

4.9 BIOLOGICAL RESOURCES

The purpose of this Section is to identify existing biological resources within the Metropolitan Bakersfield area. In addition, this Section provides an assessment of biological resources (including sensitive species) impacts that may result from implementation of the General Plan Update references General Plan goals and policies, and, where necessary, recommends mitigation measures to reduce the significance of impacts. This Section describes the biological character of the site in terms of vegetation, flora, wildlife, and wildlife habitats and analyzes the biological significance of the site in view of Federal, State and local laws and policies.

ENVIRONMENTAL SETTING

The study area for the Metropolitan Bakersfield General Plan Update encompasses 408 square miles of the southern portion of the San Joaquin Valley, the southernmost basin of the Central Valley of California.

Prior to industrial, agricultural and urban development, the San Joaquin Valley comprised a variety of ecological communities. Runoff from the surrounding mountains fostered hardwood and riparian forests, marshes and grassland communities. Away from the influence of the mountain runoff, several distinct dryland communities of grasses and shrubs developed along gradients of rainfall, soil texture and soil alkalinity, providing a mosaic of habitats for the assemblage of endemic plants and animals.

Agriculture, urban development and oil/gas extraction have resulted in many changes in the natural environment of the San Joaquin Valley. For example, lakes and wetlands in the delta area have been drained and diverted, native plant and animal species have been lost and a decrease in the acreage of native lands has occurred. The introduction and spread of exotic and invasive plant species has also led to the decline of native plant communities.

METROPOLITAN BAKERSFIELD GENERAL PLAN UPDATE

Biological Communities and Grasslands

Grassland formerly covered most of the Planning area, however, is now is confined principally to its northeastern area. This remnant distribution has occurred due to the conversion of large areas within the region from grassland to agricultural or urban use. Over most of the Planning area, the grassland is dominated by introduced annual grasses, including slender wild oats, red brome, wild oats, and Arabian grass, and contains native and introduced forbs such as peppergrass, doveweed, wild beet, and common sunflower. Perennials are relatively uncommon, but in local areas patches of scrub vegetation associated with the grassland comprise up to one-third of the vegetative cover. Among the shrubs that occur in such areas are saltbush, paleleaf goldenbush, and scale broom. In addition, several weedy species characteristic of ruderal areas occur sporadically within grassland. The high percentage of introduced species, which occurs in grassland, has probably resulted from grazing and other man-induced disturbances primarily during the last 200 years. Livestock grazing generally reduces the quality of grassland for wildlife habitat by decreasing the food supply available and by destroying animal burrows.

Most of the resident fauna lives underground at least part-time and most of the non-resident species (chiefly birds) migrate to other habitats on a daily or seasonal basis. Several reptile species occur in grassland, all of which depend on mammal burrows for cover. Among these species are, the blunt-nosed leopard lizard, the side-blotched lizard and the gopher snake. Amphibians are generally absent from this habitat, except in areas immediately adjacent to bodies of water. Of the birds which commonly occur in grassland areas, the horned lark, western meadowlark, and lark sparrow are the only ground-nesting species. The burrowing owl nests underground, and the loggerhead shrike and western kingbird use low trees or shrubs for their nests. Several species of birds that nest elsewhere (primarily in trees) forage for seeds, insects, and small mammals in grassland nearly year-round and utilize other habitats during part of the day for shade, resting, or water. Among these species are the mourning dove, red-tailed hawk, kestrel, marsh hawk, barn owl, Brewer's blackbird, and house finch. Certain species are present primarily in the winter and spring seasons, when bird populations are at a peak. These species include the white-crowned sparrow, western bluebird, mountain bluebird, and rough-legged hawk.

Several mammal species are common in grassland. Herbivore species include the California ground squirrel, Herman kangaroo rat, Botta's pocket gopher, desert cottontail, and black-tailed jackrabbit. The principal predatory mammals are the coyote and the San Joaquin kit fox; both of which feed on smaller mammals.

Ruderal. Ruderal vegetation covers the broad category of plant life closely associated with man and consisting of native and introduced species which occupy disturbed habitats. Large areas of ruderal vegetation are located in the northeast portion of the Planning area. This area comprises a portion of the Kern River oil field and has been disturbed by several activities associated with oil and gas production. There are other ruderal areas scattered throughout the region which are related to various human activities such as grading, weed control, removal of vegetation for reduction of fire hazard, and mowing. The vegetative cover consists of many of the same species that comprise grassland; however, a higher percentage of introduced species is represented. Among the ruderal species are tumbleweed, burweed, soft chess, and red brome. Common trees include eucalyptus, black walnut, mulberry, and tamarisk.

The vertebrate species that inhabit ruderal areas are essentially the same ones which occur in grassland. The relative numbers of individuals of the various species may differ between the two habitat types, and in general the numbers of individuals of vertebrate species are lower in ruderal areas than in equivalent areas of grassland because of the lower cover of vegetation.

Agriculture (Row and Tree Crops). Agriculture, consisting both of row and tree crops, is located both east and west of Highway 99. Common row crops grown in the region include cotton, alfalfa, grapes, and Kafir corn. The principal tree crops are almonds, oranges, and English walnuts. In addition to the crop species, agricultural areas include a number of ruderal species as well as a variety of non-crop trees.

The vertebrate fauna of row-crop areas consists of relatively few species because of the lack of diversity in the vegetation, the greatly reduced insect populations, and the tendency of plowing to destroy burrows.

Generally, few amphibians are present in row-crop areas; however, the bullfrog and western toad may occur in the immediate vicinity of irrigation canals and ponds. Reptiles generally do not occur here because of the difficulty in maintaining burrows.

Because birds can most readily move between different habitats, they comprise the largest percentage of the fauna in row-crop areas. Common species include the Brewers blackbird, starling, western meadowlark, killdeer, and white-crowned sparrow. In winter, flooded areas may attract shorebirds and various waterfowl. Grain crops (which comprise very little of the agriculture in the Planning area) are particularly attractive to waterfowl as a winter food source.

In many respects, the fauna of tree-crop areas is very similar to that of row crops. The greatest difference results from additional habitat for birds provided by the structure of trees. Foliage-gleaning birds, such as the yellow-rumped warbler, forage for arthropods on branches and leaves. A number of species of birds utilize the trees for nesting. Included among these are the American robin, mockingbird, and scrub jay. In addition, raptors such as the kestrel, red-tailed hawk, and barn owl perch in these trees and forage in this or nearby habitats.

Wetland. Wetland vegetation of various types occurs in areas where water is present at or near the soil surface during much of the year. Wetlands once occupied large areas in the southern San Joaquin Valley. The wetlands that now exist either are remnants of the previously more widespread communities or represent new communities that have developed around irrigation canals and other human-managed (or influenced) wet places. The two principal categories of wetland vegetation represented within the region are riparian and freshwater marsh.

Riparian Wetland. Riparian vegetation is associated primarily with the Kern River and occurs in three phases: woodland, scrub, and floodplain savannah. Riparian woodland consists of a tree canopy composed primarily of willow, cottonwood, and sycamore with a dense understory of shrubs and herbs. Relatively well developed woodland is present in patches primarily east of Highway 99; very little occurs to the west. Riparian scrub is distributed along much of the river and differs from the woodland phase since trees are mostly lacking. Dominant shrubs in riparian scrub are mulefat, quailbush, and fog weed. Floodplain savannah occurs adjacent to the river, primarily in the western portion of the project region, and consists of cottonwoods with an understory of grassland.

As a result of the presence of surface and ground water, relatively high primary productivity, and structural diversity of the vegetation, riparian wetland areas support a rich and abundant fauna. Arthropods, which inhabit leaf litter, tree trunks, leaves, and open air, constitute a food source for a variety of amphibians, reptiles, birds, and mammals. Seeds, fruits, and young foliage are also utilized for food. Tree branches provide nest sites and roosts for birds; holes in tree trunks may be inhabited by several species of bats and birds; and the tangled vegetation provides cover for small birds and mammals. Because many of the dominant plant species in this habitat are deciduous, the habitat for vertebrates changes considerably during the year. Partially because of this, a number of species are present only during spring and summer, while others occur primarily in winter.

The large number of animal species which reside year-round in riparian areas includes the western toad, Pacific treefrog, western fence lizard, gopher snake, desert cottontail, deer mouse, raccoon and San Joaquin kit fox. Among the common resident birds are the California quail, redshouldered hawk, great horned owl, mourning dove, common flicker, scrub jay, robin, and bushtit. Summer visitors include the Anna's hummingbird, northern oriole, and western kingbird. Typical winter visitors are the yellow-rumped warbler, ruby-crowned kinglet, white-crowned sparrow, dark-eyed junco, and western bluebird. Other species, such as the western tanager, occur here only for brief periods during the spring and/or fall migration.

Freshwater Marsh Wetland. Freshwater marsh vegetation occurs in association with riparian vegetation along the Kern River and as a distinct community in other areas with standing or slow-moving water, such as Goose Lake Slough and the spreading basins in the northwest portion of the Planning area. Principal species comprising freshwater marsh vegetation are tule, cattail, duckweed fern, salt grass, scouring rush, and yellow water weed.

Birds are well represented in the marsh wetland areas of the Planning area, especially in the fall and winter when large numbers of waterfowl and shorebirds are present. Species include the long-billed curlew, ring billed gull, and red-winged blackbird. Although most of the species breed elsewhere, the pied-billed grebe, cinnamon teal, long-billed marsh wren, black phoebe, and red-winged blackbird may breed in the marsh areas.

Only a few species of amphibians generally occur in this habitat, but these species may be represented by large numbers of individuals. In winter and spring, bullfrogs, western toads, and Pacific treefrogs enter the water to feed and breed. Water-associated reptiles are scarce. The common garter snake probably occurs most frequently. Commonly occurring mammals are the muskrat, opossum, and raccoon.

Open Water. Major open water habitats are found at Lake Ming and Hart Park Lake, and to a lesser extent the Kern River, associated canals, and small ponds throughout the Planning area. On open water, such species as eared grebes, coots, ruddy ducks, green-winged teal, mallards, pintails, and a number of other waterfowl species may be abundant. Along the shore, common species include the great blue heron, western sandpiper, least sandpiper, greater yellowlegs, black-necked stilt, and American avocet. In areas of relatively dense vegetation, red-winged blackbirds, tri-colored blackbirds, long-billed marsh wrens, and American bittern are typical.

Common fish includes the Sacramento squawfish, fathead minnow, channel catfish, and white crappie. However, because open water is present year-round in few portions of the Planning area, the aquatic communities are not well developed.

Developed Areas. Developed areas are those associated with buildings, paved roads, and other urbanized conditions. The largest developed portion within the Planning area is the City of Bakersfield. Other built-up areas of lesser extent are scattered throughout the region, and include Lamont, Pumpkin Center, Edison, Green Acres, Rosedale and Oildale. The preexisting vegetation has been removed from build-up areas and the plants which are now associated with these areas include a wide variety of both ruderal and cultivated ornamental species.

The fauna associated with this habitat consists of relatively few species because of the high degree of human influence. In highly developed areas lacking vegetation, vertebrate animals are generally absent. Even when vegetation is present, few ground-dwelling animals occur because of the intensive disturbance of the soil, presence of cats and dogs, and pest control. Some noteworthy exceptions are the San Joaquin Kit Fox, which is a common nocturnal visitor to the perimeter of the urban area, and coyotes which have been known to forage in urban garbage.

METROPOLITAN BAKERSFIELD HABITAT CONSERVATION PLAN (MBHCP)

Certain plant and animal species, sometimes whole communities of these, may be considered to be “sensitive”, according to guidelines established by the State and Federal Endangered Species Acts. A species is “sensitive” for reason(s) usually related to rarity, limited availability, unusual characteristics, prime conditions, and/or pending threats. In some instances, threats to these species and communities warrant official State or Federal rare, threatened, endangered or protected status.

For purposes of the General Plan, “sensitive” species are considered rare, threatened or endangered plant or animal species that enjoy protected (i.e., listed) status from the State Department of Fish and Game or the United States Fish and Wildlife Service.

The City of Bakersfield and County of Kern have determined that the appropriate approach to conservation of protected Biological Resources in the Metropolitan Bakersfield area is through the Habitat Conservation Planning process which mitigates for urban development. In 1994, the City and County received permits under Section 10(a)(1)(B) of the United States Endangered Species Act and Section 2081 of the California Endangered Species Act for incidental take of protected species in connection with development projects.

The Metropolitan Bakersfield Habitat Conservation Plan (MBHCP) and implementing agreements and ordinances provide a method of collecting funds for the acquisition and enhancement of Habitat Land for purposes of creating preserves.¹ Development projects within the Metropolitan area pay mitigation fees which are used to buy habitat lands. These lands are managed by wildlife agencies or entities they approve. Take avoidance measures are also listed in the MBHCP.

The amount of habitat preserved must always be ahead of what is being developed. During the first six years of Program operation, 7,900 acres of habitat have been preserved through the MBHCP Program.² The effectiveness of the MBHCP is monitored through quarterly and annual reports provided to wildlife agencies.

The boundaries of the MBHCP study area closely match the boundaries of the Metropolitan Bakersfield General Plan Update which comprise 408 square miles. Six distinct ecological communities have been identified within the Metropolitan Bakersfield Habitat Conservation Plan area. The general location of the ecological communities and overall habitat quality of these communities are illustrated in Figures 5 and 6 of the MBHCP (available for review at the City of Bakersfield).

¹ The MBHCP and associated implementing ordinances and agreements are available through the Kern County Planning Department. The Plan provides descriptions of species of concern and habitat areas within the General Plan area.

² General Plan Update, Conservation/Biological Resources Element, December 2001.

1. Non-Native Grassland

Non-native grassland is the most widespread ecological community in the San Joaquin Valley. Its component species were introduced during the era of Spanish colonization and were well-established in the Valley even before the advent of agricultural and industrial development. As illustrated in Figure 5 of the MBHCP, large tracts of non-native grassland are found in the northern portion of the Planning area.

The annual grasses make a dense to sparse groundcover and are often associated with numerous species of showy, native annual wildflower, especially in years of favorable rainfall. The grasses and flowers germinate with the onset of the late fall rains. Growth, flowering, and seed-set occur winter through spring. With few exceptions, the plants die by the summer yet these persist as seeds until the winter rains.

Native plant species found in the non-native grassland community include the California poppy (*Eschschotzia californica*), alkali peppergrass (*Lepidium dictyotum*), baby blue eyes (*Nemophila menziesii*), fescues (*Vulpia megalura*, *V. microstachys*) and various subspecies of lupine, gilia, and tarweeds (Hemizonia). Non-native species typically present are wild oats (*Avena barbata*, *A. fatua*), filarees (*Erodium botrys*, *E. circuitarium*), bromegrasses (*Bromus mollis*, *B. rigidus*, *B. rubens*) and Italian ryegrass (*Lolium multiflorum*).

2. Valley Sink Scrub

The valley sink scrub community once surrounded the san Joaquin Valley lakes (i.e. Kern Buena Vista, Tulare and Goose), that have since been drained. Growing in heavily saline or alkaline clays, these perennial plants drew water from the high ground water table. But loss of habitat has caused the near extirpation of this community. Figure 6 of the MBHCP shows that this community does persist in several areas in the southern part of the Planning area.

Valley sink scrub lands are open to dense shrublands dominated by alkali-tolerant plants of the goosefoot family (*Chenopodiaceae*) such as iodine bush (*Allenrolfea occidentalis*) and sea-blite (*Sueda spp.*). Understory growth is usually absent, though a sparse cover of red brome (*Bromus rubens*) can occasionally develop. Other plant species found in this community include alkali larkspur (*Delphinium recurvatum*), saltgrass (*Distichlis spicata*), and Mojave red sage (*Kochia californica*).

3. Sierra-Tehachapi Saltbush Scrub

Sierra-Tehachapi saltbush scrub thrives in alluvial, non-alkaline soils. It is found on rolling hills in areas of hot, dry summers and short, wet winters with no prolonged periods of tule fog. The community is dominated by the desert saltbush *Atriplex polycarpa* and other shrubs, interspaced with extensive areas of non-native and native annual grasses and forbs.

Other plants associated with this community include grey California buckwheat (*Eriogonum fasciculatum polifolium*), cheese brush (*Hymenoclea salsola*), bladderpod (*Isomeris arbor globes*), and the Bakersfield cactus (*Opuntia treleasei*).

Within the MBHCP study area, Sierra-Tehachapi saltbush scrub can be found in several locations in the northern portion with a total combined area of approximately two square miles.

4. Valley Saltbush Scrub

Valley saltbush scrub community is composed of gray or blue-green shrubs of the Goosefoot (chenopod) family growing over a low, annual undergrowth. It is generally found in the gentle, rolling hills surrounding the Tulare Basin in the sandy to loamy soils of alluvial deposits. Typically, the soils lack surface alkalinity.

The community was once widespread in the San Joaquin Valley but has been nearly extirpated, or locally eliminated, by agricultural conversion, flood control, and groundwater pumping. In the study area, valley saltbush scrub was located in a half section area in the Northeast Focus Area and a remnant community in the Southwest Focus Area.³

Typical goosefoot shrubs in the community include the desert saltbush (*Atriplex polycarpa*), arrowscale saltbush (*A. phyllostegia*) and the spiny saltbush (*A. spinifera*). Wildflowers occurring in the community include alkali larkspur (*Delphinium recurvatum*), alkali heath (*Frankenia grandifolia campestris*), Gilia tricolor, and creamcups (*Platystemon californicus*).

5. Great Valley Mesquite Scrub

Great Valley mesquite scrub grows in sandy loams of alluvial origin. It is dominated by mesquite (*Prosopis glandulosa torreyana*) and the desert saltbush (*Atriplex polycarpa*). Understories are grassy during wet years, usually dominated by introduced annuals such as red brome (*Bromus rubens*).

Formerly quite extensive in the San Joaquin Valley, the community is now virtually extirpated, owing to the loss of habitat mostly to agriculture. Figure 6 of the MBHCP shows Great Valley mesquite scrub in limited areas of the Southwest Focus Area.

6. Southern Cottonwood-Willow Riparian Forest

Southern cottonwood-willow riparian forest, found along rivers and streams, is dominated by the broad-leafed deciduous Fremont's poplar (*Populus fremontii*) and the black cottonwood (*P. trichocarpa*). Understories usually are shrubby willows. Figure 5 of the MBHCP shows riparian forest along the banks of the Kern River in the Northeast Focus Area.

Associated species include the sycamore (*Platanus racemosa*), Gooding's willow (*Salix goodingii*), valley willow (*S. hindsiana*), red willow (*S. lasiandra*) and arroyo willow (*S. lasioepris*).⁴

³ Information from the windshield surveys and the pattern of species sightings from previous studies pointed to two areas as most appropriate for further MBHCP field work. These areas are the Northeast and Southwest Focus Areas (Figure 4). Some lands within the Southwest Focus Area extend beyond the MBHCP boundary and have good habitat value.

⁴ Metropolitan Bakersfield Habitat Conservation Plan, August 1994, Page 5.

SENSITIVE NATURAL COMMUNITIES

The Natural Diversity Data Base reports the occurrence of several sensitive natural communities in the Bakersfield metropolitan area. These communities are considered “rare enough” to merit inclusion in the State’s inventory of natural communities (Holland, 1986). For completeness, Table 4.9-1, *Sensitive Natural Communities Known To Occur or Potentially Occurring in the Bakersfield Area*, includes a number of communities not reported, but which might reasonably be expected to occur in the Planning area.

**TABLE 4.9-1
SENSITIVE NATURAL COMMUNITIES KNOWN TO OCCUR OR
POTENTIALLY OCCURRING IN THE BAKERSFIELD AREA**

Name	Name
Alkali Meadow	Northern Hardpan Vernal Pool
Alkali Playa	Relictural Interior Dunes
Alkali Seep	Sierra-Tehachapi Saltbush Scrub
Buttonbush Scrub	Upper Sonoran Subshrub Scrub
Cismontane Alkali Marsh	Valley Needlegrass Grassland
Coastal and Valley Freshwater Marsh	Valley Sacaton Grassland
Freshwater Seep	Valley Saltbush Scrub
Great Valley Cottonwood Riparian Forest	Valley Sink Scrub
Great Valley Mesquite Scrub	Vernal Marsh
Great Valley Willow Scrub	Wildflower Field
Northern Claypan Vernal Pool	
Source: California Department of Fish and Game’s Natural Diversity Data Base, July 2001.	

ANIMALS OF CONCERN

Table 4.9-2, *Sensitive Animal and Plant Species Known to Occur or Potentially Occurring in the Bakersfield Area*, details the sensitive plant and animal species of concern which were historically present in the project area.

San Joaquin Kit Fox (*Vulpes macrotis mutica*)

The San Joaquin kit fox is designated “endangered by the Federal government and threatened by the State. The historic range of the kit fox covered approximately 8,667 square miles of central California (USFWS 1983). The northern limit of the historic range is believed to have been Tracy in San Joaquin County based on the collection of the type specimen by Merriam in 1902. From this northern limit, the range extended south through at least 11 counties to Rose Station in southern Kern County.

**TABLE 4.9-2
SENSITIVE ANIMAL AND PLANT SPECIES KNOWN TO OCCUR OR
POTENTIALLY OCCURRING IN THE BAKERSFIELD AREA**

Common Name	Scientific Name
PLANTS	
State and Federally Listed Endangered	
Bakersfield cactus	<i>Opuntia treleasei</i>
California jewelflower ¹	<i>Caulanthus californicus</i>
Federally Listed Endangered or Threatened	
San Joaquin wooly-threads	<i>Lembertia congdonii</i>
Hoover's wooly-star	<i>Eriastrum hooveri</i>
Kern mallow ¹	<i>Eremalche kernensis</i>
State Listed Threatened or Endangered	
Tulare pseudobahia ¹	<i>Pseudobahia peirsonii</i>
Striped adobe lily	<i>Fritillaria straita</i>
Bakersfield saltbush ¹	<i>Atriplex tularensis</i>
Federal Candidate for Listing	
Bakersfield saltbush ¹	<i>Atriplex tularensis</i>
Slough thistle ¹	<i>Cirsium crassicaule</i>
Recurved larkspur	<i>Delphinium recurvatum</i>
ANIMALS	
State and Federally Listed Endangered or Threatened	
San Joaquin kit fox	<i>Vulpes macrotis mutica</i>
Blunt-nosed leopard lizard	<i>Gambelia silus</i>
Tipton kangaroo rat	<i>Dipodomys nitratoides</i>
Giant kangaroo rat	<i>Dipodomys ingrens</i>
State Listed Threatened Federal Candidate for Listing	
San Joaquin (Nelson's) antelope squirrel	<i>Ammospermophilis nelsoni</i>
State and Federal Candidate for Listing	
Short-nosed kangaroo rat ¹	<i>Dipodomys nitratoides breuinasus</i>
Federal Candidate for Listing	
San Joaquin pocket mouse ¹	<i>Pemgnathus inornatus</i>
¹ Studies conducted or reviewed in conjunction with the development of this MBHCP did not confirm the presence of these species within the Metropolitan Bakersfield General Plan Update area.	

This original range of approximately 8,667 square miles may have had kit fox densities of 1 to 1.4 fox per square mile. These estimates yield a total possible population of 8,667 to 12,134 animals prior to 1930. A 1975 population estimate showed a decrease of 20 percent to 43 percent in the last 50 years to a total of approximately 7,000 individuals. Overall, Kit fox habitat was estimated to have been reduced by 34 percent from 1959 to 1969 due mainly to agricultural conversion. It is estimated that 85 percent of the existing kit fox population is found in six counties: Kern (41 percent), Tulare, Kings, San Luis Obispo (10 percent), Fresno and Monterey.

Numerous kit foxes are found in and around the outskirts of Bakersfield and Taft where they live and forage in vacant lots, fallow fields, and other open areas. In urban areas, the fox is subject to tremendous environmental stress. Many animals are killed on roads, burrows are destroyed in the path of development, some are poisoned by rodenticides, hunted or harassed by domestic dogs. Because of these stresses and the fact that development will soon encompass the area, the urban population is considered marginal.

Surveys for the kit fox were conducted for the MBHCP throughout the Planning area. Evidence of the kit fox was found in the northeast and southwestern portions of the study area, indicating that both areas have existing kit fox populations.

Blunt-nosed Leopard Lizard (*Gambelia silus*)

The blunt-nosed leopard lizard is listed as endangered by the Federal government and a "fully protected species" by the State. The historic range for this lizard covered 7.5 million acres from the Sacramento-San Joaquin Delta on the north to the Tehachapi Mountains on the south, the Sierra foothills on the east and the Coastal mountains on the west. The historic range included San Joaquin Valley, Kettleman Plain, Carrizo Plain and Cuyama Valley.

The range of the blunt-nosed leopard lizard in 1985 was estimated at 415,680 acres, a reduction of 95 percent from the estimated historic range. The endangered status of the blunt-nosed leopard lizard stems mainly from the conversion of uncultivated natural habitat to agricultural, industrial and urban uses. The California Department of Fish and Game considers one square mile to be the minimum area capable of supporting a viable population.

During the MBHCP survey, two blunt-nosed leopard lizards were observed. One lizard was documented in the Northeast Focus area and the other was observed in the Southwest Focus area. The Tupman and Caliente Creek Essential Habitat areas, located west and east of Bakersfield, respectively, have been designated by the CDFG as important habitat for the blunt-nosed leopard lizard and San Joaquin kit fox.

Tipton Kangaroo Rat (*Dipodomys nitratooides*)

The Tipton kangaroo rat is a State and Federally-listed endangered species. Historic populations of the Tipton Kangaroo rat are roughly estimated to have been 17,164,800 individuals. Today about one percent of this former estimated total or 190,200 remain. Habitat loss from agricultural conversion of lands after the completion of the Central Valley Project is the main cause of the decline of the

species. Tipton kangaroo rats formerly occupied a range that included the Tulare Lake Basin in parts of Fresno, Kings, Tulare and Kern counties. The former range of approximately 1,716,500 acres has been reduced to 63,400 acres or 3.7 percent of the original range.

Five separate publicly owned parcels currently support Tipton populations at low to moderate density population levels. None of these parcels is sufficiently large enough to insure the viability of the species.

A search of previous Tipton kangaroo rat records showed numerous sightings within the MBHCP Southwest Focus area. Surveys conducted by the Department of Fish and Game have located the Tipton kangaroo rat on the southern side of the Kern River corridor north of Panama Lane and east of Enos Lane, also west of Bakersfield but within the MBHCP study area. The results of these and other surveys have led several conservation biologists to believe that the entire Kern River corridor west of Bakersfield, especially undeveloped or fallow sites, should be considered at present as possible Tipton kangaroo rat habitat.⁵

Giant Kangaroo Rat (*Dipodomys ingens*)

The giant kangaroo rat is a State and Federally-listed Endangered species. The original habitat of the giant kangaroo rat may have been 1,303,700 acres from Merced County south to Kern County, west to eastern San Luis Obispo County and northern Santa Barbara County. Of this original habitat, an estimated 97 percent has been lost to agricultural conversion of natural lands. In remaining habitat, the giant kangaroo rat continues to be impacted by the use of rodenticides and the impact of off road vehicles and other recreational uses. Studies at the Elkhorn Plain Ecological Reserve and adjacent Bureau of Land management area are presently assessing the impacts of cattle grazing on the giant kangaroo rat.

Presently in the southern San Joaquin Valley, giant kangaroo rat populations with densities similar to those described before 1952, are concentrated in five relatively small areas. The largest existing colonies are in the vicinity of the Elk Hills petroleum fields of Kern County and the Elkhorn Plain of San Luis Obispo County. It is believed that over half the colonies of giant kangaroo rats have disappeared and the remaining colonies were reduced in density between 1980 and 1985.

Evidence of the existence of the giant kangaroo rat was found in the Southwest Focus area outside and southwest of the Planning area. Habitat preserves which contain open areas on flat to gently sloping terrain, with fine sandy loams covered by annual grasses and herbs would benefit the giant kangaroo rat.

San Joaquin Antelope Squirrel (*Ammospermophilus nelsoni*)

The San Joaquin antelope squirrel is a State-listed threatened species. The San Joaquin antelope squirrel inhabits grassland and sparse scrub vegetation in sandy non-flooded areas and avoids cultivated areas. Historically, the antelope squirrel ranged throughout the flats and low hills adjacent to the Carrizo Plain, Cuyama Valley, and the western San Joaquin Valley south of Los Banos, Merced County. It also occurred in nearly the entire San Joaquin Valley in Kern County and part of

⁵ Ibid., Page 29.

Tulare County. It now is restricted to scattered localities on 20 percent of its original range, chiefly in the western portion; essentially none of the remaining habitat is considered to be prime.

The primary threats to this species are conversion of natural habitat to agricultural, industrial, or urban use; rodenticide application near agricultural area; and possibly livestock grazing.

In the course of the field surveys for the MBHCP, the San Joaquin antelope squirrel was found in the Southwest Focus area, west of Interstate 5, both to the north and south of the Taft Highway. During the course of biological field surveys for the Kern River Parkway, San Joaquin antelope squirrels were sighted on three occasions along the Kern River north of California State College campus.⁶

PLANTS OF CONCERN

Table 4.9-2, *Sensitive Animal and Plant Species Known to Occur or Potentially Occurring in the Bakersfield Area*, details the sensitive plant species of concern.

Bakersfield Cactus (*Opuntia treleasei*)

The Bakersfield cactus is a State and Federally-listed Endangered species. This species is known from the low hills below 1000 feet surrounding the Kern River to Wheeler Ridge. This species may benefit from periodic grazing which reduces the overgrowth of annual grasses and herbs, and may benefit from an occasional grass fire. Currently there are thought to be five primary population areas for the Bakersfield cactus. The primary areas are; northeast of Oildale; Kern River Bluffs east and northeast of Bakersfield; west and north of Caliente Creek; Comanche Point; Sand Ridge; and northwest of Wheeler Ridge. All five of these primary areas are threatened by development.

A search of other recent field survey records for the Bakersfield cactus show a cluster of sightings in the northern portion of the Northeast Focus area and field surveys confirmed numerous populations of Bakersfield cactus in this area both inside and outside the MBHCP boundary. This species was also found beyond the MBHCP boundary in the Kern Front oil field. Cactus found inside the boundary are concentrated in the Northeast Focus area.

California Jewelflower (*Caulanthus californicus*)

The California jewelflower is a State and Federally-listed Endangered species. Historically, the California jewelflower was distributed in the general area bounded by present-day cities or communities of Coalinga and Fresno in Fresno County, New Cuyama in Santa Barbara County and Bakersfield in Kern County. The jewelflower was extirpated from most of its former range as a result of the expansion agriculture and livestock grazing coupled with the conversion of San Joaquin Valley grasslands from native annual plants to European annual plants.

⁶ Ibid., Page 32.

A search of other recent field studies found no recorded sightings of *Caulanthus californicus* within the study area. Historic populations in the vicinity of Bakersfield are presumed extirpated due to the elimination or modification of the habitat. Similarly, no California jewelflower were found during field surveys.

San Joaquin Woolly-threads (*Lembertia congdonii*)

San Joaquin woolly-threads is a Federally-listed Endangered species. Associated with the valley saltbrush scrub, limited populations of the San Joaquin woolly-threads remain in the San Joaquin Valley and adjoining foothills from the vicinity of Panoche Pass (San Benito County) southeasterly to Caliente Creek east of Bakersfield (Kern County). Primarily as a result of agricultural land conversion, 33 populations or 63 percent of the 52 historical and extant populations of the species have been lost. Three sightings were noted during the 1988 field season, all in the western portion of the Planning area.

Hoover's Woolly-Star (*Eriastrum hooveri*)

Hoover's woolly-star is Federally-listed Threatened species. Five populations of the Hoover's woolly-star (four of them in the Southwest Focus area) were encountered during the MBHCP field surveys. Four of these sightings are in the same area of a previous survey which estimated approximately 5,000 plants. The fifth sighting was found outside the Planning area.

Kern Mallow (*Eremalche kernensis*)

Kern mallow is Federally-listed Endangered species. Studies conducted or reviewed in conjunction with the development of the MBHCP did not confirm the presence of these species within the Planning area.

Tulare pseudobahia (*Pseudobahia peirsonii*)

Tulare pseudobahia, also known as San Joaquin adobe sunburst, is State-listed Endangered and Federally-listed Threatened species. Studies conducted or reviewed in conjunction with the development of the MBHCP did not confirm the presence of these species within the Planning area.

Striped Adobe Lily (*Fritillaria striata*)

Striped adobe-lily is a State-listed Threatened species, a Federal Species of Concern, and a CNPS List 1B⁷ species that typically blooms February through April. This perennial herb grows in heavy clay adobe soils in cismontane woodland and valley foothill grasslands. It is known to occur in the Greenhorn Range in Kern and Tulare counties. Much of its habitat has been lost to agricultural conversion and grazing. The striped adobe lily is known to occur in the northeastern-most portion of the Planning area; more specifically, within the Rio Bravo Ranch USGS Quadrangle within proximity of Rancheria Road, one mile north of the mouth of Kern Canyon.⁸

Bakersfield Saltbush (*Atriplex tularensis*)

⁷ CNPS List 1B plant species include plants considered rare or endangered in California and elsewhere.

⁸ CDFG Natural Diversity Data Base, Full Expanded Report (*Fritillaria striata*), April 4, 2001.

The Bakersfield Saltbush, also known as Bakersfield smallscale, is a State-listed Endangered species. This species historically occurred on the borders of alkali sinks and on alkaline plains in southern Kern County. This species was first collected in the early 1890's. The last documented sighting of this species occurred in the 1930's and was recently rediscovered in 1983 on the southern edge of Kern Dry Lake (Gator Pond). Bakersfield saltbush was found in relatively undisturbed alkali sink vegetation and on a narrow, low, manmade berm. It may be present only during exceptionally wet years in the Lowland Valley Sink Scrub community, associated with rough-leaved dropseed grass, salt grass, alkali heath and pickleweed.

Since 1983, only one population is known at the Nature Conservancy's Kern Lake Preserve. The CNPS Inventory lists extirpated, historic populations of the Bakersfield saltbush in the Conner and Weed Patch USGS quadrangles. The northern quarter of each of these two quadrangles are within the MBHCP study area at extreme south and southeast locations respectively.

STANDARDS OF SIGNIFICANCE

SIGNIFICANCE CRITERIA

Appendix G of the California Environmental Quality Act (CEQA) Guidelines contains the Initial Study Environmental Checklist form which includes questions relating to biological resources. The issues presented in the Initial Study Checklist have been utilized as thresholds of significance in this Section. Accordingly, a project may create a significant environmental impact if one or more of the following occurs:

- If the project has a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Game and Wildlife Service.
- If the project has a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Game and Wildlife Service.
- If the project has a substantial adverse effect on Federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
- If the project interferes substantially with the movement of any native or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- If the project conflicts with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

- If the project conflicts with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

Section 15065(a), *Mandatory Findings of Significance*, of the CEQA Guidelines states that a project may have a significant effect on the environment if "...the project has the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare or threatened species..."

An evaluation of whether an impact on biological resources would be substantial must consider both the resource itself and how that resource fits into a regional or local context. Substantial impacts would be those that would diminish, or result in the loss of, an important biological resource or those that would obviously conflict with local, State or Federal resource conservation plans, goals, or regulations. Impacts are sometimes locally adverse but not significant because, although they would result in an adverse alteration of existing conditions, they would not substantially diminish or result in the permanent loss of an important resource on a population -or region-wide basis.

IMPACTS AND MITIGATION MEASURES

- **IMPLEMENTATION OF THE GENERAL PLAN UPDATE MAY RESULT IN IMPACTS TO SPECIES IDENTIFIED AS A CANDIDATE, SENSITIVE, OR SPECIAL STATUS SPECIES, AS WELL AS RIPARIAN, WETLAND OR OTHER SENSITIVE NATURAL COMMUNITIES.**

Level of Significance Before Policies/Mitigation: Potentially Significant Impact.

Impact Analysis: The area designated for urban uses in the General Plan Update encompasses approximately 75 square miles (47,600 acres) of undeveloped or open land. Of this, approximately 23 square miles (14,200) is natural land which supports populations of the species of concern, and approximately 52 square miles (33,400 acres) of other open lands, primarily intensive agriculture.⁹ The rate of expansion would vary with economic conditions and the actual impact would depend on whether the growth occupies areas which are predominantly in intensive agriculture or areas predominantly natural (native plant communities and grazing lands). Nonetheless, according to the MBHCP, "one-third of urban growth would occur on natural lands". Thus, a primary impact of growth in the Planning area is the loss of natural lands.

Implementation of the General Plan Update would extend urban development into locations where sensitive plant and animal species are known and/or expected to occur. This may result in the loss of habitat and individuals of species that are classified as Threatened or Endangered. Species of Special Concern, as defined by

⁹ Metropolitan Bakersfield Habitat Conservation Plan, August 1994, Page vii.

the U.S. Fish and Wildlife Service and/or by the California Department of Fish and Game with documented occurrences within the Planning area, are as follows¹⁰:

- San Joaquin Kit fox (State Threatened and Federal Endangered)
- Blunt-nosed leopard lizard (State Endangered and Federal Threatened)
- Tipton kangaroo rat (State and Federal Endangered)
- Giant kangaroo rat (State and Federal Endangered)
- San Joaquin antelope squirrel (State Threatened)
- Bakersfield cactus (State and Federal Endangered)
- San Joaquin woolly-threads (Federal Endangered)
- Hoovers woolly-star (Federal Threatened)
- Striped adobe lily (State Threatened)

Additionally, Table 4.9-2, *Sensitive Animal and Plant Species Known to Occur or Potentially Occurring in the Bakersfield Area*, identifies special species which may occur within the Planning area. Studies conducted or reviewed in conjunction with the development of MBHCP did not confirm the presence of those species within the Planning area.

These species are Federal or State-listed as threatened or endangered. Both Federal and State laws protect threatened and endangered species. Two laws that apply to endangered species are the Federal Endangered Species Act (FESA) of 1973, as amended, and the California Endangered Species Act (CESA). FESA prohibits acts of disturbance, which result in the “take” of threatened or endangered species. CESA also prohibits the taking of any endangered, threatened or rare plant and/or animal species in the state. “Take is defined as the killing, harming, or harassment of a listed species that is incidental to, but not the primary purpose of an otherwise lawful activity. “Harm” is further defined to include the killing or harming of wildlife due to significant obstruction of essential behavior patterns (i.e., breeding, feeding, or sheltering) through significant habitat modification or degradation. The loss of the aforementioned species would be a potentially significant impact due to their status as threatened or endangered as listed by the U.S. Fish and Wildlife Service and/or by the California Department of Fish and Game (CDFG).

California Species of Special Concern are species that have no special legal status; thus there are no provisions for protection, such as are provided for threatened and endangered species listed by the FESA and CESA. However, these species are taxa whose breeding population in California have declined severely or are otherwise so low that extinction may occur. CDFG recommends that these species be given special consideration whenever possible such that the costs of future recovery efforts may be prevented or reduced. California Species of Special Concern that may occur in the Planning area are as follows:

- Short-nosed kangaroo rat
- San Joaquin pocket mouse
- Bakersfield saltbush, recurved larkspur
- Slough thistle

¹⁰ California Natural Diversity Databases. State and Federally Listed Endangered, Threatened and Rare Plants of California and State and Federally Listed Endangered and Threatened Animal of California. July 2001.

Studies conducted or reviewed in conjunction with the development of the MBHCP confirmed only the presence of the recurved larkspur within the Planning area. The loss of the aforementioned species would be a potentially significant impact due to their status as Species of Special Concern as listed by the U.S. Fish and Wildlife Service and/or by the California Department of Fish and Game.

Buildout in accordance with the General Plan Update, when considering urban and public facilities designated land uses, would primarily affect the San Joaquin kit fox and the Bakersfield cactus. Land currently supporting kit fox and Bakersfield cactus may be converted to urban development. In addition, there would be a potential loss of habitat supporting the Hoover's woolly-star and the Tipton kangaroo rat. The habitat loss would be reduced to the degree to which the lands can be acquired for preserves. The classification of areas containing Bakersfield cactus, as protected or excluded under the HCP, reduces loss of cactus habitat.

Previous study data did not indicate the presence of the blunt-nosed leopard lizard, California jewelflower, San Joaquin woolly-thread, recurved larkspur giant kangaroo rat, or the San Joaquin antelope squirrel in areas subject to future urban development. However, since the studies were not exhaustive enough to confirm total absence there is potential for some of these lands to support the species. Thus, future urban development could result in the take of these species as well.

Many of the Planning area's sensitive plants are located in the rural northeast, but at least a portion of several plant ranges could be affected by urban development permitted under the General Plan Update. Bakersfield Cactus could be displaced by low-density residential uses southwest of the Kern Canyon Road/Highway 178 intersection, by resource-mineral petroleum and residential development in the vicinity of the Alfred Harrell Highway. A large area of Bakersfield Cactus habitat north of the Meadows Field Airport is designated for resource-mineral petroleum and agricultural uses.

Species which inhabit the Southwest and Northeast Focus Areas, would be impacted by implementation of the General Plan Update. However, these species are explicitly addressed in the MBHCP. In 1994, the City and County received permits under Section 10(a)(1)(B) of the United States Endangered Species Act and Section 2081 of the California Endangered Species Act for incidental take of protected species in connection with development projects.

Existing conflicts between species of concern and urban development have prompted the City and the County to pursue a Habitat Conservation Plan and incidental take permits: a permit under Section 10(a) (1)(B) hereafter referred to as 10(a) Permit of the United States Endangered Species Act and a permit under Section 2081 of the California Endangered Species Act. The MBHCP is designed to offset impacts resulting from loss of habitat incurred through the authorization of an otherwise lawful activity. The goal of the MBHCP is to acquire, preserve and enhance native habitats which support endangered and sensitive species, while allowing urban development to proceed as set forth in the General Plan Update.

MBHCP and implementing agreements and ordinances provide a method of collecting funds for the acquisition and enhancement of habitat land for purposes of creating preserves. Development projects within the Metropolitan area pay mitigation fees which are used to buy habitat lands. These lands are managed by

wildlife agencies or entities they approve. Take avoidance measures are also listed in the MBHCP. Additionally, the amount of habitat preserved must always be ahead of what is being developed. Impacts to the aforementioned habitat would be mitigated on a project-by-project basis and in accordance with the Metro's HCP program; therefore, reducing impacts to a less than significant level.

It should be noted that the provision of relatively large areas of land as habitat preserves as envisioned in the MBHCP is expected to provide habitat for additional species whose "taking" is not subject to requirements as stringent as those applied to Federally threatened species. Thus, the MBHCP would have a positive effect on the survival of other species in addition to Federally threatened species.

Goals and Policies in the General Plan Update: The Conservation/Biological Resources, Land Use, Open Space and Parks Elements contains the following goals and policies:

- CON/BR-G-1 Conserve and enhance Bakersfield's biological resources in a manner which facilitates orderly development and reflects the sensitivities and constraints of these resources.
- CON/BR-G-2 To conserve and enhance habitat areas for designated "sensitive" animal and plant species.
- CON/BR-P-1 Direct development away from "sensitive biological resource" areas, unless effective mitigation measures can be implemented.
- CON/BR-P-2 Preserve areas of riparian vegetation and wildlife habitat within floodways along rivers and streams, in accordance with the Kern River Plan Element and channel maintenance programs designed to maintain flood flow discharge capacity.
- CON/BR-P-3 Discourage, where appropriate, the use of off-road vehicles to protect designated sensitive biological and natural resources.
- CON/BR-P-4 Determine the feasibility of enhancing sensitive biological habitat and establishing additional wildlife habitat in the study area with State and/or Federal assistance.
- CON/BR-P-5 Determine the locations and extent of suitable habitat areas required for the effective conservation management of designated "sensitive" plant and animal species.
- CON/BR-P-6 Investigate the feasibility of including natural areas selected for the habitat conservation plan as a component of the regional park system.
- LU-P-47 Allow for the development of a low density "village-like" center in the Northeast as a focal point of activity which includes retail commercial, professional offices, moderate and high density residential, and filtering outwards to lower densities, according to the following principles:

- a) Attempt to focus on open space amenities;
- b) Cluster development to take advantage of views;
- c) Encourage development to preserve public views of foothill topography and sensitive habitats;
- d) Provide the opportunity for the development of residential units above ground floor commercial;
- e) Promote pedestrian activity and use of greenbelt links between land uses.

CON/WR-P-8 Consider each proposal for water resource usage within the context of total Planning area needs and priorities--major incremental water transport, groundwater recharge, flood control, recreational needs, riparian habitat preservation and conservation.

OS-P-20 Where possible, and with the cooperation of wildlife agencies, utilize Metropolitan Bakersfield Habitat Conservation Plan (MBHCP) resources to expand/create habitat preserves with the NBOSA.

PAR-P-8 Require the following minimum site size standards in planning and acquiring of local parks and playgrounds:

Mini parks (public)	-2.5 usable acres
Neighborhood parks/playgrounds	-10.0 usable acres
Community park/playfield	-20.0 usable acres

These acreages are intended as guides for City and County improvements. Variations may be allowed based on constraints such as land availability, natural obstacles, financing, funding and maintenance costs. The above acreage figures apply to usable acreage. Usable means an area that people can use, with an emphasis on active and group use. It is essentially flat land that can be developed for facilities and activity areas. It is not land steeper than 4 feet horizontal and 1 foot vertical in slope, land with unusually poor soil conditions, land subject to flood water stagnation, land with riparian or otherwise unique habitat worthy of preservation or water bodies or areas impacted adversely by adjacent or nearby land uses.

Mitigation Measures: No mitigation measures beyond the goals, policies and implementation identified in the General Plan Update are proposed.

Level of Significance After Policies/Mitigation: Less Than Significant Impact.

□ **IMPLEMENTATION OF THE METROPOLITAN BAKERSFIELD GENERAL PLAN UPDATE COULD INTERFERE WITH THE MOVEMENT OF WILDLIFE SPECIES OR WITH MIGRATORY WILDLIFE CORRIDORS.**

Level of Significance Before Policies/Mitigation: Less Than Significant Impact.

Impact Analysis: Major areas of remaining natural lands are found in the Kern River Corridor and in the southwest portion of the Planning area. Some of the Kern River corridor is subject to development under the Kern River Parkway Plan. However, of the 1,400 acres comprising the parkway Plan area, about two-thirds are reserved for natural open space which will act as a dispersal corridor for kit fox.¹¹ Protection of the Kern River as a dispersal corridor is an important part of any preserve system. For this reason, the Section 10(a) permit will not allow City or County to permit incidental take in the primary floodplain of the Kern River. Although the river corridor floods occasionally, it is generally available for long range dispersal and can be effective in maintaining genetic exchange and in allowing natural recolonization of smaller habitat areas. Project implementation is not anticipated to significantly impact or interfere with the movement of Kit Fox.

Goals and Policies in the General Plan Update: The Conservation/Biological Resources Element, Land Use Element and the Open Space Element contain the following goals and policies:

- LU-G-6 Accommodate new development that is sensitive to the natural environment, and accounts for environmental hazards.
- LU-P-47 Allow for the development of a low density “village-like” center in the Northeast as a focal point of activity which includes retail commercial, professional offices, moderate and high density residential, and filtering outwards to lower densities, according to the following principles:
- a) Attempt to focus on open space amenities;
 - b) Cluster development to take advantage of views;
 - c) Encourage development to preserve public views of foothill topography and sensitive habitats;
 - d) Provide the opportunity for the development of residential units above ground floor commercial;
 - f) Promote pedestrian activity and use of greenbelt links between land uses.
- CON/BR-P-1 Direct development away from “sensitive biological resource” areas, unless effective mitigation measures can be implemented.

¹¹ Metropolitan Bakersfield Habitat Conservation Plan and Final EIR, August 1994, Page 69.

- CON/BR-P-2 Preserve areas of riparian vegetation and wildlife habitat within floodways along rivers and streams, in accordance with the Kern River Plan Element and channel maintenance programs designed to maintain flood flow discharge capacity.
- CON/BR-P-3 Discourage, where appropriate, the use of off-road vehicles to protect designated sensitive biological and natural resources.
- CON/BR-P-4 Determine the feasibility of enhancing sensitive biological habitat and establishing additional wildlife habitat in the study area with State and/or Federal assistance.
- CON/BR-P-6 Investigate the feasibility of including natural areas selected for the habitat conservation plan as a component of the regional park system.
- OS-P-20 Where possible, and with the cooperation of wildlife agencies, utilize Metropolitan Bakersfield Habitat Conservation Plan (MBHCP) resources to expand/create habitat preserves with the NBOSA.

Mitigation Measures: No mitigation measures are proposed.

Level of Significance After Policies/Mitigation: Less Than Significant Impact.

- IMPLEMENTATION OF THE GENERAL PLAN UPDATE COULD CONFLICT WITH A POLICY/ORDINANCE (I.E., THE METROPOLITAN BAKERSFIELD HABITAT CONSERVATION PLAN) PROTECTING BIOLOGICAL RESOURCES.**

Level of Significance Before Policies/Mitigation: Less Than Significant Impact.

Impact Analysis: According to the Conservation/Biological Resources Element of the General Plan, the City of Bakersfield and County of Kern determined that the appropriate approach to conservation of protected biological resources in the Metropolitan Bakersfield area is through the habitat conservation planning process (i.e., the MBHCP). In 1994, the City and County received permits under Section 10(a)(1)(B) of the United States Endangered Species Act for incidental take of protected species in connection with development projects. “To conserve and enhance habitat areas for designated sensitive animal and plant species” is an established goal of the Conservation/Biological Resources Element. Through the ongoing discretionary review process, the City preserves habitat and avoids take of protected species in compliance with the MBHCP. The General Plan Update would not be in conflict with the MBHCP.

Goals and Policies in the General Plan Update: The Conservation and Open Space Elements contain the following policies:

- CON/BR-P-6 Investigate the feasibility of including natural areas selected for the habitat conservation plan as a component of the regional park system.

OS-P-20 Where possible, and with the cooperation of wildlife agencies, utilize Metropolitan Bakersfield Habitat Conservation Plan (MBHCP) resources to expand/create habitat preserves with the NBOA.

Mitigation Measures: No mitigation measures beyond the goals, policies and implementation identified in the General Plan Update are proposed.

Level of Significance After Policies/Mitigation: Less Than Significant Impact.

UNAVOIDABLE SIGNIFICANT IMPACTS

Compliance with applicable City, State and Federal guidelines, as well as the Metropolitan Bakersfield Habitat Conservation Plan, would reduce biological impacts to a less than significant level.