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan.

Reference: DEIR page 4.5-43; General Plan Policy C-28; and Actions C-28a, 28b, and 28c.

- 3.5.3 **Impact 4.5.9** Implementation of the proposed project would substantially increase Greenhouse Gas emissions of CO₂e over existing (2008) conditions. This increase in

Greenhouse Gas emissions would be inconsistent with state efforts to reduce Greenhouse Gas emissions.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies C-34, C-35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, and 54, E-19, 20, 21, 22, and 23; and Actions C-34a, C-35a, 36a, 36b, 36c, and 37a assist in reducing this impact, there are no feasible mitigation measures available that will lessen this significant adverse impact on the environment to a less-than-cumulatively-considerable level. Implementation of the proposed project would be generally consistent with current state measures to reduce greenhouse gas emissions. However, due to the expected substantial increase in GHG emission resulting from the growth associated with the proposed General Plan Update, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed Taft General Plan Update and associated project components would result an increase in CO₂e emissions primarily from increases in housing associated with the City’s projected population growth. Implementation of General Plan Policies C-34, C-35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, and 54, E-19, 20, 21, 22, and 23; and Actions C-34a, C-35a, 36a, 36b, 36c, and 37a would help reduce CO₂e emissions from motor vehicles, energy use, water use, waste, and construction consistent with current state measures to address climate change. However, the net increase in emissions would further contribute to climate change, and the project’s compliance with current state measures to reduce greenhouse gas emissions can only be determined once specifically applicable regulations are adopted. Therefore, there are no feasible mitigation measures that could fully reduce or avoid this impact. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan.

Reference: DEIR pages 4.5-58 through 4.5.73; FEIR pages 3.0-14 through 3.0-17; General Plan Policies C-34, C-35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, and 54, E-19, 20, 21, 22, and 23; and Actions C-34a, C-35a, 36a, 36b, 36c, and 37a.

- 3.5 **Impact 4.5.11** Implementation of the proposed General Plan Update would increase emissions of CO₂e in 2030 over existing (2008) conditions. This increase in GHG emissions is inconsistent with AB 32’s goal of reducing 2020 greenhouse gas emissions to 1990 levels.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies LU-1, 22, 24, 27, 31, 33, 40, 45, 46, 62, and 65, CI-19, 20, 21, 22, 24, 25, 27, 28, 30, 31, 35, 37, 39, and 43, and C-

34, 35, 36, 37, 38, 39, and 54, and Actions LU-21, 26, 30, 32, and 64, , and C-34a, 35a, 36a, 36b, 36c, and 37a assist in reducing this impact, there are no feasible mitigation measures available that will lessen this significant adverse impact on the environment to a less-than-cumulatively-considerable level. Even with the implementation of the proposed General Plan policies, the City’s potential carbon footprint is expected to significantly grow through build-out of the General Plan based on the extent of growth within the City and the Expansion Area. These policies address the range of best practices policies recommended by the State’s Attorney General. As such, no other feasible mitigation measures exist that could offset the carbon-based emissions anticipated from future growth in the City and the Expansion Area. As a result, the proposed General Plan Update is inconsistent with AB 32’s goal of reducing GHG emissions by 2020 to 1990 level. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed Taft General Plan Update and associated project components would result an increase in CO₂e emissions primarily from increases in housing associated with the City’s projected population growth. Implementation of General Plan Policies LU-1, 22, 24, 27, 31, 33, 40, 45, 46, 62, and 65, CI-19, 20, 21, 22, 24, 25, 27, 28, 30, 31, 35, 37, 39, and 43, and C-34, 35, 36, 37, 38, 39, and 54, and Actions LU-21, 26, 30, 32, and 64, , and C-34a, 35a, 36a, 36b, 36c, and 37a would help reduce CO₂e emissions from motor vehicles, energy use, water use, waste, and construction consistent with current state measures to address climate change. However, the net increase in emissions would further contribute to climate change, and the project’s compliance with current state measures to reduce greenhouse gas emissions can only be determined once specifically applicable regulations are adopted. Therefore, there are no feasible mitigation measures that could fully reduce or avoid this impact. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan.

Reference: DEIR pages 4.5-74 through 4.5.80; FEIR pages 3.0-17 through 3.0-22; General Plan Policies LU-1, 22, 24, 27, 31, 33, 40, 45, 46, 62, and 65, CI-19, 20, 21, 22, 24, 25, 27, 28, 30, 31, 35, 37, 39, and 43, and C-34, 35, 36, 37, 38, 39, and 54, and Actions LU-21, 26, 30, 32, and 64, , and C-34a, 35a, 36a, 36b, 36c, and 37a.

3.6 NOISE

3.6.1 **Impact 4.6.1** Activities associated with construction of land uses allowed under the proposed General Plan Update could result in elevated noise levels at noise-sensitive land uses. Increases in ambient noise levels, particularly during the nighttime hours, could result in increased levels of annoyance and potential sleep disruption.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City

hereby finds that while implementation of General Plan Policy N-4; and Action N-4a assist in reducing this impact, there are no feasible mitigation measures available that will lessen this significant adverse impact on the environment to a less-than-significant level. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed Taft General Plan Update would result in the exposure of existing and planned noise sensitive uses to unacceptable noise levels associated with surface transportation including vehicles and trains. Implementation of the General Plan Policy N-4; and Action N-4a would reduce potential surface transportation noise impacts by establishing noise level performance standards and ensuring that future development complies with these standards. According to data compiled by the US EPA, construction noise typically occurs intermittently and varies depending upon the nature or phase (e.g., demolition/land clearing, grading and excavation, erection) of construction. Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high levels. Although noise ranges were found to be similar for all construction phases, the grading phase tends to involve the most equipment and resulted in slightly higher average-hourly noise levels. Individual equipment noise levels typically range from approximately 74 to 89 dBA at 50 feet (USEPA, 1971). Assuming a maximum construction noise level of 89 dBA L_{eq} and an average attenuation rate of six dBA per doubling of distance from the source, construction activities located within approximately 1,500 feet of noise-sensitive receptors could reach levels of approximately 60 dBA L_{eq} . Activities occurring during the more noise-sensitive evening and nighttime hours may result in increased levels of annoyance and potential sleep disruption to occupants of nearby noise-sensitive land uses (e.g., residential dwellings, schools, hospitals). Depending on distances from nearby noise-sensitive land uses, construction activities associated with build-out of the General Plan Planning Area may result in temporary and periodic increases in ambient noise levels at nearby receptors. Increases in ambient noise levels, particularly during the nighttime hours, could result in increased levels of annoyance and potential sleep disruption to occupants of nearby dwellings. There are no additional feasible mitigation measures that could fully reduce or avoid this impact (Draft EIR pages 4.6-20 through 4.6-26). The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan.

Reference: DEIR pages 4.6-22 through 4.6.24; General Plan Policy N-4; and Action N-4a.

- 3.6.2 **Impact 4.6.2** Build-out of land uses proposed in the General Plan Update could result in increased traffic noise levels along area roadways that could adversely affect noise-sensitive land uses. In addition, future noise-sensitive land uses could be exposed to roadway noise levels in excess of City noise standards.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies N-1, 2, 3, and 6; and Actions N-1a, 1b, and 1c assist in reducing this impact, there are no feasible mitigation measures available that will lessen this significant adverse impact on the environment to a less-than-significant level. Future development projects would be required to analyze project-related noise impacts and incorporate necessary noise-reduction measures sufficient to achieve applicable noise standards. Implementation of these policies and actions will help to reduce impacts associated with proposed development. Noise-reduction measures typically implemented to reduce traffic noise include increased insulation, setbacks, and construction of sound barriers. Some measures, such as construction of sound barriers, may have secondary impacts related to aesthetics and safety. Policy N-3 discourages the construction of sound barriers that would be considered aesthetically intrusive. The feasibility of these measures would be determined on a project-by-project basis. However, it may not be possible to fully mitigate in all areas, particularly in existing development that may be constrained due to age, placement, or other factors which limit the feasibility of mitigation. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed Taft General Plan Update would result in the exposure of existing and planned noise sensitive uses to unacceptable noise levels associated with surface transportation. Implementation of the General Plan Policies N-1, 2, 3, and 6; and Actions N-1a, 1b, and 1c would reduce potential surface transportation noise impacts by establishing noise level performance standards and ensuring that future development complies with these standards. However, it may not be possible to fully mitigate this impact in all areas, particularly in existing development that may be constrained due to age, placement, or other factors which limit the implementation of these policies. There are no additional feasible mitigation measures that could fully reduce or avoid this impact. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan.

Reference: DEIR pages 4.6-24 through 4.6.28; FEIR pages 3.0-22 through 3.0-23; General Plan Policies N-1, 2, 3, and 6; and Actions N-1a, 1b, and 1c.

- 3.6.3 **Impact 4.6.4** As additional development occurs throughout the city, the potential exists for new noise-sensitive land uses to encroach upon existing or proposed stationary noise sources.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies N-1, 2, 3, 7, 8, 9, and 10;

and Actions N-1a, 1b, 1c, 8a, 9a, and 10a assist in reducing this impact, there are no feasible mitigation measures available that will lessen this significant adverse impact on the environment to a less-than-significant level. Policy N-1 requires new development to conform to proposed land use compatibility noise criteria. The preparation of acoustical analyses would also be required for noise-sensitive land uses proposed in areas where ambient noise levels would be anticipated to exceed corresponding City noise standards. The purpose of the noise analyses would be to identify areas of significant noise impacts and mitigation to be implemented to achieve applicable City noise standards. Policies N-2 and N-3 require incorporation of noise-reduction measures for newly proposed land uses, where necessary, sufficient to comply with the noise standards established for transportation noise sources. Policies N-7 and N-8 would prohibit new nonresidential land uses from creating operational noise disturbances that would adversely affect existing noise-sensitive land uses and would require non-transportation noise sources to incorporate noise-reduction measures, when necessary. Policies N-9 and N-10 are intended to reduce land use conflicts associated with the construction of new noise-sensitive land uses, particularly in areas where proposed noise-sensitive land uses would encroach upon existing non-transportation noise sources. Implementation of recommended General Plan noise policies and standards would reduce potential noise impacts by requiring the incorporation of necessary noise-reduction measures in the design and operation of proposed development projects sufficient to achieve applicable noise standards. Implementation of these policies will help to reduce impacts associated with proposed development. Noise-reduction measures typically implemented to reduce noise levels include increased insulation, setbacks, and construction of sound barriers. Some measures, such as construction of sound barriers, may have secondary impacts related to aesthetics and safety. Policy N-2 would discourage the construction of aesthetically intrusive sound barriers. The feasibility of these measures would be determined on a project-by-project basis. However, it may not be possible to fully mitigate in all areas, particularly in existing development that may be constrained due to age, placement, or other factors which limit the feasibility of mitigation. As a result, implementation of these recommended policies would reduce noise-related impacts, but not necessarily to a less than significant level at all receptor locations. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed Taft General Plan Update would allow for the development of new noise-sensitive uses near existing or proposed stationary noise sources as well as the development of new stationary noise sources near existing noise-sensitive uses, both within and outside the city limits. Increased exposure to non-transportation source noise levels could result in increased levels of annoyance, activity interference, and potential sleep disruption for occupants of nearby land uses. Implementation of General Plan Policies N-1, 2, 3, 7, 8, 9, and 10; and Actions N-1a, 1b, 1c, 8a, 9a, and 10a would help reduce potential noise impacts associated with stationary noise sources by establishing noise level performance standards, by ensuring that future development complies with these standards, and by restricting the hours of operation for

noise-producing sources commonly associated with commercial uses. However, it may not be possible to fully mitigate this impact in all areas, particularly in existing development that may be constrained due to age, placement, or other factors which limit the implementation of these policies. There are no additional feasible mitigation measures that could fully reduce or avoid this. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan.

Reference: DEIR pages 4.6-30 through 4.6.33; FEIR pages 3.0-23 through 3.0-24; General Plan Policies N-1, 2, 3, 7, 8, 9, and 10; and Actions N-1a, 1b, 1c, 8a, 9a, and 10a.

- 3.6.4 **Impact 4.6.7** Implementation of the proposed project along with potential development of the Planning Area could result in increased noise conflicts.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies N-1, 2, 3, 4, and 6; and Actions N-1a, 1b, 1c, and 4a assist in reducing this impact, there are no feasible mitigation measures available that will lessen this significant adverse impact on the environment to a less-than-cumulatively-considerable level. Policy N-1 requires new development to conform to proposed land use compatibility noise criteria. The preparation of acoustical analyses would also be required for noise-sensitive land uses proposed in areas where ambient noise levels would be anticipated to exceed corresponding City noise standards. The purpose of the noise analyses would be to identify areas of significant noise impacts and mitigation to be implemented to achieve applicable City noise standards. Policies N-2 and N-3 require incorporation of noise-reduction measures for newly proposed land uses, where necessary, sufficient to comply with the noise standards established for transportation noise sources. Policy N-6 would require that truck traffic be routed away from noise-sensitive land uses. Implementation of recommended General Plan noise policies would reduce potential noise impacts. Future development projects would be required to analyze project-related noise impacts and incorporate necessary noise-reduction measures sufficient to achieve applicable noise standards. Implementation of these policies and actions will help to reduce impacts associated with proposed development. Noise-reduction measures typically implemented to reduce traffic noise include increased insulation, setbacks, and construction of sound barriers. Some measures, such as construction of sound barriers, may have secondary impacts related to aesthetics and safety. Policy N-3 discourages the construction of sound barriers that would be considered aesthetically intrusive. The feasibility of these measures would be determined on a project-by-project basis. However, it may not be possible to fully mitigate in all areas, particularly in existing development that may be constrained due to age, placement or other factors which limit the feasibility of mitigation. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of the proposed Taft General Plan Update and associated project components, in combination with other planned development in the region, would result in the exposure of noise-sensitive land uses to increased traffic noise levels. Projected future noise contours for major roadways within the city and predicted increases in traffic noise levels associated with future development are summarized in DEIR Tables 4.6-5 and 4.6-6 and Figures 4.6-4. Implementation of the General Plan Update would result in significant increases in traffic noise levels along several major roadways. Implementation of General Plan Policies N-1, 2, 3, 4, and 6; and Actions N-1a, 1b, 1c. and 4a would reduce potential noise impacts by establishing noise level performance standards and requiring future development projects to analyze project-related noise impacts and incorporate necessary noise-reduction measures sufficient to achieve applicable noise standards. However, it may not be possible to fully mitigate this impact in all areas, particularly in existing development that may be constrained due to age, placement, or other factors which limit the implementation of these policies. There are no additional feasible mitigation measures that could fully reduce or avoid this impact. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan.

Reference: DEIR pages 4.6-36 through 4.6.39; General Plan Policies N-1, 2, 3, 4, and 6; and Actions N-1a, 1b, 1c. and 4a.

3.7 HAZARDS AND HUMAN HEALTH

No impacts in this section were determined to be significant, potentially significant, or cumulatively considerable and not mitigable to a less-than-significant level.

3.8 GEOLOGY AND SOILS

- 3.8.1 **Impact 4.8.6** Implementation of the proposed project, along with other planned, proposed, recently approved, and reasonably foreseeable development in the region, could result in a cumulatively significant loss of mineral resources in the region.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policy E-10 would minimize local impacts to mineral resources. However, development of areas in MRZ-2 zones within the Planning Area, in addition to other planned, proposed, recently approved, and reasonably foreseeable development in the region, creates significant impacts to mineral resources. Implementation of the above General Plan policy would support the reduction of conflicts between potential mineral resource lands and urban uses. However, the loss of availability of known mineral resource areas would still occur even after implementation of the proposed GPU policies. No mitigation is available that would prevent the permanent loss of these mineral resources. Thus, this impact is significant

and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Hundreds of MRZ-2-classified sites exist within the Planning Area. The MRZ-2 zone represents areas where either mineral resources are known to exist and are currently in mining operations or where geologic data indicates significant resources may be present. Urban development that includes intensive paving, structures, and the creation of impervious surfaces could permanently preclude the future exploration for, and extraction of, mineral resources in areas where mineral resources are available but not currently mined. The proposed GPU would allow urban development (e.g., residential, office, and commercial areas and associated infrastructure) at various locations throughout the Planning Area. If located on MRZ-2 classified lands, this future development could potentially preclude the exploration for and extraction of mineral resources, particularly in areas with mineral resources. Implementation of the proposed project would result in the loss of land areas known to contain important mineral resources. Development of this land would result in the irrevocable loss of mineral resource zones. Site specific impacts and mitigation measures for mineral resource will not be able to be identified until specific development proposals are presented to the City. There are no additional feasible mitigation measures that could fully reduce or avoid this impact. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan.

Reference: DEIR pages 4.8-35 through 4.8.36; General Plan Policy E-10.

3.9 CULTURAL RESOURCES

No impacts in this section were determined to be significant, potentially significant, or cumulatively considerable and not mitigable to a less-than-significant level.

3.10 BIOLOGICAL RESOURCES

No impacts in this section were determined to be significant, potentially significant, or cumulatively considerable and not mitigable to a less-than-significant level.

3.11 HYDROLOGY AND WATER QUALITY

- 3.11.1 **Impact 4.11.3** Implementation of the proposed General Plan Update would increase demand for water supply to the City, requiring increased groundwater production and potentially depleting groundwater supplies.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies LU-71, C-10 and 21, and

PF-10 and 11; and Actions C-21a, 21b, 21c, 21d, 21e, 21f, 21g, and 21h, and PF-10a and 10b would minimize local impacts to the degradation of groundwater quality resulting from construction and operation of future urban development. Implementation of proposed General Plan policies LU-71, C-10 and C-21 and associated actions would encourage the use of reclaimed water from the wastewater treatment plants operated by the City, thereby reducing demands for groundwater supplies. Action C-21c would reduce water demands from existing and future development. Policy PF-10 and associated actions would require an adequate water supply and all necessary infrastructure to be in place prior to implementation of new development projects and tentative map approvals. Policy PF-11 is related to the protection of groundwater quality and quantity. Together these policies would reduce potential impacts on groundwater supplies. Due to the unreliable nature of SWP and CVP surface water allocations and the constantly increasing demand on groundwater supplies from ongoing development in the valley, as well as the anticipated effects of climate change on overall water supplies in the state, the anticipated increase in demand for groundwater resources would be considered a significant and unavoidable impact. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: The Planning Area, as shown in the preferred modified and reduced Alternative 2, is served by West Kern Water District and Maricopa-Wheeler Ridge Water District who obtain at least a portion of their water supplies from groundwater. The updated General Plan Land Use Map proposes a variety of land use types within the Planning Area including residential, commercial, industrial, mixed use, open space, agriculture, and natural resources. These proposed land uses differ in type, density, and prevalence from the existing General Plan Land Use Map and would, therefore, be expected to result in different projected future water demands. At build-out of the proposed General Plan Land Use Map, the projected future water demand of the Planning Area would be 9,788 acre per feet per year greater than under the existing General Plan. A portion of this water would be pumped from the Kern County Sub-basin at WKWD's well field on the Kern River Alluvial Fan and/or by other water purveyors through the various water exchange programs. Due to the complex nature of the water rights, contracts, and water exchange programs of WKWD and MWRWD in the Planning Area and other purveyors outside of the Planning Area, as well as the highly variable nature of the SWP allocations, it is not possible to determine exactly how much of this water would be obtained directly from the aquifer's existing supplies in any given year. The various water purveyors in Kern County have, for many years, actively managed their surface and groundwater supplies to take advantage of the unique characteristics of each water source. Specifically, they utilized in-lieu recharge and direct recharge management practices. In-lieu recharge is a water management practice that modifies the irrigation practices of water users who have access to surface water and groundwater supplies. It substitutes surface water for irrigation in-lieu of normal groundwater pumping to increase groundwater supplies and conserve groundwater for future use. Direct recharge (artificial recharge) is a water management practice that applies water to percolation ponds to increase groundwater recharge and store water in an aquifer for later extraction. Although

the sub-basin has historically been over-pumped for irrigation purposes leading to significant water level declines and land subsidence, in more recent years the sub-basin’s groundwater elevations appear to have rebounded and now remain relatively constant, primarily due to the importing of surface water supplies via the SWP and CVP and the groundwater management efforts of the various water purveyors within the sub-basin. WKWD and other water purveyors will continue to manage the aquifer, surface water resources, and irrigation practices to utilize the available water supplies in an efficient manner and to minimize overdraft of the aquifer. Furthermore, new development within the Planning Area would be required to integrate water conservation features into new projects in accordance with existing regulations. There are no additional feasible mitigation measures that could fully reduce or avoid this impact. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan.

Reference: DEIR pages 4.11-33 through 4.11.37; FEIR pages 3.0-30 through 3.0-31; General Plan Policies LU-71, C-10 and 21, and PF-10 and 11; and Actions C-21a, 21b, 21c, 21d, 21e, 21f, 21g, and 21h, and PF-10a and 10b.

3.12 VISUAL RESOURCES

3.12.1 **Impact 4.12.5** Implementation of the proposed General Plan update and other project components in combination with other reasonably foreseeable development projects within Kern County would result in significant cumulative impacts to the visual character and scenic vistas of the region.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies LU-1, 4, 22, 27, 28, 29, 35, 40, 50, 53, 58, 61, 63, 64, 67, 71, 74, 75, 76, 78, 80, 84, and 86, and C-6, 55, 56, 58, 59, and 60; ; and Actions LU-22a, 27a, 27b, 35a, 40a, 50a, 50b, 50c, 50d, 58a, 61a, 63a, 63b, 63c, 63d, 67a, 67b, 75a, 75b, 75c, 76a, 76b, 78a, 84a and 86a, and C-55a, 55b, 55c, 58a and 59a would reduce cumulative visual resources impacts through incorporation of buffers and setbacks, improving landscape quality, preserving trees, regulating lighting and landscaping along roadways as well as providing nighttime lighting standards and restricting the use of non-reflective building materials. Implementation of the proposed General Plan policies would assist in reducing the project’s contribution to the cumulative alteration of visual character and light/glare impacts within the region. These policies would ensure that the scale, massing, and height of all new development would be sensitive to potential impacts on the existing visual character of the area. These policies would also help preserve the existing visual character of the Planning Area by requiring new development to comply with certain development standards, by encouraging the redevelopment and improvement of existing blighted development, and by helping to protect the existing historic characteristics of the downtown area. In addition, the General Plan provides for the protection and continuation of agricultural

operations in the Planning Area. Regardless of the mitigation provided by these policies, the change in the visual character of the region from implementation of the proposed General Plan Update in addition to other anticipated development in the County would be considerable. However, none of these policies or mitigation measures would completely eliminate significant adverse effects on the environment. Therefore, the City further finds that there are no feasible mitigation measures that would minimize, avoid or reduce this impact. Thus, this impact is cumulatively considerable and significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of General Plan Policies LU-1, 4, 22, 27, 28, 29, 35, 40, 50, 53, 58, 61, 63, 64, 67, 71, 74, 75, 76, 78, 80, 84, and 86, and C-6, 55, 56, 58, 59, and 60; ; and Actions LU-22a, 27a, 27b, 35a, 40a, 50a, 50b, 50c, 50d, 58a, 61a, 63a, 63b, 63c, 63d, 67a, 67b, 75a, 75b, 75c, 76a, 76b, 78a, 84a and 86a, and C-55a, 55b, 55c, 58a and 59a would reduce cumulative visual resources impacts. Increased urbanization within the communities along the San Joaquin Valley would result in cumulatively considerable changes in the visual character of the area. Current development pressures within the Valley are drastically changing its pastoral and rural character as residential and commercial development encroaches into agricultural land as a result of pressure to provide affordable housing and services to the growing region. As undeveloped areas transition from a rural to an urban character, existing viewsheds within the County would be affected, existing vistas of orchards and open row-crop lands would obstructed. The land uses proposed under the General Plan Update would contribute to this trend in alteration of the visual character of the area by converting rural uses to urban development. Furthermore, under cumulative conditions, the proposed project would substantially contribute to daytime glare and nighttime lighting impacts through the development of a range of uses, including residential, commercial, and industrial, within the Planning Area. Cumulative development would introduce new sources of daytime glare and substantially would change nighttime lighting and illumination levels in the region. One adverse impact resulting from increased cumulative development would be increased “sky glow” conditions in the region that would reduce visibility of the nighttime sky. However, none of these policies or mitigation measures would completely eliminate significant adverse effects on the environment. Therefore, the City further finds that there are no feasible mitigation measures that would minimize, avoid or reduce this impact. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Reference: DEIR pages 4.12-25 through 4.12.27; FEIR pages 3.0-36 through 3.0-37; General Plan Policies LU-1, 4, 22, 27, 28, 29, 35, 40, 50, 53, 58, 61, 63, 64, 67, 71, 74, 75, 76, 78, 80, 84, and 86, and C-6, 55, 56, 58, 59, and 60; ; and Actions LU-22a, 27a, 27b, 35a, 40a, 50a, 50b, 50c, 50d, 58a, 61a, 63a, 63b, 63c, 63d, 67a, 67b, 75a, 75b, 75c, 76a, 76b, 78a, 84a and 86a, and C-55a, 55b, 55c, 58a and 59a.

3.13 PUBLIC SERVICES AND UTILITIES

3.13.1 **Impact 4.13.5.1** Implementation of the proposed project would increase demand for water supply. This additional water supply demand would result in significant effects on the physical environment.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies PF-2, 3, 4, 6, 7, 8, 9, 10, 11, and 12; and Actions PF-3a, 3b, 7a, 7b, 9a, 10a and 10b would reduce water supply demand impacts by ensuring that new development would not be approved by the City unless an assured water supply and delivery system were available. The policies would also require the City and WKWD to demonstrate prior to the approval of a final subdivision map that sufficient water supply capacity would be available to accommodate the subdivision plus existing development, other approved projects in the same service area, and other projects that have received commitments for water service. However, none of these policies or mitigation measures would completely eliminate significant adverse effects on the environment. Therefore, the City further finds that there are no feasible mitigation measures that would minimize, avoid or reduce this impact. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of General Plan Policies PF-2, 3, 4, 6, 7, 8, 9, 10, 11, and 12; and Actions PF-3a, 3b, 7a, 7b, 9a, 10a and 10b would reduce water supply demand impacts. Implementation of the proposed GPU as originally proposed is expected to result in a total of 25,184 housing units and a population of 68,018 within the Planning Area at build-out. This represents an increase of 19,146 housing units and 49,948 persons over existing conditions within the Planning Area. Increased development would require additional water supplies, which would be provided by the WKWD. All other water purveyors within the Planning Area serve strictly agricultural customers. As land is annexed to the City and developed with urban uses it would also be annexed into the WKWD for service. Therefore, the proposed GPU would not adversely impact any water purveyors other than the WKWD. Projected WKWD water supplies may not be reliable. SWP supplies relied upon by WKWD are based on receiving a higher percentage of normal year entitlements than what DWR currently recommends. The City has been working closely with WKWD to assure that water is guaranteed prior to the approval of development. The GPU policies call for continuation of that collaborative effort. However, none of these policies or mitigation measures would completely eliminate significant adverse effects on the environment. Therefore, the City further finds that there are no feasible mitigation measures that would minimize, avoid or reduce this impact. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Reference: DEIR pages 4.13-57 through 4.13.63; FEIR pages 3.0-37 through 3.0-38; General Plan Policies PF-2, 3, 4, 6, 7, 8, 9, 10, 11, and 12; and Actions PF-3a, 3b, 7a, 7b, 9a, 10a and 10b.

3.12.2 **Impact 4.13.5.3** Implementation of the proposed project would contribute to the cumulative demand for water supply in the WKWD's service area.

Finding: No Feasible Mitigation Measures Available to Mitigate the Impact. Based upon the information contained in the Final EIR and the Administrative Record, the City hereby finds that while implementation of General Plan Policies PF-2, 3, 4, 6, 7, 8, 9, 10, 11, and 12; and Actions PF-3a, 3b, 7a, 7b, 9a, and 10a would reduce water supply demand impacts by ensuring that new development would not be approved by the City unless an assured water supply and delivery system were available. The policies would also require the City and WKWD to demonstrate prior to the approval of a final subdivision map that sufficient water supply capacity would be available to accommodate the subdivision plus existing development, other approved projects in the same service area, and other projects that have received commitments for water service. However, none of these policies or mitigation measures would completely eliminate significant adverse effects on the environment. Therefore, the City further finds that there are no feasible mitigation measures that would minimize, avoid or reduce this impact. Thus, this impact is cumulatively considerable and significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Evidence: Implementation of General Plan Policies PF-2, 3, 4, 6, 7, 8, 9, 10, 11, and 12; and Actions PF-3a, 3b, 7a, 7b, 9a, and 10a would reduce water supply demand impacts. Implementation of the proposed GPU as originally proposed is expected to result in a total of 25,184 housing units and a population of 68,018 within the Planning Area at build-out. This represents an increase of 19,146 housing units and 49,948 persons over existing conditions within the Planning Area. Increased development would require additional water supplies, which would be provided by the WKWD. All other water purveyors within the Planning Area serve strictly agricultural customers. As land is annexed to the City and developed with urban uses it would also be annexed into the WKWD for service. Therefore, the proposed GPU would not adversely impact any water purveyors other than the WKWD. Projected WKWD water supplies may not be reliable. SWP supplies relied upon by WKWD are based on receiving a higher percentage of normal year entitlements than what DWR currently recommends. The City has been working closely with WKWD to assure that water is guaranteed prior to the approval of development. The GPU policies call for continuation of that collaborative effort. However, none of these policies or mitigation measures would completely eliminate significant adverse effects on the environment. Therefore, the City further finds that there are no feasible mitigation measures that would minimize, avoid or reduce this impact. Thus, this impact is significant and unavoidable. However, this impact is considered to be acceptable when balanced against the economic, legal, social, technological, and other benefits of the project as specified in Section 7 of this document.

Reference: DEIR pages 4.13-68 through 4.13.69; General Plan Policies PF-2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12; and Actions PF-3a, 3b, 7a, 7b, 9a, 10a, and 10b.

4.0 FINDINGS ASSOCIATED WITH PROJECT ALTERNATIVES

CEQA Guidelines require that an EIR “describe a range of reasonable alternatives to the Project, or to the location of the Project, which could feasibly obtain the basic objectives of the Project...” (CEQA Guidelines 15126.6[a]).

Further, Public Resources Code section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects, and that the procedures required by [CEQA] are intended to assist public agencies in systematically identifying both the significant effects of proposed Projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” This section further provides that “in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.” (Pub. Resources Code, § 21002.)

CEQA defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” (Pub. Resources Code, § 21061.1.) The CEQA Guidelines add “legal” considerations as another factor. (CEQA Guidelines, § 15264; see also *Citizens of Goleta Valley v. Board of Supervisors* (“Goleta II”) (1990) 52 Cal.3d 553, 565; *Sequoyah Hills Homeowners Assn. v. City of Oakland* (“Sequoyah Hills”) (1993) 23 Cal.App.4th 704, 715.)

Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site. (CEQA Guidelines, § 15126.6(f)(1).)

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objections of a project. (*City of Del Mar v. City of San Diego* (“City of Del Mar”) (1982) 133 Cal.App.3d 410, 417. “Feasibility” under CEQA encompasses “desirability, to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (Id. see also *Sequoyah Hills*, 23 Cal.App.4th at 715.)

Where a significant impact can be substantially lessened solely by the adoption of mitigation measures, the agency in drafting its findings has no obligation to consider the feasibility of alternatives with respect to that mitigated impact, even if the alternative would mitigate the impact in question to a greater degree than the project as mitigated. (See Pub. Resources Code, §

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21081(b).) The California Supreme Court has stated that, “[w]isdom of approving...any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balances.” (Goleta II, supra, 52 Cal.3d at 576.)

A “public agency may approve a developer’s choice of a project once its significant adverse effects have been reduced to an acceptable level—that is, all avoidable damages has been eliminated and that which remains is otherwise acceptable.” (See Laurel Hills, supra, 83 Cal.App.3d at 521.) In this context, acceptable means that on balance, “the specific economic, legal, social, technological, or other benefits of a proposal [sic] project outweigh the unavoidable adverse environmental effects....” (CEQA Guidelines, § 15093(a).)

The purpose of the project is to provide a policy framework that will guide all future land use and growth decisions for the City through the year 2035. The City has identified following objectives for the project:

- Promote economic growth and new commercial and industrial development in the community that results in increased household income, higher wages, new jobs, and reductions in chronic unemployment;
- Enhance and increase the price-diversity of housing to attract and retain professionals and managers;
- Enhance existing and expand retail and commercial development opportunities;
- Enhance and improve the visual quality of the community through improvement of public facilities, increased landscaping standards, and gateway improvements;
- Manage plan area growth, including locations in Kern County, to preserve the economic integrity and visual quality of the non-urbanized community;
- Preserve natural resources in the community, including support for the continued use of agriculture;
- Incorporate “green” and sustainable practices into City policies and development practices; and
- Promote a housing-jobs balance to address the current daily in-commute of some 1,800 vehicles, which would also address clean air and energy savings goals.

The City recognizes that while several of the alternatives described below would yield environmental benefits, the procurement of these benefits may also have corresponding negative environmental impacts and may conflict with the goals and objectives of the City associated with the General Plan.

The alternatives analyzed are as follows:

- Alternative 1 – No Project Alternative
- Alternative 2 – Reduced Sphere of Influence Alternative
- Alternative 3 – Northeast High Density Mixed Use Cluster Alternative
- Alternative 4 – Southeast High Density Mixed Use Cluster Alternative

Subsequent to the Draft EIR and in response to comments provided to the City during the comment period, Alternative 2, the Reduced Sphere of Influence Alternative, was modified and reduced in area and impact. Alternative 2 is now known as the Reduced Planning Area Alternative. The environmental effects of this Alternative are addressed in the Draft EIR. The modifications and reductions to Alternative 2 will not result in any new significant environmental impacts or a substantial increase in the severity of an existing environmental impact that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5. This change is discussed further in Section 6.0, Additional Findings Associated with Final Modifications to the General Plan, below.

The DEIR was released for public and agency review from July 28, 2009 to September 10, 2009. The DEIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The DEIR was provided to interested public agencies and the public and was made available for review at the City of Taft City Hall. A Notice of Completion (NOC), along with the required 15 copies of the DEIR, was submitted to the SCH on July 28, 2009. In accordance with the provisions of State CEQA Guidelines Section 15126.6, the City of Taft (City) as the Lead Agency for the update to the City of Taft General Plan (General Plan) Draft Environmental Impact Report (Draft EIR; DEIR), evaluated a range of alternatives in the Draft EIR (City of Taft, July 2009). These included three alternatives, in addition to the No Project alternative. The environmental effects of each of these alternatives were identified and compared with the significant environmental impacts resulting from the proposed project that had been identified in the environmental issue areas under Section 4.0 of the DEIR.

Based on the environmental benefits and detriments of each alternative, and from comments received pursuant to the public review of the General Plan and DEIR, the City has refined Alternative 2 which shows a smaller General Plan Update Planning Area (Planning Area; project area). This alternative reduces the size of the Expansion Area (area outside the City limits) by 99,222 acres. This alternative is now being termed the Reduced Planning Area (RPA) for the City of Taft General Plan Update. Since the RPA is consistent with the alternatives already analyzed under the DEIR, environmental impacts from the RPA have been evaluated and do not require separate environmental analysis. Also, since the Reduced Planning Area alternative as currently proposed reduces the Planning Area beyond that which is identified under any of the alternatives analyzed in the DEIR, the RPA would have less adverse impact to the environment than the original project area or any of its proposed alternatives.

The originally proposed project area or the General Plan Planning Area for the City of Taft General Plan Update included the incorporated City and land outside the City limits (Expansion Area), as shown in **Figure 3.0-2** of the DEIR. This Planning Area covered roughly 157,570 acres of land, or about 246.2 square miles. This included approximately 9,622 acres of land within the existing City limits and 147,948 acres of land within the Expansion Area (147,948 + 9,622 = 157,570). Build-out of the existing General Plan would have resulted in approximately

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16,337 housing units, a population of 44,125, and a total of 30,406 jobs within the Original Planning Area.

The RPA avoids Farmland Security Zone lands, Habitat Conservation lands located to the northeast of the City, and water district lands with the exception of West Kern Water District and Maricopa-Wheeler Ridge Water District. In addition, the northeast boundary of the Reduced Planning Area has been modified to reflect school district boundaries (**Figure 1.0-1**). As the majority of the land removed from the Original Planning Area consisted of land designated for Agricultural and Natural Resource land uses, the development assumptions contained in the DEIR do not change significantly. Under the RPA, the Planning Area would encompass 58,336 acres (9,622 acres within the city limits + 48,714 acres within the Expansion Area). **Table 1.0-3** provides the acreage of each portion of the RPA. Build-out of RPA would still result in approximately 16,337 housing units, a population of 44,125, and a total of 30,406 jobs.

4.1 ALTERNATIVE 1 – NO PROJECT

Description: CEQA, through case law and statutory language, requires that the “no project” alternatives be evaluated; under Section 15126.6(e)(2), “the No Project Alternative shall discuss the existing conditions at the time the notice of preparation is published...as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.”

According to Section 15126.6(e)(3)(A), “[w]hen the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the “no project” alternative will be the continuation of the existing plan, policy or operation into the future. In the case of Alternative 1 or the No Project alternative, the proposed project would not be approved and the existing City of Taft General Plan would continue as the primary guiding document for growth and development within the city. The existing General Plan Planning Area includes a total of 23,667 acres (9,629 acres within the City limits + 14,038 acres within the existing Sphere of Influence (SOI)). Build-out of the existing General Plan would result in approximately 16,337 housing units, a population of 44,125, and a total of 30,406 jobs within the Planning Area under General Plan build-out, expected to occur by year 2050. The existing General Plan proposes primarily Natural Resource, Open Space, and Low Density Residential land uses in the areas outside the City limit.

Finding: The City finds that the No Project Alternative is less desirable than the project and is infeasible for the following reasons:

- This alternative does not address any changes that have occurred and are expected to continue.
- This alternative would be inconsistent with the City’s vision for the Planning Area for identifying areas that could be considered for future development to meet growth needs beyond the current incorporated boundaries of the City of Taft.
- This alternative does not provide for lands for habitat conservation or alternative energy development, which are important elements of the City’s sustainability strategy.

Facts that Support the Finding: Draft EIR pages 6.0-3 through 6.0-21 provide an analysis of the No Project Alternative as compared to the originally proposed General Plan. Draft EIR pages 6.0-76 and 77 note that this alternative would be considered the second-ranking environmental alternative, as amended by pages 1.0-2 through 1.0-5 of the FEIR. In addition, based on comparison of the existing General Plan Land Use Map and the proposed General Plan Land Use Policy Map, this alternative does not address any changes that have occurred and are expected to continue, would be inconsistent with the City’s vision for the Planning Area for identifying areas that could be considered for future development to meet growth needs beyond the current incorporated boundaries of the City of Taft, and does not provide for lands for habitat conservation or alternative energy development, which are important elements of the City’s sustainability strategy.

4.2 ALTERNATIVE 2 – REDUCED PLANNING ALTERNATIVE (formerly REDUCED SPHERE OF INFLUENCE ALTERNATIVE)

Description: Based on the environmental benefits and detriments of each alternative, and from comments received pursuant to the public review of the General Plan and DEIR, the City has refined Alternative 2 which shows a smaller General Plan Update Planning Area (Planning Area; project area). This alternative reduces the size of the Expansion Area (area outside the City limits) by 99,222 acres. This alternative is now being termed the Reduced Planning Area (RPA) for the City of Taft General Plan Update. Since the RPA is consistent with the alternatives already analyzed under the DEIR, environmental impacts from the RPA have been evaluated and do not require separate environmental analysis. Also, since the Reduced Planning Area alternative as currently proposed reduces the Planning Area beyond that which is identified under any of the alternatives analyzed in the DEIR, the RPA would have less adverse impact to the environment than the original project area or any of its proposed alternatives.

The originally proposed project area or the General Plan Planning Area for the City of Taft General Plan Update included the incorporated City and land outside the City limits (Expansion Area), as shown in **Figure 3.0-2** of the DEIR. This Planning Area covered roughly 157,570 acres of land, or about 246.2 square miles. This included approximately 9,622 acres of land within the existing City limits and 147,948 acres of land within the Expansion Area (147,948 + 9,622 = 157,570). Build-out of the existing General Plan would have resulted in approximately 16,337 housing units, a population of 44,125, and a total of 30,406 jobs within the Original Planning Area.

The RPA avoids Farmland Security Zone lands, Habitat Conservation lands located to the northeast of the City, and water district lands with the exception of West Kern Water District and Maricopa-Wheeler Ridge Water District. In addition, the northeast boundary of the Reduced Planning Area has been modified to reflect school district boundaries (**Figure 1.0-1**). As the majority of the land removed from the Original Planning Area consisted of land designated for Agricultural and Natural Resource land uses, the development assumptions contained in the DEIR do not change significantly. Under the RPA, the Planning Area would encompass 58,336 acres (9,622 acres within the city limits + 48,714 acres within the Expansion Area). **Table 1.0-3**

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provides the acreage of each portion of the RPA. Build-out of RPA would still result in approximately 16,337 housing units, a population of 44,125, and a total of 30,406 jobs.

Finding: The Reduced Planning Alternative has no greater impacts than the Project, will not result in additional impacts or require additional mitigation. This alternative is therefore feasible for the following reasons:

- This alternative would have the same development potential as the Project at 850 dwelling units and would not result in any additional significant environmental impacts or a substantial increase in the severity of an existing environmental impact.
- The alternative conceptual land use plan is substantially the same as the Project.

Facts that Support the Finding: Draft EIR pages 6.0-22 through 6.0-40 and FEIR pages 1.0-2 through 1.0-5 provide an analysis of the environmental effects of this alternative as compared to the proposed project. As documented by the Draft EIR, this alternative would result in the best environmental impacts and best fulfills the objectives of the project.

4.3 ALTERNATIVE 3 – NORTHEAST HIGH DENSITY MIXED USE CLUSTER ALTERNATIVE

Description: of largely undeveloped, agricultural and mineral extraction land located east of the current City limits as shown in **Figure 6.0-3** of the DEIR. The Planning Area would extend out to I-5 to the northeast of the current City limits, but would not include the southernmost “arm” of land in the Planning Area extending to SR 166. This alternative would, therefore, exclude the South Kern Industrial Center Specific Plan Area, which would remain under Kern County jurisdiction and would not be proposed for annexation or subsequent development within the City. In addition, proposed land use designations within the existing City limits would be less intense thereby allowing the City to remain a generally low density, rural community. To compensate, higher density land use designations (Commercial, High Density Residential, Mixed Use) would be clustered northeast of the City near the intersections of SR 33, SR 119 and I-5 surrounding the proposed Commercial designations at these intersections. The result would be a cluster of mixed uses at higher densities along the heavily traveled I-5 corridor at the entry point to the City of Taft. Under this alternative, the Planning Area would encompass a reduced Planning Area of 63,567 acres (9,629 acres within the City limits + 53,938 acres within the Expansion Area). Due to the increased densities associated with this Alternative, build-out of this Alternative would result in approximately 46,812 housing units, a population of 126,440, and a total of 65,104 jobs within the Planning Area by the build-out year of 2050. Land use designations outside the City limits would consist primarily of Agriculture, Natural Resources, Commercial, Industrial, High Density Residential, Low Density Residential, and Special Planning Area.

Finding: The City finds that Northeast High Density Mixed Use Cluster Alternative is less desirable than the project and is infeasible for the following reasons:

- This alternative would result in new significant or more severe impacts to noise, air quality, biological resources, traffic, population and housing, air quality, public services and utilities and water quality than the proposed project.

Facts that Support the Finding: Draft EIR pages 6.0-41 through 6.0-56 provide an analysis of this alternative as compared to the proposed General Plan. As noted in the Draft EIR and Final EIR, this alternative would result in new significant or more severe environmental impacts than the proposed project.

4.4 ALTERNATIVE 4 – SOUTHEAST HIGH DENSITY MIXED USE CLUSTER ALTERNATIVE

Description: Under Alternative 4, the Planning Area would be reduced to exclude approximately 64,158 acres of land located east and northeast of the current City limits (**Figure 6.0-5** of the Draft EIR). These areas are largely undeveloped agricultural and mineral extraction land as well as land proposed for Commercial designation under the proposed project. This alternative would, therefore, exclude the South Kern Industrial Center, Buena Vista Hills, and Dustin Acres Specific Plan Areas. These areas would remain under Kern County jurisdiction and would not be proposed for annexation or subsequent development by the City. In addition, proposed land use designations within the existing City limits would be less intense, thereby allowing the City to remain a generally low density, rural community. To compensate, higher density land use designations (Commercial, High Density Residential, Mixed Use) would be clustered east of the City near the planned Copus Road/Interstate 5 interchange. The result would be a cluster of mixed uses at higher densities along the heavily traveled I-5 corridor at one of the entry points to the City of Taft. Under this alternative, the Planning Area would encompass 93,412 acres (9,629 acres within the City limits + 83,783 acres within the Expansion Area). Due to the increased densities associated with this Alternative, build-out of this Alternative would result in approximately 31,320 housing units, a population of 84,595, and a total of 68,654 jobs within the Planning Area by the build-out year of 2050. Land use designations outside the City limits would consist primarily of Agriculture, Natural Resources, Commercial, High Density Residential, Medium Density Residential, Industrial, Low Density Residential, and Special Planning Area.

Finding: The Southeast High Density Mixed Use Cluster Alternative is less desirable than the project and is infeasible for the following reasons:

- This alternative would result in new significant or more severe impacts to noise, air quality, biological resources, traffic, population and housing, air quality, public services and utilities and water quality than the proposed project.

Facts that Support the Finding: Draft EIR pages 6.0-56 through 6.0-75 and FEIR pages 1.0-2 through 1.0-5 provide an analysis of the Southeast High Density Mixed Use Cluster Alternative as compared to the proposed project. This alternative would not have any environmental benefits in comparison to the proposed project.

5.0 FINDINGS ASSOCIATED WITH MITIGATION MONITORING AND REPORTING PROGRAM

Section 21081.6 of the California Public Resources Code requires the City Council to adopt a monitoring and reporting program regarding changes in the Project or mitigation measures imposed to lessen or avoid significant effects on the environment. The City of Taft has chosen to make its General Plan a self-mitigating document by including all potential mitigation measures as policies and actions within the General Plan. Therefore, there are no mitigation measures to be adopted.

6.0 ADDITIONAL FINDINGS ASSOCIATED WITH FINAL MODIFICATIONS TO THE GENERAL PLAN

Since release of the Draft EIR, the City Council directed that the following changes be made to the General Plan Update:

- Various minor revisions to text, tables, and figures to correct previous errors, clarify meaning, or provide additional information
- Alternative 2 has been modified and reduced and is now known as the Reduced Planning Area Alternative. This alternative was modified in response to comments and is now the recommended alternative. Accordingly General Plan Figures 1.01 (Planning Area) and 3.01a (Land Use Map: Planning Area) were added to the General Plan.
- Several minor edits and changes to General Plan policies and actions have been made, including the addition of new policies and actions and the revision of existing policies and actions as required to address impacts identified in the Draft EIR. These edits are associated with the following chapters: Ch. 1 Introduction, Ch. 2 Planning for a Sustainable Community, Ch. 3 Land Use Element, Ch. 4 Circulation Element, Ch. 5 Open Space and Conservation Element, Ch. 7 Energy Resources Element, Ch. 8 Noise Element, Ch. 9 Safety Element, Ch. 10 Public Facilities and Services Element, and Ch.11 Economic Development Element.

Finding: The environmental effects of the Revised Planning Area Alternative have been addressed in the Draft EIR, under the originally proposed Alternative 2 or the Reduced Sphere of Influence Alternative. The inclusion of the Revised Planning Area Alternative into the project will not result in any new significant environmental impacts or a substantial increase in the severity of an existing environmental impact beyond what has been disclosed in the Draft EIR and Final EIR. Furthermore, modifications to the General Plan Update land use map, policies and actions would not result in any new significant environmental effects or an increased severity of environmental effects beyond what has been disclosed in the Draft EIR and Final EIR. Recirculation of the Draft EIR is not required pursuant to CEQA Guidelines Section 15088.5.

Facts that Support the Finding: The City has reviewed the changes to the General Plan and has determined that no new significant environmental effects or an increased severity of

environmental effects beyond what has been disclosed in the Draft EIR and Final EIR would occur as described below under each environmental issue area.

LAND USE

Impacts associated with the potential to contribute to cumulative land use conditions in the region consistency would still occur at the same extent identified in the Final EIR because no significant changes to the General Plan Land Use Map or associated policies would occur and because the extent of urban development would be the same as what was considered in the Final EIR.

AGRICULTURAL RESOURCES

Impacts associated with loss of Important Farmlands, indirect farmland conversion due to agricultural/urban interface conflicts, conflicts with active Williamson Act and FSZ contracts, and contribution to the cumulative conversion of Important Farmlands to other uses and increases in agricultural/urban interface conflicts would still occur at the same extent identified in the Final EIR because the extent of urban development would be the same as what was considered in the Final EIR.

POPULATION AND HOUSING

Impacts associated with land uses that promote an increase in population, housing, and employment, thereby inducing growth, and a cumulative increase in population and housing growth, along with associated environmental impacts would still occur at the same extent identified in the Final EIR because the development potential of the Planning Area would not be substantially different from what was considered in the Final EIR.

TRAFFIC AND CIRCULATION

Impacts associated with project and cumulative increases in traffic volumes and conflicts with Caltrans level of service policies and with project and cumulative increases in demand for airport use would still occur at the same extent identified in the Final EIR because the extent of urban development and planned circulation system would be the same as what was considered in the Final EIR.

AIR QUALITY AND CLIMATE CHANGE

Impacts associated with the emission of non-attainment air pollutants, conflicts with regional air plans, and project and cumulative increases in Greenhouse Gas emissions would still occur at the same extent identified in the Final EIR because the extent of urban development and associated increases in population and traffic would be the same as what was considered in the Final EIR.

NOISE

Impacts associated with increases in construction noise, traffic noise, exposure of sensitive receptors to stationary noise sources, and noise conflicts would still occur at the same extent

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identified in the Final EIR because the extent of urban development and associated increases in traffic would be the same as what was considered in the Final EIR.

GEOLOGY AND SOILS

Impacts associated with cumulative losses of availability of potential valuable minerals resources would still occur at the same extent identified in the Final EIR because the extent of urban development would be the same as what was considered in the Final EIR.

HYDROLOGY AND WATER QUALITY

Impacts associated with the degradation of groundwater resources would still occur at the same extent identified in the Final EIR because the extent of urban development would be the same as what was considered in the Final EIR.

VISUAL RESOURCES

Impacts associated with cumulative impacts on the visual character of the Planning Area would still occur at the same extent identified in the Final EIR because the extent of urban development would be the same as what was considered in the Final EIR.

PUBLIC SERVICES AND UTILITIES

Impacts associated with project and cumulative impacts on water supply demand would still occur at the same extent identified in the Final EIR because the extent of urban development would be the same as what was considered in the Final EIR.

7.0 STATEMENT OF OVERRIDING CONSIDERATIONS

In approving the City of Taft General Plan Update, which is evaluated in the Final EIR, the City makes the following Statement of Overriding Considerations in support of its findings on the Final EIR. The City has considered the information contained in the Final EIR (Draft EIR, Response to Comments on the Draft EIR, and Errata) and has fully reviewed and considered the public testimony and record in this proceeding.

The project has been revised to be the Reduced Planning Area Alternative (Alternative 2). The City has carefully balanced the benefits of the project (RPA) against any adverse impacts identified in the EIR that could not be feasibly mitigated to a level of insignificance. Notwithstanding the identification and analysis of the impacts that are identified in the EIR as being significant which have not been eliminated, lessened or mitigated to a level of insignificance, the City, acting pursuant to Section 15093 of the CEQA Guidelines, hereby determines that the benefits of the project (RPA) outweigh the unmitigated adverse impacts and the project should be approved. The EIR describes certain environmental impacts that cannot be avoided if the project is implemented. This Statement of Overriding Considerations applies

specifically to those impacts found to be significant and unavoidable as set forth in the EIR and the public hearing records.

Twenty-four significant and unavoidable impacts have been identified in the EIR:

1. Implementation of the project, when considered with existing, proposed, approved, and planned development in the region, has the potential to contribute to cumulative land use conditions in the region that would result in significant impacts to the physical environment. The project would provide environmental benefits by increasing the intensity of development in the Planning Area thereby minimizing the area that would be affected; however, development and urbanization would be necessary in order to accommodate the City's projected growth. These conflicts are necessary to accommodate the City's projected growth and are therefore unavoidable. For this reason, this impact is considered **significant and unavoidable**.
2. Implementation of the project would result in loss of Important Farmlands (prime Farmland, Unique Farmland, and Farmland of Statewide Importance) as designated by the Farmland Mapping and Monitoring Program. The loss of farmland is considered a permanent, irreversible impact that cannot be fully mitigated through off-site conservation of farmland. For this reason, this impact is considered **significant and unavoidable**.
3. Implementation of the proposed project would result in indirect farmland conversion due to agricultural/urban interface conflicts. General Plan policies and actions would minimize these impacts; however, conflicts may still occur especially related to farm equipment and vehicle conflicts on area roadways, potential trespassing and vandalism to active farmlands, and growth pressures on farmland in proximity to urban uses in the City. For this reason, this impact is considered **significant and unavoidable**.
4. Implementation of the proposed project could result in a conflict with active Williamson Act contracts. General Plan policy provisions would prohibit the City from approving development projects that would conflict with a Williamson Act contract; however, the project could still place development pressure on land owners encouraging the non-renewal of contracts and subsequent development. For this reason, this impact is considered **significant and unavoidable**.
5. Sixth, implementation of the proposed project, in combination with other planned development in the area, would contribute to the cumulative conversion of Important Farmlands and may increase agricultural/urban interface conflicts. The loss of farmland is considered a permanent, irreversible impact that cannot be fully mitigated through off-site conservation of farmland. Furthermore, conflicts related to farm equipment on are roadways, trespassing and vandalism on active farmland, and growth pressures on farmland from encroaching urban development cannot be fully mitigated. For this reason, this impact is considered **significant and unavoidable**.
6. Implementation of the proposed project would promote an increase in population, housing, and employment in the Planning Area and thus induce substantial growth in the Planning

Area which could result in significant impacts on the environment. General Plan policy provisions would minimize these impacts by encouraging infill development and sustainable, phased, and energy-efficient growth. However, growth would still occur and not all associated environmental impacts can be fully mitigated. For this reason, this impact is considered **significant and unavoidable**.

7. Implementation of the proposed project, in combination with other planned development in the area, would cumulatively result in substantial population, housing, and employment growth that is anticipated to result in significant adverse effects to the environment. General Plan policy provisions would minimize these impacts by encouraging infill development and sustainable, phased, and energy-efficient growth within the Planning Area. However, growth would still occur and not all associated environmental impacts can be fully mitigated. For this reason, this impact is considered **significant and unavoidable**.
8. Implementation of the proposed project would result in an increase in traffic volumes that would result in deficient level of service conditions and conflicts with Caltrans level of service standards. General Plan policy provisions and proposed mitigation measures would help to reduce LOS impacts on study area roadway segments. However, given the projected traffic increases and the inability to implement all necessary roadway improvements, deficient level of service conditions would still occur. Furthermore, because the resolution of policy conflicts would require coordination with other agencies, they cannot be guaranteed. For this reason, this impact is considered **significant and unavoidable**.
9. Implementation of the proposed project would result in an increase in demand for airport use in the area. General Plan policy provisions would minimize these impacts by requiring review for compliance with the ALUCP. However, growth would still occur and not all associated environmental impacts can be fully mitigated. For this reason, this impact is considered **significant and unavoidable**.
10. Implementation of the proposed project, in combination with other planned development in the area, would result in increased traffic volumes that would result in deficient level of service conditions under cumulative conditions. General Plan policy provisions and proposed mitigation measures would help to reduce LOS impacts on study area roadway segments. However, given the projected traffic increases and the inability to implement all necessary roadway improvements, deficient level of service conditions would still occur. For this reason, this impact is considered **significant and unavoidable**.
11. Implementation of the proposed project, in combination with other planned development in the area, would result in an increase in demand for airport use in the area. General Plan policy provisions would minimize these impacts by requiring review for compliance with the ALUCP. However, growth would still occur and not all associated environmental impacts can be fully mitigated. For this reason, this impact is considered **significant and unavoidable**.
12. Implementation of the proposed project would accommodate substantial growth that would exceed growth projected in the Kern County RTP and would result in the emission of non-

attainment pollutants. General Plan policy provisions would promote efficient, phased growth, would reduce traffic congestion and would otherwise minimize air emissions; however, in the absence of an updated ozone and particulate matter attainment plan, the project could impact the region's attempts to develop an ozone and particulate matter plan. The City cannot guarantee that there air quality plans will be updated in response to the new growth projections for the City. For this reason, this impact is considered **significant and unavoidable**.

13. Implementation of the proposed project, in combination with other planned development in the region, would contribute to cumulative air quality impacts and could conflict with ozone and particulate matter attainment efforts. General Plan policy provisions would promote efficient, phased growth, would reduce traffic congestion and would otherwise minimize air emissions. However, build-out of the Planning Area in combination with other planned development in the region would still exceed growth projections used in attainment plan development and would result in substantial increases in emissions. For this reason, this impact is considered **significant and unavoidable**.
14. Implementation of the proposed project would substantial increase emissions of CO₂e. General Plan policy provisions would help reduce GHG and CO₂e emissions from motor vehicles and energy use associated with the City's projected growth. However, the net increase in emissions would further contribute to climate change. For this reason, this impact is considered **significant and unavoidable**.
15. Implementation of the proposed project, in combination with other planned development in the region, would substantial increase emissions of CO₂e. General Plan policy provisions would help reduce GHG and CO₂e emissions from motor vehicles and energy use associated with the City's projected growth. However, the net increase in emissions would further contribute to climate change. For this reason, this impact is considered **significant and unavoidable**.
16. Implementation of the proposed project for activities associated with the construction of land uses allowed under the proposed General Plan Update could result in elevated noise levels at noise-sensitive land uses. Increases in ambient noise levels, particularly during the nighttime hours, could result in increased levels of annoyance and potential sleep disruption. General Plan policy provisions would reduce potential construction noise impacts be establishing noise level performance standards and ensuring that future development complies with these standards. However, it may not be possible to fully mitigate this impact in all areas, particularly in existing development that may be constrained due to age, placement, or other factors which limit the implementation of these policies. For this reason, this impact is considered **significant and unavoidable**.
17. Implementation of the proposed project would result in the exposure of existing and planned noise sensitive uses to increased noise levels associated with traffic along area roadways. General Plan policy provisions would reduce potential surface transportation noise impacts by establishing noise level performance standards and ensuring that future

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development complies with these standards. However, it may not be possible to fully mitigate this impact in all areas, particularly in existing development that may be constrained due to age, placement, or other factors which limit the implementation of these policies. For this reason, this impact is considered **significant and unavoidable**.

18. Implementation of the proposed project could result in the encroachment of new noise-sensitive land uses upon existing or proposed stationary noise sources. General Plan policy provisions would help reduce this impact by establishing noise level performance standards, ensuring that future development complies with these standards, and by restricting the hours of operation for noise-producing sources commonly associated with commercial uses. However, it may not be possible to fully mitigate this impact in all areas, particularly in existing development that may be constrained due to age, placement, or other factors which limit the implementation of these policies. For this reason, this impact is considered **significant and unavoidable**.
19. Implementation of the proposed project could result in increased noise conflicts. General Plan policy provisions would reduce this impact by establishing noise level performance standards and requiring future development projects to analyze project-related noise impacts and incorporate necessary noise-reduction measures sufficient to achieve applicable noise standards. However, it may not be possible to fully mitigate this impact in all areas, particularly in existing development that may be constrained due to age, placement, or other factors which limit the implementation of these policies. For this reason, this impact is considered **significant and unavoidable**.
20. Implementation of the proposed project. Along with other planned, proposed, recently approved, or reasonably foreseeable development in the region, could result in a cumulatively significant loss of availability of a potentially valuable mineral resource located in MRZ-2 zones, which represent areas where mineral resources are known to exist or may be present. Development would result in the irrevocable loss of mineral resource zones; however, development and urbanization would be necessary in order to accommodate the City's projected growth. For this reason, this impact is considered **significant and unavoidable**.
21. Implementation of the proposed project would result in the degradation of groundwater quality resulting from construction and operation of future urban development. General Plan policies and actions would minimize the local impacts by encouraging the use of reclaimed water, reducing water demands for new development, requiring all water supply and infrastructure be guaranteed prior to development, and protecting groundwater quality and quantity. The project would provide environmental benefits by increasing the intensity of development in the Planning Area; however, development and urbanization would be necessary in order to accommodate the City's projected growth. The only mitigation for such impacts – restricting the majority of development proposed under the General Plan and its associated project components– is not considered feasible, given that it would fundamentally conflict with the objectives of the General Plan. For this reason, this impact is considered **significant and unavoidable**.

22. Implementation of the proposed project, in combination with other planned development in the area, would result in significant cumulative impacts to the visual character and scenic vistas of the region. General Plan policy provisions would reduce this impact. However, development and urbanization would be necessary in order to accommodate the City's projected growth. For this reason, this impact is considered **significant and unavoidable**.
23. Implementation of the proposed project would increase demand for water supply resulting in significant effects on the physical environment. General Plan policy provisions would reduce this impact by ensuring that the water supply and delivery system be available prior to the approval of development proposals. None of these policies or mitigation measures would completely eliminate significant adverse effects on the environment. However, development and urbanization would be necessary in order to accommodate the City's projected growth. Thus, this impact is **significant and unavoidable**.
24. Implementation of the proposed project would contribute to the cumulative demand for water supply in the WKWD's service area. General Plan policy provisions would reduce this impact by ensuring that the water supply and delivery system be available prior to the approval of development proposals. None of these policies or mitigation measures would completely eliminate significant adverse effects on the environment. However, development and urbanization would be necessary in order to accommodate the City's projected growth. Thus, this impact is **significant and unavoidable**.

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7.1 SPECIFIC FINDINGS

Project Benefits Outweigh Unavoidable Impacts. The City hereby finds that the remaining significant and unavoidable impacts of the project are acceptable in light of the long-term social, environmental, land-use and other considerations set forth herein. The following statement identifies the reasons why, in light of the City's judgment, the benefits outweigh the project's unavoidable significant effects. Any one of these reasons is sufficient to justify approval of the project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City would stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporate by reference into this section, and the documents found in the administrative record of proceedings. The following project benefits, which outweigh the project impacts, are listed below:

1. The project would facilitate structured growth and economic development while preserving the small-town feel historically associated with Taft.
2. The project would promote sustainability in furtherance of local and State policies.
3. The project would provide a safe transportation system including roadways, transit, and walking and bicycle routes.
4. The project would protect open space, providing trails, parkland and a wide range of recreational opportunities.
5. The project would minimize noise and safety risks associated with natural and human caused noise and safety hazards.
6. The project would encourage businesses to thrive and expand.
7. The project would provide public facilities and infrastructure with sufficient capacity to adequately serve the demands of the community.
8. The project would provide for habitat conservation.
9. The project would provide for the protection of energy and mineral resources.
10. The project would provide for the protection of farmlands.

Balance of Competing Goals. The City hereby finds it is imperative to balance competing goals in approving the project and the environmental documentation of the project. Not every environmental concern has been fully satisfied because of the need to satisfy competing concerns to a certain extent. The City has chosen to accept certain environmental impacts because complete eradication of impacts would unduly compromise some other important community goals.

The City hereby finds and determines that the project proposal and the supporting environmental documentation provide for a positive balance of the competing goals and that the social,

environmental, land-use and other benefits to be obtained by the project outweigh any remaining environmental and related potential detriment of the project.

7.2 OVERRIDING CONSIDERATIONS

Based upon the objectives identified for the project and through extensive public participation, the City has determined that the project should be approved and that any remaining unmitigated environmental impacts attributable to the project are outweighed by the specific social, environmental, land-use and other overriding considerations. These include the project providing additional affordable housing opportunities, job opportunities, commercial opportunities, and the ability to control land use decisions and guide the development of the City.

The City has determined that any environmental detriment caused by the General Plan has been minimized to the extent feasible through mitigation measures identified herein, and, where not feasible, has been outweighed and counterbalanced by the significant social, educational, environmental, and land-use benefits to be generated to the City.

7.3 CONCLUSION

The EIR was prepared pursuant to the CEQA Guidelines. The City has independently determined that the EIR fully and adequately addresses the impacts and mitigations of the project. The number of project alternatives identified and considered in the EIR meets the test of “reasonable” analysis and provides the City with important information from which to make an informed decision. The City conducted public meetings and public hearings on the project. Substantial evidence in the record from those meetings and hearings and other sources demonstrates various benefits and considerations including economic, legal, social, technological, and other benefits which would be achieved from implementation of the project. The City has balanced these project benefits and considerations against the unavoidable and irreversible environmental risks identified in the EIR and concluded that those impacts are outweighed by the project benefits. The City has concluded that the benefits that will derive from implementation of the project outweigh those environmental risks. The City hereby determines that the above-described project benefits override the significant and unavoidable environmental impacts of the project.

The City finds that any residual or remaining effects on the environment resulting from the Project, identified as significant and unavoidable in the preceding findings of fact, are acceptable due to the benefits set forth in this Statement of Overriding Considerations.