
I. INTRODUCTION

A. CEQA REQUIREMENTS

In accordance with the California Environmental Quality Act (CEQA) Guidelines Sections 15088, 15089, and 15132, the City of Ridgecrest has prepared the Final Environmental Impact Report (EIR) for the proposed Ridgecrest Wal-Mart and Retail Center Project. Section 15132 provides that the Final EIR shall consist of: the Draft EIR or a Revised Draft EIR; comments, either in verbatim or in summary received in the review process; a list of persons commenting; the responses of the Lead Agency to the comments received; and any other information added by the Lead Agency, which can include minor corrections or modifications.

Although only the Revised Draft EIR will be part of the Final EIR, the City of Ridgecrest elected to provide responses to comments received on both the Revised Draft EIR and the Draft EIR. Section II of this document contains all comments received on the proposed Ridgecrest Wal-Mart and Retail Center Project Revised Draft EIR during the public 45-day review period of May 13, 2009 to June 26, 2009, as well as all comments received on the Draft EIR during the public 45-day review period of July 19, 2007 to September 4, 2007. Responses to comments received by all interested parties have been prepared and are included in this document. Also, as necessary, are corrections and additions in response to comments received on the document, or as initiated by the City of Ridgecrest on the Draft EIR.

In accordance with CEQA Guideline Section 15132, this document, along with the Revised Draft EIR (incorporated by reference), make up the Final EIR.

B. USE OF THE FINAL EIR

The Final EIR allows the public and the decision-making body an opportunity to review revisions to the Draft EIR, the responses to comments, and other components of the EIR, such as the Mitigation Monitoring and Reporting Program, prior to approval of the project. The Final EIR serves as the environmental document to support approval of the proposed project, either in whole or in part.

After completing the Final EIR, and before approving the project, the Lead Agency must make the following three certifications as required by Section 15090 of the CEQA Guidelines:

- That the Final EIR has been completed in compliance with CEQA;
- That the Final EIR was presented to the decision-making body of the Lead Agency, and that the decision-making body reviewed and considered the information in the Final EIR prior to approving the project; and
- That the Final EIR reflects the Lead Agency's independent judgment and analysis.

Additionally, pursuant to Section 15093(b) of the CEQA Guidelines, when a Lead Agency approves a project that would result in significant unavoidable impacts that are disclosed in the Final EIR, the agency must state in writing its reasons for supporting the approved action. This Statement of Overriding

Considerations is supported by substantial information in the record, which includes the Final EIR. Since the proposed project would result in significant unavoidable impacts, the decision-making body (City Council) would be required to adopt a Statement of Overriding Considerations if it approves the proposed project.

These certifications, the Findings of Fact, and the Statement of Overriding Considerations are included in a separate document (Resolution). Both the Final EIR and the Findings are submitted to the decision making body for consideration of the proposed project.

C. REVIEW PROCESS

The Draft EIR for the Ridgecrest Wal-Mart and Retail Center project was circulated for review and comment by the public and other interested parties, agencies, and organizations for a 45-day public review period on beginning July 19, 2007 to September 4, 2007. The Notice of Availability of the Draft EIR was advertised in the Ridgecrest Daily Independent. The Draft EIR was circulated to state agencies for review through the State Clearinghouse, Office of Planning and Research. Copies of the Draft EIR were also available at the Ridgecrest Public Library and at Ridgecrest City Hall – Community Development Department. During the review period, the public was provided the opportunity to submit written comments on the Draft EIR. The City did not certify the July 2007 Draft EIR.

The decision was then made by the City to prepare a Revised Draft EIR pursuant to CEQA Guidelines Section 15088.5(a), as a result of the availability of new information. This new information included an updated economic analysis, an updated traffic study, and site plan revisions. Based on the availability of the new information, the City elected to prepare a Revised Draft EIR and recirculate the entire document. The Revised Draft EIR for the Ridgecrest Wal-Mart and Retail Center project was circulated for review and comment by the public and other interested parties, agencies, and organizations for a 45-day public review period beginning May 13, 2009 and ending June 26, 2009. The Notice of Availability of the Revised Draft EIR was advertised in the Ridgecrest *Daily Independent*, a newspaper of general circulation. The Revised Draft EIR was circulated to state agencies for review through the State Clearinghouse, Office of Planning and Research. Copies of the Revised Draft EIR were also available at the Ridgecrest Public Library and at Ridgecrest City Hall – Community Development Department. During the review period, the public was provided the opportunity to submit written comments on the Revised Draft EIR.

D. REVISIONS TO THE DRAFT EIR

Text changes are intended to clarify or correct information in the Draft EIR in response to comments received on the document, or as initiated by Lead Agency (City) staff.

E. MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program (MMRP) will be adopted by the City Council for the Ridgecrest Wal-Mart and Retail Center project, as required by Section 21081(a) and 21081.6 of the *Public Resources Code*. The proposed MMRP is included in this Final EIR.

F. ORGANIZATION OF THIS FINAL EIR

This document, together with the Revised Draft EIR for the proposed project and the Technical Appendices to the Revised Draft EIR, constitute the “Final EIR” for the proposed project. The Revised Draft EIR consisted of the following:

- The Revised Draft EIR, which included the environmental analysis for the proposed project; and
- Technical Appendices, which included:
 - Appendix A: Notice of Preparation/Initial Study
 - Appendix B: Comment Letters in Response to Notice of Preparation/Initial Study
 - Appendix C: Economic Study
 - Appendix D: Air Quality Data
 - Appendix E1: Biological Resource Assessment
 - Appendix E2: Updated Biological Resource Assessment
 - Appendix E3: Desert Tortoise Survey Report
 - Appendix E4: Burrowing Owl Survey Report
 - Appendix E5: Jurisdictional Waters and Wetlands Delineation Report
 - Appendix E6: Burrowing Owl Report August 2008
 - Appendix F: Historical & Archaeological Resources Records Search
 - Appendix G: Paleontological Resources Records Search
 - Appendix H: Geotechnical Engineering Investigation
 - Appendix I1: Phase I Environmental Site Assessment
 - Appendix I2: Updated Phase I Environmental Site Assessment
 - Appendix J: Drainage Report

- Appendix K: Noise Data
- Appendix L: Response Letters from Public Service Agencies
- Appendix M: Traffic Report
- Appendix N: Response Letters from Utility Agencies

The Final EIR is organized in the following sections:

I. Introduction

This section is intended to provide an overview of the CEQA requirements an EIR history for the proposed project.

II. Responses to Comments

This section includes detailed responses to comment letters submitted to the City during the public review period for both the July 2007 Draft EIR and the May 2009 Revised Draft EIR and responses to those comments.

III. Corrections and Additions

This section provides a complete overview of the corrections and additions that have been incorporated into the Revised Draft EIR.

IV. Mitigation Monitoring and Reporting Program

This section includes a list of the required mitigation measures and includes detailed information with respect to the City's policies and procedures for implementation of the recommended mitigation measures. This Mitigation Monitoring and Reporting Program (MMRP) identifies the monitoring phase, the enforcement phase and the applicable department or agency that is responsible for ensuring each recommended mitigation measure is implemented.

II. RESPONSE TO COMMENTS

A. OVERVIEW

The purpose of the public review of the Draft EIR (DEIR) or a Revised DEIR (RDEIR) is to evaluate the adequacy of the environmental analysis in terms of compliance with CEQA. Section 15151 of the CEQA Guidelines states the following regarding standards from which adequacy is judged:

An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts. The courts have not looked for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

The purpose of each response to a comment on the Draft EIR is to address the significant environmental issue(s) raised by each comment. This typically requires clarification of points contained in the Draft EIR. Section 15088 (b) of the CEQA Guidelines describes the evaluation that CEQA requires in the response to comments. It states that:

The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.

Section 15204(a) (Focus of Review) of the CEQA Guidelines helps the public and public agencies to focus their review of environmental documents and their comments to lead agencies. Case law has held that the lead agency is not obligated to undertake every suggestion given them, provided that the agency responds to significant environmental issues and makes a good faith effort at disclosure. Section 15204.5(a) of the CEQA Guidelines clarifies this for reviewers and states:

In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and

the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.

The guideline encourages reviewers to examine the sufficiency of the environmental document, particularly in regard to significant effects, and to suggest specific mitigation measures and project alternatives. Given that an effect is not considered significant in the absence of substantial evidence, subsection (c) advises reviewers that comments should be accompanied by factual support. Section 15204(c) states:

Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

B. LIST OF THOSE WHO COMMENTED ON THE DRAFT EIR

The City of Ridgecrest Community Development Department received a total of 11 comment letters on the Draft EIR (July 2007) and four comment letters on the Revised Draft EIR (May 2009). Each comment letter has been assigned a corresponding number, and comments within each comment letter are also numbered. For example, comment letter “1” is from Derek L. Cooper. The comments in this letter are numbered “1-1”, “1-2”, “1-3”, etc.

Written comments made during the public review of the Draft EIR intermixed points and opinions relevant to project approval/disapproval with points and opinions relevant to the environmental review. The responses acknowledge comments addressing points and opinions relevant to consideration for project approval, and discuss as necessary the points relevant to the environmental review. The response “comment noted” is often used in cases where the comment does not raise a substantive issue relevant to the review of the environmental analysis. Such points are usually statements of opinion or preference regarding a project’s design or its presence as opposed to points within the purview of an EIR: environmental impact and mitigation. These points are relevant for consideration in the subsequent project approval process. In addition, the response “comment acknowledged” is generally used in cases where the commenter is correct.

During and after the public review period, the following organizations/persons provided written comments on the Draft EIR to the City of Ridgecrest Community Development Department:

Commenters – Draft EIR (July 2007)

1. Derek L. Cooper
2. Christopher Huitt, State of California, Department of Water Resources

3. Planning Commission Hearing Comments
4. Dave Singleton, State of California, Native American Heritage Commission
5. Mack Hakakian, California Regional Water Quality Control Board
6. Gayle J. Rosander, State of California, Department of Transportation
7. Mary T. Kowalski
8. Amy Lennon, County of Kern, Environmental Health Sciences Department
9. Paula M. Stoner
10. James C. Fallgatter
11. Carolyn A. Shepherd

Commenters – Revised Draft EIR (May 2009)

12. Gayle J. Rosander, State of California, Department of Transportation
13. Mike Cash, Desert Christian Center
14. Jeffrey R. Single, State of California, Department of Fish and Game
15. Steve Young, County of Kern, Roads Department

LETTER NO. 1

Derek L. Cooper
625 W. Wasp
Ridgecrest, CA 93555

Comment No. 1-1

Please consider the following comments on my behalf **In Support** of the construction of the Super Wal-Mart in Ridgecrest.

After reviewing the EIR, it seems all issues have been addressed. I believe having the Super Wal-Mart in Ridgecrest would be a great benefit to our city in tax revenue gained and above the minimum wage jobs it will create, two things that are greatly needed in Ridgecrest. The store will also bring in business from Lone Pine, Bishop and other cities North and South of Ridgecrest. Having the Wal-Mart will be a plus for our city.

I fully support the construction of the Super Wal-Mart in Ridgecrest.

Response to Comment No. 1-1

This comment does not appear to raise an environmental issue or comment in this document. However, this comment is acknowledged and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NO. 2

Christopher Huitt, Staff Environmental Scientist
State of California, Department of Water Resources
Floodway Protection Section
1416 Ninth Street
P.O. Box 942836
Sacramento, CA 94236-0001

Comment No. 2-1

The project corresponding to the subject SCH identification number has come to our attention. The limited project description suggests your project may be an encroachment on the State Adopted Plan of Flood Control. You may refer to the California Code of Regulations, Title 23 and Designated Floodway maps at <http://recbd.ca.gov/>. Please be advised that your county office also has copies of the Board's designated floodways for your review. If indeed your project encroaches on an adopted flood control plan, you will need to obtain an encroachment permit from the Reclamation Board prior to initiating any activities. The attached Fact Sheet explains the permitting process. Please note that the permitting process may take as much as 45 to 60 days to process. Also note that a condition of the permit requires the securing all of the appropriate additional permits before initiating work. This information is provided so that you may plan accordingly.

If after careful evaluation, it is your assessment that your project is not within the authority of the Reclamation Board, you may disregard this notice. For further information, please contact me at (916) 574-1249.

Response to Comment No. 2-1

The Designated Floodway Maps were reviewed on October 3, 2007, and it was concluded that the proposed project does not encroach on an adopted flood control plan.

LETTER NO. 3

Ridgecrest Planning Commission Minutes
July 24, 2007

Skip Gorman
1150 Graaf Avenue
Ridgecrest, CA

Comment No. 3-1

Skip Gorman of 1150 Graaf Avenue made comment that upon reading the draft document that he had not seen a section on “trash mitigation”. He stated there was a “plume” of trash decorating bushes and tumbleweeds across the road from the current Wal-Mart and that he expected this situation to worsen. For this reason, he said, he expected there to be a section on how the anticipated trash would be mitigated.

Response to Comment No. 3-1

CEQA Guidelines, Appendix G, addresses a project’s potential impact with respect to landfill capacity only. If the analysis demonstrates a potential impact upon a landfill, then mitigation is required to reduce the impact. As demonstrated in Section IV.A, Impacts Found Less Than Significant, the proposed project would not have a significant impact on landfills with respect to solid waste generated. There is no established CEQA threshold addressing a project’s impacts on “trash” per se. Further, it is difficult to identify the source of stray trash blown into bushes on undeveloped land across from the current Wal-Mart site. Nevertheless, this comment is acknowledged and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. 3-2

Mr. Gorman then commented on traffic stating he would like to see road improvements as a result of this project go all the way to Richmond Road. He encouraged members of the Planning Commission to ask Wal-Mart to aid Ridgecrest in road development when negotiating the current project.

Response to Comment No. 3-2

The Project is widening Bowman Road along the northern boundary and then will transition Bowman Road to Sunland Street. Based on the Traffic Impact Analysis, the traffic generated by the Project would not significantly impact Bowman Road and would not warrant any additional widening to the east.

Jim Fallgatter
207 Cobblestone Lane
Ridgecrest, CA

Comment No. 3-3

Mr. Fallgatter stated to the Commissioners that the Wal-Mart project may be the largest commercial development in the history of Ridgecrest and asked Commissioners to look at maximizing the opportunity even if it means taking some “heat from Wal-Mart”. Mr. Fallgatter said that Wal-Mart is the anchor of the commercial center envisioned by the General Plan over 15 years ago.

Response to Comment No. 3-3

This comment does not appear to raise an environmental issue or comment in the document. However, this comment is acknowledged and will be forwarded to the decision-making bodies for their review and consideration.

*Andy Kilikauskas
1559 W. Burns Avenue
Ridgecrest, CA*

Comment No. 3-4

Andy Kilikauskas of 1559 W. Burns Avenue seconded Mr. Fallgatter comments stating “this is a once in a lifetime opportunity, we have to look at a lot of options because this one mile project will set the standard for the rest of the six miles”. Mr. Kilikauskas stated that he felt there were opportunities to make the area more pleasant including that of making a smaller road and creating more open space for recreation. Mr. Kilikauskas stated he thought the City should keep an open mind when negotiating with Wal-Mart.

Response to Comment No. 3-4

This comment does not appear to raise an environmental issue or comment in the document. However, this comment is acknowledged and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NO. 4

Dave Singleton, Program Analyst
Native American Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95614

Comment No. 4-1

Thank you for the opportunity to comment on the above-referenced document. The Native American Heritage Commission is the state's Trustee Agency for Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per CEQA guidelines § 15064.5(b)(c). In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE),' and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

Contact the appropriate California Historic Resources Information Center (CHRIS). Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278)/ [Http://www.ohp.parks.ca.gov/1068/files/IC%20Roster.pdf](http://www.ohp.parks.ca.gov/1068/files/IC%20Roster.pdf). The record search will determine:

- If a part of the entire APE has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded in or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present.

Response to Comment No. 4-1

According to a records search conducted by the Southern San Joaquin Valley Archaeological Information Center, there are no recorded archaeological sites within the project site. Additionally, according to the Natural History Museum of Los Angeles County, there are no known paleontological resources located within the project site. (RDEIR, pages IV.E-1 and IV.E-2). Nevertheless, the RDEIR identified seven mitigation measures in case unknown archaeological or paleontological resources or human remains are discovered during project excavation and construction. (RDEIR, Mitigation Measures E-1 through E-7).

Comment No. 4-2

If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
- The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.

Response to Comment No. 4-2

The RDEIR identified seven mitigation measures in case unknown archaeological or paleontological resources or human remains are discovered during project excavation and construction. (RDEIR, Mitigation Measures E-1 through E-7).

Comment No. 4-3

Contact the Native American Heritage Commission (NAHC) for:

- A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity that may have additional cultural resource information. Please provide this office with the following citation format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation with name, township, range and section:
- The NAHC advises the use of Native American Monitors to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE).

Response to Comment No. 4-3

The Native American Heritage Commission was contacted on October 1, 2007, to conduct a Sacred Lands File (SLF) search of the project area (included as Appendix B to this FEIR). The results of the SLF search were provided on October 4, 2007, and failed to indicate the presence of Native American cultural resources in the immediate project area. Additionally, as recommended by the NAHC, contact will be made with Native American Contacts on the list provided by the NAHC. The Native American Contacts also received a Notice of Completion (NOC) and will be consulted if any cultural resource or human remains are discovered during project construction.

Comment No. 4-4

Lack of surface evidence of archaeological resources does not preclude their subsurface existence.

- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archaeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified

archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.

- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

Response to Comment No. 4-4

The RDEIR identified seven mitigation measures in case unknown archaeological or paleontological resources or human remains are discovered during project excavation and construction. (RDEIR, Mitigation Measures E-1 through E-7).

Comment No. 4-5

Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.

- CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

Response to Comment No. 4-5

The RDEIR identified one mitigation measure in case unknown human remains are discovered during project excavation and construction. (RDEIR, Mitigation Measure E-2).

Comment No. 4-6

Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the CEQA Guidelines mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Response to Comment No. 4-6

The RDEIR identified one mitigation measure in case unknown human remains are discovered during project excavation and construction. (RDEIR, Mitigation Measure E-2).

Comment No. 4-7

Lead agencies should consider avoidance, as defined in § 15370 of the CEQA Guidelines, when significant cultural resources are discovered during the course of project planning.

Response to Comment No. 4-7

Refer to Response to Comment 4-1, above.

LETTER NO. 5

Mack Hakakian
Engineering Geologist
California Regional Water Quality Control Board, Lahontan Region
14440 Civic Drive, Suite 200
Victorville, CA 92392

Comment No. 5-1

Please refer to the items checked for staff comments on the above-referenced project:

[X] The site plan for this project does not specifically identify features for the post-construction period that will control stormwater on-site or prevent pollutants from non-point sources from entering and degrading surface or ground waters. The foremost method of reducing impacts to watersheds from urban development is “Low Impact Development” (LID), the goals of which are maintaining a landscape functionally equivalent to predevelopment hydrologic conditions and minimal generation of nonpoint source pollutants. LID results in less surface runoff and potentially less impacts to receiving waters. Principles of LID include:

- Maintaining natural drainage paths and landscape features to slow and filter runoff and maximize groundwater recharge,
- Reducing the impervious cover created by development and the associated transportation network, and
- Managing runoff as close to the source as possible.

We understand that LID development practices that would maintain aquatic values could also reduce local infrastructure requirements and maintenance costs, and could benefit air quality, open space, and habitat. Planning tools to implement the above principles and manuals are available to provide specific guidance regarding LID.

We request you require these principles to be incorporated into the proposed project design. We request natural drainage patterns be maintained to the extent feasible. Future development plans should consider the following items:

Response to Comment No. 5-1

Page II-6 and Figure II-4 of the RDEIR identify proposed storm drain detention improvements and such improvements are discussed in Section IV.G., Hydrology and Water Quality of the RDEIR, as well as in greater detail in the Drainage Study prepared for Wal-Mart of Ridgecrest, CA, attached as Appendix J to the RDEIR. Specifically, drainage patterns and capacity is discussed on Page IV.G-7 of the RDEIR:

The proposed development will increase the flow coming off the project site and will also need to address off-site drainage that currently flows through the site. The *Drainage Study for Wal-Mart of Ridgecrest, CA*, attached as Appendix J, provides the anticipated flow rates and volumes for the 10-year, 25-year, and 100-year events through the various channels identified in the City of Ridgecrest Master Drainage Plan. The *Drainage Study* also establishes the necessary design parameters for the sizing and location of drainage improvements.

As shown in Figure II-4, the following drainage improvements will be part of the project: Channels CHW-12 and CHW-16 will be improved. A box culvert will be installed over CHW-16 where the west project entrance intersects with China Lake Boulevard. A concrete arched span culvert will be installed under Bowman Road to connect CHW-16 to BW-11. BW-9 will be regarded and improved and a reinforced concrete culvert will be installed under China Lake Boulevard to connect BW-9 to BW-11. Finally, a box culvert or crossing will be installed under Sunland Road, connecting BW-11 with BW-13.

In order to detain the increased volume, all of the drainage improvements, along with the retention capacity of BW-11, are designed to have sufficient capacity to safely contain and pass a 100-year storm event without overtopping the channel banks.

Further, operational water quality impacts are discussed on Page IV.G-6 of the RDEIR:

With respect to the operation of the proposed project, a SUSMP would be implemented which would ensure that potential impacts associated with water quality would be less than significant. Furthermore, the proposed project would not include industrial discharge to any public water or wastewater system.

Activities associated with operation of the proposed project would generate substances that could degrade the quality of water runoff. The deposition of certain chemicals by cars in the parking areas and the internal roadway surfaces could have the potential to contribute metals, oil and grease, solvents, phosphates, hydrocarbons, and suspended solids to the storm drain system. However, impacts to water quality would be reduced since the project must comply with water quality standards and wastewater discharge BMPs set forth by Kern County, the City of Ridgecrest, the RWQCB and the SWRCB. Operational BMPs can include waste management and materials pollution control, source control (handling and prevention) and treatment controls (filters and vortex separators). Furthermore, required design criteria, as established in the SUSMP for Kern County, would be incorporated into the project to minimize the off-site conveyance of pollutants. Compliance with existing regulations would reduce the potential for water quality impacts to a less than significant level.

In addition, impacts associated with stormwater discharge are discussed on Page IV.G-8 of the RDEIR:

A project-related significant adverse effect would also occur if a project would substantially increase the probability that polluted runoff would reach the storm drain system. Runoff from the project site as well as off-site flows will be directed and collected in detention and retention ponds. All contaminants gathered during such routine cleaning would be disposed of in compliance with applicable stormwater pollution prevention permits. Therefore, the proposed project would not provide substantial additional sources of polluted runoff to the storm drain system and impacts would be less than significant.

However, this comment is acknowledged and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. 5-2

[X] The project requires development of a Stormwater Pollution Prevention Plan and

[] a NPDES General Construction Stormwater Permit and/or

[X] a NPDES General Industrial Stormwater Permit

These permits are accessible on the State Board's Homepage (www.waterboards.ca.gov). Best Management Practices must be used to mitigate project impacts. The environmental document must describe the mitigation measures or Best Management Practices.

Response to Comment No. 5-2

The requirement of a Stormwater Pollution Prevention Plan and NPDES Permit is discussed on Pages IV.G-5 and IV.G-6 of the RDEIR:

Construction activities associated with the proposed project would be subject to Kern County Building Inspection Division rules and regulations. Any construction work would be required to meet the National Pollution Discharge Elimination System (NPDES) requirements for storm water quality. The contractor would also be required to implement Best Management Practices (BMPs) for erosion control. Best Management Practices are defined as schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the United States. BMPs also include treatment requirements, operating procedures, and practice to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. Project BMPs will include silt fencing, inlet protection, stabilized entrances, roads and staging areas, erosion control blankets, sediment basins, diversion channels and check dams.

In addition, the contractor would be required to file a Notice of Intent with the SWRCB and prepare a Storm Water Pollution Prevention Plan (SWPPP) prior to any construction

activity. The SWRCB, through the Lohontan Regional Water Quality Control Board (LRWQCB) has the authority to administer and monitor the compliance with the SWPPP. Implementation of the BMPs in the project's SWPPP and compliance with the City's discharge requirements would ensure that the project construction would not violate any water quality standards or discharge requirements or otherwise substantially degrade water quality.

Three general sources of potential short-term construction-related stormwater pollution associated with the proposed project are: 1) the handling, storage, and disposal of construction materials containing pollutants; 2) the maintenance and operation of construction equipment; and 3) earth moving activities which, when not controlled, may generate soil erosion and transportation, via storm runoff or mechanical equipment. Generally, routine safety precautions for handling and storing construction materials may effectively mitigate the potential pollution of stormwater by these materials. These same types of common sense, "good housekeeping" procedures can be extended to non-hazardous stormwater pollutants such as sawdust and other solid wastes.

Poorly maintained vehicles and heavy equipment leaking fuel, oil, antifreeze, or other fluids on the construction site are also common sources of stormwater pollution and soil contamination.

In addition, grading activities can greatly increase erosion processes. Two general strategies are recommended to prevent construction silt from entering local storm drains. First, erosion control procedures should be implemented for those areas that must be exposed. Secondly, the area should be secured to control offsite migration of pollutants. These BMPs would be required in the SWPPP to be prepared prior to commencement of project construction. When properly designed and implemented, these "good-housekeeping" practices are expected to reduce short-term construction-related impacts to a less than significant level.

Additionally, Mitigation Measure G-1 reiterates the requirement of a Storm Water Pollution Prevention Plan for the project, and the proposed project will comply with both the requirement of a SWPPP and a NPDES General Industrial Stormwater Permit.

Comment No. 5-3

[X] The project may require a Federal Clean Water Act Section 401 Water Quality Certification from the Regional Board. Application forms can be found at our web site (<http://www.waterboards.ca.gov/lahontan/>).

Response to Comment No. 5-3

Section 401 of the Clean Water Act is discussed on Page IV.D-16 of the RDEIR:

Three drainage features (CHW-14/CHW-16, BW-9 and BW-11 [the westernmost portion]) within the project site or off-site improvement areas were considered to be potentially jurisdictional by CDFG, under Section 1600 of the Fish and Game Code, and two (CHW-14/CHW-16 and BW-9) were considered potentially jurisdictional by the Lahontan Regional Water Quality Control Board (RWQCB), under the Porter-Cologne Act. These areas are described below, shown on Figure 3, and described in the Jurisdictional Waters and Wetlands Report contained in Appendix E5. The extent of CDFG jurisdiction overlaps the RWQCB jurisdiction, as CDFG jurisdiction begins at the “top of bank”, which is often higher and extends laterally beyond the Ordinary High Water Mark (OHWM), marking the extent of Waters of the U.S. and Waters of the State. No features within the project site or off-site improvement areas were considered to be potentially jurisdictional by the Corps under Section 404 of the Clean Water Act and, therefore, are not regulated by the RWQCB under Section 401 of the Clean Water Act.

Comment No. 5-4

[X] The proposal does not provide specific information on how impacts to surface Waters of the State and/or Waters of the U.S. will be mitigated. These surface waters include, but are not limited to, drainages, streams, washes, ponds, pools or wetlands. Waters of the State or Waters of the U.S. may be permanent or intermittent. Waters of the State may include waters determined to be isolated or otherwise non-jurisdictional by the Army Corps of Engineers. The Environmental Document needs to quantify these impacts. Discuss purpose of project, need for surface water disturbance, and alternatives (avoidance, minimize disturbances and mitigation). Mitigation must be identified in the environmental document including timing of construction.

Mitigation must replace functions and values of wetlands lost. For more information see the Lahontan Region Basin Plan http://www.waterboards.ca.gov/lahontan/BPlan/BPlan_Index.htm.

Response to Comment No. 5-4

As part of the proposed project a Jurisdictional Waters and Wetlands Delineation Report was prepared (included as Appendix E5 of the RDEIR and summarized in Section IV.D. of the RDEIR). As discussed on Page IV.D-21 of the RDEIR:

The site supports three drainage channels which are considered to be potentially jurisdictional streambeds by CDFG under Section 1600 of the Fish and Game Code (including 0.019-acre of riparian habitat), and two of which are considered to be potentially jurisdictional “waters of the state” by the Lahontan RWQCB under the Porter-Cologne Act. Implementation of the proposed off-site drainage improvements would result in the complete physical reconfiguration and alteration of these drainages, resulting in a potentially significant, but temporary, impact.

Therefore, Mitigation Measure D-8 is provided to reduce the project's potentially significant impact to less than significant.

Comment No. 5-5

[X] Other

- Please include both pre-construction and post construction stormwater management and best management practices as part of planning process.
- Please consider designs that minimize impervious surface, such as permeable surface parking areas, directing runoff onto vegetated areas using curb cuts and rock swales, etc., and infiltrating runoff as close to the source as possible to avoid forming erosion channels. Design features should be incorporated to ensure that runoff is not concentrated by the proposed project. The project must incorporate measures to ensure that stormwater generated by the project is managed on-site both pre-and post construction. Please show on plan drawings the on-site stormwater control measures.
- Project area contains drainages and may include blue-line stream. We request that measures be incorporated into the project to avoid drainage areas and provide buffer zones where possible. Please inform project proponent to consult with Army Corps of Engineers, Department of Fish and Game, and the Water Board prior to issuing a grading permit.
- Please map and delineate any wetlands and other surface Waters of the State and Waters of the U.S. (see above for definitions of surface Waters of the State and Waters of the U.S.).
- Please consider development features that span the drainage channels or allow for broad crossings. Design features of future development should be incorporated to ensure that runoff is not concentrated by the proposed project, thereby causing downstream erosion.
- Project may impact and alter drainages. We request that the project designs maintain existing drainage features and patterns to the extent feasible. Please inform project proponent to consult with Army Corps of Engineers, Department of Fish and Game, and the Water Board prior to issuing a grading permit.

Response to Comment No. 5-5

Refer to Response to Comment 5-1 regarding stormwater management and impacts associated with runoff.

Refer to Response to Comment 5-4 regarding wetlands and other surface Waters of the State.

As discussed on Page IV.G-4 of the RDEIR, the following drainage improvements will be constructed as part of the project:

- Channel CHW-16 will be improved and a proposed concrete arched span culvert will be installed where CHW-16 crosses West Entrance Driveway.
- Channel CHW-16 will be improved from CHW-12 to East Bowman Road.
- A concrete arched span culvert will be installed under East Bowman Road to connect CHW-16 to BW-11.
- Existing Channel CHW-9 will be completely regraded and improved and a box culvert will be installed under China Lake Boulevard, connecting BW-9 to BW-11.
- Channel BW-11 will be graded and improved from South China Lake Boulevard and will extend east to Sunland Drive to convey the flows currently on Bowman.
- A culvert will be installed to route onsite drainage to BW-11
- A box culvert or crossing will be installed at Sunland Drive to connect BW-11 to BW-13 along Bowman Road.

The recommendations contained in the remainder of the comment are acknowledged and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. 5-6

Projects that Propose Septic Tank System

- Discharge of any material other than domestic wastewater to an on-site septic tank wastewater disposal system is prohibited unless a Report of Waste Discharge is filed with the Regional Board.
- The proposal does not provide enough information to determine the type of wastewater disposal system that will be used (i.e., septic system, sewer, etc.).
- The proposed project may result in discharge of waste that may need to be regulated by the Regional Board. Please review the general permits and the Water Quality Control Plan for the Lahontan Region (Basin Plan) accessible on the Regional Board's homepage (<http://www.waterboards.ca.gov/lahontan/>).
- We request the project be re-circulated for review and comment should the domestic wastewater disposal system method changed.

Please note that obtaining a permit and conducting monitoring does not constitute adequate mitigation. Development and implementation of acceptable mitigation is required.

Response to Comment No. 5-6

Wastewater disposal is discussed on Pages IV.A-14 and IV.A-15 of the RDEIR:

A significant impact would occur if the project exceeds wastewater treatment requirements of the applicable Regional Water Quality Control Board. This question would typically apply to properties served by private sewage disposal systems, such as septic tanks. Section 13260 of the California Water Code states that persons discharging or proposing to discharge waste that could affect the quality of the waters of the State, other than into a community sewers system, shall file a Report of Waste Discharge (ROWD) containing information which may be required by the appropriate Regional Water Quality Control Board (RWQCB). The RWQCB then authorizes a National Pollutant Discharge Elimination System (NPDES) permit that ensures compliance with wastewater treatment and discharge requirements. The Lahontan Regional Water Quality Control Board (LRWQCB) enforces wastewater treatment and discharge requirements for properties in the proposed project area.

The proposed project would convey wastewater via municipal sewage infrastructure maintained by the City of Ridgecrest Sewer Department to the local wastewater treatment plant. The local wastewater treatment plant is a public facility, and, therefore, is subject to the State's wastewater treatment requirements. As such, wastewater from the project site is treated according to the wastewater treatment requirements enforced by the LRWQCB, and no impact would occur.

LETTER NO. 6

Gayle J. Rosander, IGR/CEQA Coordinator
State of California, Department of Transportation
District 9
500 South Main Street
Bishop, CA 93514

Comment No. 6-1

The first paragraph under Roadway Network (page IV.J-1) should be titled “Regional Highways” or “State Highways” instead of “Freeways,” since the roadways discussed are not all classified as freeways in this region. The second sentence should read: ... “access to Route 395 is via S. China Lane Boulevard approximately ...” Clarification sentences could be added which read: “Route 178 connects with Route 14, passes through Inyokern and then Ridgecrest – where it is main street. Route 178 (N. China Lake Boulevard/East Ridgecrest Boulevard 90-degree route bend at the 4-way signalized intersection) is located one mile from the proposed Wal-Mart site.

Response to Comment No. 6-1

The corrected language and clarification sentences have been added in Section III, Corrections and Additions, of this FEIR.

Comment No. 6-2

In our Notice of Preparation letter (December 23, 2005) we asked for SR 178 and US 395 traffic analysis. This analysis is not included in the project Traffic Report (TR). Although it is suggested that there will probably be little impact on US 395, impacts to SR 178 at China Lake Boulevard/Ridgecrest Boulevard still need to be addressed. Analysis at Upjohn Avenue/South China Lake Boulevard, which is just ½ mile south of the SR 178 intersection, was provided. It appears that many project trips at Upjohn Avenue would also pass through the SR 178 intersection. Mitigation for this SR 178 signalized intersection may be merited.

Response to Comment No. 6-2

The content of this comment was addressed in the RDEIR at page IV.J-3, which stated:

Caltrans did identify two intersections in its NOP comment. One intersection, Ridgecrest Boulevard at S. China Lake Boulevard, has been included in the analysis below. It was determined that the other intersection (U.S. 395 and China Lake Boulevard) was over five miles to the south and was not within a sufficient proximity to this project to warrant analysis.

Comment No. 6-3

The City may also wish to consider collection of a fair share developer fee to coordinate new and existing local street signals (on South China Lake Boulevard) from Ridgecrest Boulevard to College Heights Boulevard.

Response to Comment No. 6-3

Comment acknowledged. The City currently collects a Traffic Impact Fee and those fees are used to fund improvements identified in the City's Capital Improvement Program.

LETTER NO. 7

Mary T. Kowalski
825 S. Chesapeake Street
Ridgecrest, CA 93555

Comment No. 7-1

I have received and reviewed the Environmental Impact Report related to the proposed Wal-Mart Supercenter. My house is directly north from Bowman Road, at the end of Chesapeake Street. Between my property and Bowman Road is a bicycle-path. The implementation of this giant project will have a great impact on my personal health, specifically related to noise and dust, and the value of my property, as well as that of my surrounding neighbors. To document these issues, I have referenced below numbered, annotated personal pictures and attachments which are pages from the EIR. I am also enclosing my original letter to you dated December 17, 2005. Each picture or attachment has handwritten notations reflecting the issues discussed in this letter.

My main concern to this project is noise. This concern actually needs to address two separate *but soon-to-be integrated issues*. Major noise related to “off-road” vehicles such as various sizes of motorcycle dirt bikes and dune buggies are already a frustratingly consistent issue for those of us who live directly next to the bicycle path. This area is immediately adjacent to my property and immediately north of Bowman. The streets of S. Lakeland and S. Chesapeake terminate at property dedicated to the bicycle path. **This bicycle path will become a further problem when the Supercenter brings about changes to the roadways.** Please see pictures P 1 – 6 as well as attachments A 1 – 3.

Response to Comment No. 7-1

Noise associated with the proposed project is discussed in Section IV.H. of the RDEIR. The project site would be developed with a retail center and associated parking which mitigates the use of the site currently for off-road vehicle use. However, this comment does not state a specific concern of question regarding the adequacy of the analysis of the noise impacts contained in the DEIR (or the RDEIR). Additionally, the balance of this comment does not appear to raise an environmental issue or comment in this document. However, this comment is acknowledged and will be forwarded to the decision-making bodies for their review and consideration.

Dust associated with the construction of the proposed project is discussed on Pages IV.C-21 and IV.C-26 of the RDEIR:

The daily construction emissions generated by the proposed project during the two-month site grading phase are also analyzed against localized significance thresholds (LSTs) to determine whether the emissions would cause or contribute to adverse localized air quality impacts. This analysis is based on computer modeling of the project site emissions with the Industrial Source Complex – Short Term (Version 3) dispersion model (ISCST3). Emission rates take for fugitive emissions and off-road

construction were calculated from. Data sheets from the ISCST3 output are provided in Appendix D. The KCAPCD only requires this analysis for PM₁₀ emissions. Figure IV.C-1, shows the off-site sensitive uses surrounding the project site that could potentially be subject to localized air quality impacts associated with construction of the proposed project. As shown, the nearest and most notable off-site sensitive receptors to the project site are the single-family residential buildings located directly to the north, north of W. Bowman Road, and the Desert Christian Church building located to the south.

As shown in Figure IV.C-1, Localized PM₁₀ Emissions, Construction, localized PM₁₀ emissions on-site resulting from fugitive dust and construction equipment exhaust would exceed the 150 µg/m³ federal threshold. As shown in Table IV.C-3, the ambient levels of PM₁₀ in the project area were 72.0 µg/m³ in 2007. The highest 24-hour value for localized PM₁₀ emissions on the project site is estimated to be 104.4 µg/m³, with the addition of the existing ambient levels of PM₁₀, this means that levels of PM₁₀ on the project site during construction could be as high as 176 µg/m³. However, as shown by the contours on Figure IV.C-2, the PM₁₀ emissions would not be as high at the nearby sensitive receptors. The highest localized PM₁₀ value at the single-family homes to the north would be 30.68 µg/m³, which in addition to the existing ambient levels, would constitute a total localized level of 102.68 µg/m³ of PM₁₀. At the Desert Christian Church building the highest localized PM₁₀ value would be 59.69 µg/m³. With the addition of the existing ambient PM₁₀ levels, this would constitute a localized PM₁₀ level of 131.69. It should be noted that the 150 µg/m³ standard is a 24-hour standard and people are not expected to be present at the Desert Christian Church building for a 24-hour period, whereas it is highly likely that nearby residents could be present at their homes for 24-hour periods when the project site is being graded. Based on this information, the localized air quality impacts to sensitive receptors resulting from site grading emissions would not exceed the Federal 24-hour PM₁₀ threshold of 150 µg/m³, and impacts would be less than significant. As shown previously in Table IV.C-5, PM₁₀ emissions generated during the building construction phases would be less than those of the site grading phase and, therefore would also not exceed the Federal 24-hour PM₁₀ threshold.

Furthermore, Mitigation Measure C-1 is provided to reduce impacts associated with fugitive dust during project construction.

Comment No. 7-2

The EIR does not address Chesapeake Street and only occasionally refers to Lakeland Street. Since these two streets are *directly adjacent* to the bicycle path/property and connect to Bowman Road and the proposed Supercenter's lot, they *should have been included in this report*. The EIR had noise monitoring posts on streets that are a block or more away from the proposed site, e.g., Rader, Upland, and Sunland. Therefore, **the EIR reports of minimal noise impact is grossly understated** to those of us who live,

essentially, next to Bowman St., the street that will need major construction, as well as having extremely close proximity to the entire Wal-Mart project. Refer to pictures P 1 – 9 and attachments A 4 – 15.

Response to Comment No. 7-2

Two noise monitoring posts located on and near the project site are depicted in Figure IV.H-2 (Page IV.H-7 of the RDEIR). Selection of these noise monitoring locations is discussed on Pages IV.H-5 and IV.H-8 of the RDEIR:

Land uses in the vicinity of the project site include residential, commercial, institutional (Desert Christian Center), and undeveloped vacant land. The vacant land to the south of the project site is General Commercial (CG), Professional Office (PO) and Single-Family residential (R-1), and the vacant land to the east of the project site is zoned General Commercial (CG). Although other noise sources occur in the vicinity, vehicular traffic is the primary source of noise at, and around, the project site.

Existing daytime noise levels were measured at two locations on and near the project site on June 13, 2006 in order to identify existing ambient noise levels. These locations are identified in Figure IV.H-2 and are individually discussed below:

- **Location 1** is in the southwestern part of the project site in the area proposed for Wal-Mart parking. The area is currently vacant. The noise meter was set up next to the chain link fence separating the project site from the Desert Christian Center and the primary source of noise observed at this location was the HVAC equipment and exterior conduits on the northern wall of the Desert Christian Center building.
- **Location 2** is north of the project site on the north side of Bowman Road next to the single-family residential uses at the southern end of S. Lakeland Street which is a cul-de-sac and does not connect to Bowman Road. The primary source of noise observed at this location was wind blowing in trees located on the single-family residential properties.

Additionally, on Pages IV.H-8 and IV.H-9 of the RDEIR existing noise levels in the project vicinity are discussed. As stated therein, in addition to the noise monitoring mentioned above, existing roadway noise levels were also calculated for existing sensitive located along roadways in the project vicinity. These are the measurements on the other streets to which the comment refers. In total, the RDEIR measured noise levels on both the project site and directly adjacent to the project site (Locations 1 and 2 above), and measured roadway noise in the project vicinity to present a complete picture of noise in the project area. The comment is therefore incorrect in stating that noise was only measured more than a block away from the project site.

Furthermore, the noise impacts associated with the proposed project are not understated as the comment suggests. In fact, the RDEIR states that the proposed project would actually result in a significant and

unavoidable construction noise impact to the Desert Christian Center and nearby residential areas. (RDEIR page IV.H-20).

Comment No. 7-3

The issue of noise from vehicles currently illegally using either the north or the south side of the bicycle path has been frequently brought to the attention of the Ridgecrest Police Department. They have consistently stated to me, and other residents in this area, that there is little that they can do. The RPD states that they do not have the capability or resources to enforce existing regulations preventing these motorized vehicles from using this pathway. It should also be clearly known, that several times a week, I personally see motorized vehicles (dirt bikes) *directly on the paved bicycle path*. The dirt pathways are clearly visible in pictures and in the map attachments. Please keep in mind that these dirt bike routes are within 10 feet to the west of my house (next to my back cinder brick wall) and within 20-40 feet directly adjacent to the south of my property as shown in attachments A 2 and A 3.

Response to Comment No. 7-3

The area to which the comment refers, between Bowman Road and the commenter's house, is the location of the proposed off-site drainage improvements (BW-11) to be located along the north side of Bowman Road from China Lake Boulevard to Sunland Street.

The balance of this comment does not appear to raise an environmental issue or comment in this document, but current and potentially future illegal activity. This comment is acknowledged and will be forwarded to the decision-making bodies for their review and comment.

Comment No. 7-4

The current path of dirt bikes, et al vehicles, goes directly across the property due for construction. If the project continues as is stated in the EIR, the motorbike paths on the now vacant property, **will divert their illegal paths/roadways to other sites – such as next to my house**. As stated above, please keep in mind that the motorbikes travel within 10-25 feet of my property several times a day, every day, to the west, south, and sometimes on the sidewalk on the east side of my property (my mailbox and my small brick wall have been victims of motorbike damage). The noise and dust are, at times, unbelievable. Unless steps are taken to eliminate the paths, this problem will grow geometrically.

Response to Comment No. 7-4

Refer to Responses to Comments 7-1 and 7-3. Additionally, this comment does not appear to raise an environmental issue or comment in this document, but current and potentially future illegal activity. This, this comment is acknowledged and will be forwarded to the decision-making bodies for their review and comment.

Comment No. 7-5

There are also safety issues. For example, my neighbor has young children. When at play, these children are quickly, and with some degree of panic, removed from anywhere near the motorcycle dirt paths that are on both north and south sides of the paved bicycle path. The individuals traveling on these pathways are always speeding and could not possibly stop in time to prevent hitting a child. In fact, I'm surprised that a major accident has not already occurred. Another story I heard from a friend of mine walking the path with his handicapped wife was that a group of young bikers deliberately harassed and came within an arm's length of running over this couple. (I would be glad to provide names, if needed.) The ages of the riders of these vehicles range from very young to middle-age adults, however, most individuals seem to be teenagers.

Response to Comment No. 7-5

This comment does not appear to raise an environmental issue or comment in this document, but current and potentially future illegal activity. This comment is acknowledged and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. 7-6

Partial solutions to the noise problems may be available. **Two cinder brick soundproofing walls need to be constructed.** Cinder brick walls, in the style of canyons, as mentioned in A – 19 and could be aesthetically adequate while also providing some protection from noise. **One wall needs to be placed next to the property of all residences** (where wooden fences currently exist). See pictures P 10 – 14. The walls would protect from light and sound (and some dust) coming from the Supercenter and would partially protect us from the illicit use of vehicles on the “bicycle/motorcycle areas”. The big yellow end-of-the-street barriers should be removed from the end of Chesapeake and Lakeland and replaced with cinder brick walls so “through traffic” from motorcycles is prevented (see P – 2 and P – 13).

Response to Comment No. 7-6

Off-site noise impacts associated with the proposed project are discussed on Pages IV.H-13 through IV.H-15 of the RDEIR:

The project is proposed to operate as a 24-hour facility. As such, noise levels would be generated at all hours of the day by customers, employees, and delivery trucks arriving and leaving, by loading dock activities, and by stationary equipment. The majority of noise would be generated by employee and customer passenger vehicles, along with delivery trucks. Based on customer behavior, the vast majority of passenger vehicles will use the parking area closest to the two main entrances. The remainder will park near the garden center entrance and near the tire and lube express. The parking area along Bowman Road, closest to the residential area would be used less often, only when spaces closer to the building are occupied.

Automobile movements in the parking lot would comprise the most continuous noise source and would generate a noise level of approximately 56 dBA L_{eq} (1-hour) at a

distance of 50 feet. A worst case estimate of daytime ambient composite noise levels for a busy parking lot at the property line would be 60 dBA and assumes constant parking lot activity in close proximity to the property line. As discussed above, parking lot activity is more intermittent and the vast majority of the operational activity that produces the ambient noise for the proposed project will primarily be in the parking area near the two main entrances, which is approximately 500 to 700 feet from the residences, as opposed to being directly on the property line. It is more difficult to quantify ambient parking lot noise levels at nighttime (10:00 p.m. to 7:00 a.m.) because of the uncertainty of the level of activity. Based on human nature, especially when shopping late at night or early morning, the vast majority, if not all of the customers will park as close to the main entrances at possible. The tire and lube express will be closed from 10:00 p.m. to 7:00 a.m., so the parking area on the northeast corner will not be used at nighttime. Likewise, the garden center entrance will be closed from 10:00 p.m. to 7:00 a.m., so the parking area near that entrance, which is also the closest to the residential area will not be used. Therefore, it is anticipated that the ambient noise levels will be much lower at nighttime and the sources of intermittent noise will be a much greater distance from the residential areas, in the range of 500 to 700 feet. Assuming a high nighttime ambient parking lot noise of 60 dBA at 50 feet, this would fall below 50 dBA after 200 feet, well before the noise would reach the residential area. Based on the foregoing, the proposed project will not generate operational ambient noise levels in excess of the standards established in the local general plan.

In addition there may be single noise events in addition to the ambient noise produced by parking lot activities. This would include shouting and laughing (65 dBA at 50 feet), car door slamming (63 dBA at 50 feet) and car starting (60 dBA at 50 feet). These noise events are collateral noise sources resulting from the project and would be infrequent events. Furthermore, based on the distance of the parking lot to the residential areas, these noise events would decrease before they reach the sensitive receptors. Finally, as discussed above the nighttime parking lot activity would be an even greater distance from the residential area, so any resulting noise would fall below 50 dBA at the residential area. Based on the foregoing, these single event noise sources also would not violate the local general plan standards.

Although the operational, parking lot activities will not violate any noise standard or result in a significant increase in noise, noise from delivery vehicles and loading dock activities could be a potentially significant impact, primarily at nighttime. Noise levels would occur in association with delivery vehicles and loading dock activities. The two above ground loading docks are located at the rear of the main Wal-Mart building near the eastern edge of the project site (refer to Figure II-3.) The loading docks are approximately 350 feet from the southern property line of the residences on S. Lakeland Street, north of Bowman Road. Some—not all—of these vehicles could use warning devices (beeping tones) when backing up and/or refrigerated boxes.

Noise measurement results for an existing Wal-Mart Supercenter in the City of La Quinta, California identified hourly noise levels of 50 to 54 dBA L_{eq} during the hour of peak deliveries at three locations approximately 100 feet from the truck activity areas and loading dock. Maximum noise levels recorded during this time period ranged from 68 to 71 dBA L_{max} . Lower, noise levels would be expected for the proposed project since the delivery truck turning circle would be located approximately 350 feet from the existing residential uses. Because the existing noise levels in the southern part of the project site are relatively low (reference Table IV.H-3), it is assumed that residents could be disturbed at night by delivery vehicle and loading dock activity noise. This is a potentially significant impact.

HVAC systems would be installed on the rooftops of the new commercial buildings. Large HVAC systems can result in noise levels that average between 50 and 65 dBA L_{eq} at 50 feet from the equipment. However, the HVAC units would be at least 350 feet from the nearest single-family residences and noise levels would fall below 50 dBA before reaching the residential area. Therefore, the noise levels generated by the HVAC equipment at the project site would not to exceed City standards at existing nearby residential units.

Industrial trash compactors would be installed next to the main Wal-Mart building on the southern and eastern sides. Industrial trash compactors typically emit noise levels ranging from 65 to 78 dBA for a period of 30 to 60 seconds of operation. The nearest sensitive uses to these trash compactors are the Desert Christian Center Church located to the southwest of the project site and the existing residences located north of Bowman Road on S. Lakeland Street. The church is approximately 250 feet from the proposed location of the nearest trash compactor, which would be screened by the 5-foot-high concrete masonry wall along the southern edge of the project site. The maximum noise level at the church would be approximately 60 dBA L_{eq} assuming a five dBA reduction provided by the perimeter wall. The nearest homes are also located approximately 750 feet from the proposed location of the nearest trash compactor. The maximum noise level at the nearest homes would be less than 60 dBA L_{eq} . The operation would be intermittent, although potentially up to 25 times per day, and the noise levels generated would not exceed the general plan noise standards, unless operated at night. Nighttime operations of the trash compactors could be a significant impact.

Parcels 3 and 4 would be developed with commercial uses at a later time. Sources of noise and noise levels associated with these uses would be similar to those discussed above for the Wal-Mart facility, although these uses would probably not have exterior trash compactors. The land uses that would be most affected by noise from these areas would be future commercial uses that are developed to the south of the project site. These new commercial uses would likely be similar to the uses proposed for the project site and, as such, are not expected to be sensitive to noise. Therefore, any noise levels

generated within Parcels 3 and 4 are not expected to significantly impact nearby land uses.

The comment states the need for the construction of two cinder brick soundproofing walls. However, as discussed above, daytime operational noise impacts associated with the proposed project would be less than significant and therefore no mitigation is required. Mitigation Measures H-2 and H-3 are provided to reduce potentially significant nighttime operational noise impacts to less than significant levels. In order for an effective noise barrier design, a sound wall would need to be constructed along the length of the entire project site. Because daytime operational noise impacts would be less than significant and because nighttime operational noise impacts can be mitigated with implementation of Mitigation Measures H-2 and H-3, a sound wall would not be a feasible, cost effective noise reducing measure, and could raise additional aesthetic impacts, and therefore it is not required.

The remainder of the comment regarding the bicycle/motorcycle areas does not appear to raise an environmental issue or comment in this document, but current and potentially future illegal activity. This comment is acknowledged and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. 7-7

The 18 pump gas station which is proposed is across the street from my property and is of special concern (see P 10 – 12 and A – 16). A gas station would not only add noise but also gas and diesel fumes which would pollute the environments in proximity to the project. Dust from construction and fumes from a gas station would undoubtedly affect the health of children and adults locally who are at-risk for pulmonary problems. I have a considerable medical history of pulmonary problems.

Response to Comment No. 7-7

Diesel emissions are discussed on Pages IV.C-30 of the RDEIR:

Diesel particulate emissions, a known toxic air contaminant, would occur from trucks picking up garbage and recyclable materials, and making deliveries to the project site. To address diesel particulate emissions, statewide programs and regulations are presently being developed and implemented by the ARB and U.S. EPA to reduce the risks of exposure to diesel exhaust. These programs include emission control requirements along with subsidies for upgrading older diesel engines to low-emissions models. In light of the available information, the effects of the toxic emissions from future vehicle operations at the project site are not expected to be substantial. Health risk analyses (HRAs) are not required by the KCAPCD for diesel emissions associated with mobile sources for general development projects. Such HRAs could be prepared for uses that generate many daily trucks trips (e.g., distribution centers, truck stops, etc.) that are located in close proximity to sensitive uses. In the case of commercial uses such as the proposed project, it is anticipated that a total of 15 to 20 heavy truck trips spread out through the allowable delivery hours, would travel to and from the site on a daily

basis. Other deliveries would be provided by smaller trucks that have fewer emissions and may be cleaner, such as those used by United Parcel Service (UPS). Although the amount of trucks and the associated diesel emission is not anticipated to come close to the volume of trucks and the related emissions associated with a significant impact from toxic air contaminants, an HRA was conducted to quantify the impact from diesel exhaust emissions. The ISCST3 air quality dispersion model was used to estimate potential diesel concentrations at sensitive receptors in the vicinity of the proposed site. The inhalation cancer risk at the closest exposed residential receptor location is 0.6 in one million and the chronic non-cancer hazard index (HI) at this receptor is <0.01. The inhalation cancer risk and chronic non-cancer HI at the nearest non-residential sensitive location (the Desert Christian Church) is 0.07 in one million and <0.01 respectively. The complete HRA is presented in Appendix D to this EIR. As the inhalation cancer risk at the maximum is well below 10 in a million and the chronic non-cancer HI at the maximum exposed sensitive receptor is well below 1.0, impacts would therefore be considered to be less than significant.

Other toxic or carcinogenic air pollutants are not expected to occur in any meaningful amounts in conjunction with operation of the proposed land uses at the project Site. Only small quantities of common forms of hazardous or toxic substances, such as cleaning agents, which are typically used, stored or sold in conjunction with residential and commercial uses, would be present. Most uses of such substances would occur indoors. Based on the common uses expected on the site, any emission would be minor.

This would be a less than significant impact regarding the exposure sensitive receptors to substantial pollutant concentrations.

Refer to Responses to Comment 7-6 regarding operational noise impacts of the proposed project. As discussed in Response to Comment 7-6 above, the parking area along Bowman Road, closest to the residential area would be used less often, only when spaces closer to the building are occupied. Furthermore, as discussed above, no mitigation is required for parking lot noise, although mitigation is provided for other noise impacts associated with operation of the project.

Comment No. 7-8

A second sound barrier should be constructed on the outer perimeters of the Wal-Mart property – specifically the north boundary of the project. Such barriers would cut down on noise from the day and night time delivery trucks as well as cut back on the 24/7 noise of customer traffic. Again, note that the EIR does not mention the street of Chesapeake regarding noise pollution. Special consideration against, noise gas and diesel fumes, light and dust should be a priority for the proposed 18 pump gas station. Refer to pictures P 13 – 14 and the attachment map of A – 2, to see that this proposed gas station is very close to my property.

Response to Comment No. 7-8

Refer to Response to Comment 7-6 regarding mitigation measures designed to reduce noise impacts of the proposed project.

Refer to Response to Comment 7-2 regarding noise monitoring locations.

Refer to Response to Comment 7-7 regarding gas and diesel fumes.

Mitigation Measure B-1 has been provided to reduce the impacts with respect to light.

Comment No. 7-9

Additionally, a **secondary remedy to the dirt bike problem** should be seriously considered. On the current “paths” of the vehicles, **large boulders or other types of specific barriers need to be installed** regularly along the entire “paths” that are currently being used by dirt bikes, dune buggies, and, even, trucks. These barriers could be aesthetically adequate and also prevent the continual use of the paths as illegal and unsafe roadways. I believe, that they would be cost effective, preventative measures against the inevitable motorbike versus pedestrian accident. One lawsuit, against the city for *not* instituting preventative measures, would certainly be expensive – probably more expensive than the costs of installing barriers.

In summary, the issue of numerous sources of noise that would result from the construction of a Wal-Mart Supercenter, has not been appropriately or thoroughly addressed in the EIR. In lieu of completely dismissing the project, I have proposed alternatives that could mitigate the noise problem. I am also open to hearing alternative solutions.

I would be glad to discuss these issues with you and/or the City Council of Ridgecrest. Please let me know if you would like for me to address these issues directly to the City Council.

Response to Comment No. 7-9

This comment does not appear to raise an environmental issue or comment in this document. However, this comment is acknowledged and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NO. 8

Amy Lennon, Environmental Health Specialist
Environmental Health Services Department
Land Development Program
2700 "M" Street, Suite 300
Bakersfield, CA 93301-2370

Comment No. 8-1

The Environmental Health Services Department has reviewed the Notice of Availability of a Draft Environmental Impact Report for the above referenced project. It is the recommendation of this Department that the City of Ridgecrest place the following conditions on this project and that they be satisfied prior to issuance of building permits:

1. The applicant shall obtain permits for the installation of underground storage tanks from the Environmental Health Services Department's Hazardous Materials Program.
2. Plans for all proposed food facilities shall be submitted to the Environmental Health Services Department's Food Program for plan check review and approval.
3. The applicant shall submit a business plan to the Hazardous Materials Program within 30 days of operation.

Response to Comment No. 8-1

Project operations with respect to hazardous materials are discussed on Page IV.A-5 of the RDEIR:

Potential impacts related to hazards or hazardous materials are associated primarily with the storage and retail sale of potentially hazardous materials such as pesticides, fertilizer, and paint products at the project site. Additionally, the proposed tire and lube center component of the Wal-Mart would also store, handle and dispose of oils, solvent, degreasers and other hazardous wastes. Transportation, storage, and disposal/recycling of such products are extensively regulated at the local, State and federal levels. For this project, the applicable hazardous materials permits will be required from the County of Kern Environmental Health Services, a Certified Unified Program Agency (CUPA), or other applicable agency. With proper use and disposal and compliance with the applicable regulatory programs, the potential for explosion or release of hazardous materials available at retail outlets is negligible given that all materials will be pre-packaged in limited quantities for retail consumption and use. Based on these facts, the project will not create a significant hazard to the public or the environment through the routine handling, transport, use, or disposal of hazardous materials.

The balance of the comment does not appear to raise an environmental issue or comment in this document. However, this comment is acknowledged and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NO. 9

Paula M. Stoner
812 W. Coral Avenue
Ridgecrest, CA 93555

Comment No. 9-1

1. My first concern has to deal with the major flood zone that the proposed location China Lake Blvd., Bowman Road location floods regularly during heavy rains and parts are closed off for days. With the proposed sixteen gas lanes the EIR does not address this issue flooding of under ground gas tanks for sixteen pumping stations, in an area where we have three wells that provide water for the area and the surrounding community.

Response to Comment No. 9-1

Section IV.G. of the RDEIR summarizes information contained in the Drainage Study prepared for the proposed project (included as Appendix J to the RDEIR) and also addresses potential problems associated with drainage and flooding. As discussed on Page IV.G-4 of the DEIR, the following drainage improvements will be constructed as part of the project:

- Channel CHW-16 will be improved and a proposed concrete arched span culvert will be installed where CHW-16 crosses West Entrance Driveway.
- Channel CHW-16 will be improved from CHW-12 to East Bowman Road.
- A concrete arched span culvert will be installed under East Bowman Road to connect CHW-16 to BW-11.
- Existing Channel CHW-9 will be completely regraded and improved and a box culvert will be installed under China Lake Boulevard, connecting BW-9 to BW-11.
- Channel BW-11 will be graded and improved from South China Lake Boulevard and will extend east to Sunland Drive to convey the flows currently on Bowman.
- A culvert will be installed to route onsite drainage to BW-11
- A box culvert or crossing will be installed at Sunland Drive to connect BW-11 to BW-13 along Bowman Road.

Drainage patterns and capacity are discussed on Page IV.G-7 of the RDEIR:

The proposed development will increase the flow coming off the project site and will also need to address off-site drainage that currently flows through the site. The *Drainage Study for Wal-Mart of Ridgecrest, CA*, attached as Appendix J, provides the

anticipated flow rates and volumes for the 10-year, 25-year, and 100-year events through the various channels identified in the City of Ridgecrest Master Drainage Plan. The *Drainage Study* also establishes the necessary design parameters for the sizing and location of drainage improvements.

As shown in Figure II-4, the following drainage improvements will be part of the project: Channels CHW-12 and CHW-16 will be improved. A box culvert will be installed over CHW-16 where the west project entrance intersects with China Lake Boulevard. A concrete arched span culvert will be installed under Bowman Road to connect CHW-16 to BW-11. BW-9 will be regarded and improved and a reinforced concrete culvert will be installed under China Lake Boulevard to connect BW-9 to BW-11. Finally, a box culvert or crossing will be installed under Sunland Road, connecting BW-11 with BW-13.

In order to detain the increased volume, all of the drainage improvements, along with the retention capacity of BW-11, are designed to have sufficient capacity to safely contain and pass a 100-year storm event without overtopping the channel banks.

Additionally, potential impacts with respect to flooding are addressed on Page IV.G-8 of the RDEIR:

According to the Safety Element of the City of Ridgecrest General Plan, the project site lies within a 100-year flood hazard area. The Federal Emergency Management Agency (FEMA) Flood Zone Map for the area designates the proposed project site as within the Flood Zone B. According to FEMA, Flood Zone B describes flood insurance rate zones based on the following criteria: areas located outside of the one-percent chance annual floodplain, areas of one-percent annual chance sheet flow flooding where average depths are less than one foot, areas of one-percent annual chance stream flooding where contributing drainage areas are less than one square mile, or areas protected from the one-percent annual chance flood from levees. Through the use of detention/retention ponds and raising the site, including building pads, to elevations up to six feet higher than current elevations, the project site will be above the FEMA flood plain. Therefore, development of the proposed project would not introduce persons or structures into an area where they might be subject to flood hazards (or hazard areas as described above) not previously experienced. Therefore, the potential for flooding to occur would be minimal and impacts would be less than significant.

Comment No. 9-2

2. Second with the current development in the College Heights area this area now will have the potential to have additional flooding from the adjacent upper level as well as the as already lower area. On the South side of College Heights Blvd. each section of new housing has water run off area, on proposed side of has none.

Response to Comment No. 9-2

Refer to Response to Comment 9-1 regarding impacts associated with drainage and flooding.

Comment No. 9-3

3. Third concern is for the current burrowing owls that have relocated to this area moved because of recent development in other areas of College Heights.

Response to Comment No. 9-3

Potential impacts to burrowing owls are discussed on Page IV.D-20 of the RDEIR:

Based on the 2007 protocol-level surveys, a pair of burrowing owls (a CDFG species of concern) was observed within BW-9. Although the owls were not observed during the follow-up surveys in 2008, as the *Burrowing Owl Survey Protocol and Mitigation Guidelines* requires, it is assumed that the owls are still present. In addition, evidence of an old desert tortoise (a federal and state threatened species) carcass, was observed on the proposed Wal-Mart site. Finally, Mohave ground squirrel (a state threatened species) has the potential to occur on the project site. Therefore, potential impacts associated with construction-related habitat modifications affecting these species (if present), such as killing or harming individuals or removing occupied or essential habitat, would be significant.

Pursuant to the MBTA and the California Fish and Game Code, it is unlawful to “take” (i.e., capture, kill, pursue, or possess) migratory birds or their nests or disturb nesting activity for any birds. Removal of vegetation associated with project implementation should not take place during the nesting season for most birds (January 31 to August 1) and for migratory birds (March 15 – August 15). The loss of an active nest of a migratory bird would be significant. Construction activities on the project site could result in removal or destruction of an active nest (a nest with eggs or young being attended by one or more adults), which would violate the MBTA and the Fish and Game Code. Therefore, impacts associated with violation of the MBTA or the Fish and Game Code would be potentially significant.

Therefore, Mitigation Measure D-3 was identified on Page IV.D-26 and IV.D-27 of the RDEIR to reduce any potential impacts to the burrowing owl to less than significant levels.

Comment No. 9-4

4. Fourth concern is the current issue of water, how many gallons does a store this size use and what are there [sic] plans to recycle there [sic] water usage.

Response to Comment No. 9-4

The water demands of the proposed project are discussed on Page IV.A-17 of the RDEIR:

. . . The proposed project would consume approximately 25,680 gallons of water daily (or 0.02568 mgd). . . . Furthermore, IWVWD has indicated that there are no known service problems or deficiencies in the area.

Additionally, there are no plans to recycle the project's water usage. The balance of the comment does not appear to raise any environmental issue or comment in this document. However, the balance of the comment is acknowledged and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. 9-5

5. Fifth why is there no proposal to increase the current location of the current facility?

Response to Comment No. 9-5

Alternative C contained in Section VI. of the RDEIR examines the possibility of the expansion of the existing Wal-Mart store.

Comment No. 9-6

6. Sixth to me the most important the development of a Super Center does not increase any tax revenue to the city of Ridgecrest. It will just shift the tax revenue around. The potential for lost businesses that have been a part of this community for many years and is a part of our current tax revenue.

Response to Comment No. 9-6

A Retail Impact Study was prepared for the proposed project (discussed in Section IV.B. of the RDEIR and included as Appendix C to the RDEIR) in order to determine whether the development of the proposed project would result in a diversion of sales from existing retailers within the Ridgecrest market area that is severe enough to lead to business closures, and in turn, the resulting business closures are significant enough in scale to result in long-term vacancies which affect the viability of existing shopping centers or districts. This analysis was developed based on the project growth at NAWS, along with historical growth patterns. As concluded on page IV.B-12 of the RDEIR, the Wal-Mart retail center would be absorbed with a slight decline in the overall vacant space and vacancy rates from 2008 and 2012 and significant declines in vacant space over the 2008 to 2020 period, with overall improvement of existing vacancies in Ridgecrest. Therefore, based on the definition that increased vacancies could result in property deterioration and physical degradation over time, implementation of the proposed project would not cause urban decay.

The balance of the comment does not appear to raise an environmental issue or comment in this document. However, the balance of this comment is acknowledged and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. 9-7

Please let explain I do not see the need for a super center of this size in the community, it will not bring full time jobs most retail jobs are part time at best, will not provide enough income to purchase a home which this community has currently over 297 mobiles, condos, and house up for sale in this community with additional one hundred new construction in the works. There is not major influx of jobs in this community and there might not be, since everyone in this community has been waiting for an increase of jobs related to the Naval Base China Lake.

Since moving to Ridgecrest in February 1998 during a week of heavy rains, I have seen the flooding, I've seen stores come and go. I do travel out town to shop at Kohl's, Von's, JC Penny's, Dillard's, Lowes, H&E, and Linen and Things. As a concern citizen of Ridgecrest I do want to see growth of this community that relates to jobs that provide an income to purchase a home, car and enjoy raising a family. I believe if this development goes through we will have deeply hurt the future of this community.

Response to Comment No. 9-7

Refer to Response to Comment 9-6 regarding impacts to surrounding businesses.

Refer to Response to Comment 9-1 regarding impacts associated with flooding.

The balance of the comment does not appear to raise an environmental issue or comment in this document. However, the balance of this comment is acknowledged and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NO. 10

James C. Fallgatter
207 W. Cobblestone Lane
Ridgecrest, CA 93555

Comment No. 10-1

I have reviewed the referenced document and with this letter submit the following comments for the additional record and distribution:

First I would like to thank the city staff, elected, and appointed leaders for requiring and arranging for a comprehensive examination of the potential environmental impact of this project. Rightly so as well all realized it is a project that must be implemented well. Ridgecrest, simply, will not have a grand opportunity like this again in the foreseeable future...and never again for this area. This report, however, in its present form remains incomplete in that it doesn't encompass and thus does not study/advise on certain major Traffic/Circulation and Economic issues of this specific project plan.

Missing this information the EIR cannot provide the comprehensive and reliable document needed and intended by our city staff, elected officials, and interested citizens at-large to understand the important drivers at play having to do with this project. Thus all will be unnecessarily handicapped in envisioning the potential ramifications and in recommending any necessary mitigation needed for a successful implementation. This can, of course be corrected.

The areas that need augmenting are related and touched on in several areas if the draft report and as such are combined in the comments that follow.

Response to Comment No. 10-1

Section IV.J. of this RDEIR discusses traffic impacts of the proposed project, and Section IV.B. of the RDEIR discusses the economic impacts of the proposed project. However, this comment does not address specifically what is missing with regards to traffic and economic issues, and therefore the authors of these analyses cannot address these items without specific detail. Nonetheless, this comment is acknowledged and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. 10-2**Introduction: Traffic/Circulation & Economic Impact:**

- Future Regional Shopping Center: The impact on the economic viability of the remaining (majority) of Ridgecrest's General Plan(ned) and now long standing vision for a regional commercial center at this location are not addressed in both Wal-Mart's proposition to the city and the EIR report. Roughly 50 acres remain of commercially zoned property adjacent to the Super Wal-Mart site running to the east along Bowman Road to Sunland and south to Bataan.

Response to Comment No. 10-2

Land use consistency is discussed on pages IV.A-8 and A-9 of the RDEIR:

Land uses within the City of Ridgecrest are guided by the Land Use Element of the City of Ridgecrest General Plan. The General Plan is comprised of seven elements, representing the City's statement of goals, policies, and action steps necessary for orderly development and land uses that are recommended subject to the goals and policies of each of the Plan's Elements. The primary goal of the City of Ridgecrest General Plan is to guide development in the City toward the achievement of community objectives.

The City of Ridgecrest land use plan designates the project site as Commercial/Professional Office, which is a designation that supports commercial uses, including large scale or specialized commercial uses. The Commercial/Professional Office land use designation is intended to provide land primarily for general commercial uses such as business and professional offices, retail sales, and commercial services. Appropriate uses in the Commercial/Professional Office areas include groupings of professional and business offices and related commercial uses associated with this type of office development; the miscellaneous collection of individual stores located along street frontages; and commercial enterprises providing food, goods, and services to the surrounding residential areas.

The proposed increased on-site density is consistent with the current land use designation. The applicable City of Ridgecrest General Plan commercial goals include the following:

- *Goal 6.4.* Develop Ridgecrest as a regional center for shopping, business services and a variety of recreational experiences.
- *Goal 6.6.* Retain, expand, and develop existing industry and business.

Implementation of the proposed project would be consistent with the City of Ridgecrest General Plan Land Use Element and commercial goals, and no impact would occur.

Comment No. 10-3

- Current Wal-Mart Shopping Center: The impact on the economic viability of the remaining retail stores and new stores moving into the vacated Wal-Mart building are not adequately addressed by the Traffic/Transportation Circulation Plan submitted for the new store.

Response to Comment No. 10-3

It would not be appropriate to address the impact on the economic viability of the remaining retail stores and new stores moving into the vacated Wal-Mart building in the Traffic/Transportation Circulation Plan.

However, these economic impacts are addressed in Section IV.B. of the RDEIR. As discussed therein, a Retail Impact Study (included as Appendix C to the DEIR) was prepared for the proposed project in order to determine whether the development of the proposed project would result in a diversion of sales from existing retailers within the Ridgecrest market area that is severe enough to lead to business closures, and in turn, the resulting business closures are significant enough in scale to result in long-term vacancies which affect the viability of existing shopping centers or districts. As concluded on page IV.B-12 of the RDEIR, the Wal-Mart retail center would be absorbed with a slight decline in the overall vacant space and vacancy rates from 2008 and 2012 and significant declines in vacant space over the 2008 to 2020 period, with overall improvement of existing vacancies in Ridgecrest. Therefore, based on the definition that increased vacancies could result in property deterioration and physical degradation over time, implementation of the proposed project would not cause urban decay.

Comment No. 10-4

Problem Specifics:

- The overall Traffic/Circulation Plan not only lacks vision, and imagination, it also suggests a lack of knowledge of developing trends in traffic safety planning and circulation. In addition it has a decidedly Super Wal-Mart centric view of the requirements. These shortcomings will undoubtedly served Ridgecrest and perhaps Wal-Mart poorly if left as is. The following points apply:
 - The Super Wal-Mart will, in all likelihood, based on countless other Wal-Mart developments, not stand long as a singularity on the east side of China Lake Blvd.
 - On the contrary it, by definition will become the highly prized anchor and magnet store for the regional commerce center that will develop there. Now that Wal-Mart has purchased the property and is apparently moving forward, Major Shopping Center developers that have been waiting in the wings are starting to make inquiries and plans. This was anticipated and is an excellent harbinger of things to come.
 - However, although this should have been anticipated and estimated, this document has no projected traffic counts, charts, plans, etc. etc. that account for the growth of this future commerce center. Without these estimates all of the Traffic/Circulation numbers cited are incomplete as are necessarily the proposed solutions presented to accommodate these numbers.

Response to Comment No. 10-4

In addition to project-related traffic impacts, Section IV.J. of the DEIR includes a cumulative discussion of the impacts created by the proposed project in combination with the 21 identified related projects. Specifically, the 21 related projects are incorporated into both the Background and Buildout traffic generation scenarios and therefore future growth of this commerce center has in fact been taken into account.

Comment No. 10-5

- Wal-Mart Site Planners have, from the beginning, oriented their new building North to South (perpendicular to Bowman) at the far east end of their site. Due to its size this effectively corks the east end of that site to on site traffic flow to and from the east. With this configuration there cannot be a smooth convenient path, let alone an enticement, for shoppers to move back and forth thus forcing them in the future to exit the center out onto Bowman to enter the Center again further to the east.

If not resolved this physical arrangement will have severe permanent negative traffic flow and economic consequences for our budding regional commerce center.

Response to Comment No. 10-5

Reorientation of the proposed Wal-Mart Supercenter is discussed on Page VI-4 of the RDEIR:

During the NOP comment period, the suggested alternative of reorienting the Wal-Mart Supercenter 90 degrees to face the north was proposed. After reviewing this proposal, the City has rejected this alternative as infeasible. The primary reason is that because of the natural slope from the west down to the east, this building configuration would require more fill and/or retaining walls to create a level building pad. Furthermore, the realignment would move the truck docks so that it was right on the property boundary, directly adjacent to the church, a sensitive use. It is more appropriate for the truck dock to face Silver Ridge, a public street, and commercially zoned land uses. In addition, steeper driveway slopes would be required for both China Lake Blvd. and Bowman Road, which could result in on-site flooding. Finally, this configuration created a disjointed parking field and disrupts access and continuity between the Wal-Mart Supercenter and the out parcels. Accordingly, this alternative is rejected as infeasible.

Comment No. 10-6

- **The Ridgecrest General Plan is Referenced on Page 116;**

D. PROJECT OBJECTIVES

“The objectives of the proposed project are as follows:

- Provide development consistent with the City’s General Plan land uses, zoning ordinance and in conformance with municipal standards, codes and policies;
- Provide development that maximizes the property’s use potential that is consistent with the City’s General Plan land uses, zoning ordinance and in conformance with municipal standards, codes,” and policies;

- Maximize and broaden the City's sales tax base by providing local and regional tax-generating uses;
- Improve and maximize economic viability of the currently vacant and underutilized project site and area through the establishment of a new commercial center;
- Create additional employment-generating opportunities for the citizens of Ridgecrest and surrounding communities;
- Expand and provide new retail options, with updated, modern, and energy efficient buildings, in close proximity to local consumers by providing daytime and nighttime shopping opportunities in a safe and secure environment;
- o Based on the objectives stated above Wal-Mart's proposal, cast in the best light, narrowly defined its response and responsibility to just optimizing its own specific site. Otherwise it suggests an agnostic approach to or ignorance of Ridgecrest's General Plan for this area ... specifically the desire for a larger center of commerce. At worst it could be interpreted as a callous disregard for the success of one's future commercial neighbors, the best traffic flow for Ridgecrest shoppers, and good shopping center planning in general.

Response to Comment No. 10-6

Refer to Response to Comment 10-2 regarding consistency with the Ridgecrest General Plan.

The balance of the comment does not appear to raise an environmental issue or comment in this document. However, the balance of this comment is acknowledged and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. 10-7

- o It is also very important to Ridgecrest that a new shopping center anchored by Super Wal-Mart is truly synergistic with the existing center (Staples/Albertsons) west of China Lake and that both thrive. Well publicized past experiences show that when Wal-Mart moves the remaining occupants suffer and it is hard to attract new stores. Countering the potential for this eventuality takes vision, thinking out of the box, and careful husbanding of resources by all involved. Fluid circulation to, from and between the two locations by vehicles, bicycles, and pedestrians will be key.

Response to Comment No. 10-7

Refer to Response to Comment 10-3 regarding impacts to surrounding businesses.

The balance of the comment does not appear to raise an environmental issue or comment in this document. However, the balance of this comment is acknowledged and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. 10-8**Problem Resolution****Traffic/Circulation**

- A roundabout in combination with both an access bridge over south China Lake Blvd and underpasses beneath Bowman and China Lake Blvd's would optimize the convenience and safety of both vehicular and non-vehicular movement between and around the two centers.
 - The Ridgecrest GPAC, consisting of Planning Commissioners and their appointed citizen members have become familiar with and unanimously endorse the idea of exploring the use of a roundabout vs. traditional traffic signals at Bowman/China Lake.
 - The Ridgecrest Infrastructure Committee (two City Council members and two Planning Commission members) requested that Wal-Mart Engineers be instructed to include a roundabout design as 1 of 3 optional traffic circulation plans. It is unknown if this request has been relayed to Wal-Mart as of this writing.
 - A number of drawings of potential roundabout implementations have already surfaced. One is presented below that features a five spoke plan (not only eliminating the \$600,000 light at Bowman/China Lake but also a second 4 way stop and light...on east Bowman between China Lake and Silver Ridge), underpasses for pedestrians and a pedestrian bridge. Money can be reallocated.
 - Figure II-3 Proposed Site Plan: Bowman Road is proposed to be widened to 4 travel lanes a median and turn pockets which will take up to 110 feet for roadway improvements. The Ridgecrest City Council has approved a resolution promoting the concept of a linear park for the Bowman Channel. In addition to recreational uses, the Bowman Channel Right-of-Way is required to act as the city's major storm water drainage facility. In conjunction with the change to the elongated roundabout proposed above ... and the savings achieved by eliminating two 4 way stops (lights) it is suggested, if needed that Wal-Mart dedicate a strip of land adjacent to Bowman Road to facilitate the wider roundabout system.

Response to Comment No. 10-8

The roundabout concept for China Lake Boulevard and Bowman Road has been evaluated and it was determined that the City did not have the necessary right-of-way to safely construct the roundabout. Accordingly, this "recommendation" is deemed infeasible. The remainder of this comment does not appear to raise an environmental issue or comment in this document, but design considerations. However, this comment is acknowledged and will be forwarded to the decision-making bodies for the review and consideration.

Comment No. 10-9**Building Orientation**

- The problems with the Super Wal-Mart building orientation was first revealed and identified in the fall of 2005 when Wal-Mart's preliminary engineering drawings were first made available to the city and citizens.
 - This problem was discussed with various city staff and elected officials on a number of occasions by the author of this comment without results. It was then formally identified as a problem in a December 2005 letter (Attachment A to this letter and intended as an integral part of this overall submission).
 - The points in this letter remain valid. Although given a heads-up in this constructive manner the resultant draft EIR indicates that neither Wal-Mart, the city, nor the city's consultants have considered these worth addressing in the EIR.
 - **The Ridgecrest General Plan is Referenced on Page 149**

"Visibility

...Public vantages of the project site are available from W. Bowman Road and S. China Lake Boulevard. Thus, vehicles and pedestrians traversing west/east along W. Bowman Road and northwest/southeast along S. China Lake Boulevard would have temporary views of the project site. Views of the project site from surrounding uses and within the project site itself are unrestricted due to the site's large, undeveloped expanse of land (see Figures III-2 through Figure III-6)."

- It would appear from the above statement that a East/West reorientation of the building would not impact the visibility of the Super Wal-Mart. It would however have a very beneficial impact on the visibility of traffic to other future stores in the center. See Appendix X through
- Before and after reorientation pictures are depicted on the next page. The red arrow depicts the reorientation move to a more appropriate and tradition orientation for Wal-Mart within the context of being an anchor within a larger over all Commercial Center.

Response to Comment No. 10-9

Refer to Response to Comment 10-5 regarding building orientation.

Comment No. 10-10

In conclusion other than the above noted items this draft EIR appears to be a good comprehensive working and reference document. I appreciate the opportunity to comment on this draft work and going

forward to final I would be happy to discuss my suggestions/comments with any cognizant/responsible/interested individuals at their convenience.

With great respect for all that sincerely are putting their very best thoughts and energy and vision into insuring a great result for the City of Ridgecrest!

Response to Comment No. 10-10

This comment does not appear to raise an environmental issue or comment in this document. However, this comment is acknowledged and will be forwarded to the decision-making bodies for the review and consideration.

LETTER NO. 11

Carolyn A. Shepherd
216 W. Cielo Avenue
Ridgecrest, CA 93555

Comment No. 11-1

I have reviewed the prodigiously-sized EIR for the proposed WalMart Supercenter (WMSC) to be located on Bowman Road in Ridgecrest. First let me say that I appreciate your making the document and its equally gigantic Appendix Volume available on your website. I'm sure this saved the better part of a small forest from being pulped into paper to print the thing.

My primary concerns with this project involve transportation and socio-economics:

1. The traffic analysis offered is well-crafted and extensive. It points clearly to the impracticality of the site chosen for the WMSC. It does not offer workable solutions to traffic jams and dangers to pedestrian and bike traffic that would result from the WMSC. It would appear that this is just an un-workable site for such an enterprise.

Response to Comment No. 11-1

Section IV.J. of the RDEIR analyzes the traffic impacts of the proposed project. Mitigation Measures J-1 through J-3 are recommended to reduce the potentially significant traffic impacts to less than significant levels. There is no factual support in the RDEIR for the comment that the traffic analysis "points clearly to the impracticality of the site," "does not offer workable solutions to traffic jams and dangers to pedestrian and bike traffic," and "this is just an un-workable site for such an enterprise."

Comment No. 11-2

2. I am deeply concerned that the socio-economic effects of the WMSC project have not been adequately addressed in the EIR. It appear the major thrust for this project is based on population increases being projected for the community from the 2005 BRAC actions affecting NAWS China Lake. Based on what can be known at this time (since the Dept. of the Navy has not released an approved Business Plan for executing the BRAC Commission's recommendations for China Lake), there is little justification for the WMSC. I question the Indian Wells Valley's ability to support an additional retail enterprise of this magnitude. Ridgecrest currently has three supermarkets, which are seldom over utilized. We used to have four. Once the "new" Albertsons on S. China Lake Blvd. became established, the Vons store bailed out. There are volumes of anecdotal evidence that when a WMSC enters a community that is pretty much at population equilibrium, one of the existing supermarkets closes. One example is Alamogordo, NM. Alamogordo could be our twin in many ways. The population is nearly the same. It's located in high desert. It serves two military installations – Holloman AFB and White Sands Missile Range. Alamogordo had two supermarkets for quite some time. When the WMSC came, one of them closed. This scenario has been repeated throughout the country. Personally, I don't want to lose one of our

neighborhood supermarkets (not to mention how many other local small businesses?) in trade for the giant “one-stop-shop” WMSC.

Response to Comment No. 11-2

A Retail Impact Study was prepared for the proposed project (discussed in Section IV.B. of the RDEIR and included as Appendix C to the RDEIR) in order to determine whether the development of the proposed project would result in a diversion of sales from existing retailers within the Ridgecrest market area that is severe enough to lead to business closures, and in turn, the resulting business closures are significant enough in scale to result in long-term vacancies which affect the viability of existing shopping centers or districts. This analysis was developed based on the project growth at NAWS, along with historical growth patterns. As concluded on page IV.B-12 of the RDEIR, the Wal-Mart retail center would be absorbed with a slight decline in the overall vacant space and vacancy rates from 2008 and 2012 and significant declines in vacant space over the 2008 to 2020 period, with overall improvement of existing vacancies in Ridgecrest. Therefore, based on the definition that increased vacancies could result in property deterioration and physical degradation over time, implementation of the proposed project would not cause urban decay.

Comment No. 11-3

I would add that designating the ill-conceived trash collection/drainage ditch along Bowman Road as “Bowman Creek” is silly. It’s not a creek. Before it was constructed, it was simply a piece of desert in the greater flood plain of that part of town. Be that as it may, the Bowman Ditch is an eyesore and I applaud reasonable efforts to make it less so.

Response to Comment No. 11-3

The comment does not appear to raise an environmental issue or comment in this document. However, this comment is acknowledged and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. 11-4

The EIR package contains comment letters received by the City on the Initial Study for the proposed WMSC. I didn’t find the concerns raised by the citizens who wrote these comments adequately addressed in the EIR. This is particularly the case with those from nearby neighbors to the WMSC site. I hope all relevant concerns will be resolved before the City considers approving this project.

In closing, I am opposed to the WalMart Super Center project for Ridgecrest as it is currently proposed.

Thank you for providing the opportunity to review the WMSC EIR. Please place me on any mailing/notification lists for public hearings and other actions concerning this project.

Response to Comment No. 11-4

As stated on Page ii of the RDEIR, the following areas of controversy were identified during the NOP period:

The following is a brief summary of the NOP comments received during the NOP comment period and at the public scoping meeting along with the section of the Draft EIR that addresses each comment: (1) concern that the existing store building be tenanted prior to project approval to avoid blight (IV.B. Aesthetics); (2) drainage impacts (IV.G. Hydrology and Water Quality); (3) traffic and circulation impacts (IV.J. Transportation and Traffic); (4) increased lighting and glare (IV.B. Aesthetics); (5) increased noise (IV.H. Noise); (6) concern over increased dust (IV.C. Air Quality); (7) concern over the amount of nitrogen, phosphorous and zinc released into the local watershed (IV.G. Hydrology and Water Quality); (8) a request that the current archaeological survey be updated (IV.E. Cultural Resources); and (9) traffic impacts to State Route 178 at the Ridgecrest Boulevard/China Lake Boulevard intersection; and to the US 395 at its junction with South China Lake Boulevard (IV.J. Transportation and Traffic).

LETTER NO. 12

Gayle J. Rosander, IGR/CEQA Coordinator
Department of Transportation
District 9
500 South Main Street
Bishop, CA 93514

Comment No. 12-1

Thank you for giving the California Department of Transportation (Caltrans) the opportunity to review the revised DEIR for the Wal-Mart proposed for the southeast corner of Bowman Road and South China Lake Boulevard.

We have the following comments:

Response to Comment No. 12-1

The comment provides general introductory information, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the RDEIR. Therefore, a response is not required pursuant to CEQA. Nevertheless, this comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. 12-2

- If alternative site D-1 is chosen (Business Park vicinity along State Route 178), the Wal-Mart Traffic Impact Analysis would obviously need to be revised.

Response to Comment No. 12-2

As stated on RDEIR pages VI-44 and VI-45, alternative site D-1 consists of 13 separate legal parcels owned by five different entities. Development of this alternative site would require willing sellers, negotiations, acquisitions, and consolidation of each parcel, and therefore, is deemed unfeasible. Nevertheless, if alternative site D-1 were chosen, the traffic impact analysis would be revised.

Comment No. 12-3

- The City could consider updating its Traffic Impact Fee Program to add a project for timing coordination of the City's traffic signal system (existing and proposed) on both State and local roadways.

Response to Comment No. 12-3

The comment provides a suggestion to the City regarding its Traffic Impact Fee Program, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts

contained in the RDEIR. Therefore, a response is not required pursuant to CEQA. Nevertheless, this comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NO. 13

Mike Cash
Desert Christian Center
100 E. Bataan Avenue
Ridgecrest, CA

Comment No. 13-1

Mr. Alexander, thank for the opportunity to comment on the revised draft Environmental Impact Report (EIR) for the Ridgecrest Wal-Mart and Retail Center, State Clearinghouse No. 2005121053.

The following are our comments, concerns and questions in regard to the EIR.

Response to Comment No. 13-1

The comment provides general introductory information, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the RDEIR. Therefore, a response is not required pursuant to CEQA. Nevertheless, this comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. 13-2

1. Desert Christian Center (DCC) property borders the proposed Wal-Mart site to the south. Over the last three years DCC and the Wal-Mart engineering firm have had four meetings in Ridgecrest, over a dozen phone calls and exchanged many drawings of the DCC site and proposed Wal-Mart site plans. Subjects discussed were; Drainage, Noise, Fencing, Safety, Security and Lighting.

Response to Comment No. 13-2

The comment notes subjects that were discussed between Wal-Mart and the Desert Christian Center. Drainage improvements that would be implemented by the proposed project are discussed in RDEIR Section II, Project Description, and Section IV.G, Hydrology and Water Quality. Project impacts with respect to noise are analyzed in RDEIR Section IV.H, Noise. Impacts with respect to lighting are analyzed in RDEIR Section IV.B, Aesthetics. A discussion of project impacts with respect to police protection is provided in Section IV.A, Impacts Found to be Less Than Significant, of the RDEIR. The remainder of the comment does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the RDEIR. Therefore, a response is not required pursuant to CEQA. Nevertheless, this comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. 13-3

2. Our oral agreement with Wal-Mart in regards to drainage was that Wal-Mart would provide underground drainage from the DCC north-east corner of our property and sump. Currently, the DCC

sump overflows from the north-east corner of the sump to the north towards Bowman Rd. We see no provision listed in Appendix J of the EIR to address this issue nor are there elevations provided in the EIR that would indicate where the overflow of the DCC sump would be channeled to when the Wal-Mart site is complete. Where would the DCC sump overflow go?

Response to Comment No. 13-3

As shown in the RDEIR, the origin of all of the drainage that currently terminates at the project site is from the south. The vast majority of that drainage follows existing channels along College Heights Boulevard and South China Lake Boulevard, identified as CHW-12 and CHW-14 in the City's Master Drainage Plan and in the RDEIR (see Figure IV.G-1). CHW-12 and CHW-14 then converge at the western boundary of the project site. The remaining drainage, including the DCC sump overflow, comes from the immediate south and currently flows north toward Bowman Road at the approximate middle of the project site. According to current project designs, that residual drainage, including the DCC sump overflow, would be directed east along the project's southern boundary and then north to Bowman Road up Silver Ridge Street.

Comment No. 13-4

3. Appendix J of the EIR addresses the drainage issues to the south-west of their property. The report indicates that Wal-Mart will make improvements to the drainage area referred to as CHW-12. The report states that the improvements will be "Native Sides and Floor". DCC made the improvements to Bataan Ave. and the curb, gutter and sidewalk to allow for both water runoff and vehicle access to the west side of our property. Will the proposed CHW-12 improvements prevent us from using that same access to park our vehicles on the west side of our property?

Response to Comment No. 13-4

The CHW-12 improvements would be along the western portion of the public right-of-way (the old College Heights dedication). The eastern portion of the public right-of-way, along DCC's western boundary, would not be impacted (see RDEIR, Figure II-4).

Comment No. 13-5

4. The EIR did not address our concern about noise, safety and security from the Wal-Mart parking lot. In previous discussions, Wal-Mart agreed to build a block wall on their south property line. This would reduce noise and improve the visual look from our church looking north to Wal-Mart. The block wall would also provide security and safety for our members and their children from the high traffic rate at Wal-Mart. Will a block wall be constructed on the south property line of the proposed Wal-Mart?

Response to Comment No. 13-5

Project impacts with respect to parking lot noise are analyzed on page IV.H-13 of the RDEIR:

Automobile movements in the parking lot would comprise the most continuous noise source and would generate a noise level of approximately 56 dBA L_{eq} (1-hour) at a distance of 50 feet. A worst case estimate of daytime ambient composite noise levels for a busy parking lot at the property line would be 60 dBA and assumes constant parking lot activity in close proximity to the property line. As discussed above, parking lot activity is more intermittent and the vast majority of the operational activity that produces the ambient noise for the proposed project will primarily be in the parking area near the two main entrances, which is approximately 500 to 700 feet from the residences, as opposed to being directly on the property line. It is more difficult to quantify ambient parking lot noise levels at nighttime (10:00 p.m. to 7:00 a.m.) because of the uncertainty of the level of activity. Based on human nature, especially when shopping late at night or early morning, the vast majority, if not all of the customers will park as close to the main entrances at possible. The tire and lube express will be closed from 10:00 p.m. to 7:00 a.m., so the parking area on the northeast corner will not be used at nighttime. Likewise, the garden center entrance will be closed from 10:00 p.m. to 7:00 a.m., so the parking area near that entrance, which is also the closest to the residential area will not be used. Therefore, it is anticipated that the ambient noise levels will be much lower at nighttime and the sources of intermittent noise will be a much greater distance from the residential areas, in the range of 500 to 700 feet. Assuming a high nighttime ambient parking lot noise of 60 dBA at 50 feet, this would fall below 50 dBA after 200 feet, well before the noise would reach the residential area. Based on the foregoing, the proposed project will not generate operational ambient noise levels in excess of the standards established in the local general plan.

In addition there may be single noise events in addition to the ambient noise produced by parking lot activities. This would include shouting and laughing (65 dBA at 50 feet), car door slamming (63 dBA at 50 feet) and car starting (60 dBA at 50 feet). These noise events are collateral noise sources resulting from the project and would be infrequent events. Furthermore, based on the distance of the parking lot to the residential areas, these noise events would decrease before they reach the sensitive receptors. Finally, as discussed above the nighttime parking lot activity would be an even greater distance from the residential area, so any resulting noise would fall below 50 dBA at the residential area. Based on the foregoing, these single event noise sources also would not violate the local general plan standards.

Project impacts with respect to police protection are analyzed on pages IV.A-11 and IV.A-12 of the RDEIR. Concluded therein, the proposed project would be adequately served by the Ridgecrest Police Department. In addition, the proposed project would be constructed with security features such as cameras and outdoor lighting.

The remainder of the comment states that Wal-Mart agreed to build a block wall on their south property line, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the RDEIR. Therefore, a response is not required pursuant to CEQA.

Nevertheless, this comment is acknowledged for the record and will be forwarded to the applicant and decision-making bodies for their review and consideration.

LETTER NO. 14

Jeffrey R. Single, Ph.D., Regional Manager
Central Region
State of California – The Resources Agency
Department of Fish and Game
1234 East Shaw Avenue
Fresno, CA 93710

Comment No. 14-1

The Department of Fish and Game has reviewed the RDEIR submitted by the City of California City for the above Project. Project approval would allow for the construction of a Wal-Mart store and gas station, and the grading of two additional parcels on approximately 28.5 acres. The project site is located on the southeast corner of Bowman Road and China Lake Boulevard.

Response to Comment No. 14-1

This comment confirms that the California Department of Fish and Game (CDFG) has reviewed the RDEIR. No response is required.

Comment No. 14-2

The Department has comments regarding proposed mitigation for biological resources. The Department agrees with measure D-5 regarding nesting birds, and with measure D-3 regarding focused surveys, passive exclusion, and off-site mitigation to compensate for impacts to burrowing owls (*Athene cunicularia*). According to the measures D-4, the Project applicant will assume presence of the State threatened Mojave ground squirrel (*Spermophilus mohavensis*) and apply for an Incidental Take Permit for the Department.

Response to Comment No. 14-2

This comment confirms concurrence with Mitigation Measures D-3, D-4, and D-5 prescribed in the RDEIR. No response is required.

Comment No. 14-3

Regarding the State and Federally threatened desert tortoise (*Gopherus agassizii*), the Department does not agree that measure D-2 would necessarily result in the avoidance of the species, and several activities could instead result in “take”: exclusion fencing could corral tortoises into a confined area and result in capture (which is defined as “take” in Section 86 of the Fish and Game Code), and the trenching for the fence could result in direct “take” of individuals or destruction of underground burrows. The same impacts could occur to Mohave ground squirrel, for which presence is being assumed. Focused surveys for desert tortoises on the Project site have expired, and it is possible that individuals or sign that were not detected in March 2007 are now present. Because of potential impacts to both desert tortoise and Mohave

ground squirrel, the Department cannot give the approval that would be necessary according to measure D-2 to construct and exclusion fence. The Department requests that measure D-2 be removed and that the applicant instead either repeat protocol-level presence/absence surveys (USFWS 2009) and submit survey results to the Department, or assume presence and incorporate desert tortoise into the Incidental Take Permit application that is already planned.

Response to Comment No. 14-3

This comment suggests that avoidance measures prescribed in Mitigation Measure D-2 would not necessarily avoid impacts to desert tortoises, if present. Additionally, this comment suggests that the desert tortoise surveys completed in March 2007 have expired. In response to this comment, the text of Mitigation Measure D-2 on page IV.D-25 of the RDEIR has been revised as follows:

Desert Tortoise

The following measure would mitigate potentially significant impacts to desert tortoise by ~~avoiding harm or harassment to any individuals which may be encountered on the project site during construction activities~~ requiring an updated survey and consultation with the U.S. Fish and Wildlife Service (Service) and the California Department of Fish and Game (Department):

- D-2 *(a) For the Proposed Wal-Mart Super Center Site, the following measures will be implemented:*
- Exclusion Fence
- 1. ~~Upon approval from the U.S. Fish and Wildlife Service (Service) and California Department of Fish and Game (Department), construct permanent desert tortoise exclusion fencing around the perimeter of the 28.5 acre proposed Wal-Mart site ("Proposed Site") using the Service's fence specifications. Fencing would be completed as soon as possible following approval from the Service and Department to ensure that no desert tortoise moves onto the site.~~*
 - 2. ~~A qualified desert tortoise biologist (qualified biologist) will be present during the installation of the desert tortoise exclusion fence. This individual will ensure that the process of installing the fence does not result in take of the desert tortoise.~~*
 - 3. ~~The desert tortoise exclusion fence will be inspected on a monthly basis by the qualified biologist and repaired immediately (within 48 hours) if it is not serving its intended purpose. The fence would be repaired with the same materials used to construct the fence.~~*
- Clearance Surveys
- 4. ~~Immediately after the desert tortoise exclusion fence is constructed around the Proposed Site, a more intensive survey will be done within the newly fenced area. This intensive survey would be two surveys; one survey will be walked on an east west axis, and the other on a north-south axis. The qualified biologist will conduct the two presence-absence surveys using belt transects with a maximum width of 15 feet. If the site has vegetation or topography that obscures or reduces the biologist's ability to see a desert tortoise or desert tortoise sign at a distance of up to 7.5 feet on either side of the transect, the width of the transect will be reduced, as appropriate.~~*

- ~~5. All burrows found will be examined for occupation by desert tortoise. The qualified biologist will examine every location that the desert tortoise may use as shelter within the site; therefore, a special emphasis will be placed on examining the interior of all burrows that could be used by the desert tortoise as shelter sites. Burrows would not be excavated to determine if desert tortoises are present.~~
- ~~6. The qualified biologist will map the location and type of all desert tortoise and desert tortoise sign, such as burrows, scat, tracks, carcasses, and shells, within the site.~~
- ~~7. If a desert tortoise or recent desert tortoise sign that was not found during the previous protocol survey is located during the clearance surveys, the Service and Department will be contacted within one business day.~~
- ~~8. Results of fence construction monitoring and the presence absence surveys will be reported to the Service and Department. If no desert tortoises are found within the Proposed Site, a letter will be requested from the Service and Department stating that the development within the fenced area is not likely to result in take of the desert tortoise.~~

~~(b) For the Proposed Off site Infrastructure Improvement Areas, the following measures will be implemented:~~

- ~~9. Prior to initiation of any construction related activities in the off site infrastructure improvement areas (including equipment or vehicle staging), the limits of disturbance will be clearly marked with temporary construction fencing or lathe with flagging tape. The qualified biologist will survey the entire area within limits of disturbance using the same clearance survey technique as described above (4 through 6). This survey shall be performed daily in all areas proposed for staging or disturbance during that day, and shall be performed in the morning prior to the initiation of any such activities.~~
- ~~10. During construction, a biological monitor (may be different than the qualified biologist, as approved by the Service and Department) will survey ahead of all equipment to ensure that no desert tortoises are present in the anticipated path of the equipment.~~
- ~~11. If a desert tortoise or recent desert tortoise sign that was not found during the previous protocol survey is located during daily surveys or during construction monitoring, the Service and Department will be contacted within one business day and all construction activities will cease in that area until consultation with these agencies is completed.~~
- ~~12. Results of the daily surveys and construction monitoring will be reported to the Service and Department following construction documenting compliance with these measures.~~

~~(c) During construction within the Proposed Wal-Mart Super Center Site and the Proposed Off site Infrastructure Improvement Areas, the following measures will be implemented:~~

- ~~13. The qualified biologist or biological monitor shall check under vehicles and equipment daily, prior to operation, to ensure that no tortoises are present.~~
- ~~14. The qualified biologist shall conduct an environmental awareness training program for all construction personnel prior to initiation of construction activities. The program shall include a discussion of the desert tortoise's regulatory status, habitat requirements, identification characteristics, project specific mitigation measures, and the endangered species act violation penalties.~~

To assess if desert tortoises that were not detected in March 2007 are now present, an up-to-date survey shall be conducted prior to project construction, but no more than one year before the initiation of construction activities. Based on the current survey protocol (Service 2009),¹ the Service considers the results of surveys to be valid for no more than one year. Surveys shall be conducted by an Authorized Biologist following the most current survey protocol issued by the Service. An Authorized Biologist is defined on the “Desert Tortoise – Authorized Biologist and Monitor Responsibilities and Qualification” information sheet prepared by the Service and available online at http://www.fws.gov/ventura/speciesinfo/protocols_guidelines/. In general, an Authorized Biologist is a biologist with thorough and current knowledge of desert tortoise behavior, natural history ecology, and physiology, and demonstrates substantial field experience and training to safely and successfully conduct his or her required duties. Following the completion of the survey, a survey results report shall be prepared and provided to the appropriate Service and Department field offices for review. This report shall include, but shall not be limited to, the following: (1) a description of the project; (2) maps delineating the boundaries of the action area (defined by regulation as all areas to be affected directly or indirectly and not merely the immediate area involved in the action [50 CFR §402.02]); (3) a summary of the survey methods and results, including a copy of the original datasheets; and (4) photographs of the action area.

Regardless of the survey results, the applicant shall consult with the Service and Department to obtain concurrence with the survey results and to determine if a federal and/or state permit that allows incidental “take” of the species is necessary. Project approvals by the City shall be contingent on the applicant securing a federal and/or state permit or receiving correspondence indicating that such permits are not required. Also, any additional measures, such as pre-construction avoidance measures, required by the Service and/or the Department shall be required by the City as a condition of project approvals.

Additionally, the text on page IV.D-14, Desert Tortoise, of the Revised Draft EIR has been revised as follows:

“...The quality of the habitat, as well as the probability of the desert tortoise occurring on, or using the site, is considered low. Refer to the Desert Tortoise Survey Report in Appendix E3 for a detailed description of the survey results.

The Service currently considers the results of pre-project surveys for desert tortoise to be valid for no more than one year (Service 2009). Consequently, the results of the desert tortoise survey discussed above have expired and additional surveys and consultation with the Service and the Department are necessary.

Comment No. 14-4

We are aware that the public comment period for this Project ended on June 26, 2009; however, we respectfully request that our late comments are considered in the development of minimization and mitigation measures and conditions of approval for this Project. In addition, it is important to note that Project approval by the CEQA Lead Agency does not eliminate the Project proponent’s obligation to comply with Fish and Game Code Section 2080. In other words, compliance with the California

¹ U.S. Fish and Wildlife Service (Service). 2009. Preparing for any action that may occur within the range of the Mojave desert tortoise (*Gopherus agassizii*). April 2009.

Endangered Species Act (CESA) does not automatically occur based on local agency project approvals or CEQA completion; consultation with the Department is warranted to insure that Project implementation does not result in unauthorized “take” of a State-listed species.

Response to Comment No. 14-4

This comment suggests that local agency project approvals or CEQA completion does not eliminate the need to comply with the California Endangered Species Act. Although this comment does not indicate any deficiency or question about the adequacy of the analysis or mitigation measures contained in the Revised Draft EIR, it will be forwarded to the decision-making bodies as part of the Final EIR for their consideration in reviewing the project.

LETTER NO. 15

Steve Young, Engineer 41
County of Kern
Roads Department
2700 "M" Street, Suite 400
Bakersfield, CA 93301-2370

Comment No. 15-1

Thank you for the opportunity to review the Draft EIR for the above project. This department has reviewed the Traffic Impact Analysis (Austin Foust Associates, Inc. – revised February 2009) for the project above, and has the following comments:

Response to Comment No. 15-1

This comment provides general introductory information, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the RDEIR. Therefore, a response is not required pursuant to CEQA. Nevertheless, this comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. 15-2

1. Page 3-1, Appendix M – Traffic Report, 3.1 TRIP GENERATION, Please provide justification for the Pass-by percentage reductions for the project. The ITE's Trip Generation Handbook does not show this as being a Multi-Use Development. Please explain.

Response to Comment No. 15-2

Pass-by trips refer to vehicles that are currently on the street adjacent to the project site and merely turn into the project as they pass by on their way to another destination. These trips would be on the adjacent street whether or not the proposed project is developed. As discussed in the *Traffic Impact Analysis* (contained as Appendix M to the Revised Draft EIR), ITE studies have found that for Stand-Alone Discount Superstores (ITE Category 813), such as the proposed Wal-Mart store, the Pass-by percentage is 28 percent during the PM peak hour (*ITE Trip Generation Handbook*, Second Edition – Chapter 5). For Service Stations (ITE Category 944), the Pass-by percentage is 42 percent during the PM peak hour. (*Id.*)

The Pass-by trips should not be confused with Internal Capture trips, which occur when patrons of a multi-use development (consisting of retail, office, and residential uses) make trips among the various land uses on-site and do not enter the street system. Internal Capture trips of Multi-Use developments are discussed in Chapter 7 of the *ITE Trip Generation Handbook*, Second Edition. No reduction for Internal Capture trips was applied to the proposed project.

Comment No. 15-3

2. The Kern COG model runs do not reflect existing improvements. Please explain.

Response to Comment No. 15-3

Existing lane configurations were used for the existing, background, and buildout analyses. However, the software for calculating HCM delay has a limitation of two lanes per approach for all-way stop-controlled intersections. Therefore, at all-way stop-controlled intersections that have more than two lanes on an approach, the lane configuration and volume was modified to show a total of only two lanes. No modification of lanes or volumes was made at signalized intersections or at two-way stop-controlled intersections.

Comment No. 15-4

3. The Traffic Impact Analysis should be expanded to include the following intersections due to peak hour trip generations (Bowman Road and Gateway Blvd.), (China Lake Blvd. and Ridgecrest Blvd.), and (China Lake Blvd. and Downs Street). Please revise.

Response to Comment No. 15-4

The intersection of China Lake Boulevard at Ridgecrest Boulevard (Intersection No. 13) is included in the impact analysis (see RDEIR, Tables IV.J-5 and IV.J-6), although the volumes for this intersection are not included in the figures illustrating PM peak hour volumes. The impact analysis concludes that the project has no significant impact in the intersection of China Lake Boulevard at Ridgecrest Boulevard under background or buildout conditions (see Revised Draft EIR, Tables IV.J-5 and IV.J-6).

The intersection of Bowman Road at Gateway Boulevard is located approximately one-half mile east of Sunland Street at Bowman Road, which was analyzed in the RDEIR as Intersection No. 4. As shown in Table IV.J-5 and IV.J-6, Background Plus Project at this intersection results in an additional 0.6 second delay, with a LOS of A, and Buildout with Project at this intersection results in a delay of an additional 5.0 seconds, with a LOS of B. The intersection of China Lake Boulevard at Downs Street is located approximately one-half mile southwest of Norma Street at China Lake Boulevard, which was analyzed in the RDEIR as Intersection No. 10. Background Plus Project at this intersection results in an additional 0.5 second delay, with a LOS of A, and Buildout with Project at this intersection results in a delay of an additional 0.6 seconds, with a LOS of A. As a result of this analysis, the project was found to not have significant impacts under background and buildout conditions at these two intersections.

As project traffic moves farther from the project site, the traffic dissipates and further reduces the project's impacts. The project's impacts at the intersections of Norma Street at China Lake Boulevard and Sunland Street at Bowman Road were no greater than 5.0 second per vehicle and did not result in a LOS lower than B. Therefore, at intersections farther away from the project site, the project's impacts would be no greater than at those closer to the site, which were already less than significant.

III. CORRECTIONS AND ADDITIONS TO THE REVISED DRAFT EIR

Any corrections to the Revised Draft Environmental Impact Report (RDEIR) text, generated either from responses to comments or independently by the City of Ridgecrest, are stated in this section of the Final EIR. The RDEIR text has not been modified to reflect these EIR corrections and additions.

These corrections and additions are provided to clarify, refine, and provide supplemental information for the RDEIR. Changes may be corrections or clarifications to the text of the original RDEIR. Other changes to the EIR clarify the analysis in the RDEIR based upon the information and concerns raised by commentators during the public comment period. None of the information contained in these EIR corrections and additions constitutes significant new information or changes to the analysis or conclusions of the RDEIR.

The information included in these EIR corrections and additions resulting from the public comment process do not constitute substantial new information that requires recirculation of the RDEIR. California Environmental Quality Act (CEQA) Guidelines, Section 15088.5, states in part:

- (a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. “Significant new information” requiring recirculation includes, for example, a disclosure showing that:
 - (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
 - (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
 - (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.
 - (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.
- (b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

The changes to the RDEIR included in these EIR modifications do not constitute “significant” new information because:

- No new significant environmental impact would result from the project or from a new mitigation measure;
- There is no substantial increase in the severity of an environmental impact that would result unless mitigation measures are adopted that reduce the identified significant impacts to a level of insignificance;
- No feasible project alternative or mitigation measure considerably different from others previously analyzed has been proposed or identified that would clearly lessen the significant environmental impacts of the project; and
- The Draft EIR is not fundamentally or basically inadequate or conclusory in nature such that meaningful public review and comment were precluded.

Therefore, recirculation of the RDEIR is not required because the new information added to the EIR through these modifications clarifies or amplifies or makes insignificant modifications to the already adequate RDEIR.

The following corrections and additions are set forth to update the Ridgecrest Wal-Mart and Retail Center Project RDEIR in response to the comments received during and after the public review period, as well as City staff directed changes. Changes to the RDEIR are listed by chapter and page number.

PREAMBLE TO THE RECIRCULATED DRAFT EIR

No corrections or additions are provided.

EXECUTIVE SUMMARY

No corrections or additions are provided.

I. INTRODUCTION

No corrections or additions are provided.

II. PROJECT DESCRIPTION

No corrections or additions are provided.

III. ENVIRONMENTAL SETTING

No corrections or additions are provided.

IV. ENVIRONMENTAL IMPACT ANALYSIS

A. Impacts Found To Be Less Than Significant

No corrections or additions are provided.

B. Aesthetics

No corrections or additions are provided.

C. Air Quality

The second paragraph on page IV.C-21 is revised as follows:

Construction Emissions - Localized

The daily construction emissions generated by the proposed project during the two-month site grading phase are also analyzed against localized significance thresholds (LSTs) to determine whether the emissions would cause or contribute to adverse localized air quality impacts. This analysis is based on computer modeling of the project site emissions with the Industrial Source Complex –Short-Term (Version 3) dispersion model (ISCST3). Emission rates taken for fugitive emissions and off-road construction equipment were calculated from the URBEMIS 2007 model and are presented in Table IV.C-5. Data sheets from the ISCST3 output are provided in Appendix D. The KCAPCD only requires this analysis for PM₁₀ emissions. Figure IV.C-1, shows the off-site sensitive uses surrounding the project site that could potentially be subject to localized air quality impacts associated with construction of the proposed project. As shown, the nearest and most notable off-site sensitive receptors to the project site are the single-family residential buildings located directly to the north, north of W. Bowman Road, and the Desert Christian Church building located to the south.

D. Biological Resources

The text of Mitigation Measure D-2 on page IV.D-25 of the RDEIR has been revised as follows:

Desert Tortoise

The following measure would mitigate potentially significant impacts to desert tortoise by ~~avoiding harm or harassment to any individuals which may be encountered on the project site during construction activities requiring an updated survey and consultation with the U.S. Fish and Wildlife Service (Service) and the California Department of Fish and Game (Department):~~

D-2 ~~(a) For the Proposed Wal-Mart Super Center Site, the following measures will be implemented:~~

Exclusion Fence

- ~~1. Upon approval from the U.S. Fish and Wildlife Service (Service) and California Department of Fish and Game (Department), construct permanent desert tortoise exclusion fencing around the perimeter of the 28.5 acre proposed Wal-Mart site (“Proposed Site”) using the Service’s fence specifications. Fencing would be completed as soon as possible following~~

approval from the Service and Department to ensure that no desert tortoise moves onto the site.

2. A qualified desert tortoise biologist (qualified biologist) will be present during the installation of the desert tortoise exclusion fence. This individual will ensure that the process of installing the fence does not result in take of the desert tortoise.
3. The desert tortoise exclusion fence will be inspected on a monthly basis by the qualified biologist and repaired immediately (within 48 hours) if it is not serving its intended purpose. The fence would be repaired with the same materials used to construct the fence.

Clearance Surveys

4. Immediately after the desert tortoise exclusion fence is constructed around the Proposed Site, a more intensive survey will be done within the newly fenced area. This intensive survey would be two surveys; one survey will be walked on an east west axis, and the other on a north south axis. The qualified biologist will conduct the two presence absence surveys using belt transects with a maximum width of 15 feet. If the site has vegetation or topography that obscures or reduces the biologist's ability to see a desert tortoise or desert tortoise sign at a distance of up to 7.5 feet on either side of the transect, the width of the transect will be reduced, as appropriate.
5. All burrows found will be examined for occupation by desert tortoise. The qualified biologist will examine every location that the desert tortoise may use as shelter within the site; therefore, a special emphasis will be placed on examining the interior of all burrows that could be used by the desert tortoise as shelter sites. Burrows would not be excavated to determine if desert tortoises are present.
6. The qualified biologist will map the location and type of all desert tortoise and desert tortoise sign, such as burrows, scat, tracks, carcasses, and shells, within the site.
7. If a desert tortoise or recent desert tortoise sign that was not found during the previous protocol survey is located during the clearance surveys, the Service and Department will be contacted within one business day.
8. Results of fence construction monitoring and the presence absence surveys will be reported to the Service and Department. If no desert tortoises are found within the Proposed Site, a letter will be requested from the Service and Department stating that the development within the fenced area is not likely to result in take of the desert tortoise.

(b) For the Proposed Off-site Infrastructure Improvement Areas, the following measures will be implemented:

9. Prior to initiation of any construction related activities in the off site infrastructure improvement areas (including equipment or vehicle staging), the limits of disturbance will be clearly marked with temporary construction fencing or lathe with flagging tape. The qualified biologist will survey the entire area within limits of disturbance using the same clearance survey technique as described above (4 through 6). This survey shall be

- ~~performed daily in all areas proposed for staging or disturbance during that day, and shall be performed in the morning prior to the initiation of any such activities.~~
- ~~10. During construction, a biological monitor (may be different than the qualified biologist, as approved by the Service and Department) will survey ahead of all equipment to ensure that no desert tortoises are present in the anticipated path of the equipment.~~
 - ~~11. If a desert tortoise or recent desert tortoise sign that was not found during the previous protocol survey is located during daily surveys or during construction monitoring, the Service and Department will be contacted within one business day and all construction activities will cease in that area until consultation with these agencies is completed.~~
 - ~~12. Results of the daily surveys and construction monitoring will be reported to the Service and Department following construction documenting compliance with these measures.~~
- ~~(c) During construction within the Proposed Wal-Mart Super Center Site and the Proposed Off-site Infrastructure Improvement Areas, the following measures will be implemented:~~
- ~~13. The qualified biologist or biological monitor shall check under vehicles and equipment daily, prior to operation, to ensure that no tortoises are present.~~
 - ~~14. The qualified biologist shall conduct an environmental awareness training program for all construction personnel prior to initiation of construction activities. The program shall include a discussion of the desert tortoise's regulatory status, habitat requirements, identification characteristics, project-specific mitigation measures, and the endangered species act violation penalties.~~

To assess if desert tortoises that were not detected in March 2007 are now present, an up-to-date survey shall be conducted prior to project construction, but no more than one year before the initiation of construction activities. Based on the current survey protocol (Service 2009),¹ the Service considers the results of surveys to be valid for no more than one year. Surveys shall be conducted by an Authorized Biologist following the most current survey protocol issued by the Service. An Authorized Biologist is defined on the "Desert Tortoise – Authorized Biologist and Monitor Responsibilities and Qualification" information sheet prepared by the Service and available online at http://www.fws.gov/ventura/speciesinfo/protocols_guidelines/. In general, an Authorized Biologist is a biologist with thorough and current knowledge of desert tortoise behavior, natural history ecology, and physiology, and demonstrates substantial field experience and training to safely and successfully conduct his or her required duties. Following the completion of the survey, a survey results report shall be prepared and provided to the appropriate Service and Department field offices for review. This report shall include, but shall not be

¹ U.S. Fish and Wildlife Service (Service). 2009. *Preparing for any action that may occur within the range of the Mojave desert tortoise (Gopherus agassizii)*. April 2009.

limited to, the following: (1) a description of the project; (2) maps delineating the boundaries of the action area (defined by regulation as all areas to be affected directly or indirectly and not merely the immediate area involved in the action [50 CFR §402.02]); (3) a summary of the survey methods and results, including a copy of the original datasheets; and (4) photographs of the action area.

Regardless of the survey results, the applicant shall consult with the Service and Department to obtain concurrence with the survey results and to determine if a federal and/or state permit that allows incidental “take” of the species is necessary. Project approvals by the City shall be contingent on the applicant securing a federal and/or state permit or receiving correspondence indicating that such permits are not required. Also, any additional measures, such as pre-construction avoidance measures, required by the Service and/or the Department shall be required by the City as a condition of project approvals.

Additionally, the text on page IV.D-14, Desert Tortoise, of the Revised Draft EIR has been revised as follows:

“...The quality of the habitat, as well as the probability of the desert tortoise occurring on, or using the site, is considered low. Refer to the Desert Tortoise Survey Report in Appendix E3 for a detailed description of the survey results.

The Service currently considers the results of pre-project surveys for desert tortoise to be valid for no more than one year (Service 2009). Consequently, the results of the desert tortoise survey discussed above have expired and additional surveys and consultation with the Service and the Department are necessary.

E. Cultural Resources

No corrections or additions are provided.

F. Geology and Soils

No corrections or additions are provided.

G. Hydrology and Water Quality

No corrections or additions are provided.

H. Noise

No corrections or additions are provided.

I. Population and Housing

No corrections or additions are provided.

J. Transportation/Traffic

No corrections or additions are provided.

V. General Impact Categories

No corrections or additions are provided.

VI. Alternatives to the Proposed Project

No corrections or additions are provided.

IV. MITIGATION MONITORING AND REPORTING PROGRAM

Section 21081.6 of the *Public Resources Code* requires a Lead Agency to adopt a “reporting or monitoring program for the changes to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment” (Section 15097 of the CEQA Guidelines (Mitigation Monitoring or Reporting) provides additional direction on mitigation monitoring and reporting). The City of Ridgecrest is the Lead Agency for the proposed project.

An RDEIR has been prepared to address the potential environmental impacts of the proposed project. Where appropriate, the RDEIR includes recommended mitigation measures to avoid or substantially lessen the significant environmental impacts associated with the proposed project. The RDEIR includes other recommended mitigation measures that would reduce further non-significant environmental impacts associated with the proposed project. This Mitigation Monitoring and Reporting Program (MMRP) is designed to monitor and report on implementation of all mitigation measures that are adopted for the proposed project. As shown on the following pages, each required mitigation measure for the proposed project is listed and categorized by impact area, with accompanying discussion of:

- Monitoring Phase, the phase of the project during which the mitigation measure shall be monitored:
 - Pre-Construction, including the design phase.
 - Construction.
 - Occupancy (post-construction).
- The Enforcement Agency, the agency with the power to enforce the mitigation measure.
- The Monitoring Agency, the agency to which reports involving feasibility, compliance, implementation and development are made.

The MMRP for the proposed project will be in place throughout all phases of the project. The project developer shall be responsible for implementing all mitigation measures unless otherwise noted. The project developer shall also be obligated to provide certification, as identified below, to the appropriate monitoring agency and the appropriate enforcement agency that compliance with the required mitigation measure has been implemented. The City’s existing planning, engineering, review and inspection processes will be used as the basic foundation for the MMRP procedures and will also serve to provide the documentation for the reporting program.

The substance and timing of each certification report that is submitted to the Community Development Department shall be at the discretion of the City. Generally, each report will be submitted to the Community Development Department in a timely manner following completion/implementation of the applicable mitigation measure and shall include sufficient information to reasonably determine whether

the intent of the measure has been satisfied. The Community Development Department, in conjunction with the project developer, shall assure that project construction occurs in accordance with the MMRP. The Kern County Air Pollution Control District (KCAPCD) shall be responsible for the implementation of corrective actions relative to violations of KCAPCD rules associated with mitigation. Departments listed below are all departments of the City, unless otherwise noted.

B. AESTHETICS

B-1 All exterior structure or parking lot lighting shall be directed towards the specific location intended for illumination. State-of-the-art fixtures shall be used, and all lighting shall be shielded to minimize production of light overspill.

Monitoring Phase:	Design and Occupancy
Enforcement Agency:	Community Development Department
Monitoring Agency:	Community Development Department

C. AIR QUALITY

C-1 During construction, the project developer shall implement comprehensive fugitive dust control measures. The project developer shall include in construction contracts the following control measures and any others required and recommended by the KCAPCD at the time of development.

- Watering shall be used to control dust generation during demolition of structures or break-up of pavement.
- The area of the project site being disturbed by construction activities and ingress/egress routes shall be minimized to the smallest area possible. If necessary, areas not under development shall be fenced off to prevent excessive disturbance.
- Active grading/excavation sites and unpaved surfaces shall be watered at least three times daily.
- All stockpiles and inactive construction areas shall be covered with tarps or applied with non-toxic chemical soil binders.
- Vehicle speed on unpaved roads shall be limited to 20 miles per hour.
- All paved parking areas and staging areas shall be swept daily (with water sweepers).
- Daily clean-up of mud and dirt carried onto paved streets from the site shall be performed.
- Wheel washers for all exiting trucks shall be installed, or the tires or tracks of all trucks and equipment shall be washed off before leaving the site.
- Wind breaks shall be installed at the windward sides of construction areas.
- Excavation and grading activities shall be suspended when winds (instantaneous gusts) exceed 15 miles per hour over a 30-minute period or more.
- An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information

about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt.

Monitoring Phase: Construction
Enforcement Agency: KCAPCD
Monitoring Agency: KCAPCD/
 Community Development Department

C-2 Prior to the issuance of a Certificate of Occupancy, the project developer shall pave the unpaved portions of the following roadway segments:

- Sunland Street between Bowman Road and Dolphin Avenue.
- Sunland Street between Upjohn Avenue and Bowman Road.

Monitoring Phase: Prior to Occupancy
Enforcement Agency: Community Development Department
Monitoring Agency: Community Development Department / Public Works

D. BIOLOGICAL RESOURCES

D-1 To mitigate for the removal of the 0.019-acre of riparian habitat, comprised of a several desert willow trees within Channel BW-9, Wal-Mart shall replace the riparian habitat at a minimum 2:1 acreage ratio at an appropriate on or off-site location. The replacement habitat shall be planted no later than the fall or winter following project completion. The replacement habitat shall consist of riparian or desert wash tree species native to the northern Mojave desert, and shall be designed to replace the 0.019-acre of habitat removed within 5 years after installation. The riparian replacement habitat shall be maintained for a minimum of three years to ensure survival, including any necessary irrigation, protection or weeding. The riparian replacement habitat shall be monitored annually for five years; if mortality of replacement trees occurs within this period, or the 2:1 replacement acreage is not met after 5 years, then additional riparian vegetation shall be planted and maintained and monitored for an additional three year period. Monitoring reports shall be submitted annually to the City and CDFG. This riparian habitat replacement shall also adhere to, or may be superseded by, any conditions of a Streambed Alteration Agreement issued by CDFG, under Mitigation Measure D-8.

Monitoring Phase: Prior to Issuance of Grading Permit
Enforcement Agency: California Department of Fish and Game
Monitoring Agency: California Department of Fish and Game

D-2 To assess if desert tortoises that were not detected in March 2007 are now present, an up-to-date survey shall be conducted prior to project construction, but no more than one year before the

initiation of construction activities. Based on the current survey protocol (Service 2009),¹ the Service considers the results of surveys to be valid for no more than one year. Surveys shall be conducted by an Authorized Biologist following the most current survey protocol issued by the Service. An Authorized Biologist is defined on the “Desert Tortoise – Authorized Biologist and Monitor Responsibilities and Qualification” information sheet prepared by the Service and available online at http://www.fws.gov/ventura/speciesinfo/protocols_guidelines/. In general, an Authorized Biologist is a biologist with thorough and current knowledge of desert tortoise behavior, natural history ecology, and physiology, and demonstrates substantial field experience and training to safely and successfully conduct his or her required duties. Following the completion of the survey, a survey results report shall be prepared and provided to the appropriate Service and Department field offices for review. This report shall include, but shall not be limited to, the following: (1) a description of the project; (2) maps delineating the boundaries of the action area (defined by regulation as all areas to be affected directly or indirectly and not merely the immediate area involved in the action [50 CFR §402.02]); (3) a summary of the survey methods and results, including a copy of the original datasheets; and (4) photographs of the action area.

Regardless of the survey results, the applicant shall consult with the Service and Department to obtain concurrence with the survey results and to determine if a federal and/or state permit that allows incidental “take” of the species is necessary. Project approvals by the City shall be contingent on the applicant securing a federal and/or state permit or receiving correspondence indicating that such permits are not required. Also, any additional measures, such as pre-construction avoidance measures, required by the Service and/or the Department shall be required by the City as a condition of project approvals.

Monitoring Phase: Prior to Issuance of Grading Permit
Enforcement Agency: U.S. Fish and Wildlife Service/California Department of Fish and Game
Monitoring Agency: U.S. Fish and Wildlife Service/California Department of Fish and Game

D-3 The occupied burrows shall be avoided by the project as recommended by the Burrowing Owl Survey Protocol and Mitigation Guidelines (Guidelines), consisting of maintaining a 75-meter radius protective buffer around the occupied burrows during the breeding season (February 1 through August 31). Mitigation will consist of passively excluding the owls from their burrow during the non-breeding season using methods specified in the Guidelines in coordination with CDFG. In addition, off-site mitigation land will be purchased (through a mitigation bank or as a conservation easement) ranging from 9.75 acres to 19.5 acres per the Guidelines, depending on the habitat present on the off-site mitigation land. The replaced burrow and mitigation foraging habitat will be preserved in perpetuity through a conservation easement. A mitigation plan shall be submitted to and approved by CDFG prior to project grading, including passive relocation methods and the location and acreage of proposed off-site mitigation land.

¹ U.S. Fish and Wildlife Service (Service). 2009. *Preparing for any action that may occur within the range of the Mojave desert tortoise (Gopherus agassizii)*. April 2009.

A preconstruction survey may still be required by CDFG no more than 30 days prior to commencement of grading operations to ensure that no additional owls have moved onto the site. If additional owls are found on-site during the preconstruction survey, an informal consultation with CDFG will be required and mitigation shall follow the methods outlined in the mitigation plan approved by CDFG.

Monitoring Phase: Prior to Issuance of Grading Permit
Enforcement Agency: California Department of Fish and Game
Monitoring Agency: California Department of Fish and Game

- D-4** To avoid adverse impacts to Mohave ground squirrel, the applicant will assume that Mohave ground squirrel is present on-site and apply for an Incidental Take Permit (Section 2081) from CDFG; project construction shall not begin until an Incidental Take Permit is received from CDFG. Permit conditions generally include biological monitoring during construction, and preservation and management of suitable or occupied off-site habitat at a 1:1 or 2:1 ratio (preserved habitat to removed marginal habitat) to be determined in consultation with CDFG during the permit process.

Monitoring Phase: Prior to Issuance of Grading Permit
Enforcement Agency: California Department of Fish and Game
Monitoring Agency: California Department of Fish and Game

- D-5** Limiting project construction activities that may destroy bird nests (i.e. vegetation removal or grading) to the non-breeding season for most birds, approximately September 1 through January 31, would avoid this impact. If any construction activities are scheduled to occur during the nesting season for migratory birds (generally February 1 - August 31), then no more than three days prior to the start of work, the project developer shall have a qualified biologist survey the project site for the presence of any occupied nests. If such a nest is found, it shall be protected until nesting activity has ended to ensure compliance with the MBTA and Section 3503 of the California Fish and Game Code. The qualified biologist will determine an adequate avoidance buffer, based on the species and type of construction activity scheduled for the area. The qualified biologist will flag or otherwise designate the avoidance area and will conduct periodic site visits to monitor the nesting activity. Once the nestlings have fledged the nest, no further monitoring or mitigation is required.

Monitoring Phase: Construction
Enforcement Agency: California Department of Fish and Game
Monitoring Agency: California Department of Fish and Game

- D-6** To minimize the potential of accidental impacts to adjacent offsite habitat during site preparation (excavation and grading) activities, grading and clearing limits shall be clearly staked prior to the issuance of grading permits and/or land disturbance.

Monitoring Phase: Construction
Enforcement Agency: Community Development Department
Monitoring Agency: Community Development Department

- D-7** Landscaping adjacent to natural areas shall use native and drought-tolerant plant species such as honey mesquite (*Prosopis glandulosa*), desert lavender (*Hyptis emoryi*), creosote bush (*Larrea tridentata*) and cactus species. The use of non-native species known to be weedy invasives including, but not limited to, cape ivy (*Delairea odorata*), periwinkle (*Vinca major*), and/or iceplant (*Carpobrotus spp.*) shall be prohibited.

Monitoring Phase: Prior to issuance of grading permits and construction
Enforcement Agency: Community Development Department
Monitoring Agency: Community Development Department

- D-8** The following actions will occur prior to project construction activities:

1. Submit a Notification package to the California Department of Fish and Game under Section 1600 of the State Fish and Game Code. If CDFG determines that the project will require a Streambed Alteration Agreement for impacts to the drainage channel, then the Agreement will be acquired and all conditions will be agreed to prior to project construction. This permit application will include riparian habitat replacement as required under Mitigation Measure D-1 or as required by CDFG through a Streambed Alteration Agreement.
2. Submit a Notice of Intent to the Lahontan Regional Water Quality Control Board for their General Permit R6T-2003-0004 (for minor streambed alteration projects where the Corps does not have jurisdiction). This permit will be acquired and all conditions will be agreed to prior to project construction.

Monitoring Phase: Prior to Issuance of Grading Permit
Enforcement Agency: Lahontan Regional Water Quality Control Board /
 California Department of Fish and Game
Monitoring Agency: Lahontan Regional Water Quality Control Board /
 California Department of Fish and Game

E. CULTURAL RESOURCES

- E-1** If an archaeological resource is encountered, construction must be diverted and a qualified archaeologist must be consulted. An archaeologist must assess significance of the exposed

archaeological discovery in accordance with California Register criteria. If a significant resource is identified during construction, the State Historic Preservation Office must be consulted regarding treatment options, and will make recommendations on the future handling of the resource, if any.

Monitoring Phase: Construction
Enforcement Agency: California Office of Historic Preservation
Monitoring Agency: Community Development Department

- E-2** Pursuant to California Health and Safety Code Section 7050.5 in the event of the discovery of a burial, human bone or suspected human bone, construction in the area of the find shall be temporarily halted and the Orange County Coroner shall be contacted immediately. Proper legal procedures shall be followed to determine the disposition of the remains pursuant to Public Resources Code Section 5097.98. If the remains are found to be prehistoric, the Coroner will consult and coordinate with the California Native American Heritage Commission as required by State law.

Monitoring Phase: Construction
Enforcement Agency: Native American Heritage Commission
Monitoring Agency: Community Development Department

- E-3** The project applicant shall identify a qualified paleontologist prior to any excavation, grading, or construction. The project paleontologist shall attend the pre-grading meeting to discuss how to recognize paleontological resources in the soil during grading activities. The prime construction contractor and any subcontractor(s) shall be cautioned on the legal and/or regulatory implications of knowingly destroying paleontological resources or removing paleontological resources from the project site.

Monitoring Phase: Prior to Issuance of Grading Permit and Construction
Enforcement Agency: Community Development Department
Monitoring Agency: Community Development Department

- E-4** If paleontological resources are encountered during the course of site development activities, work in that area shall be halted and the project paleontologist shall be notified of the find. The project paleontologist shall have the authority to temporarily divert or redirect grading to allow time to evaluate any exposed fossil material. "Temporarily" shall be two working days for the evaluation process.

Monitoring Phase: Construction
Enforcement Agency: Community Development Department
Monitoring Agency: Community Development Department

- E-5** If the project paleontologist determines that the resource is significant, then any scientifically-significant specimens shall be properly collected by the project paleontologist. During collection

activities, contextual stratigraphic data shall also be collected. The data will include lithologic descriptions, photographs, measured stratigraphic sections, and field notes.

Monitoring Phase: Construction
Enforcement Agency: Community Development Department
Monitoring Agency: Community Development Department

E-6 Scientifically-significant specimens shall be prepared to the point of identification (not exhibition), stabilized, identified, and offered for curation to a suitable repository that has a retrievable storage system.

Monitoring Phase: Construction
Enforcement Agency: Community Development Department
Monitoring Agency: Community Development Department

E-7 The project paleontologist shall prepare a final report at the end of the earthmoving activities; the report shall include an itemized inventory of recovered fossils and appropriate stratigraphic and locality data.

Monitoring Phase: Construction
Enforcement Agency: Community Development Department
Monitoring Agency: Community Development Department

F. GEOLOGY AND SOILS

F-1 The project shall be designed in accordance with the requirements of the latest edition of the Uniform Building Code, the California Building Code and the applicable ordinances of the City of Ridgecrest.

Monitoring Phase: Prior to Issuance of Building Permit
Enforcement Agency: Community Development Department
Monitoring Agency: Community Development Department

F-2 The project shall comply with the following recommendations with regard to earthwork:

- Prior to grading, the areas to be developed should be cleared of all debris and pavements. Buried obstructions, such as utilities and tree roots, located within the proposed building areas should be removed. Inert demolition debris, such as concrete and asphalt, may be crushed for reuse in engineered fills outside the planned building areas.
- Prior to placement of fills or construction of buildings, the loose natural soils and any existing undocumented fills within the proposed building pad (including the building, canopies, loading dock retaining walls, and other foundation supported improvements associated with the proposed Wal-Mart store and gas station) should be removed and replaced as properly compacted fill.
- For planning purposes, it is recommend that removals in the Wal-Mart building area and

gas station pad extend to a depth of 4 feet below existing grades. The actual depths of removals will need to be determined during grading in the field by a representative of GPI.

- The base of removals should extend laterally beyond the building line or perimeter footings a minimum distance of 10 feet.
- Existing utility trench backfill within building areas should be removed and replaced as properly compacted fill. Removals over the utilities should extend to within 1-foot of the top of the pipe. For utilities that are 5 feet or shallower, the removal should extend laterally 1-foot beyond both sides of the pipe. For deeper utilities, the removals should include a zone defined by a 1:1 projection upward (and away from the pipe) from each side of the pipe. The actual limits of removal will be confirmed in the field.
- Excavations in compacted fill or dense natural soils may be cut up to 4 feet vertically. In undocumented fill and the upper dry granular soils, even shallow vertical excavations may cave and will need to be shored or sloped back to an inclination of 1:1 or flatter. Excavations between 4 and 12 feet deep should be shored or sloped back to 1:1 or flatter.
- Surcharge loads should not be permitted within a horizontal distance equal to the height of cut from the top of the excavation or 5 feet from the top of the slopes, whichever is greater, unless the cut is properly shored. Excavations that extend below an imaginary plane, inclined at 45 degrees below the edge of an adjacent existing site facility should be properly shored to maintain support of adjacent elements. All excavations and shoring systems should meet the minimum requirements given in the most current State of California Occupational Safety and Health Standards.
- After completion of the removals in the building pads and to prepare the subgrade in pavement and hardscape areas, the exposed subgrade should be scarified to a depth of at least 12 inches, moisture-conditioned (wetted), and compacted to at least 95 percent of maximum dry density.
- The on-site soils are, in general, suitable for use as compacted fill and retaining wall backfill. Retaining wall backfill should consist of on-site or imported granular soils. On-site clayey soils should not be used for wall backfill.
- Soils used in compacted fills should be free of debris and should not contain material larger than 6 inches in any dimension. Soils placed within 2 feet of the finished grade in building pad areas should not contain any particles larger than 2 inches in size.
- All fill soils should be placed in horizontal lifts, moisture-conditioned, and mechanically compacted to at least 95 percent (under the Wal-Mart and the upper 12 inches of the pavement areas) or 90 percent (greater than 12 inches below the finished pavement subgrade) of maximum dry density in accordance with ASTM D 1557. The optimum lift thickness will depend on the compaction equipment used and can best be determined in the field.
- The moisture content of the fill materials should be within two percent over optimum to readily achieve the required degree of compaction. The moisture content of the existing near-surface soils is, in general, below optimum moisture content and will require moistening prior to compaction.

- During backfill of excavations, the fill should be properly benched into the construction slopes as it is placed in lifts.
- For earthwork volume estimating purposes, an average shrinkage value of 10 to 15 percent and subsidence of 0.1 feet may be assumed for the surficial soils.
- Utility trench backfill, consisting of the on-site sandy soils, should be mechanically compacted in lifts. Wall backfill should consist of non-expansive granular soils.
- In backfill areas where mechanical compaction of soil backfill is impractical due to space constraints, sand-cement slurry may be substituted for compacted backfill.

Monitoring Phase: Prior to Issuance of Grading Permit and Construction
Enforcement Agency: Community Development Department
Monitoring Agency: Community Development Department

F-3 The project shall comply with the following recommendations with regard to foundations:

- The proposed structures may be supported on conventional isolated and/or continuous shallow spread footings. All footings should be supported by properly compacted fill.
- Prior to placement of steel and concrete, the Geotechnical Engineer should observe and approve all footing excavations.

Monitoring Phase: Prior to Issuance of Grading Permit and Construction
Enforcement Agency: Community Development Department
Monitoring Agency: Community Development Department

F-4 The project shall comply with the following recommendations with regard to building floor slabs:

- In accordance with Wal-Mart requirements, building floor slabs should be underlain by a 4-inch thick layer of coarse aggregate base and a 2-inch layer of fine aggregate base. The coarse aggregate base layer should consist of material that meets the requirements for Size No. 67 as outlined in ASTM D 448-03 (90 to 100 percent passing 1/2-inch sieve, 20 to 55 percent passing 3/8-inch sieve, and 0-10 percent passing the No. 4 sieve). The fine aggregate base should meet the requirements for Size No. 10 as outlined in ASTM D 448-03 (85 to 100 percent passing the No. 4 sieve) with an additional requirement of having between 6 and 12 percent passing the No. 200 sieve.
- If moisture-sensitive floor coverings are to be used, a vapor retarder/barrier should be provided, as directed by Wal-Mart. If the retarder/barrier is plastic sheeting, it should be at least 10 mils thick and be protected with at least 2 inches of clean sand (less than 5 percent passing the No. 200 sieve) above and below the sheeting.

Monitoring Phase: Prior to Issuance of Grading Permit and Construction
Enforcement Agency: Community Development Department
Monitoring Agency: Community Development Department

F-5 The project shall comply with the following recommendations with regard to lateral earth pressures:

- Active earth pressures can be used for designing walls that can yield at least 2-inch laterally in 10 feet of wall height under the imposed loads.
- For level backfill comprised of properly drained, on-site or imported sandy soils, the magnitude of active pressures is equivalent to the pressures imposed by a fluid weighing 35 pounds per cubic foot (pcf). This pressure may also be used for the design of temporary excavation support.
- For sloping backfill inclined at 2:1 (horizontal: vertical), an equivalent fluid pressure of 50 pcf should be used.
- At-rest pressures should be used for restrained walls that remain rigid enough to be essentially non-yielding. At-rest pressures for the on-site or imported sandy soils are equivalent to the pressures imposed by a fluid weighing 50 pounds per cubic foot.
- Walls subject to surcharge loads should be designed for an additional uniform lateral pressure equal to one-third and one-half the anticipated surcharge pressure for unrestrained and restrained walls, respectively. The wall backfill should be well-drained to relieve possible hydrostatic pressure or designed to withstand these pressures.

Monitoring Phase: Prior to Issuance of Grading Permit and Construction
Enforcement Agency: Community Development Department
Monitoring Agency: Community Development Department

F-6 The project shall comply with the following recommendations with regard to corrosivity:

- Resistivity testing of a representative sample of the on-site soils indicates that they are severely corrosive to metals. Should the use of buried metal pipe be proposed, a corrosion engineer should be consulted.

Monitoring Phase: Construction
Enforcement Agency: Community Development Department
Monitoring Agency: Community Development Department

F-7 The project shall comply with the following recommendations with regard to drainage:

- Positive surface gradients should be provided adjacent to all structures so as to direct surface water run-off and roof drainage away from foundations and slabs and toward suitable discharge facilities.

- Long-term ponding of surface water should not be allowed on pavements or adjacent to buildings.

Monitoring Phase: Prior to Issuance of Grading Permit and Construction
Enforcement Agency: Community Development Department
Monitoring Agency: Community Development Department

F-8 The project shall comply with the following recommendations with regard to exterior concrete and masonry flatwork:

- Exterior concrete and masonry flatwork should be supported on non-expansive, compacted fill.

Monitoring Phase: Prior to Issuance of Building Permit
Enforcement Agency: Community Development Department
Monitoring Agency: Community Development Department

F-9 The project shall comply with the following recommendations with regard to paved areas:

- The pavement base course should be compacted to at least 95 percent of maximum dry density (ASTM D 1557). Aggregate base should conform to the requirements of Section 26 of the California Department of Transportation Standard Specifications for Class II aggregate base (three-quarter inch maximum) or Section 200-2 of the Standard Specifications for Public Works Construction (Green Book) for untreated base materials (except for processed miscellaneous base).
- The design of paved areas should incorporate measures to prevent moisture build-up within the base course that can otherwise lead to premature pavement failure.

Monitoring Phase: Prior to Issuance of Building Permit
Enforcement Agency: Community Development Department
Monitoring Agency: Community Development Department

G. HYDROLOGY AND WATER QUALITY

G-1 Prior to grading, a SWPPP will need to be prepared and filed with the State Water Resources Control Board (SWRCB) by the project applicant, and all BMPs in the SWPPP will have to be implemented.

Monitoring Phase: Prior to Issuance of Grading Permit
Enforcement Agency: Department of Public Works
Monitoring Agency: Department of Public Works

- G-2** The project is required to be designed in accordance to the Kern County SUSMP pertaining to the detention, treatment and/or discharge of stormwater.

Monitoring Phase: Prior to Issuance of Grading Permit
Enforcement Agency: Department of Public Works
Monitoring Agency: Department of Public Works

H. NOISE

- H-1** The project developer(s) implement measures to reduce the noise levels generated by construction equipment operating at the project site during project demolition, grading, and construction phases. The developer(s) shall include in construction contracts the following requirements or measures shown to be equally effective:

- All construction equipment shall be equipped with improved noise muffling, and have the manufacturers' recommended noise abatement measures, such as mufflers, engine covers, and engine isolators in good working condition.
- Stationary construction equipment that generates noise levels in excess of 65 dBA L_{eq} shall be located as far away from the Desert Christian Center Church and existing residential areas as possible. If required to minimize potential noise conflicts, the equipment shall be shielded from noise sensitive receptors by using temporary walls, sound curtains, or other similar devices.
- All equipment shall be turned off if not in use for more than five minutes.
- An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive noise levels. Any reasonable complaints shall be rectified within 24 hours of their receipt.

Monitoring Phase: Construction
Enforcement Agency: Community Development Department
Monitoring Agency: Community Development Department

- H-2** Delivery truck operations to and from the project site shall not occur between the hours of 10:00 PM and 7:00 AM.

Monitoring Phase: Construction and Operation
Enforcement Agency: Community Development Department
Monitoring Agency: Community Development Department

- H-3** Trash compactor operations on the project site shall not occur between the hours of 10:00 P.M. and 7:00 AM.

Monitoring Phase:	Operation
Enforcement Agency:	Community Development Department
Monitoring Agency:	Community Development Department

I. POPULATION AND HOUSING

No mitigation measures are necessary.

J. TRANSPORTATION/TRAFFIC

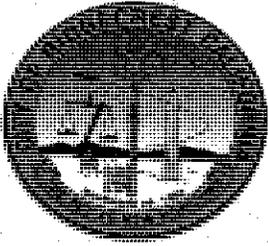
J-1 A new traffic signal shall be installed along with removal of the existing all-way stop at the intersection of S. China Lake Boulevard and W. Bowman Road. The intersection shall be configured to include the following:

- provision of a second southbound left-turn lane;
- provision of an eastbound left-turn lane and second through lane; and
- provision of two westbound left-turn lanes.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Public Works
Monitoring Agency:	Department of Public Works

J-2 A new traffic signal shall be installed at the intersection of the main project entrance and W. Bowman Road.

Monitoring Phase:	Construction
Enforcement Agency:	Department of Public Works
Monitoring Agency:	Department of Public Works



City of Ridgecrest
PLANNING DEPARTMENT
110 West California Ave. Ridgecrest, CA 93555
(760) 499-5060 FAX (760) 499-1580
www.ci.ridgecrest.ca.us

DATE: August 5, 2007

TO: Curtis Zacuto, Vice President / Principal
Christopher A. Joseph & Associates
30851 Agoura Road, Suite 210
Agoura Hills, CA 91301

FROM: Matthew Alexander AICP, City Planner

SUBJECT: Public Comments to Draft EIR for Ridgecrest Wal-Mart Supercenter & Retail Center
State Clearinghouse No. 2005121053

Attached, please note a Table summarizing the Public Comments received upon the Draft Wal-Mart EIR between July 19, 2007 to September 4, 2007 and the comments themselves.

In all, comments were made on thirteen occasions, including 10 written documents and 3 verbal comments made at the July 24, 2007 Planning Commission meeting.

These attachments constitute a complete set of all recognized comments to this project.

Very truly yours,

A handwritten signature in cursive script that reads "Matthew Alexander".

Matthew Alexander AICP
City Planner

Cc: Jim McRea, Public services Director, and
Gary Parsons, Economic Development Manager

Attachments: Summary Table of Public Comments, Written Comments, and,
7/24/2007 Planning Commission Meeting

Public Comments on the Draft EIR
Ridgecrest Wal-Mart Supercenter & Retail Center
State Clearinghouse No. 2005121053

#	Comments made by	Date of Document or Date Oral Comments were made	Date Received by City
1	Derek L. Cooper	July 20, 2007	July 27, 2007
2	CA Department of Water Resources	August 1, 2007	August 9, 2007
3	Skip Gorman	July 24, 2007 PC m'ting	Aug. 14, 2007 (minutes)
4	James C. Fallgatter	July 24, 2007 PC m'ting	Aug. 14, 2007 (minutes)
5	Andy Kilikauskas	July 24, 2007 PC m'ting	Aug. 14, 2007 (minutes)
6	Native American Heritage Commission	August 10, 2007	August 14, 2007
7	CA Regional Water Quality Control Board	August 13, 2007	August 17, 2007
8	CA Department of Transportation	August 15, 2007	August 18, 2007
9	Mary T. Kowalski	August 20, 2007	August 24, 2007
10	Kern Co. Environmental Health Services Dept.	August 30, 2007	August 31, 2007
11	Paula M. Stoner	August 22, 2007	September 4, 2007
12	James C. Fallgatter	September 1, 2007	September 4, 2007
13	Carolyn A. Shepherd	September 4, 2007	September 4, 2007

RECEIVED

JUL 27 '07

20 Jul 2007
CITY OF RIDGECREST

From: Derek L. Cooper, 625 W. Wasp, Ridgecrest, Ca
To: Mr. Matthew Alexander, City Planner

Subject: Comments on Super Wal-Mart

1

Please consider the following comments on my behalf **In Support** of the construction of the Super Wal-Mart in Ridgecrest.

After reviewing the EIR, it seems all issues have been addressed. I believe having the Super Wal-Mart in Ridgecrest would be a great benefit to our city in tax revenue gained and above the minimum wage jobs it will create, two things that are greatly needed in Ridgecrest. The store will also bring in business from Lone Pine, Bishop and other cities North and South of Ridgecrest. Having the Wal-Mart will be a plus for our city.

1-1

I fully support the construction of the Super Wal-Mart in Ridgecrest.



V/r Derek Cooper
625 W. Wasp
Ridgecrest, Ca 93555

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
 SACRAMENTO, CA 942360001
 (916) 653-5791



August 1, 2007

RECEIVED

AUG 9 07

CITY OF RIDGECREST

#2

Matthew Alexander
 City of Ridgecrest
 100 West California Avenue
 Ridgecrest, California 93555

Ridgecrest Wal-Mart Supercenter and Retail Center
 State Clearinghouse (SCH) Number: 2005121053

The project corresponding to the subject SCH identification number has come to our attention. The limited project description suggests your project may be an encroachment on the State Adopted Plan of Flood Control. You may refer to the California Code of Regulations, Title 23 and Designated Floodway maps at <http://recbd.ca.gov/>. Please be advised that your county office also has copies of the Board's designated floodways for your review. If indeed your project encroaches on an adopted food control plan, you will need to obtain an encroachment permit from the Reclamation Board prior to initiating any activities. The attached Fact Sheet explains the permitting process. Please note that the permitting process may take as much as 45 to 60 days to process. Also note that a condition of the permit requires the securing all of the appropriate additional permits before initiating work. This information is provided so that you may plan accordingly.

2-1

If after careful evaluation, it is your assessment that your project is not within the authority of the Reclamation Board, you may disregard this notice. For further information, please contact me at (916) 574-1249.

Sincerely,

Christopher Huitt
 Staff Environmental Scientist
 Floodway Protection Section

cc: Governor's Office of Planning and Research
 State Clearinghouse
 1400 Tenth Street, Room 121
 Sacramento, CA 95814

Encroachment Permits Fact Sheet

Basis for Authority

State law (Water Code Sections 8534, 8608, 8609, and 8710 – 8723) tasks the Reclamation Board with enforcing appropriate standards for the construction, maintenance, and protection of adopted flood control plans. Regulations implementing these directives are found in California Code of Regulations (CCR) Title 23, Division 1.

Area of Reclamation Board Jurisdiction

The adopted plan of flood control under the jurisdiction and authority of the Reclamation Board includes the Sacramento and San Joaquin Rivers and their tributaries and distributaries and the designated floodways.

Streams regulated by the Reclamation Board can be found in Title 23 Section 112. Information on designated floodways can be found on the Reclamation Board's website at http://recbd.ca.gov/designated_floodway/ and CCR Title 23 Sections 101 - 107.

Regulatory Process

The Reclamation Board ensures the integrity of the flood control system through a permit process (Water Code Section 8710). A permit must be obtained prior to initiating any activity, including excavation and construction, removal or planting of landscaping within floodways, levees, and 10 feet landward of the landside levee toes. Additionally, activities located outside of the adopted plan of flood control but which may foreseeable interfere with the functioning or operation of the plan of flood control is also subject to a permit of the Reclamation Board.

Details regarding the permitting process and the regulations can be found on the Reclamation Board's website at <http://recbd.ca.gov/> under "Frequently Asked Questions" and "Regulations," respectively. The application form and the accompanying environmental questionnaire can be found on the Reclamation Board's website at <http://recbd.ca.gov/forms.cfm>.

Application Review Process

Applications when deemed complete will undergo technical and environmental review by Reclamation Board and/or Department of Water Resources staff.

Technical Review

A technical review is conducted of the application to ensure consistency with the regulatory standards designed to ensure the function and structural integrity of the adopted plan of flood control for the protection of public welfare and safety. Standards and permitted uses of designated floodways are found in CCR Title 23 Sections 107 and Article 8 (Sections 111 to 137). The permit contains 12 standard conditions and additional special conditions may be placed on the permit as the situation warrants. Special conditions, for example, may include mitigation for the hydraulic impacts of the project by reducing or eliminating the additional flood risk to third parties that may caused by the project.

Additional information may be requested in support of the technical review of

your application pursuant to CCR Title 23 Section 8(b)(4). This information may include but not limited to geotechnical exploration, soil testing, hydraulic or sediment transport studies, and other analyses may be required at any time prior to a determination on the application.

Environmental Review

A determination on an encroachment application is a discretionary action by the Reclamation Board and its staff and subject to the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code 21000 et seq.). Additional environmental considerations are placed on the issuance of the encroachment permit by Water Code Section 8608 and the corresponding implementing regulations (California Code of Regulations – CCR Title 23 Sections 10 and 16).

In most cases, the Reclamation Board will be assuming the role of a “responsible agency” within the meaning of CEQA. In these situations, the application must include a certified CEQA document by the “lead agency” [CCR Title 23 Section 8(b)(2)]. We emphasize that such a document must include within its project description and environmental assessment of the activities for which are being considered under the permit.

Encroachment applications will also undergo a review by an interagency Environmental Review Committee (ERC) pursuant to CCR Title 23 Section 10. Review of your application will be facilitated by providing as much additional environmental information as pertinent and available to the applicant at the time of submission of the encroachment application.

These additional documentations may include the following documentation:

- California Department of Fish and Game Streambed Alteration Notification (<http://www.dfg.ca.gov/1600/>),
- Clean Water Act Section 404 applications, and Rivers and Harbors Section 10 application (US Army Corp of Engineers),
- Clean Water Act Section 401 Water Quality Certification, and
- corresponding determinations by the respective regulatory agencies to the aforementioned applications, including Biological Opinions, if available at the time of submission of your application.

The submission of this information, if pertinent to your application, will expedite review and prevent overlapping requirements. This information should be made available as a supplement to your application as it becomes available. Transmittal information should reference the application number provided by the Reclamation Board.

In some limited situations, such as for minor projects, there may be no other agency with approval authority over the project, other than the encroachment permit by Reclamation Board. In these limited instances, the Reclamation Board

may choose to serve as the "lead agency" within the meaning of CEQA and in most cases the projects are of such a nature that a categorical or statutory exemption will apply. The Reclamation Board cannot invest staff resources to prepare complex environmental documentation.

Additional information may be requested in support of the environmental review of your application pursuant to CCR Title 23 Section 8(b)(4). This information may include biological surveys or other environmental surveys and may be required at anytime prior to a determination on the application.

Draft Wal-Mart EIR

Comment Letter No. 3

APPROVED BY
- PC



CITY OF RIDGECREST

100 West California Avenue
Ridgecrest, CA 93555

AUG 14 '07

MINUTES

CITY OF RIDGECREST

3,4,5

MEETING OF THE CITY OF RIDGECREST PLANNING COMMISSION

City Council Chambers

Tuesday, July 24, 2007 at 7:00 p.m.

Commissioners: Chair, Mike Biddlingmeier, Vice-Chair, Jerry Taylor, Commissioners, Lois Beres; Howard Laire, and Nellavan Jeglum

Next Resolution # 07-14

1. CALL TO ORDER

The meeting was called to order at 7.15 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: Chair Biddlingmeier, Commissioners Howard Laire, Lois Beres and Nellavan Jeglum

Absent: Vice-Chair Jerry Taylor

Staff Present: City Planner Matthew Alexander, Public Services Director Jim McRea, Administrative Secretary Danielle Valentine.

4. APPROVAL OF AGENDA

A motion was moved by Commissioner Laire and seconded by Commissioner Beres to approve the agenda as submitted. The Agenda was approved as submitted.

5. APPROVAL OF MINUTES

A motion was moved by Commissioner Jeglum and seconded by Commissioner Laire to approve the 6/26/07 minutes as submitted. The minutes were approved as submitted.

6. PUBLIC COMMENTS OF ITEMS NOT ON THE AGENDA

In seeking public comments of items not on the Agenda Chair Biddlingmeier clarified to members of the public in attendance that the draft E.I.R. for Wal-Mart had been included under discussion items for the purpose of allowing Commissioners to ask questions of staff. He noted that the draft E.I.R. was available and members of the public had 45 days to make comments.

Planner Alexander further noted that copies of the draft E.I.R and appendices were available in the library as well as the information desk of City Hall and that the documents could also be purchased on CD format from the Public Services Department or viewed on-line via the City's website.

Skip Gorman of 1150 Graaf Avenue made comment that upon reading the draft document he had not seen a section on "trash mitigation". He stated there was a "plume" of trash decorating bushes and tumbleweeds across the road from the current Wal-Mart and that he expected this situation to worsen. For this reason, he said, he expected there to be a section on how the anticipated trash would be mitigated.

3-1

Mr. Gorman then commented on traffic stating he would like to see road improvements as a result of this project go all the way to Richmond Road. He encouraged members of the Planning Commission to ask Wal-Mart to aid Ridgecrest in road development when negotiating the current project.

3-2

Chair Biddlingmeier thanked Mr. Gorman for his comments and urged him to get his comments in to staff – particularly in regards to the issue of trash mitigation.

6. PUBLIC HEARINGS

None

7. DISCUSSION ITEMS

8a. Continued Discussion of Bowman Creek Alternatives:

Jim Fallgatter of 207 Cobblestone Lane made a presentation to the Planning Commission. He wished to firstly state his support for the idea of trash mitigation and noted that as a member of the Exchange Club he had the past weekend collected a great deal of trash from the area spoken of by Mr. Gorman.

Mr. Fallgatter stated to the Commissioners that the Wal-Mart project may be the largest commercial development in the history of Ridgecrest and asked Commissioners to look at maximizing the opportunity even if it means taking some "heat from Wal-Mart". Mr. Fallgatter said that Wal-Mart is the anchor of the commercial center envisioned by the General Plan over 15 years ago.

3-3

Specifically Mr. Fallgatter asked the Commission to consider the concept of a bridge and bike and pedestrian underpass to allow access across China Lake Boulevard between the proposed Wal-Mart development and the entities across the road. Mr. Fallgatter stated that he believed the bridge could tie in with the concept introduced by Mr. Lare at the GPAC meeting of a landmark welcoming visitors to Ridgecrest.

Chair Biddlingmeier thanked Mr. Fallgatter for his comments and opened the floor to public comment at 7.40 p.m.

Andy Kilikauskas of 1559 W. Burns Avenue seconded Mr. Fallgatter comments stating "this is a once in a lifetime opportunity, we have to look at a lot of options because this one mile project will set the standard for the rest of the six miles". Mr. Kilikauskas stated that he felt there were opportunities to make the area more pleasant including that of making a smaller road and creating more space for recreation. Mr. Kilikauskas stated he thought the City should keep an open mind when negotiating with Wal-Mart.

3-4

Mr. Fallgatter further commented that when negotiating there could be an opportunity to move money from one area to another – for example if a roundabout was more cost efficient than stop lights that might allow for further funding of recreation use of the corridor.

8b. Development Review Guidelines:

Planner Alexander spoke to the Commission regarding development standards for the Zoning Ordinance. He provided sample development expectations for the City of Oakdale noting this was done primarily as the documents included "wonderful" graphics. Planner Alexander then showed the Commission examples of residential developments where sidewalks were on one side of the road only, narrower streets and neighborhood parks. He suggested that the Commission consider including neighborhood parks as a requirement for residential developments by requiring that sumps be developed to park standards to provide joint park/sump use. Planner Alexander then asked the Commissioners if they had any questions.

Commissioner Beres asked who maintained the parkway walks once installed and Planner Alexander indicated this was done by residents. Commissioner Beres then asked if the lighting landscaping district was ongoing to which Planner Alexander responded affirmatively.

Commissioner Jeglum commented that she liked the parks but would not want to live on the side of the street without a walkway. Planner Alexander stated that the ideas he had

presented were not dissimilar to the layout of Heritage Village yet noted that plans for the village would not be accepted given the City's current public works street standards. He asked the Commissioners to consider why, if not for safety, more creative plans should be rejected.

Commissioner Jeglum responded noting that if such developments were allowed in the city there would not be a homeowners association (as there is in Heritage Village) to pay for associated costs and therefore there would be some elements that could be allowed and others perhaps not.

Chair Biddlingmeier asked for any public comments.

Skip Gorman of 1140 Graaf Avenue urged that Xeriscaping be considered and stated his support for the ideas presented by Planner Alexander.

Chair Biddlingmeier then asked for Commissioner's comments.

Commissioner Beres said she would like the City to have a multi-use zoning in the future.

8c. Super Wal-Mart EIR:

Chair Biddlingmeier reiterated his previous comments that Item 8c. had been included to allow Commissioners opportunity to ask questions of staff.

9. FUTURE AGENDA ITEMS & COMMENTS

Planner Alexander indicated that there should be a tentative parcel map for the next meeting.

Next Meeting August 14th, 2007 at 7:00 p.m.

10. ADJOURN

The meeting was adjourned at 8.00 p.m.

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net



RECEIVED
AUG 14 '07
CITY OF RIDGECREST

August 10, 2007

6

Mr. Matthew Alexander, City Planner
CITY OF RIDGECREST
100 West California Avenue
Ridgecrest, CA 93555

Re: SCH#2005121053: CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for Ridgecrest Wal-Mart Supercenter & Retail Center Project; City of Ridgecrest; Kern County, California

Dear Mr. Alexander:

The Native American Heritage Commission is the state's Trustee Agency for Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per CEQA guidelines § 15064.5(b)(c). In order to comply with this provision, the lead agency (e.g. the City of San Diego) is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. The Native American Heritage Commission urges the lead agency to require of the developer special attention to the cultural resources that may be discovered accidentally during the construction process. The APE is located in an area that was settled by the Kawaiisu and also used as a 'traditional area' by the Koso and the Paiute.

4-1

To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

√ Contact the appropriate California Historic Resources Information Center (CHRIS). Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278)/ <http://www.ohp.parks.ca.gov/1068/files/IC%20Roster.pdf> the record search will determine:

- If a part or the entire APE has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded in or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present.

√ if an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.

4-2

- The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.

√ Contact the Native American Heritage Commission (NAHC) for:

- * A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity that may have additional cultural resource information. Please provide this office with the following citation format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation with name, township, range and section.

4-3

- The NAHC advises the use of Native American Monitors to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE). In some cases, the existence of Native American cultural resources may be known only to a local tribe(s).

√ Lack of surface evidence of archeological resources does not preclude their subsurface existence.

- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.

4-4

- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

√ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.

4-5



* CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

4-5

√ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the CEQA Guidelines mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

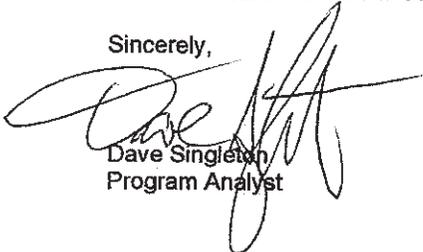
4-6

√ Lead agencies should consider avoidance, as defined in § 15370 of the CEQA Guidelines, when significant cultural resources are discovered during the course of project planning.

4-7

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Native American Contacts

Kern County
August 10, 2007

Tule River Indian Tribe
Neil Peyron, Chairperson
P.O. Box 589
Porterville , CA 93258
chairman@tulerivertribe.nsn.
(559) 781-4271
(559) 781-4610 FAX

Yokuts

Kern Valley Indian Council
Robert Robinson, Historic Preservation Officer
P.O. 401
Weldon , CA 93283
brobinson@mchsi.com
(760) 378-4575 (Home)
(760) 549-2131 (Work)

Tubatulabal
Kawaiisu
Koso
Yokuts

Ron Wermuth
P.O. Box 168
Kernville , CA 93238
warmoose@earthlink.net
(760) 376-4240 - Home
(916) 717-1176 - Cell

Tubatulabal
Kawaiisu
Koso
Yokuts

Tubatulabals of Kern Valley
Donna Begay, Tribal Chairwoman
P.O. Box 226
Lake Isabella , CA 93240
(760) 379-4590
(760) 379-4592 FAX

Tubatulabal

Kern Valley Indian Council
Harold Williams, Chairperson
15775 Setimo Creek Road
Caliente , CA 93518
(661) 333-5032

Southern Paiute
Kawaiisu
Tubatulabal
Koso
Yokuts

Robert L. Gomez, Jr.
2619 Driller Ave.
Bakersfield , CA 93306
(661) 871-4760

Paiute
Yokuts
Tubatulabal

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American with regard to cultural resources for the proposed SCH#2005121053; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Wal-Mart Supercenter & Retail Center Project; City of Ridgecrest; Kern County, California.



California Regional Water Quality Control Board Lahontan Region



Linda S. Adams
Secretary for
Environmental Protection

Victorville Office
14440 Civic Drive, Suite 200, Victorville, California 92392
(760) 241-6583 • Fax (760) 241-7308
<http://www.waterboards.ca.gov/lahontan>

Arnold Schwarzenegger
Governor

Date: August 13, 2007

File: Environmental Doc Review
Kern County

To: Mathew Alexander, City Planner
Community Development Department
100 West California Avenue
Ridgecrest, CA 93555
Fax (760) 499-5063

RECEIVED

AUG 17 '07

~~CITY OF RIDGECREST~~

7

COMMENTS ON THE PROPOSED WAL-MART SUPERCENTER AND RETAIL CENTER, TO INCLUDE 245,000 SQUARE FOOT BUILDING, PARKING LOT, GARDEN CENTER, GAS STATION, BANKING CENTER AND AN ARCADE CENTER, LOCATED ON THE SOUTHEAST CORNER OF S. CHINA LAKE BOULEVARD AND BOWMAN AVENUE, IN THE CITY OF RIDGECREST, APN 343-351-10, -11, -12, -17, SCH #2005121053

Please refer to the items checked for staff comments on the above-referenced project:

- [X] The site plan for this project does not specifically identify features for the post-construction period that will control stormwater on-site or prevent pollutants from non-point sources from entering and degrading surface or ground waters. The foremost method of reducing impacts to watersheds from urban development is "Low Impact Development" (LID), the goals of which are maintaining a landscape functionally equivalent to predevelopment hydrologic conditions and minimal generation of nonpoint source pollutants. LID results in less surface runoff and potentially less impacts to receiving waters. Principles of LID include:
 - Maintaining natural drainage paths and landscape features to slow and filter runoff and maximize groundwater recharge,
 - Reducing the impervious cover created by development and the associated transportation network, and
 - Managing runoff as close to the source as possible.

We understand that LID development practices that would maintain aquatic values could also reduce local infrastructure requirements and maintenance costs, and could benefit air quality, open space, and habitat. Planning tools to implement the above principles and manuals are available to provide specific guidance regarding LID.

We request you require these principles to be incorporated into the proposed project design. We request natural drainage patterns be maintained to the extent feasible. Future development plans should consider the following items:

- [X] The project requires development of a Stormwater Pollution Prevention Plan and
 - a NPDES General Construction Stormwater Permit and/or
 - a NPDES General Industrial Stormwater Permit

5-1

5-2

These permits are accessible on the State Board's Homepage (www.waterboards.ca.gov). Best Management Practices must be used to mitigate project impacts. The environmental document must describe the mitigation measures or Best Management Practices.

5-2

[X] The project may require a Federal Clean Water Act Section 401 Water Quality Certification from the Regional Board. Application forms can be found at our web site (<http://www.waterboards.ca.gov/lahontan/>).

5-3

[X] The proposal does not provide specific information on how impacts to surface Waters of the State and/or Waters of the U.S. will be mitigated. These surface waters include, but are not limited to, drainages, streams, washes, ponds, pools or wetlands. Waters of the State or Waters of the U.S. may be permanent or intermittent. Waters of the State may include waters determined to be isolated or otherwise non-jurisdictional by the Army Corps of Engineers. The Environmental Document needs to quantify these impacts. Discuss purpose of project, need for surface water disturbance, and alternatives (avoidance, minimize disturbances and mitigation). Mitigation must be identified in the environmental document including timing of construction.

5-4

Mitigation must replace functions and values of wetlands lost. For more information see the Lahontan Region Basin Plan http://www.waterboards.ca.gov/lahontan/BPlan/BPlan_Index.htm.

[X] Other

- Please include both pre-construction and post construction stormwater management and best management practices as part of planning process.
- Please consider designs that minimize impervious surface, such as permeable surface parking areas, directing runoff onto vegetated areas using curb cuts and rock swales, etc., and infiltrating runoff as close to the source as possible to avoid forming erosion channels. Design features should be incorporated to ensure that runoff is not concentrated by the proposed project. The project must incorporate measures to ensure that stormwater generated by the project is managed on-site both pre-and post construction. Please show on plan drawings the on-site stormwater control measures.
- Project area contains drainages and may include blue-line stream. We request that measures be incorporated into the project to avoid drainage areas and provide buffer zones where possible. Please inform project proponent to consult with Army Corps of Engineers, Department of Fish and Game, and the Water Board prior to issuing a grading permit.
- Please map and delineate any wetlands and other surface Waters of the State and Waters of the U.S. (see above for definitions of surface Waters of the State and Waters of the U.S.).
- Please consider development features that span the drainage channels or allow for broad crossings. Design features of future development should be incorporated to

5-5

ensure that runoff is not concentrated by the proposed project, thereby causing downstream erosion.

- Project may impact and alter drainages. We request that the project designs maintain existing drainage features and patterns to the extent feasible. Please inform project proponent to consult with Army Corps of Engineers, Department of Fish and Game, and the Water Board prior to issuing a grading permit.

5-5

Projects that Propose Septic Tank System

- Discharge of any material other than domestic wastewater to an on-site septic tank wastewater disposal system is prohibited unless a Report of Waste Discharge is filed with the Regional Board.
- The proposal does not provide enough information to determine the type of wastewater disposal system that will be used (i.e. septic system, sewer, etc.).
- The proposed project may result in discharge of waste that may need to be regulated by the Regional Board. Please review the general permits and the Water Quality Control Plan for the Lahontan Region (Basin Plan) accessible on the Regional Board's homepage (<http://www.waterboards.ca.gov/lahontan/>).
- We request the project be re-circulated for review and comment should the domestic wastewater disposal system method changed.

5-6

Please note that obtaining a permit and conducting monitoring does not constitute adequate mitigation. Development and implementation of acceptable mitigation is required.

Sincerely *Mack Hakakian*
 Print Name Mack Hakakian
 Title Engineering Geologist
 Phone No. (760) 241-7376
 E-Mail mhakakian@waterboards.ca.gov

cc: State Clearinghouse (SCH# 2005121053)

MH/rc/CEQA comments/Ridgecrest-Kern County-Walmart Center

DEPARTMENT OF TRANSPORTATION

District 9
500 South Main Street
Bishop, CA 93514
PHONE (760) 872-0785
FAX (760) 872-0754
TTY 711 (760) 872-0785

RECEIVED

AUG 18 '07

CITY OF RIDGECREST



*Flex your power!
Be energy efficient!*

8

August 15, 2007

Matthew Alexander, City Planner
Ridgecrest Community Development Department
100 West California Avenue
Ridgecrest, California 93555

File: 09-KER
DEIR
SCH #: 2005121053

Dear Mr. Alexander:

Ridgecrest Wal-Mart Supercenter Draft Environmental Impact Report (DEIR) (July 2007)

Thank you for giving the California Department of Transportation (Caltrans) the opportunity to review the DEIR for the Wal-Mart store proposed for the southeast corner of Bowman Road and South China Lake Boulevard. We have the following comments:

- The first paragraph under Roadway Network (page IV.J-1) should be titled "Regional Highways" or "State Highways" instead of "Freeways," since the roadways discussed are not all classified as freeways in this region. The second sentence should read: . . . "access to Route 395 is via S. China Lake Boulevard approximately. . . ." Clarification sentences could be added which read: "Route 178 connects with Route 14, passes through Inyokern and then Ridgecrest - where it is main street. Route 178 (N. China Lake Boulevard/East Ridgecrest Boulevard 90-degree route bend at the 4-way signalized intersection) is located one mile from the proposed Wal-Mart site." 6-1
- In our Notice of Preparation letter (December 23, 2005) we asked for SR 178 and US 395 traffic analysis. This analysis is not included in the project Traffic Report (TR). Although it is suggested that there will probably be little impact on US 395, impacts to SR 178 at China Lake Boulevard/Ridgecrest Boulevard still need to be addressed. Analysis at Upjohn Avenue/South China Lake Boulevard, which is just 1/2 mile south of the SR 178 intersection, was provided. It appears that many project trips at Upjohn Avenue would also pass through the SR 178 intersection. Mitigation for this SR 178 signalized intersection may be merited. 6-2
- The City may also wish to consider collection of a fair share developer fee to coordinate new and existing local street signals (on South China Lake Boulevard) from Ridgecrest Boulevard to College Heights Boulevard. 6-3

Please forward updated project information relevant to Caltrans. We value a cooperative working relationship with Ridgecrest regarding transportation and development. If you have any questions, you may contact me at (760) 872-0785.

Sincerely,

GAYLE J. ROSANDER
IGR/CEQA Coordinator

c: State Clearinghouse
Steve Wisniewski, Caltrans

RECEIVED

August 20, 2007

AUG 24 '07

CITY OF RIDGECREST

AUG 24 2007

Mary T. Kowalski
825 S. Chesapeake St
Ridgecrest, CA 93555
H 760 384-3510 Cell 760 793-4747

RE Rebuttal to Wal-Mart Supercenter's EIR related to noise and other issues
RE Suggestions for change to mitigate issues related to noise

Dear Mr. Alexander:

I have received and reviewed the Environmental Impact Report related to the proposed Wal-Mart Supercenter. My house is directly north from Bowman Road, at the end of Chesapeake Street. Between my property and Bowman Road is a bicycle-path. The implementation of this giant project will have a great impact on my personal health, specifically related to noise and dust, and the value of my property, as well as that of my surrounding neighbors. To document these issues, I have referenced below numbered, annotated personal pictures and attachments which are pages from the EIR. I am also enclosing my original letter to you dated December 17, 2005. Each picture or attachment has handwritten notations reflecting the issues discussed in this letter.

7-1

My main concern to this project is noise. This concern actually needs to address two separate *but soon-to-be integrated issues*. Major noise related to "off-road" vehicles such as various sizes of motorcycle dirt bikes and dune buggies are already a frustratingly consistent issue for those of us who live directly next to the bicycle path. This area is immediately adjacent to my property and immediately north of Bowman. The streets of S. Lakeland and S. Chesapeake terminate at property dedicated to the bicycle path. **The bicycle path will become a further problem when the Supercenter brings about changes to the roadways.** Please see pictures P 1 - 6 as well as attachments A 1 - 3.

The EIR does not address Chesapeake Street and only occasionally refers to Lakeland Street. Since these two streets are *directly adjacent* to the bicycle path/property and connect to Bowman Road and the proposed Supercenter's lot, they *should have been included in this report*. The EIR had noise monitoring posts on streets that are a block or more away from the proposed site, e.g., Rader, Upland, and Sunland. Therefore, **the EIR reports of minimal noise impact is grossly understated** to those of us who live, essentially, next to Bowman St, the street that will need major construction, as well as having extremely close proximity to the entire Wal-Mart project. Refer to pictures P 1 - 9 and attachments A 4 - 15.

7-2

The issue of noise from vehicles currently illegally using either the north or the south side of the bicycle path has been frequently brought to the attention of the Ridgecrest Police Department. They have consistently stated to me, and other residents in this area, that there is little that they can do. The RPD states that they do not have the capability or resources to enforce existing regulations preventing these motorized vehicles from using this pathway. It should also be clearly known, that several times a week, I personally see motorized vehicles (dirt bikes) *directly on the paved bicycle path*. The dirt pathways are clearly visible in pictures and in the map attachments. Please keep in mind that these dirt bike routes are within 10 feet to the west of my

7-3

house (next to my back cinder brick wall) and within 20-40 feet directly adjacent to the south of my property as shown in attachments A 2 and A 3.

7-3

The current path of dirt bikes, et al vehicles, goes directly across the property due for construction. If the project continues as is stated in the EIR, the motorbike paths on the now vacant property, **will divert their illegal paths/roadways to other sites – such as next to my house.** As stated above, please keep in mind that the motorbikes travel within 10-25 feet of my property several times a day, every day, to the west, south, and, sometimes on the sidewalk on the east side of my property (my mailbox and my small brick wall have been victims of motorbike damage). The noise and dust are, at times, unbelievable. Unless steps are taken to eliminate the paths, this problem will grow geometrically.

7-4

There are also safety issues. For example, my neighbor has young children. When at play, these children are quickly, and with some degree of panic, removed from anywhere near the motorcycle dirt paths that are on both north and south sides of the paved bicycle path. The individuals traveling on these pathways are always speeding and could not possibility stop in time to prevent hitting a child. In fact, I'm surprised that a major accident has not already occurred. Another story I heard from a friend of mine walking the path with his handicapped wife was that a group of young bikers deliberately harassed and came within an arm's length of running over this couple. (I would be glad to provide names, if needed.) The ages of the riders of these vehicles range from very young to middle-age adults, however, most individuals seem to be teenagers.

7-5

Partial solutions to the noise problems may be available. **Two cinder brick soundproofing walls need to be constructed.** Cinder brick walls, in the style of canyons, as mentioned in A - 19 and could be aesthetically adequate while also providing some protection from noise. **One wall needs to be placed next to the property of all residences** (where wooden fences currently exist). See pictures P 10 - 14. The walls would protect from light and sound (and some dust) coming from the Supercenter and partially protect us from the illicit use of vehicles on the "bicycle/motorcycle areas". The big yellow end-of-the-street barriers should be removed from the end of Chesapeake and Lakeland and replaced with cinder brick walls so "through traffic" from the motorcycles is prevented (see P - 2 and P - 13).

7-6

The 18 pump gas station which is proposed is across the street from my property and is of special concern (see P 10 - 12 and A - 16). A gas station would not only add noise but also gas and diesel fumes which would pollute the environments in proximity to the project. Dust from construction and fumes from a gas station will undoubtedly affect the health of children and adults locally who are at-risk for pulmonary problems. I have a considerable medical history of pulmonary problems.

7-7

A second sound barrier should be constructed on the outer perimeters of the Wal-Mart property – specifically the north boundary of the project. Such barriers would cut down on noise from the day and night time delivery trucks as well as cut back on the 24/7 noise of customer traffic. Again, note that the EIR does not mention the street of Chesapeake regarding noise pollution. Special consideration against noise, gas and diesel fumes, light and dust should be a priority for the proposed 18 pump gas station. Refer to pictures P 13 - 14 and the attachment map of A - 2, to see that this proposed gas station is very close to my property.

7-8

Additionally, a **secondary remedy to the dirt bike problem** should be seriously considered. On the current "paths" of the vehicles, **large boulders or other types of specific barriers need to be installed** regularly along the entire "paths" that are currently being used by dirt bikes, dune buggies, and, even, trucks. These barriers could be aesthetically adequate and also prevent the continual use of the paths as illegal and unsafe roadways. I believe, that they would be cost effective, preventative measures against the inevitable motorbike versus pedestrian accident. One lawsuit, against the city for *not* instituting preventative measures, would certainly be expensive – probably more expensive than the costs of installing barriers.

7-9

In summary, the issue of numerous sources of noise that would result from the construction of a Wal-Mart Supercenter, has not been appropriately or thoroughly addressed in the EIR. In lieu of completely dismissing the project, I have proposed alternatives that could mitigate the noise problem. I am also open to hearing alternative solutions.

I would be glad to discuss these issues with you and/or the City Council of Ridgecrest. Please let me know if you would like for me to address these issues directly to the City Council.

Thank you for your consideration.

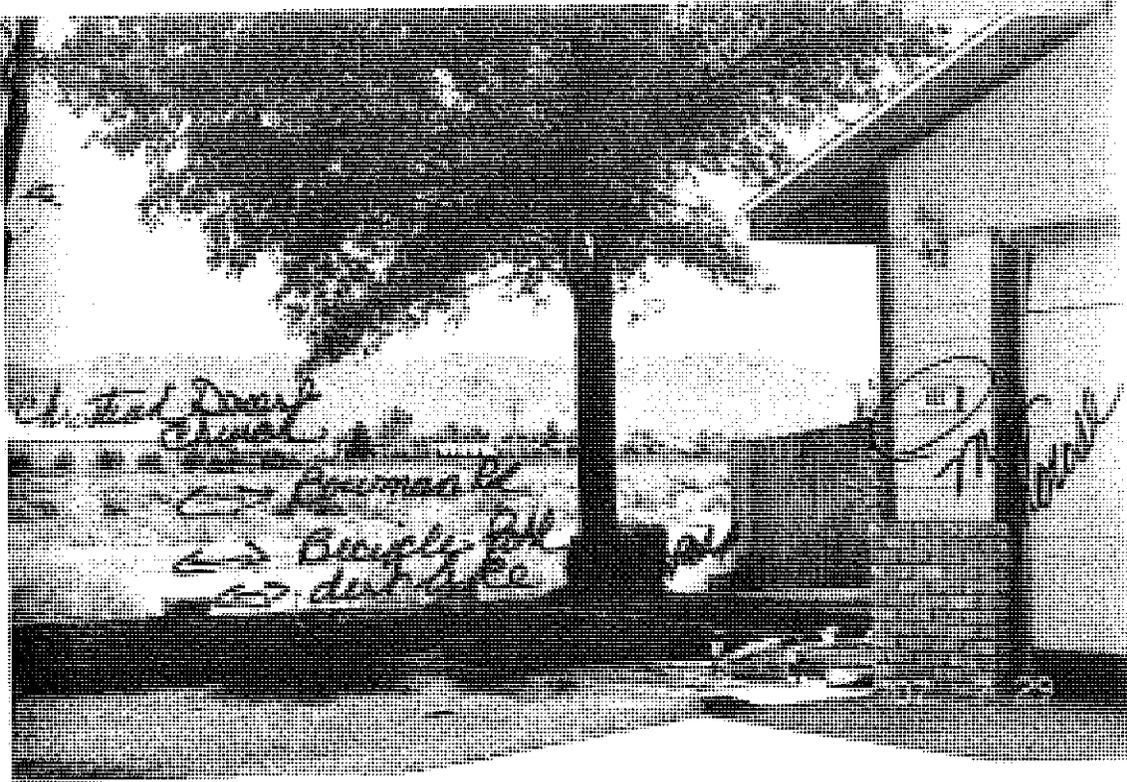
Sincerely



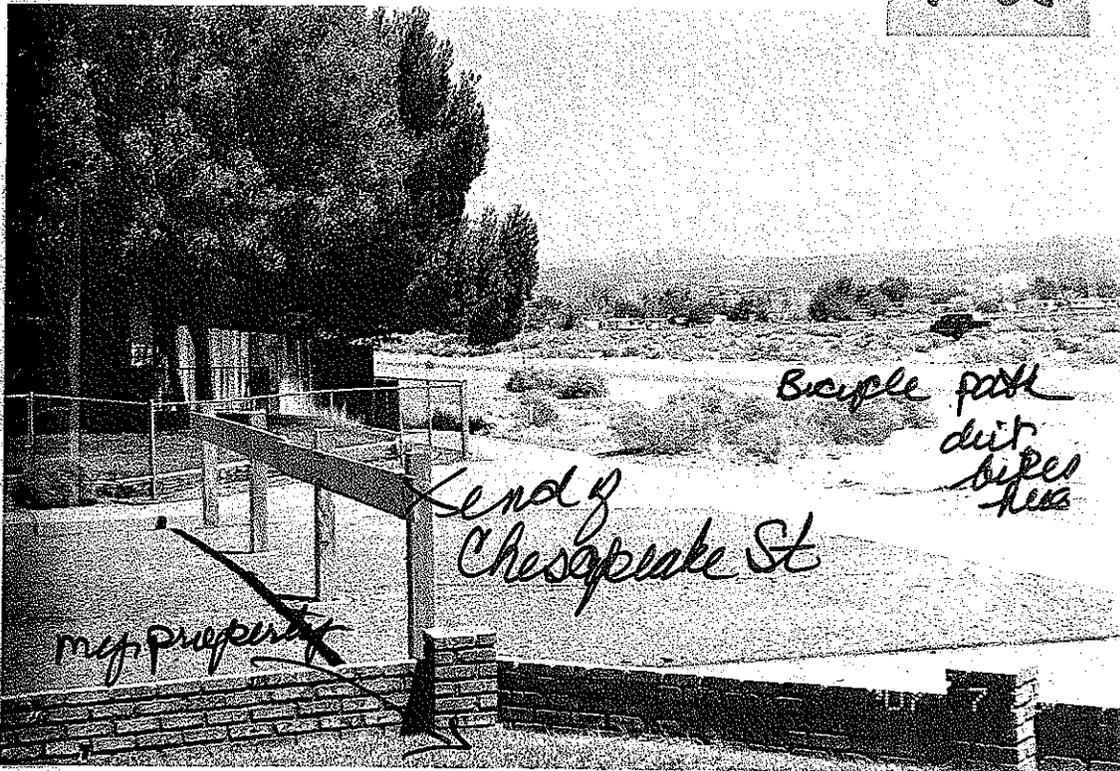
Maty Kowalski, RN MSN

Enclosed: Pictures = P 1 -14
Attachments = A 1-19
Letter dated December 17, 2005

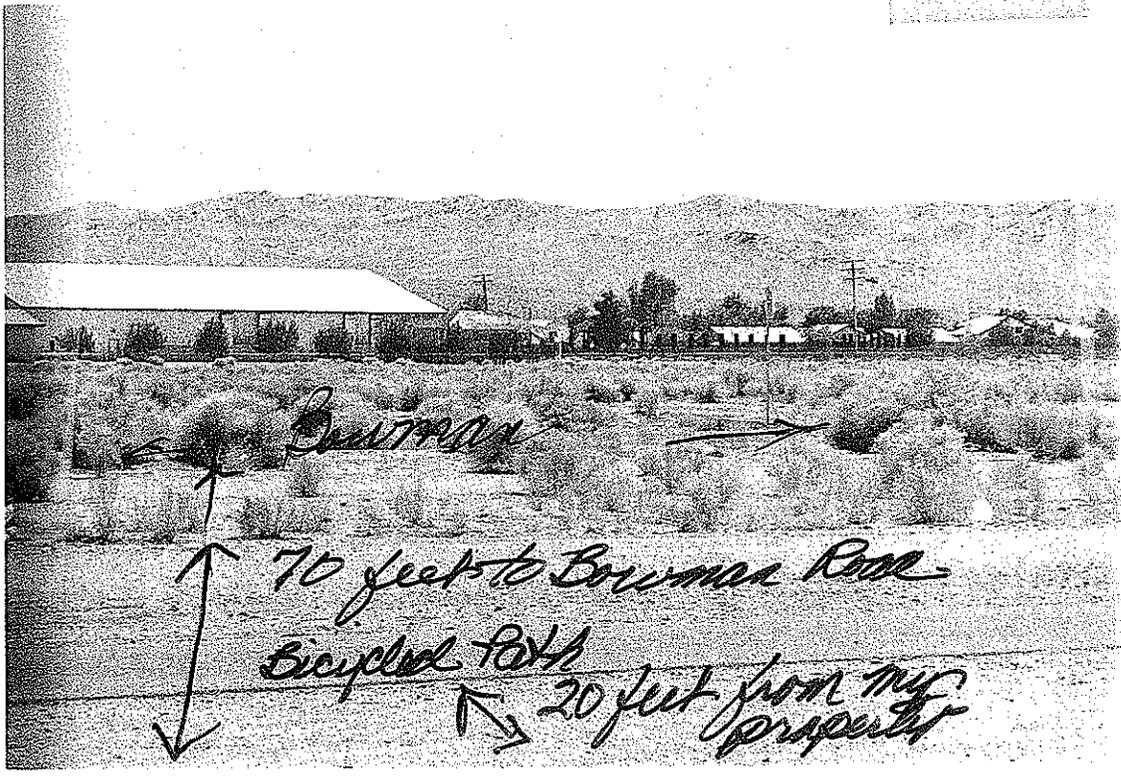
P-1



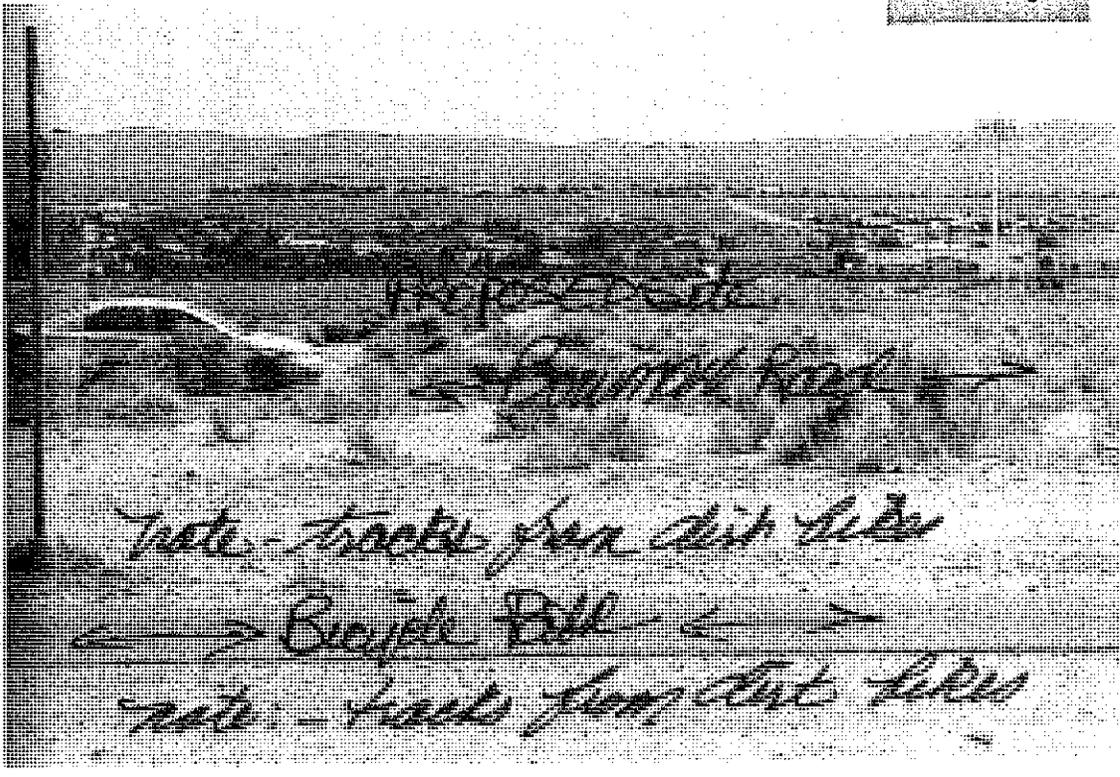
P-2



P-3



P-4



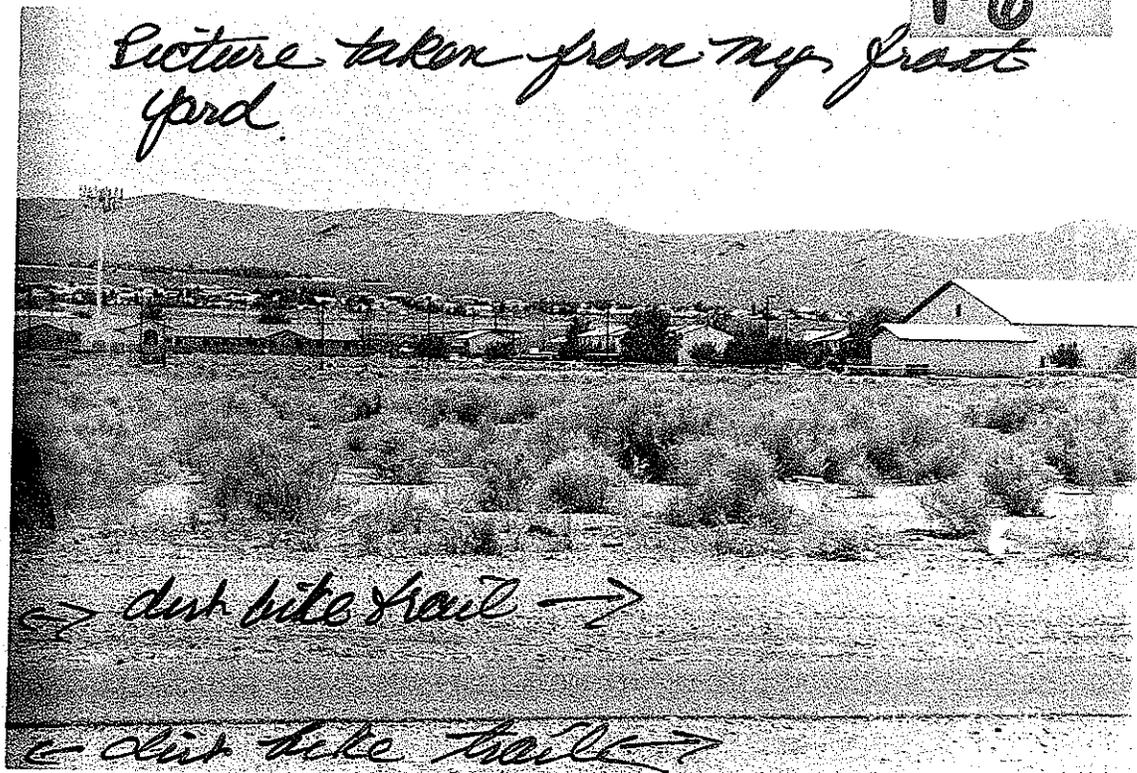
P-5

Showing multiple motorcycle/dirt
bike trails



P-6

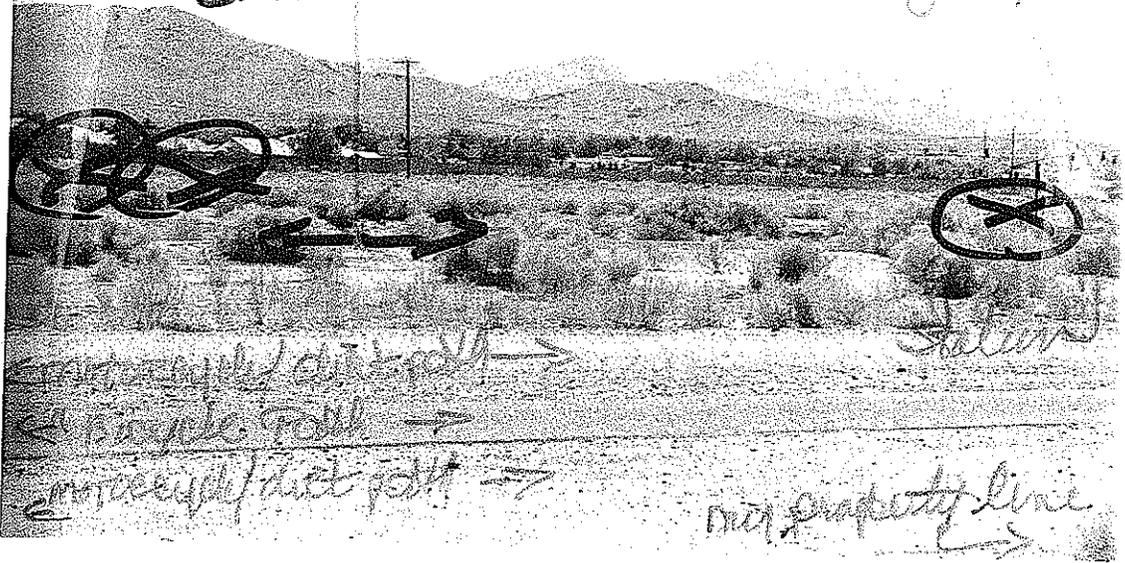
Picture taken from my front
yard.



P-7

Brownsville
Construction Site

China
Landscape



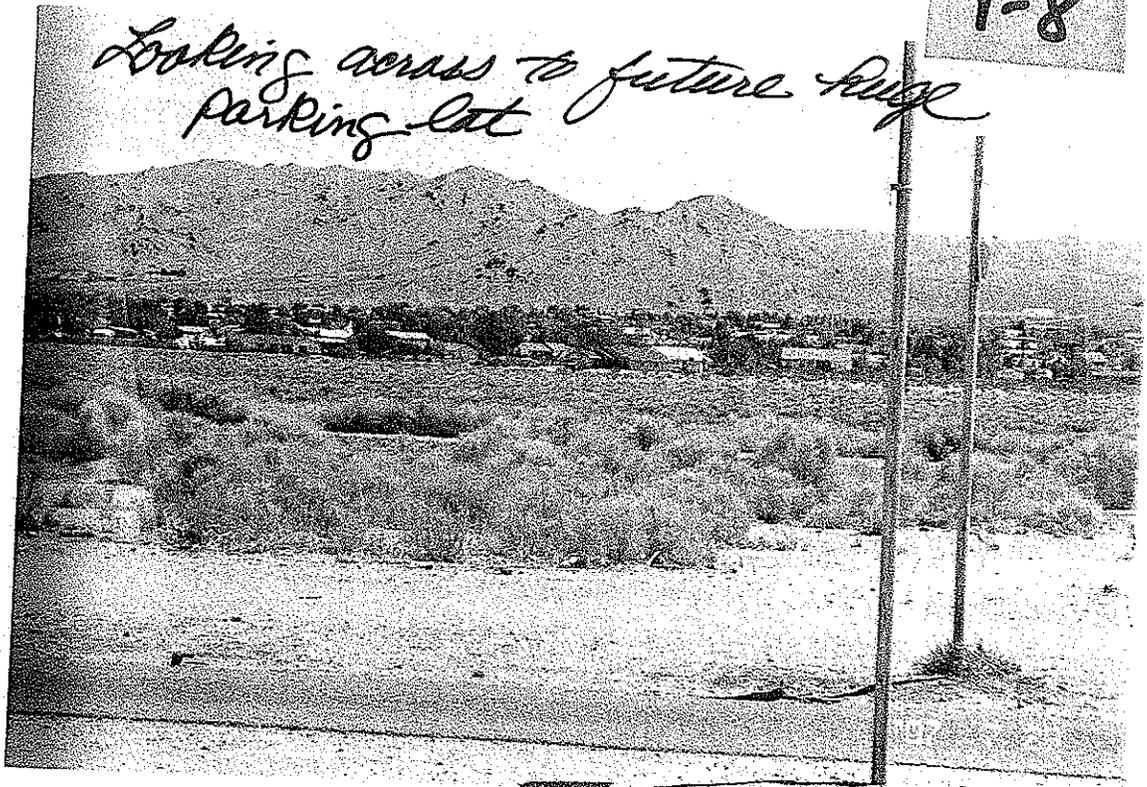
Station

main road/dirt path →
 side road/dirt path →
 main property line →

main property line

P-8

Looking across to future Super
Parking lot



P-9

view from my S fence

along street



Boomer Rd

P-10

Proposed site of gas station

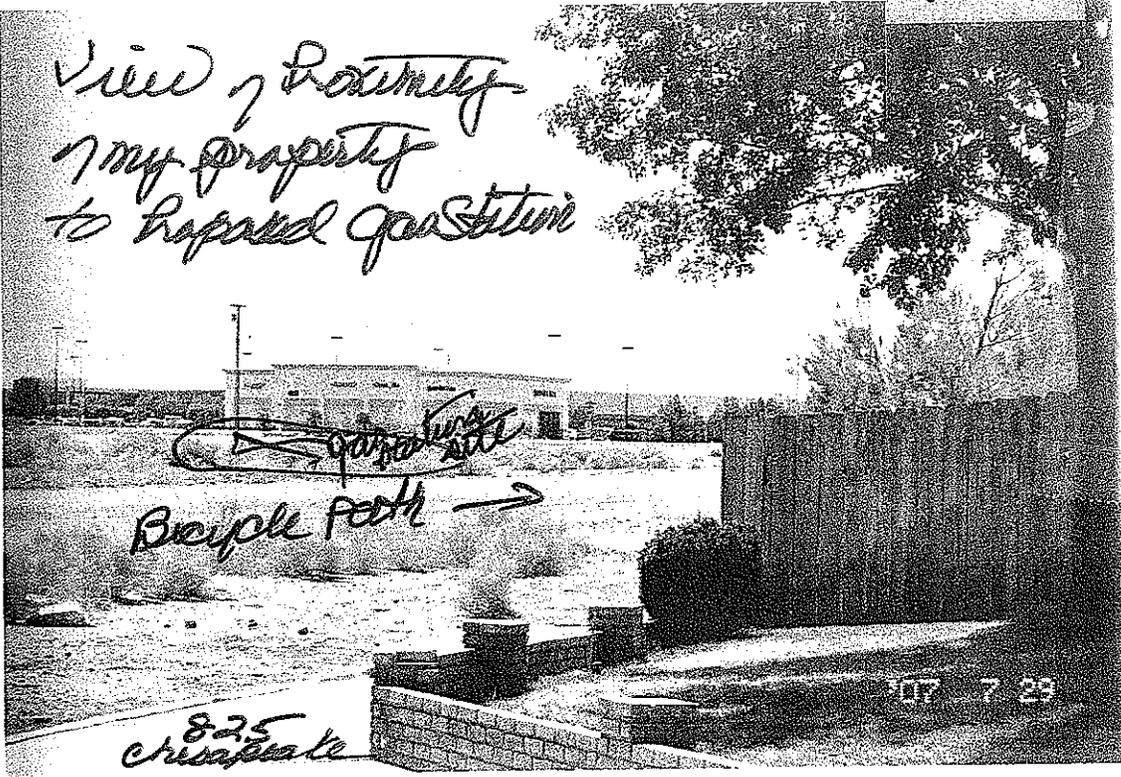
← Bicycle path →



Edge
1 mi
Property

P-11

View of proximity
of my property
to proposed gas station



825
Crescent

P-12

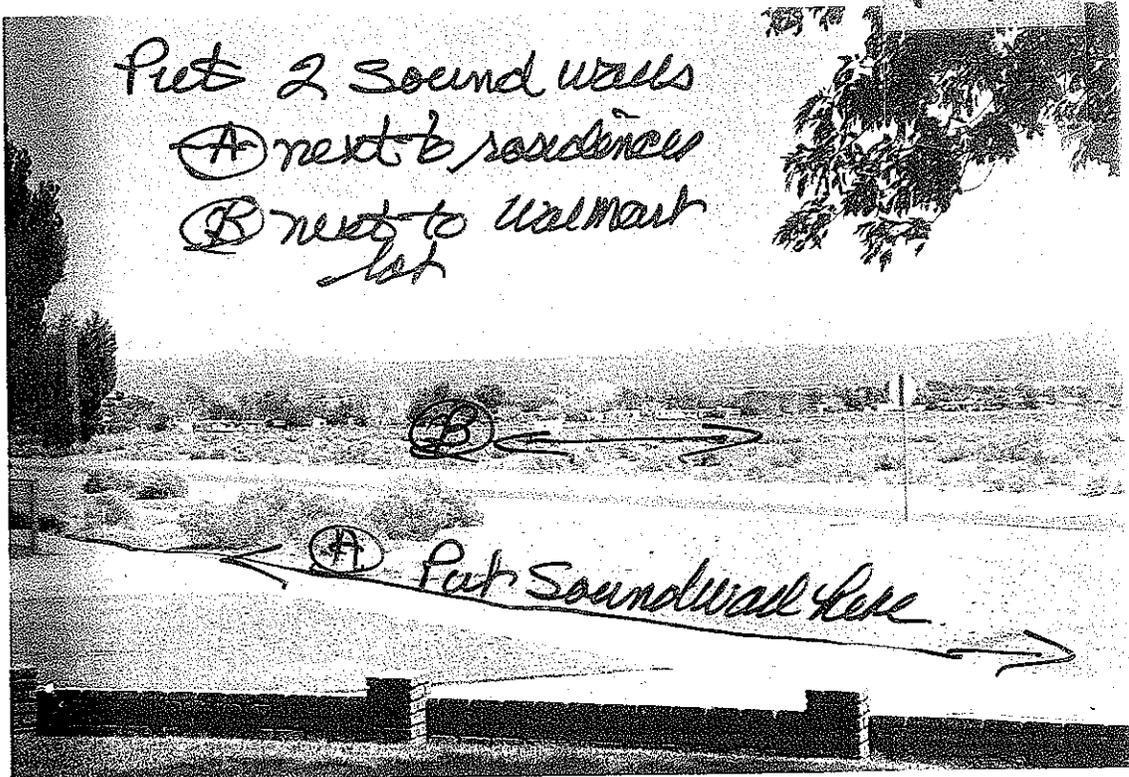
Proposed area of 18 pump gas station



Edge of my property

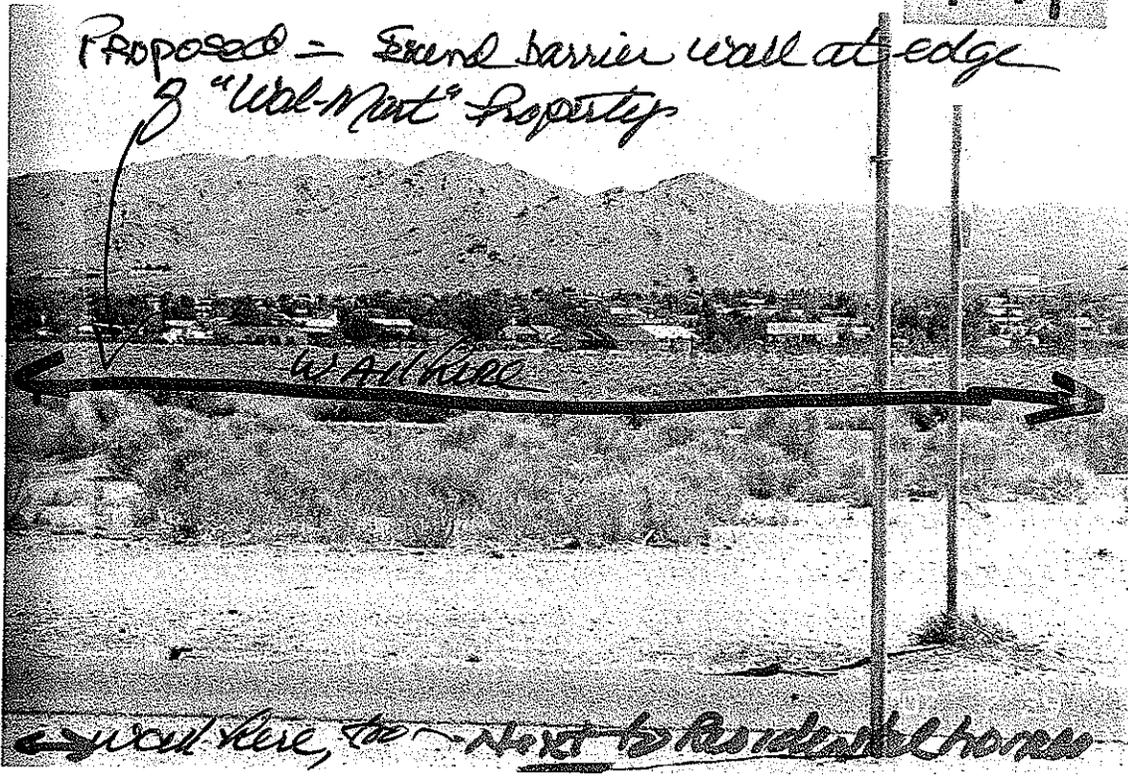
P-13

Put 2 sound walls
Ⓐ next to residences
Ⓑ next to Walmart
lot



P-14

Proposed = Sound barrier wall at edge
of "Wal-Mart" Property



December 17, 2005

Mary Kowalski
825 S. Chesapeake St.
Ridgecrest, CA 93555
760 384-3510
kowalski@mchsi.com

RESUBMITTED
RECEIVED
AUG 24 '07
CITY OF RIDGECREST

Matthew Alexander, Interim Planning Manager
City of Ridgecrest, Community Development Department
100 W. California Avenue
Ridgecrest, CA 93555
760 499-5063

RE Concerns: Wal-Mart Supercenter and Retail Center Project

Dear Mr. Alexander:

I am in receipt of the December 9, 2005 Notice of Preparation for the Wal-Mart Supercenter and Retail Center Project. I live at the northeast section of Bowman Road and China Lake Boulevard, which means that this project would be directly across from my house on Bowman Road. As currently planned, the entire south side of my property would be across the street from a large gas station and a parking lot that is used 24 hours per day. Please see the map enclosed.

I have several concerns about this proposed project.

Currently, next to my property is space that is essentially vacant except for the presence of a "bicycle path". What is to become of this bicycle path? The space that the bicycle path resides consists of dirt area on both sides of the bike path and the paved bike path itself. This area (the dirt area and the actual paved bike path) is frequently used by off-road vehicles, including dirt bikes, 4-wheel all-terrain-vehicles, and dune buggies. It is extremely common for me to hear dozens of these motorized vehicles travel at very rapid speeds within 25 feet of my house every day. This is an ongoing problem that is basically ignored by the Ridgecrest Police Department.

If a new Supercenter opens, I am extremely concerned that the problem with these off-road vehicles will become worse. The noise and dust from these vehicles is more than a nuisance, it is hazardous to my health and the health of the other property owners who live adjacent to this unofficial motorcycle track. Frankly, I am extremely surprised that no one has gotten hurt or killed in accidents due to these vehicles.

The bike path issue needs to be addressed. If the path stays in place, then landscaping, such as large boulders, should be placed upon the dirt portion of the property to act as obstacles. Barriers, such as boulders and rocks, should inhibit the motorized traffic and allow for the proper use of the bike path, i.e., walking or bicycling.

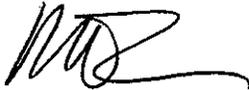
The Wal-Mart Project plans to have significant access via Bowman Road to the parking areas of the Supercenter. **What will be done to protect property owners who live directly across the street from this proposed center from the inevitable increase in noise, lights, and dust?**

I see in the plans that a "landscaped" area is proposed next to the curb of the parking lot adjacent to Bowman Road. I strongly suggest that the Project developers consider providing masonry fences, e.g., cinder bricks, and evergreen trees across the street next to our properties where currently only wood cedar fences are in place. Trees and a new, fortified fence would provide added protection against dust and noise and will increase our privacy – although it would not be a panacea.

The land west of my property, which is directly adjacent to China Lake Blvd, and the property running along the north side of Bowman Road is a flood zone. **With the transformation of Bowman Road what will be done to accommodate water drainage and prevent the local area from flooding?**

I would greatly appreciate an opportunity to discuss my concerns with you. Please feel free to contact me in the near future by phone or email. (I will be out of town January 2 –January 14, 2006.)

Respectively,



Mary Kowalski

8/20/07

A.O



[2200-2227] Rader St
Ridgecrest CA
93555 US

Notes:

Only text visible within note field will print.

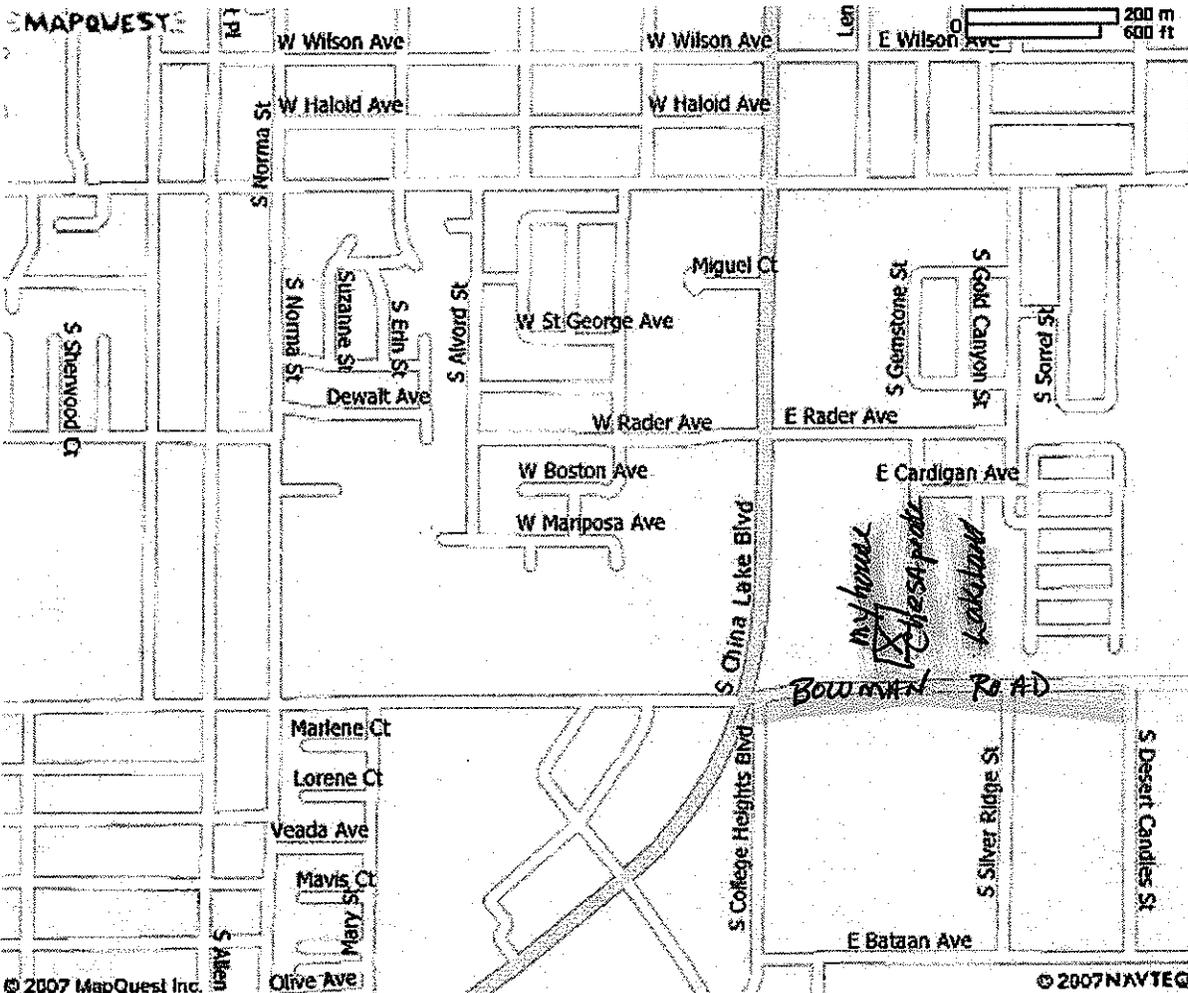
CHANGE IS:
A NEW EXPERIENCE

- ▶ HEALTHIER MENUS
- ▶ SIGNATURE COCKTAILS
- ▶ HBO™ AND MP3s
- ▶ DELTA.COM/CHANGE



SEE MORE CHANGES

delta.com/change



All rights reserved. Use Subject to License/Copyright
This map is informational only. No representation is made or warranty given as to its content. User assumes all risk of use. MapQuest and its suppliers assume no responsibility for any loss or delay resulting from such use.

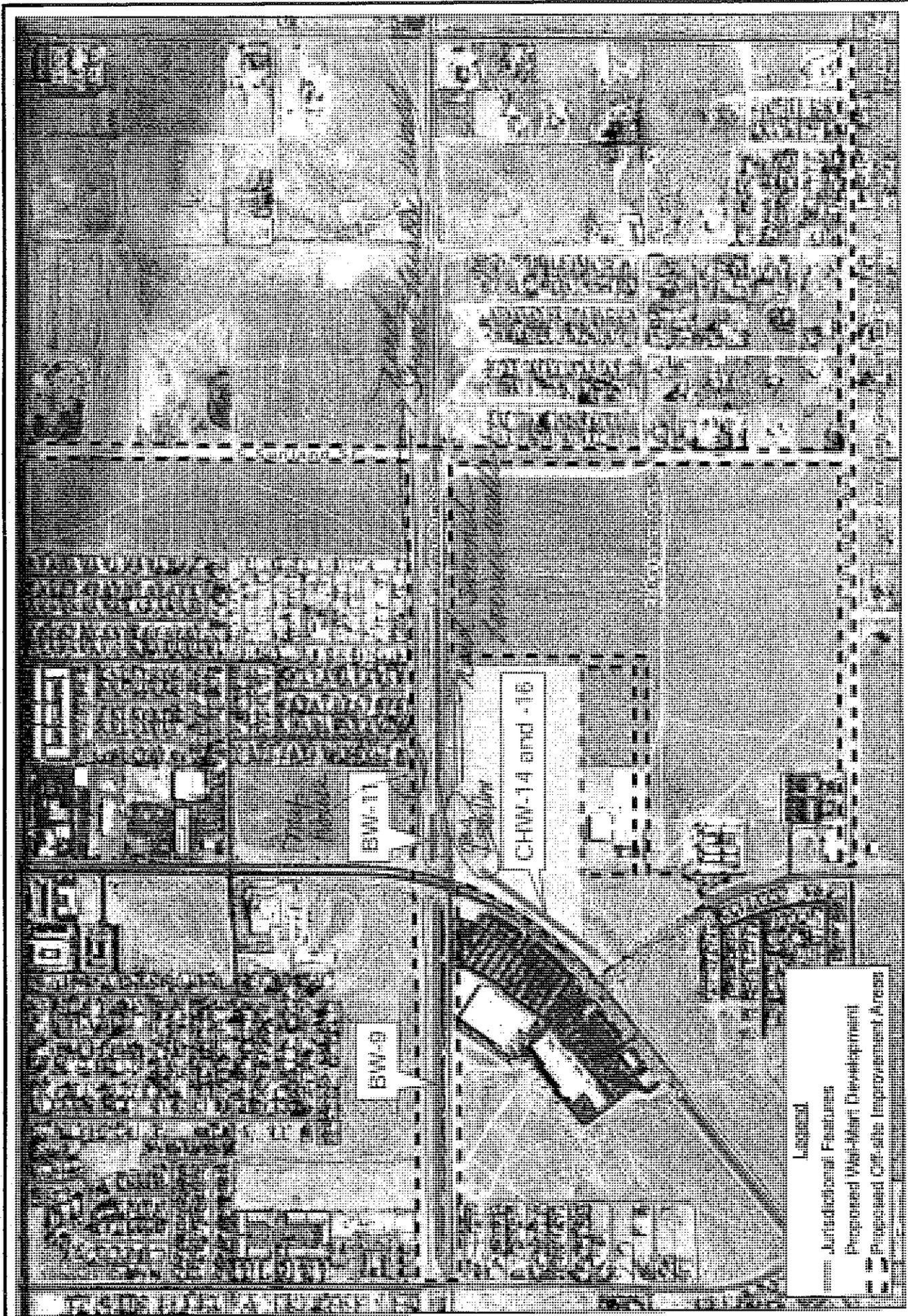


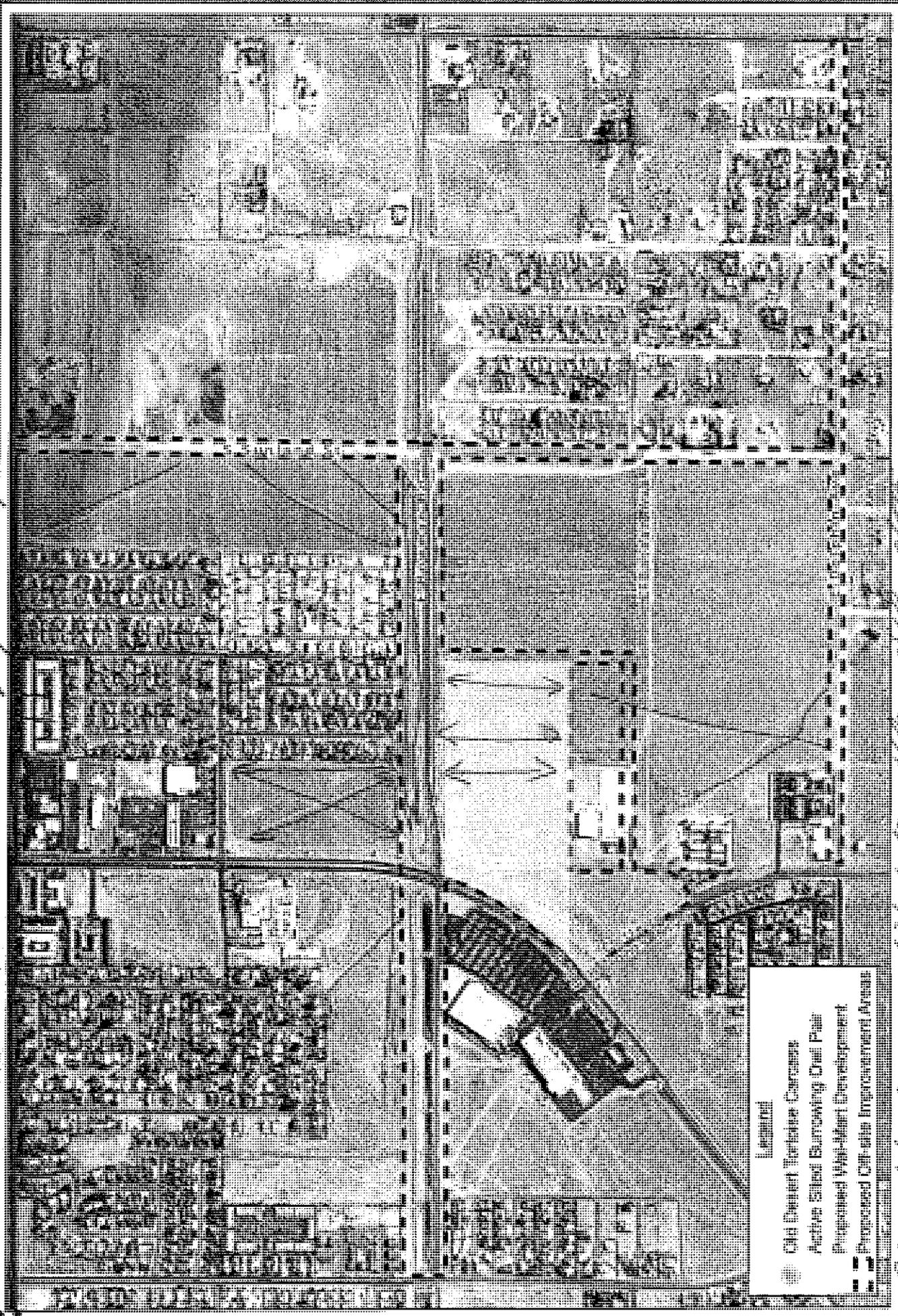
Figure IV. D-3.
Jurisdictional Features



CHRISTOPHER A. JOSEPH & ASSOCIATES
Environmental Planning and Research



See legend - see current map for details



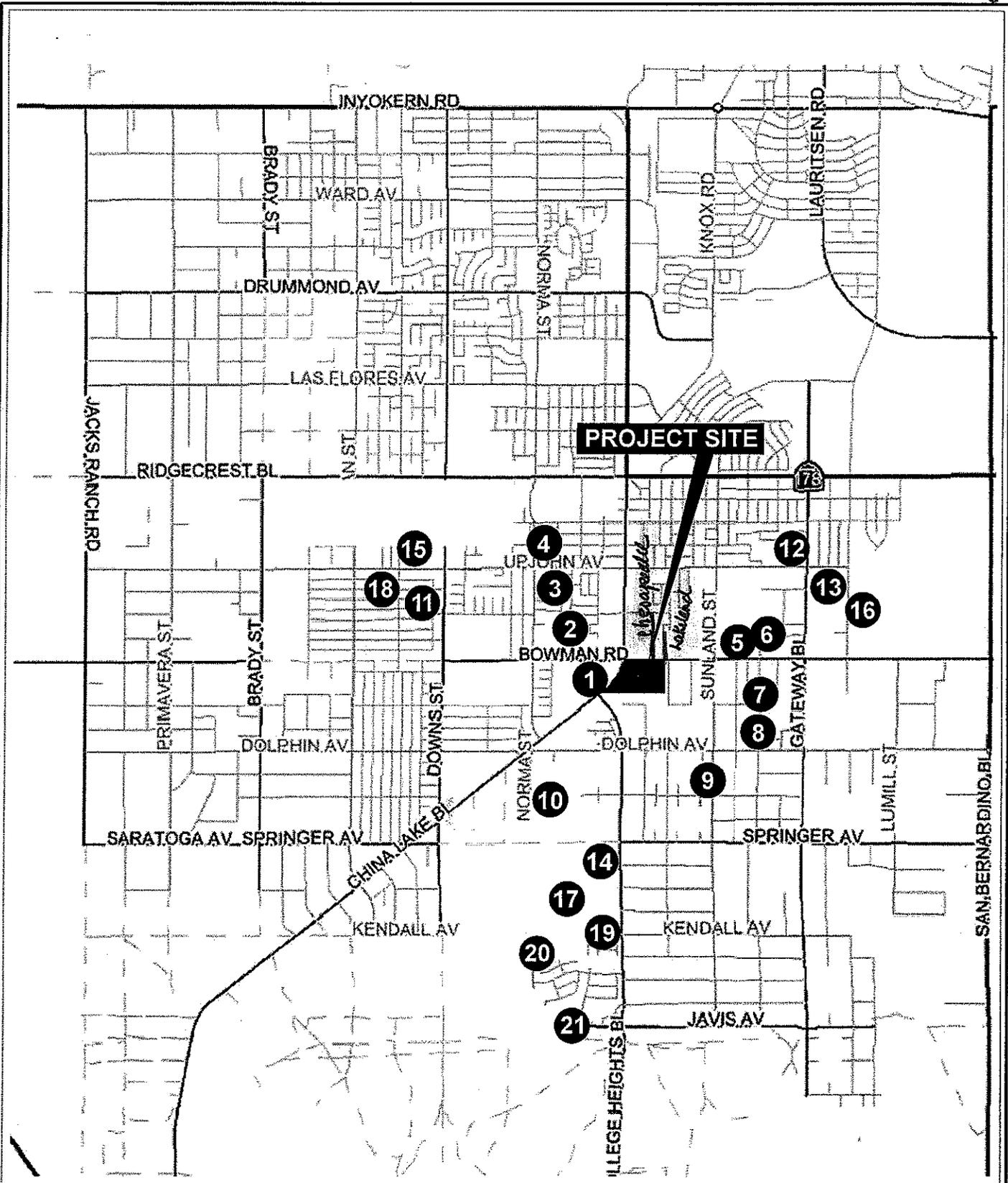
- Leased
- Old Cement Tank/Carcase
- Active Silled Blowing Chul Flair
- Proposed High-Rise Development
- - - Proposed Cell-site Improvement Areas

See Map Legend for details

CHRISTOPHER A. JOSEPH & ASSOCIATES
Environmental Planning and Research



Figure IV. D-2
Sensitive Species Map



Source: City of Ridgecrest, 2006.



CHRISTOPHER A. JOSEPH & ASSOCIATES
 Environmental Planning and Research



Figure III-9
 Related Projects Locations Map

A-5

**Table IV.H-4
Existing Roadway Noise Levels at Locations Off Site**

Roadway	Roadway Segment	Noise Sensitive Uses	dBA CNEL
E. Bowman Road	West of China Lake Blvd.	Single-Family Residential	54.5
	East of China Lake Blvd.	Single-Family Residential	61.2
China Lake Blvd.	North of College Heights Blvd.	Church	54.1
	South of College Heights Blvd.	Single-Family Residential	56.2
Sunland Street	South of Bowman Road	Single-Family Residential	32.2
	North of Upjohn Avenue	Single-Family Residential	54.9
	South of Upjohn Avenue	Park	46.0
Upjohn Avenue	West of China Lake Blvd.	Single-Family Residential	60.0
	East of China Lake Blvd.	Single-Family Residential	59.3
	West of Sunland Street	Multiple Family Residential	53.4
	East of Sunland Street	Single-Family Residential	39.1
College Heights Blvd.	East of China Lake Blvd.	Multiple Family Residential	58.4
	North of Dolphin Avenue	Church	52.5
Norma Street	North of China Lake Blvd.	Single-Family Residential	51.5
	North of Bowman Road	Multiple Family Residential	53.6
	South of Bowman Road	Single-Family Residential	56.9
	North of Upjohn Avenue	Single-Family Residential	58.3
	South of Upjohn Avenue	Single-Family Residential	57.4
Rader Street	West of China Lake Blvd.	Single-Family Residential	54.9
	East of China Lake Blvd.	Single-Family Residential	54.3
Downs Street	North of Bowman Road	Single-Family Residential	59.8
	South of Bowman Road	Single-Family Residential	62.3
Dolphin Avenue	East of College Heights Blvd.	Church	29.8

Source: Christopher A. Joseph & Associates, September 2006. Calculation data and results are provided in Appendix K.

Note that Chesapeake 2 Lakeland ace NOT monitored

ENVIRONMENTAL IMPACTS

Thresholds of Significance

In accordance with Appendix G to the State CEQA Guidelines, a project may be deemed to have a significant adverse noise impact if it would result in:

- a) Exposure of persons to or generation of noise levels in excess of the standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.
- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.
- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity due to construction activities above levels existing without the project.

** Construction-Related Impacts*

Construction-Related Noise

Project development would require the use of heavy equipment for demolition, site grading and excavation, and building construction. Development activities would also involve the use of smaller power tools, generators, and other sources of noise. During each stage of development, there would be a different mix of equipment operating and noise levels would vary based on the amount of equipment in operation and the location of the activity.

The U.S. EPA has compiled data regarding the noise generating characteristics of specific types of construction equipment and typical construction activities. These data are presented in Table IV.H-6 and Table IV.H-7 for a reference distance of 50 feet. These noise levels would diminish rapidly with distance from the construction site at a rate of approximately 6 dBA per doubling of distance. For example, a noise level of 84 dBA measured at 50 feet from the noise source to the receptor would reduce to 78 dBA at 100 feet from the source to the receptor, and reduce by another 6 dBA to 72 dBA at 200 feet from the source to the receptor.

would be same for Chesapeake

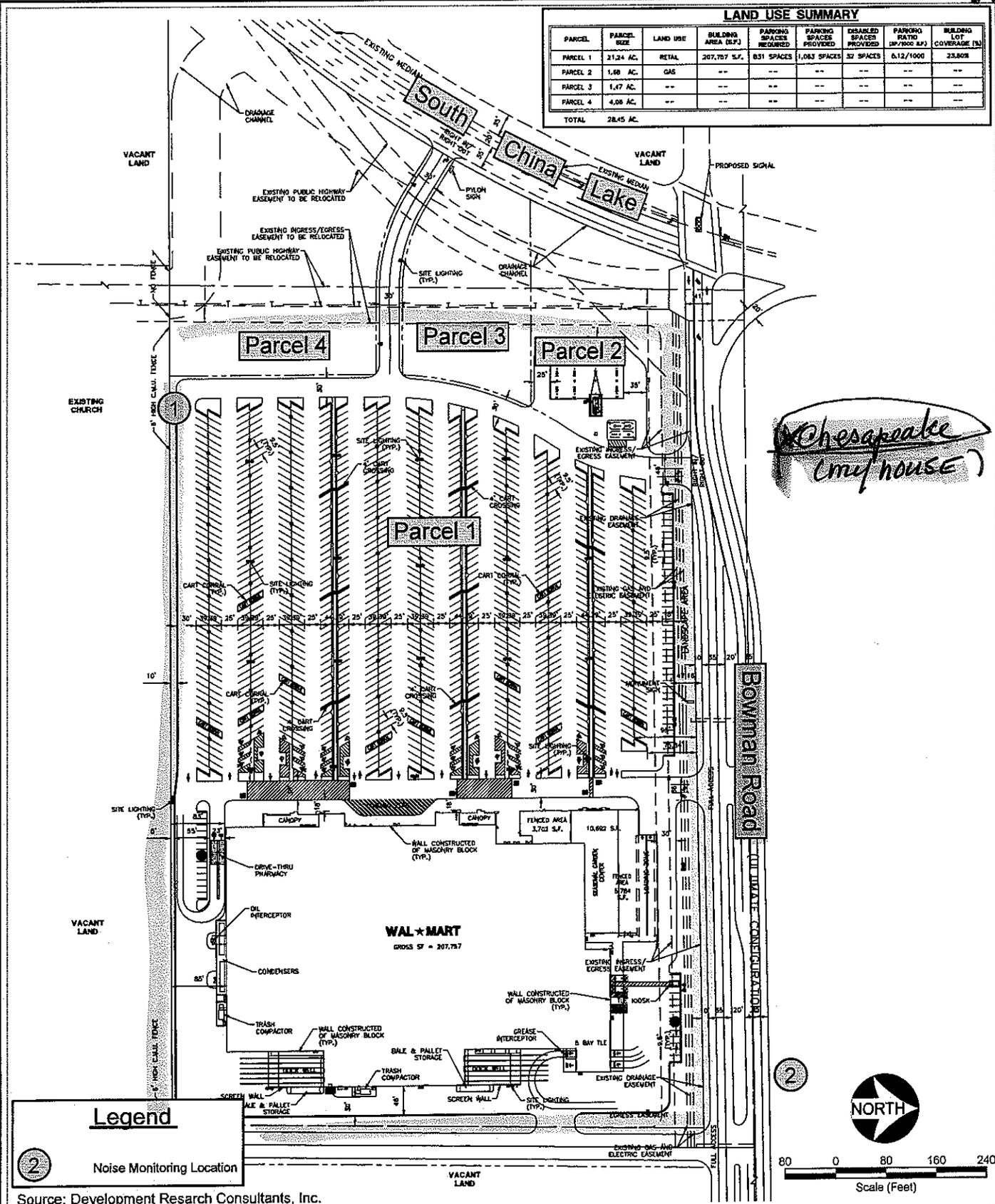
** ** Construction activities would primarily affect the existing residences located north of Bowman Road on S. Lakeland Street and the Desert Christian Center located immediately south of the project site. The residences are located approximately 250 feet from the edge of the proposed construction area. Construction noise levels at the residential structures, 250 feet away, would be less than 72 dBA CNEL. However, as shown previously in Table IV.H-4, existing noise levels at these homes average approximately 59 dBA CNEL. Therefore, construction activities would increase noise levels at these homes by up to 13 dBA CNEL. As shown in Table IV.H-6, the use of mufflers on construction equipment could reduce their noise levels by an average of 3 dBA. Therefore, with the use of mufflers, construction noise levels would be less than 69 dBA CNEL at 250 feet away, representing an increase of up to 10 dBA CNEL at the existing residences. This increase would exceed the Normally Acceptable level for residential uses (see Figure IV.H-1) and therefore, according to the significance criteria above would be a potentially significant impact.

** **

The Desert Christian Center is located approximately 100 feet south of the project site. The church building is oriented to face College Heights Boulevard to the southwest, while the rear of the building, the northeast side, faces the project site. There are no windows on the rear side of the church building; the space is occupied by exterior conduits and the HVAC system for the church building, which are the main source of noise at this location. As shown in Table IV.H-4, existing noise levels at this location average approximately 52 dBA CNEL. Construction noise levels at 50 feet could reach 81 dBA CNEL with mufflers which would exceed the Normally Acceptable level of 70 dBA CNEL for church uses (see Figure IV.H-1) by 11 dBA CNEL. This would be a potentially significant impact based on the significance criteria above.

47

LAND USE SUMMARY								
PARCEL	PARCEL SIZE	LAND USE	BUILDING AREA (S.F.)	PARKING SPACES REQUIRED	PARKING SPACES PROVIDED	DISABLED SPACES PROVIDED	PARKING RATIO (SPACES/AC)	BUILDING LOT COVERAGE (%)
PARCEL 1	21.24 AC.	RETAIL	207,787 S.F.	831 SPACES	1,043 SPACES	32 SPACES	0.12/1000	23.80%
PARCEL 2	1.68 AC.	GAS	---	---	---	---	---	---
PARCEL 3	1.47 AC.	---	---	---	---	---	---	---
PARCEL 4	4.08 AC.	---	---	---	---	---	---	---
TOTAL	28.45 AC.							



Source: Development Research Consultants, Inc.

CHRISTOPHER A. JOSEPH & ASSOCIATES
Environmental Planning and Research

Figure IV.H-2
Noise Monitoring Locations

not monitored at Chesapeake - sure to noise areas

A8

My house was built in 1987

Some of the issues identified in the Noise Element of the General Plan that are unique to the City of Ridgecrest include the following: the City has not implemented any specific plans to deal with noise and older housing and buildings in the City that lack insulation to protect from noise intrusion, past land planning has zoned residential areas adjacent to major streets without adequate consideration given to control of noise impacts, vacant land adjacent to residential areas are used for operation of off-road vehicles and high speed, low altitude approach, departure, and test operations of jet aircraft supporting the China Lake Naval Air Weapons Station within aircraft corridors result in significant noise impacts with the community and outlying areas; thus, highways, aircraft and off-road vehicles are the major sources of noise in the City of Ridgecrest.

For new development, the City has adopted the Land Use Compatibility Table provided by the California Department of Health, Office of Noise Control, see Figure IV.H-1. In the absence of a Noise Ordinance, or other City guidelines for existing development, this analysis will also use the Land Use Compatibility Table to provide thresholds for noise impacts on existing uses.

Existing Noise Levels

Land uses in the vicinity of the project site include residential, commercial, institutional (Desert Christian Center), and undeveloped vacant land. The vacant land to the south of the project site is General Commercial (CG), Professional Office (PO) and Single-Family residential (R-1), and the vacant land to the east of the project site is zoned General Commercial (CG). Although other noise sources occur in the vicinity, vehicular traffic is the primary source of noise at, and around, the project site.

Existing daytime noise levels were measured at two locations on and near the project site on June 13, 2006 in order to identify existing ambient noise levels. These locations are identified in Figure IV.H-2 and are individually discussed below:

- **Location 1** is in the southwestern part of the project site in the area proposed for Wal-Mart parking. The area is currently vacant. The noise meter was set up next to the chain link fence separating the project site from the Desert Christian Center and the primary source of noise observed at this location was the HVAC equipment and exterior conduits on the northern wall of the Desert Christian Center building.

** See next page - Location 2

A-9

did not monitor noise at Lakeland or Chesapeake

*
7

- **Location 2** is north of the project site on the north side of Bowman Road next to the single-family residential uses at the southern end of S. Lakeland Street which is a cul-de-sac and does not connect to Bowman Road. The primary source of noise observed at this location was wind blowing in trees located on the single-family residential properties.

obviously - they did not monitor when dirt bikes were there!
The 15-minute average noise levels measured at each of these locations are identified in Table IV.H-3. These noise levels are characteristic of a relatively quiet developed suburban environment.

**Table IV.H-3
Existing Daytime Noise Levels Measured at the Project Site**

Noise Measurement Location	Primary Noise Sources	Noise Level Statistics		
		L _{eq}	L _{min}	L _{max}
1. Southwestern corner of project site	HVAC equipment and exterior conduits on north side of Desert Christian Center building, wind, and, to a lesser extent, traffic on China Lake blvd. and birdsong	52.0	39.8	63.8
2. Single-family residences north of Bowman Road	Wind in trees, intermittent traffic on Bowman Road	58.9	44.2	72.3

did not monitor dirt bike party

Source: Christopher A. Joseph & Associates, 2006. Noise level measurement data is provided in Appendix K.

Although the Noise Element of the General Plan mentions aircraft noise as a potential source of noise generation, the project site is located outside of the 60 dBA noise contour of the Air Installation Compatible Use Zone (AICUZ). In addition to this, as a commercial development, the proposed project is not considered to be a sensitive use, therefore impacts to future patrons of the proposed project would not be affected by aircraft noise and no further analysis of this issue is necessary.

Existing roadway noise levels were also calculated for existing sensitive uses located along roadways in the project vicinity. The average 24-hour hour noise levels in these areas are presented in Table IV.H-4.

Existing Noise Levels

Aside from seismic events, the greatest regular source of groundborne vibration in the vicinity of the project site is roadway truck traffic. Heavy trucks currently transport materials along China Lake Boulevard. These trucks typically generate groundborne vibration velocity levels of around 63 vibration decibels (VdB), and these levels could reach 72 VdB where trucks pass over bumps in the road.¹

¹ Federal Railroad Administration, 1998, High Speed Ground Transportation Noise and Vibration Impact Assessment.

A-10

* *
Table IV.H-4

Existing Roadway Noise Levels at Locations Off Site

Roadway	Roadway Segment	Noise Sensitive Uses	dBA CNEL
E. Bowman Road	West of China Lake Blvd.	Single-Family Residential	54.5
	East of China Lake Blvd.	Single-Family Residential	61.2
China Lake Blvd.	North of College Heights Blvd.	Church	54.1
	South of College Heights Blvd.	Single-Family Residential	56.2
Sunland Street	South of Bowman Road	Single-Family Residential	32.2
	North of Upjohn Avenue	Single-Family Residential	54.9
	South of Upjohn Avenue	Park	46.0
Upjohn Avenue	West of China Lake Blvd.	Single-Family Residential	60.0
	East of China Lake Blvd.	Single-Family Residential	59.3
	West of Sunland Street	Multiple Family Residential	53.4
	East of Sunland Street	Single-Family Residential	39.1
College Heights Blvd.	East of China Lake Blvd.	Multiple Family Residential	58.4
	North of Dolphin Avenue	Church	52.5
Norma Street	North of China Lake Blvd.	Single-Family Residential	51.5
	North of Bowman Road	Multiple Family Residential	53.6
	South of Bowman Road	Single-Family Residential	56.9
	North of Upjohn Avenue	Single-Family Residential	58.3
	South of Upjohn Avenue	Single-Family Residential	57.4
Rader Street	West of China Lake Blvd.	Single-Family Residential	54.9
	East of China Lake Blvd.	Single-Family Residential	54.3
Downs Street	North of Bowman Road	Single-Family Residential	59.8
	South of Bowman Road	Single-Family Residential	62.3
Dolphin Avenue	East of College Heights Blvd.	Church	29.8

No mention of Chesapeake or Lockeland

Source: Christopher A. Joseph & Associates, September 2006. Calculation data and results are provided in Appendix K.

ENVIRONMENTAL IMPACTS

Thresholds of Significance

In accordance with Appendix G to the State CEQA Guidelines, a project may be deemed to have a significant adverse noise impact if it would result in:

- a) Exposure of persons to or generation of noise levels in excess of the standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.
- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.
- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity due to construction activities above levels existing without the project.

A-11

Construction-Related Impacts

Construction-Related Noise

Project development would require the use of heavy equipment for demolition, site grading and excavation, and building construction. Development activities would also involve the use of smaller power tools, generators, and other sources of noise. During each stage of development, there would be a different mix of equipment operating and noise levels would vary based on the amount of equipment in operation and the location of the activity.

The U.S. EPA has compiled data regarding the noise generating characteristics of specific types of construction equipment and typical construction activities. These data are presented in Table IV.H-6 and Table IV.H-7 for a reference distance of 50 feet. These noise levels would diminish rapidly with distance from the construction site at a rate of approximately 6 dBA per doubling of distance. For example, a noise level of 84 dBA measured at 50 feet from the noise source to the receptor would reduce to 78 dBA at 100 feet from the source to the receptor, and reduce by another 6 dBA to 72 dBA at 200 feet from the source to the receptor.

Noise levels Construction activities would primarily affect the existing residences located north of Bowman Road on S. Lakeland Street and the Desert Christian Center located immediately south of the project site. The residences are located approximately 250 feet from the edge of the proposed construction area. Construction noise levels at the residential structures, 250 feet away, would be less than 72 dBA CNEL. However, as shown previously in Table IV.H-4, existing noise levels at these homes average approximately 59 dBA CNEL. Therefore, construction activities would increase noise levels at these homes by up to 13 dBA CNEL. As shown in Table IV.H-6, the use of mufflers on construction equipment could reduce their noise levels by an average of 3 dBA. Therefore, with the use of mufflers, construction noise levels would be less than 69 dBA CNEL at 250 feet away, representing an increase of up to 10 dBA CNEL at the existing residences. This increase would exceed the Normally Acceptable level for residential uses (see Figure IV.H-1) and therefore, according to the significance criteria above would be a potentially significant impact.

The Desert Christian Center is located approximately 100 feet south of the project site. The church building is oriented to face College Heights Boulevard to the southwest, while the rear of the building, the northeast side, faces the project site. There are no windows on the rear side of the church building; the space is occupied by exterior conduits and the HVAC system for the church building, which are the main source of noise at this location. As shown in Table IV.H-4, existing noise levels at this location average approximately 52 dBA CNEL. Construction noise levels at 50 feet could reach 81 dBA CNEL with mufflers which would exceed the Normally Acceptable level of 70 dBA CNEL for church uses (see Figure IV.H-1) by 11 dBA CNEL. This would be a potentially significant impact based on the significance criteria above.

distance from the residential areas, in the range of 500 to 700 feet. Assuming a high nighttime ambient parking lot noise of 60 dBA at 50 feet, this would fall below 50 dBA after 200 feet, well before the noise would reach the residential area. Based on the foregoing, the proposed project will not generate operational ambient noise levels in excess of the standards established in the local general plan.

In addition there may be single noise events in addition to the ambient noise produced by parking lot activities. This would including shouting and laughing (65 dBA at 50 feet), car door slamming (63 dBA at 50 feet) and car starting (60 dBA at 50 feet). These noise events are collateral noise sources resulting from the project and would be infrequent events. Furthermore, based on the distance of the parking lot to the residential areas, these noise events would decrease before they reach the sensitive receptors. Finally, as discussed above the nighttime parking lot activity would be an even greater distance from the residential area, so any resulting noise would fall below 50 dBA at the residential area. Based on the foregoing, these single event noise sources also would not violate the local general plan standards.

Although the operational, parking lot activities will not violate any noise standard or result in a significant increase in noise, noise from delivery vehicles and loading dock activities could be a potentially significant impact, primarily at nighttime. Noise levels would occur in association with delivery vehicles and loading dock activities. The two above ground loading docks are located at the rear of the main Wal-

Mart building near the eastern edge of the project site (refer to Figure II-3.) The loading docks are approximately 350 feet from the southern property line of the residences on S. Lakeland Street, north of Bowman Road. Some—not all—of these vehicles could use warning devices (beeping tones) when backing up and/or refrigerated boxes.

Nearest to Chesapeake - No NOISE MONITORING done at Lakeland or Chesapeake
 Noise measurement results for an existing Wal-Mart Supercenter in the City of La Quinta, California identified hourly noise levels of 50 to 54 dBA L_{eq} during the hour of peak deliveries at three locations approximately 100 feet from the truck activity areas and loading dock.² Maximum noise levels recorded during this time period ranged from 68 to 71 dBA L_{max} . Lower, noise levels would be expected for the proposed project since the delivery truck turning circle would be located approximately 350 feet from the existing residential uses. Because the existing noise levels in the southern part of the project site are relatively low (reference Table IV.H-3), it is assumed that residents could be disturbed at night by delivery vehicle and loading dock activity noise. This is a potentially significant impact.

HVAC systems would be installed on the rooftops of the new commercial buildings. Large HVAC systems can result in noise levels that average between 50 and 65 dBA L_{eq} at 50 feet from the equipment. However, the HVAC units would be at least 350 feet from the nearest single-family residences and noise levels would fall below 50 dBA before reaching the residential area. Therefore, the noise levels generated by the HVAC equipment at the project site would not to exceed City standards at existing nearby residential units.

Industrial trash compactors would be installed next to the main Wal-Mart building on the southern and eastern sides. Industrial trash compactors typically emit noise levels ranging from 65 to 78 dBA for a

² Letter from Mike Komula, Dudek, March 20, 2007, submitted to the City of La Quinta

A-13

period of 30 to 60 seconds of operation.³ The nearest sensitive uses to these trash compactors are the Desert Christian Center Church located to the southwest of the project site and the existing residences located north of Bowman Road on S. Lakeland Street. The church is approximately 250 feet from the proposed location of the nearest trash compactor, which would be screened by the 5-foot-high concrete masonry wall along the southern edge of the project site. The maximum noise level at the church would be approximately 60 dBA L_{eq} assuming a five dBA reduction provided by the perimeter wall. The nearest homes are also located approximately 750 feet from the proposed location of the nearest trash compactor. The maximum noise level at the nearest homes would be less than 60 dBA L_{eq}. The operation would be intermittent, although potentially up to 25 times per day, and the noise levels generated would not exceed the general plan noise standards, unless operated at night. Nighttime operations of the trash compactors could be a significant impact.

Parcels 3 and 4 would be developed with commercial uses at a later time. Sources of noise and noise levels associated with these uses would be similar to those discussed above for the Wal-Mart facility, although these uses would probably not have exterior trash compactors. The land uses that would be most affected by noise from these areas would be future commercial uses that are developed to the south of the project site. These new commercial uses would likely be similar to the uses proposed for the project site and, as such, are not expected to be sensitive to noise. Therefore, any noise levels generated within Parcels 3 and 4 are not expected to significantly impact nearby land uses.

Roadway Noise Levels

Locations in the vicinity of the project site could experience slight changes in noise levels as a result of an increase in motor vehicle trips along roadways in the project vicinity. The proposed project would generate approximately 19,467 vehicle trips per day. The changes in future noise levels along the study-area roadway segments in the project vicinity are identified in Table IV.H-8. As shown, in the Future With Project scenario, the proposed project would increase local noise levels by a maximum of 3.8 dBA CNEL, when compared with the Future Without Project Scenario. The maximum increase would occur along Upjohn Avenue west of China Lake Boulevard. This increase would not exceed the identified thresholds of significance for the multiple-family residential 'Normally Acceptable' noise level of 65 dBA CNEL. Project-generated traffic would increase noise levels along all other study-area roadway segments by no more than 2.5 dBA CNEL, which also would not exceed would not exceed the identified thresholds of significance. This would be a less than significant impact.

Why will anyone? Not close to site

Noise & activity levels not mentioned relating to Bowman Road!
Groundborne Vibration

When the proposed project is completed and operational, background vibration levels would be expected to average around 50 VdB, as discussed previously in this EIR section. This is substantially less than the 72 VdB and 75 Vdb thresholds for residential and institutional buildings, respectively. Therefore, this would be a less than significant impact.

³ Information from The Mark-Costello Company, Paul Shannon, Sales Manager. Faxed July 12, 2006.

Table IV.H-8
Project Roadway Noise Impacts at Locations Off Site

Roadway	Roadway Segment	Land Use	Noise Levels in dBA CNEL					Significance Threshold*
			Existing Traffic Volumes	Buildout Without Project Traffic Volumes	Buildout With Project Traffic Volumes	Project Increase	Cumulative Increase	
E. Bowman Road	West of China Lake Blvd.	SFR	54.5	58.0	58.8	0.8	4.3	5.0
	East of China Lake Blvd.	SFR	61.2	65.9	68.4	2.5	7.2	3.0
China Lake Blvd.	North of College Heights Blvd.	CH	54.1	58.6	59.2	0.6	5.1	5.0
	South of College Heights Blvd.	SFR	56.2	59.3	59.8	0.5	3.6	3.0
Sunland Street	South of Bowman Road	SFR	32.2	54.3	54.5	0.2	22.3	5.0
	North of Upjohn Avenue	SFR	54.9	60.3	60.4	0.1	5.5	5.0
Upjohn Avenue	South of Upjohn Avenue	PK	46.0	58.7	58.9	0.2	12.9	5.0
	West of China Lake Blvd.	MFR	60.0	62.3	66.1	3.8	6.1	3.0
College Heights Blvd.	East of China Lake Blvd.	SFR	59.3	62.2	62.2	0.0	2.9	5.0
	West of Sunland Street	MFR	53.4	55.9	55.9	0.0	2.5	5.0
Norma Street	East of Sunland Street	SFR	39.1	56.7	56.9	0.2	17.8	5.0
	East of China Lake Blvd.	MFR	58.4	65.4	65.8	0.4	7.4	5.0
Rader Street	North of Dolphin Avenue	CH	52.5	57.1	57.8	0.7	5.3	5.0
	North of China Lake Blvd.	SFR	51.5	53.6	54.8	1.2	3.3	5.0
Downs Street	North of Bowman Road	MFR	53.6	54.5	56.2	1.7	2.6	5.0
	South of Bowman Road	SFR	56.9	58.0	58.8	0.8	1.9	3.0
Dolphin Ave.	North of Upjohn Avenue	SFR	58.3	59.8	60.2	0.4	1.9	3.0
	South of Upjohn Avenue	SFR	57.4	58.5	59.1	0.6	1.7	3.0
Dolphin Ave.	West of China Lake Blvd.	SFR	54.9	56.2	56.8	0.6	1.9	5.0
	East of China Lake Blvd.	SFR	54.3	54.5	55.4	0.9	1.1	5.0
Dolphin Ave.	North of Bowman Road	SFR	59.8	60.6	60.8	0.2	1.0	3.0
	South of Bowman Road	SFR	62.3	62.1	62.4	0.3	0.1	3.0
Dolphin Ave.	East of College Heights Blvd.	CH	29.8	48.9	51.0	1.1	21.2	5.0

Significant noise levels at levels greater than change

Very close to change

Notes:
 * Significance threshold is based on the 'Normally Acceptable' threshold shown in Figure IV.H-1, for single-family residential uses this is 60 dBA CNEL, for multiple-family residential uses it is 65 dBA CNEL, for park uses it is 70 dBA CNEL, and so on. The significance threshold is set according to the Thresholds of Significance above:
 • Less than 3 dBA: not discernable; not significant.
 • Between 3 dBA and 5 dBA: noticeable, but: not significant, if noise levels remain below the 'Normally Acceptable' level for that land use as identified in the Land Use Compatibility Table (see Figure IV.H-1).

AM

A-15

As shown, cumulative development along with the proposed project would increase local noise levels up to a maximum of 23.9 dBA CNEL. This exceeds the thresholds of significance by a large margin and therefore warrants further discussion. Of the 11 road segments analyzed above, three of those with the largest increases in noise levels: Sunland Street south of Bowman Road; Sunland Street south of Upjohn Avenue and Dolphin Avenue east of College Heights Boulevard are currently unpaved roads. This affects the noise levels in two ways in the existing condition: firstly, the unpaved roads are acoustically soft, meaning that they absorb noise energy and reduce its transmission; secondly, because they are unpaved they carry very little traffic and have lower vehicle speeds. Therefore, noise levels on these segments in the existing condition are very low. In the Future condition it is assumed that all these road segments will be paved; paved roads are acoustically hard allowing noise to travel further.

Additionally, roadway noise impacts are calculated in the modeling software are based only on estimated traffic volumes. As shown above, in Table IV.H-4, existing noise levels measured at the site were higher than those calculated in the model and one of the major sources of noise was wind, which is not accounted for in the model. Finally, as shown in Table IV.H-9, in most of the cases where the increase in dBA CNEL is greater than 5.0, the final dBA CNEL in the Future With Project condition would not exceed the 'Normally Acceptable' level specified for that land use in Figure IV.H-1. However, according to the thresholds detailed above, the conclusion of this analysis must be that the cumulative operational noise impact is significant and unavoidable.

However, as shown in Table IV.H-8, the proposed project would not cause the majority of the cumulative increase at all but one location. Along Upjohn Avenue west of China Lake Boulevard, the project would generate 3.8 dBA of the 6.1 dBA cumulative increase. A significant impact would not occur along this roadway segment if the project was not built. Therefore, the contribution of the proposed project to the significant cumulative impact at this location would be considerable. The contribution of the project to the cumulative impacts along all of the other roadway segments would be 2.5 dBA or less and would not constitute the majority of the increase. The significant cumulative impacts along these other roadway segments would occur with or without the traffic generated by the project. Therefore, the incremental contribution of the proposed project to the significant and unavoidable cumulative roadway noise impact along these remaining roadway segments would not be considerable.

Table IV.H-9
Comparison Future With Project Roadway Noise and
'Normally Acceptable' Noise Levels by Land Use

Roadway	Roadway Segment	Land Use	Noise Levels in dBA CNEL			
			'Normally Acceptable' Noise Level	Existing Traffic Volumes	Buildout With Project Traffic Volumes	Cumulative Increase
W. Bowman Road	East of China Lake Blvd.	SFR	60.0	61.2	68.4	7.2
S. China Lake Blvd.	North of College Heights Blvd.	CH	70.0	54.1	59.2	5.1
	South of College Heights Blvd.	SFR	60.0	56.2	59.8	3.6

A-10

All areas would have an increase in noise

**Table IV.H-9
Comparison Future With Project Roadway Noise and
'Normally Acceptable' Noise Levels by Land Use (Cont.)**

Roadway	Roadway Segment	Land Use	Noise Levels in dBA CNEL			
			'Normally Acceptable' Noise Level	Existing Traffic Volumes	Buildout With Project Traffic Volumes	Cumulative Increase
Sunland Street	South of Bowman Rd.	SFR	60.0	32.2	54.5	22.3
	North of Upjohn Ave.	SFR	60.0	54.9	60.4	5.5
	South of Upjohn Ave.	PK	70.0	46.0	58.9	12.9
Upjohn Avenue	West of China Lake Blvd.	SFR	60.0	60.0	66.1	6.1
	East of Sunland St.	SFR	60.0	39.1	56.9	17.8
College Heights Blvd.	East of China Lake Blvd.	MFR	65.0	58.4	65.8	7.4
	North of Dolphin Ave.	CH	70.0	52.5	57.8	5.3
Dolphin Avenue	East of China Lake Blvd.	CH	70.0	29.8	51.0	21.2

Will have increase even MORE at Chagras + Ladana

MITIGATION MEASURES

The following measure is recommended to reduce to the maximum extent feasible the potential noise levels associated with project construction activities.

H-1 The project developer(s) implement measures to reduce the noise levels generated by construction equipment operating at the project site during project demolition, grading, and construction phases. The developer(s) shall include in construction contracts the following requirements or measures shown to be equally effective:

- All construction equipment shall be equipped with improved noise muffling, and have the manufacturers' recommended noise abatement measures, such as mufflers, engine covers, and engine isolators in good working condition.
- Stationary construction equipment that generates noise levels in excess of 65 dBA L_{eq} shall be located as far away from the Desert Christian Center Church and existing residential areas as possible. If required to minimize potential noise conflicts, the equipment shall be shielded from noise sensitive receptors by using temporary walls, sound curtains, or other similar devices.

A-11

uncertain. New projects do not create new drivers. Some mixed use and transportation-oriented projects can actually reduce the number of vehicle miles traveled that a person drives; this reduction is not typically discussed in CEQA documents. Therefore, it is anticipated that the project will not substantially add to the global inventory of greenhouse gas emissions. This is especially true considering that the project is adding retail uses next to residential uses. Nevertheless, greenhouse gas emissions are estimated using procedures similar to those for criteria pollutants.

Carbon Dioxide: The project will generate emissions of carbon dioxide primarily in the form of vehicle exhaust and in the consumption of natural gas for heating from onsite combustion. Carbon dioxide emissions from vehicles were calculated with EMFAC2007 emission factors using burden values for the South Coast Air Quality Management District. Carbon dioxide emissions from natural gas combustion were generated from guidance as presented in the Climate Leaders Greenhouse Inventory Protocol (EPA 2004b). The natural gas usage came from discussions with the California Energy Commission; it is lower than default URBEMIS2002 natural gas usage because the project will only use natural gas for heating the building (which does not require much heating) and minimal hot water heating. The carbon dioxide emissions are shown in Table IV.C-7. As shown in Table IV.C-7, at buildout, the project will emit 0.008 Tg CO₂ Eq.

Table IV.C-7
Carbon Dioxide Emissions

Emission Source	2009
Vehicles (tons/year)	8,429.52
Natural Gas Combustion (tons/year)	510.00
Total (tons per year)	8,939.52
Total (Tg CO ₂ Eq.)	0.008

AIR pollution but doesn't mention impact of a new 18 pump gas station

Methane: The project will generate some methane gas from vehicle emissions and natural gas combustion. Methane emissions from natural gas combustion were generated using guidance as presented in the Climate Leaders Greenhouse Inventory Protocol (EPA 2004b). Methane emissions from vehicles were estimated using U.S. EPA emission factors for on-highway vehicles (EPA 2004) and the same assumptions used to estimate criteria pollutants in URBEMIS2002. The emissions are shown in Table IV.C-8. As shown in Table IV.C-8, in 2009, emissions would be 3.616E-5 Tg CO₂ Eq.

Table IV.C-8
Methane Emissions

Emission Source	2009
Vehicles (tons/year)	1.9056
Natural Gas Combustion (tons/year)	0.0038
Total (tons/year)	1.9094
Total (Tg CO ₂ Eq.)	3.6167E-5

A-B

of low water use varieties well adapted to the harsh climate that exists within this region. The plan will be selected from an approved plan list provided by the Indian Wells Valley Water District.

However, historical and ongoing development in the vicinity of the project site has like supported continual and ongoing increases and proliferation of non-native plant and wildlife species populations in remaining natural habitats. No undeveloped vacant areas would be left on-site that could be potentially effected by the proposed project. Therefore, impacts on the remaining natural areas as result of potential increases in non-native plants and wildlife resulting from project implementation are not expected to be significant.

* Increased Light and Glare

The project site is located in an urban area characterized by a mix of low-rise commercial and residential land uses that are sources of nighttime lighting. Lighting sources from the proposed project would include interior lighting, exterior security lighting, and headlight from vehicles utilizing the project site ingress/egress and internal circulation on the site. Due to the proposed 24 hour operations, it is anticipated that the proposed retail store and associated surface parking would utilize frequent and consistent lighting. In addition, nighttime lighting would result from exterior security lighting around the proposed building and throughout the common parking area as well as intermittent headlights from vehicles utilizing the on-site circulation. It is likely that the interior lighting associated with the existing commercial/retail use would be similar to that of the surrounding commercial/retail uses in the evenings throughout the year. As shown on the photometric exterior lighting plan, attached as Figure IV.B-5, the light spillage along the southern property line is minimal, falling to less than 0.5 foot-candles within 60 feet. The light spillage along the eastern, northern and western boundary all dissipates before reaching any sensitive receptors, residential areas or undeveloped areas. Overall, this nighttime light is not expected to disturb breeding or foraging behavior significantly. Overall, the proposed project would not cause excessive nighttime light that is out of character with the land uses surrounding the project site in the area and project's potentially significant impacts would be less than significant.

*

*
*
*
Disagree
*

Stormwater and Urban Runoff

Over-irrigation of landscaped areas, especially when combined with the use for chemicals, could lead to runoff that contains pesticides, herbicides, nitrates, and other contaminants. Any runoff that flows into a riparian corridor that contain high levels of nutrients, particularly fertilizers and waste products such as nitrogen and phosphorous, can result in eutrophication (excessive nutrient buildup). This in turn can result in depletion of available oxygen due to increased Biological Oxygen Demand (BOD) and reduce available dissolved oxygen for fish and other aquatic organisms. Other chemicals, pesticides, and herbicides can also adversely affect aquatic systems.

Paved surfaces could also contribute runoff into the riparian corridor during storm events. Depending on the magnitude and frequency of storm events and the overall level of the water quality, this runoff can cause increased eutrophication, depleted oxygen levels, long-term build-up of toxic compounds and heavy metals, and other adverse effects to biological resources associated with aquatic systems.

Scenic Resources

The Ridgecrest General Plan identifies the intersection area of Bowman Road and China Lake Boulevard as part of a proposed scenic corridor.¹ The Ridgecrest General Plan provides the following standards for development along the scenic corridors:

- *Abandoned Structures.* Abandoned structures within scenic corridors should be removed.
- *Building Height and Setback.* Careful consideration should be given to height and setback of buildings to protect important views. Building height should be encouraged to be not more than 25 feet along scenic corridors.
- *Building Exterior Treatment.* Building exteriors should be predominantly natural appearing and use material and colors suited to the desert environment. A harmonious relationship among the various elements of a development and the natural landscape should be achieved.
- *Building Siting.* Where feasible, buildings should be situated within a site in a manner that does not obstruct important views. Site coverage and front, rear and side yard setbacks shall be reviewed on an individual project basis to encourage the greatest possible preservation of views and scenic qualities.
- *Landscaping and Visual Screening.* Landscaping using desert-compatible plants should be encouraged to enhance important views and screen offensive land uses. Use of earth berms or other natural materials should be encouraged for visual screening especially adjacent to a road right-of-way. Block walls and similar structures should be used only when necessitated by site constraints. When block walls are utilized, design shall incorporate elements that would mitigate a "canyon" effect.
- *Outdoor Advertising Signs.* Erection of new off-site advertising signs and billboards along scenic corridors will not be permitted. The time for removal of such existing signs will be based on depreciation of their value. Location and dimensions of on-premise advertising signs shall be reviewed on an individual basis and, as a minimum, shall conform to City sign ordinance standards.
- *Utility Lines.* New or relocated utility lines within 1,000 feet of a scenic highway shall be placed underground whenever feasible. Undergrounding will be accomplished in accordance with the utility's rules and tariff schedules on file with the California Public Utilities Commission.

The development of the proposed project will be consistent with these scenic corridor guidelines. Although the building height will be greater than 25 feet, the building will be significantly set back

¹ The City of Ridgecrest General Plan, 1991-2010, page 2-11.

Comment Letter No. 8

ENVIRONMENTAL HEALTH SERVICES DEPARTMENT

MATTHEW CONSTANTINE, R.E.H.S., Director

2700 "M" STREET, SUITE 300
BAKERSFIELD, CA 93301-2370
Voice: (661) 862-8700
Fax: (661) 862-8701
TTY Relay: (800) 735-2929
e-mail: eh@co.kern.ca.us



RESOURCE MANAGEMENT AGENCY

DAVID PRICE III, RMA DIRECTOR

Community and Economic Development Department
Engineering & Survey Services Department
Environmental Health Services Department
Planning Department
Roads Department

August 30, 2007

Matthew Alexander
City of Ridgecrest – Community Development Dept
100 W. California Ave
Ridgecrest, Ca 93555

RECEIVED
AUG 31 07
CITY OF RIDGECREST
10

Subject: Ridgecrest Wal-mart Supercenter and Retail Center

Dear Mr. Alexander:

The Environmental Health Services Department as reviewed the Notice of Availability of a Draft Environmental Impact Report for the above referenced project. It is the recommendation of this Department that the City of Ridgecrest place the following conditions on this project and that they be satisfied prior to issuance of building permits:

1. The applicant shall obtain permits for the installation of underground storage tanks from the Environmental Health Services Department's Hazardous Materials Program.
2. Plans for all proposed food facilities shall be submitted to the Environmental Health Services Department's Food Program for plan check review and approval.
3. The applicant shall submit a business plan to the Hazardous Materials Program within 30 days of operation.

8-1

If you have any questions regarding these comments please contact Amy Lennon at (661) 862-8776.

Sincerely,

Amy Lennon
Environmental Health Specialist
Land Development Program

RECEIVED

SEP 4 '07

CITY OF RIDGECREST

11

August 22, 2007

To: Matthew Alexander, City Planner
City Of Ridgecrest
Community Development Department
100 W. California Avenue
Ridgecrest, CA 93555

Subject: CONCERNS OF THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR
RIDGECREST WAL-MART SUPERCENTER AND RETAIL CENTER

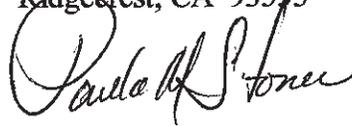
- 1. My first concern has to deal with the major flood zone that the proposed location China Lake Blvd, Bowman Road location floods regularly during heavy rains and parts are closed off for days. With the proposal sixteen gas lanes the EIR does not address this issue flooding of under ground gas tanks for sixteen pumping stations, in an area where we have three wells that provide water for this area and the surrounding community. 9-1
- 2. Second with the current development in the College Heights area this area now will have the potential to have additional flooding from the adjacent upper level as well as the as already lower area. On the South side of College Heights Blvd. each section of new housing has water run off area, on proposed side of has none. 9-2
- 3. Third concern is for the current burrowing owls that have relocated to this area moved because of recent development in other areas of College Heights. 9-3
- 4. Fourth concern is the current issue of water, how many gallons does a store this size use and what are there plans to recycle there water usage. 9-4
- 5. Fifth why is there no proposal to increase the current location of the current facility? 9-5
- 6. Sixth to me the most important the development of a Super Center does not increase any tax revenue to the city of Ridgecrest. It will just shift the tax revenue around. The potential for lost businesses that have been a part of this community for many years and is a part of our current tax revenue. 9-6

Please let explain I do not see the need for a super center of this size in the community, it will not bring full time jobs most retail jobs are part time at best, will not provide enough income to purchase a home which this community has currently over 297 mobiles, condos, and house up for sale in this community with additional one hundred new construction in the works. There is not major influx of jobs in this community and there might not be, since everyone in this community has been waiting for an increase of jobs related to the Naval Base China Lake.

Since moving to Ridgecrest in February 1998 during a week of heavy rains, I have seen the flooding, I've seen stores come and go. I do travel out town to shop at Kohl's, Von's, J C Penny's, Dillard's, Lowes, H&E, and Linen and Things. As a concern citizen of Ridgecrest I do want to see growth of this community that relates to jobs that provide an income to purchase a home, car and enjoy raising a family. I believe if this development goes through we will have deeply hurt the future of this community.

9-7

Sincerely,
Paula M. Stoner
812 W. Coral Avenue
Ridgecrest, CA 93555



RECEIVED

SEP 4 '07

CITY OF RIDGECREST

#12

September 1, 2007

To: Matthew Alexander
Planner
City of Ridgecrest – Community Development Department
100 W. California Avenue
Ridgecrest, CA 93555

From: James C. Fallgatter
Interested Citizen and GPAC Member

Reference: Ridgecrest Wal-Mart Super Center Project Draft EIR
for Public Comment

Dear Mr. Alexander:

I have reviewed the referenced document and with this letter submit the following comments for the official record and distribution:

First I would like to thank the city staff, elected, and appointed leaders for requiring and arranging for a comprehensive examination of the potential environmental impact of this project. Rightly so as we all realized it is a project that must be implemented well. Ridgecrest, simply, will not have a grand opportunity like this again in the foreseeable future...and never again for this area. This report, however, in its present form remains incomplete in that it doesn't encompass and thus does not study/advise on certain major Traffic/Circulation and Economic issues of this specific project plan.

10-1

Missing this information the EIR cannot provide the comprehensive and reliable document needed and intended by our city staff, elected officials, and interested citizens at-large to understand the important drivers at play having to do with this project. Thus all will be unnecessarily handicapped in envisioning the potential ramifications and in recommending any necessary mitigation needed for a successful implementation. This can, of course be corrected.

The areas that need augmenting are related and touched on in several areas of the draft report and as such are combined in the comments that follow.

Introduction: Traffic/Circulation & Economic Impact:

- Future Regional Shopping Center: The impact on the economic viability of the remaining (majority) of Ridgecrest's General Plan(ned) and now long standing vision for a regional commercial center at this location are not addressed in both Wal-Mart's proposition to the city and the EIR report. Roughly 50 acres remain of commercially zoned property adjacent to the Super Wal-Mart site running to the east along Bowman Road to Sunland and south to Bataan .
- Current Wal-Mart Shopping Center: The impact on the economic viability of the remaining retail stores and new stores moving into the vacated Wal-Mart building are not adequately addressed by the Traffic/Transportation Circulation Plan submitted for the new store.

10-2

10-3

Problem Specifics:

- The overall Traffic/Circulation Plan not only lacks vision, and imagination, it also suggests a lack of knowledge of developing trends in traffic safety planning and circulation. In addition it has a decidedly Super Wal-Mart centric view of the requirements. These shortcomings will undoubtedly serve Ridgecrest and perhaps Wal-Mart poorly if left as is. The following points apply:
 - The Super Wal-Mart will, in all likelihood, based on countless other Wal-Mart developments, not stand long as a singularity on the east side of China Lake Blvd.
 - On the contrary it, by definition will become the highly prized anchor and magnet store for the regional commerce center that will develop there. Now that Wal-Mart has purchased the property and is apparently moving forward, Major Shopping Center developers that have been waiting in the wings are starting to make inquiries and plans. This was anticipated and is an excellent harbinger of things to come.
 - However, although this should have been anticipated and estimated, this document has no projected traffic counts, charts, plans, etc. etc. that account for the growth of this future commerce center. Without these estimates all of the Traffic/Circulation numbers cited are incomplete as are necessarily the proposed solutions presented to accommodate these numbers.

10-4

- Wal-Mart Site Planners have, from the beginning, oriented their new building North to South (perpendicular to Bowman) at the far east end of their site. Due to its size this effectively corks the east end of that site to on site traffic flow to and from the east. With this configuration there cannot be a smooth convenient path, let alone an enticement, for shoppers to move back and forth thus forcing them in the future to exit the center out onto Bowman to enter the Center again further to the east.

10-5

If not resolved this physical arrangement will have severe permanent negative traffic flow and economic consequences for our budding regional commerce center.

- **The Ridgecrest General Plan is Referenced on Page 116;**

D. PROJECT OBJECTIVES

“The objectives of the proposed project are as follows:

- Provide development consistent with the City’s General Plan land uses, zoning ordinance and in conformance with municipal standards, codes and policies;
- Provide development that maximizes the property’s use potential that is consistent with the City’s General Plan land uses, zoning ordinance and in conformance with municipal standards, codes,”and policies;
- Maximize and broaden the City’s sales tax base by providing local and regional tax-generating uses;
- Improve and maximize economic viability of the currently vacant and underutilized project site and area through the establishment of a new commercial center;
- Create additional employment-generating opportunities for the citizens of Ridgecrest and surrounding communities;
- Expand and provide new retail options, with updated, modern, and energy efficient buildings, in close proximity to local consumers by providing daytime and nighttime shopping opportunities in a safe and secure environment;

10-6

- Based on the objectives stated above Wal-Mart’s proposal, cast in the best light, narrowly defined its response and responsibility to just optimizing its own specific site. Otherwise it suggests an agnostic approach to or ignorance of Ridgecrest’s General Plan for this area...specifically the desire for a larger center of commerce. At worse it could be interpreted as a callus disregard for the success of one’s future commercial neighbors, the best traffic flow for Ridgecrest shoppers, and good shopping center planning in general.

- It is also very important to Ridgecrest that a new shopping center anchored by Super Wal-Mart is truly synergistic with the existing center (Staples/Albertsons) west of China Lake and that both thrive.

10-7

Well publicized past experiences show that when Wal-Mart moves the remaining occupants suffer and it is hard to attract new stores. Countering the potential for this eventuality takes vision, thinking out of the box., and careful husbanding of resources by all involved. Fluid circulation to, from and between the two locations by vehicles, bicycles, and pedestrians will be key.

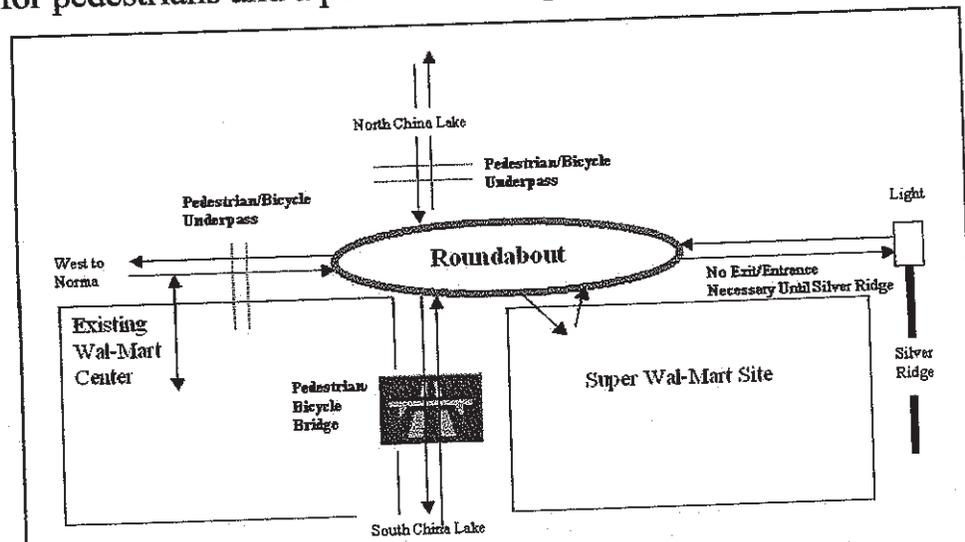
10-7

Problem Resolution

Traffic/Circulation

- A roundabout in combination with both an access bridge over south China Lake Blvd and underpasses beneath Bowman and China Lake Blvd's would optimize the convenience and safety of both vehicular and non-vehicular movement between and around the two centers.
 - The Ridgecrest GPAC, consisting of Planning Commissioners and their appointed citizen members have become familiar with and unanimously endorse the idea of exploring the use of a roundabout vs. traditional traffic signals at Bowman/China Lake.
 - The Ridgecrest Infrastructure Committee (two City Council members and two Planning Commission members requested that Wal-Mart Engineers be instructed to include a roundabout design as 1 of 3 optional traffic circulation plans. It is unknown if this request has been relayed to Wal-Mart as of this writing.
 - A number of drawings of potential roundabout implementations have already surfaced. One is presented below that features a five spoke plan (not only eliminating the \$600,000 light at Bowman/China Lake but also a second 4 way stop and light...on east Bowman between China Lake and Silver Ridge), underpasses for pedestrians and a pedestrian bridge. Money can be reallocated.

10-8



- Figure II-3 Proposed Site Plan: Bowman Road is proposed to be widened to 4 travel lanes a median and turn pockets which will take up 110 feet for roadway improvements. The Ridgecrest City Council has approved a resolution promoting the concept of a linear park for the Bowman Channel. In addition to recreational uses, the Bowman Channel Right-of-Way is required to act as the city's major storm water drainage facility. In conjunction with the change to the elongated roundabout proposed above...and the savings achieved by eliminating two 4 way stops (lights) it is suggested, if needed that Wal-Mart dedicate a strip of land adjacent to Bowman Road to facilitate the wider roundabout system.

10-8

Building Orientation

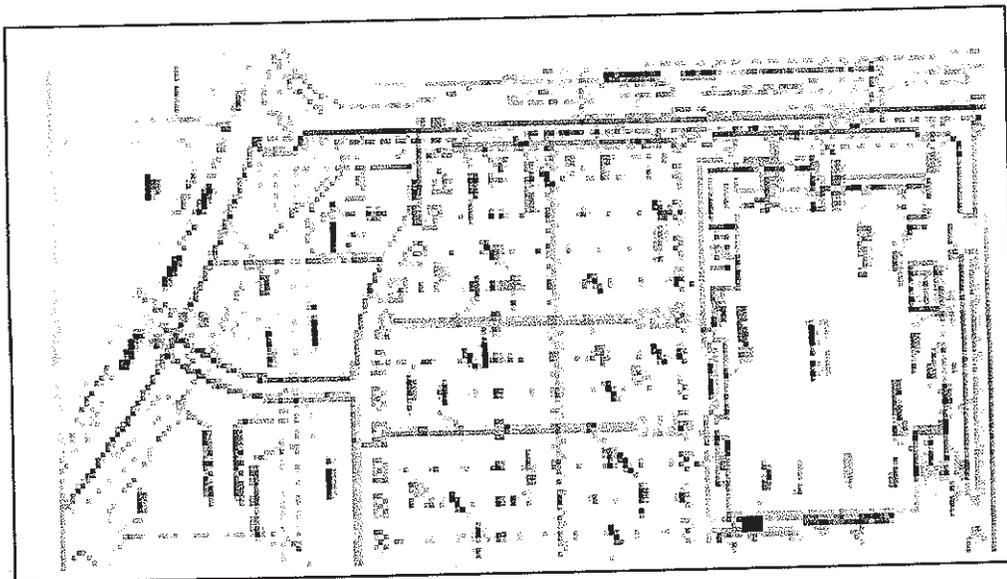
- The problems with the Super Wal-Mart building orientation was first revealed and identified in the fall of 2005 when Wal-Mart's preliminary engineering drawings were first made available to the city and citizens.
 - This problem was discussed with various city staff and elected officials on a number of occasions by the author of this comment without results. It was then formally identified as a problem in a December 2005 letter (Attachment A to this letter and intended as an integral part of this overall submission).
 - The points in this letter remain valid. Although given a heads-up in this constructive manner the resultant draft EIR indicates that neither Wal-Mart, the city, nor the city's consultants have considered these worth addressing in the EIR.
 - **The Ridgecrest General Plan is Referenced on Page 149**
“Visibility
...Public vantages of the project site are available from W. Bowman Road and S. China Lake Boulevard. Thus, vehicles and pedestrians traversing west/east along W. Bowman Road and northwest/southeast along S. China Lake Boulevard would have temporary views of the project site. Views of the project site from surrounding uses and within the project site itself are unrestricted due to the site's large, undeveloped expanse of land (see Figures III-2 through Figure III-6).”
 - It would appear from the above statement that a East/West reorientation of the building would not impact the visibility of the

10-9

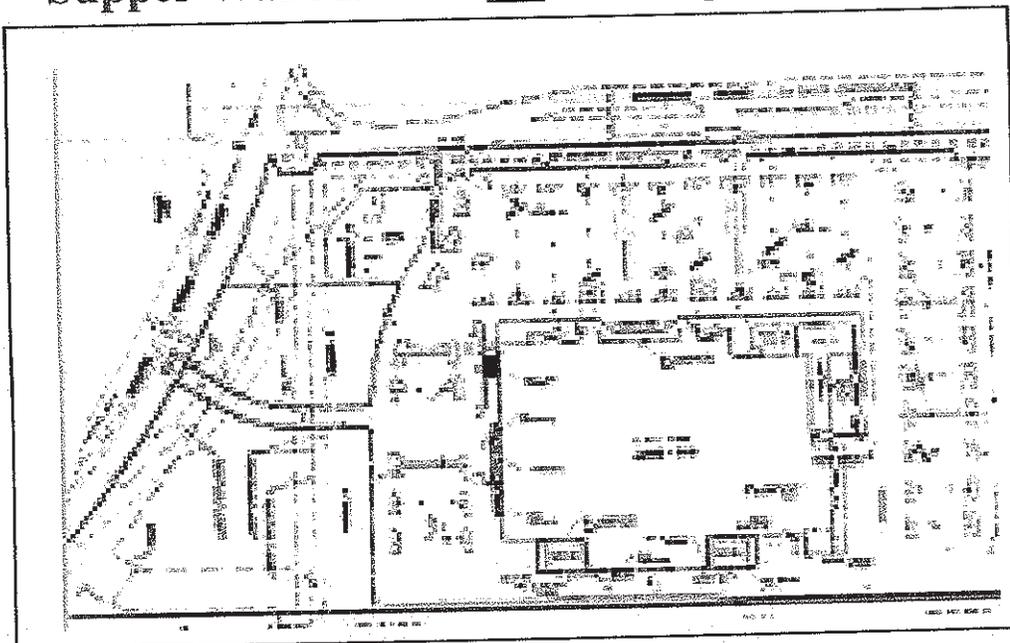
Super Wal-Mart. It would however have a very beneficial impact on the visibility of traffic to other future stores in the center. See Appendix X through

10-9

- Before and after reorientation pictures are depicted on the next page. The red arrow depicts the reorientation move to a more appropriate and tradition orientation for Wal-Mart within the context of being an anchor within a larger over all Commercial Center.



Supper Wal-Mart "I am the King" Plan

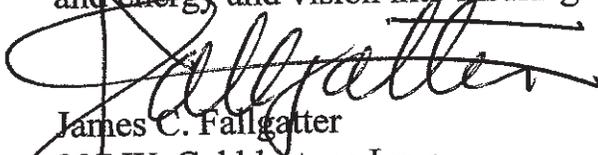


Ridgecrest Commerce Center
"Friendly Plan"
(red arrow shows reorientation to traditional)

In conclusion other than the above noted items this draft EIR appears to be a good comprehensive working and reference document. I appreciate the opportunity to comment on this draft work and going forward to final I would be happy to discuss my suggestions/comments with any cognizant/responsible/interested individuals at their convenience.

10-10

With great respect for all that sincerely are putting their very best thoughts and energy and vision into insuring a great result for the City of Ridgecrest!



James C. Fallgatter
207 W. Cobblestone Lane
Ridgecrest

Home 760 446-5941
Cell 562-355-8172

Attachments:

- A- Wal-Mart Site Plan and Previous Correspondence
- B- Roundabout Study
- C- Pedestrian Bridge Circulation Plan

Appendix A (Wal-Mart Site Plan)

December 12, 2005

To: **Chip Holloway** - Mayor
 Duke Martin - Mayor Pro Tem
 Dan Clark - Vice Mayor
 Steve Morgan - Council Member
 Ron Carter - Council Member
 Harvey Rose - City Manager
CC: Gary Parsons - Community & Economic Development
Director

Subject: Optimizing the Super Wal-Mart Site

Dear Ridgecrest City Leaders,

Wal-Mart's visit and presentation to the City Council this coming Wednesday evening is another very important commercial event amongst a recent series of very important and positive new commercial activities occurring in our city. While it is realized that the new Wal-Mart store is just a proposal at this time and not an approved city project, Wal-Mart is in the middle of the EIR requested by the city, has completed preliminary engineering drawings of the proposed site, and is now apparently ready to move another step forward by presenting their plans formally to the City Council and Citizens at-large.

For the above reasons we believe the timing is now correct to request that you direct your attention to the two documents attached to this letter.

- 1. Proposed Super Wal-Mart Site Plan**
- 2. A Traffic Flow and Visibility Impact Study**

These two documents present concerns that the site planning that Wal-Mart has already completed does not take into consideration and support, when it easily could, the city's vision for the Master Planned Regional Commerce Center. In the early 1990s, the City Planning Department following the direction of the City Council, crafted a vision for the development a Regional Commerce Center along South China Lake Blvd and East Bowman Rd. All affected property owners agreed with the city officials moved to align their properties with this vision. Each succeeding Council supported this effort to enlarge Ridgecrest's economic sphere of influence and capture additional tax revenue.

The proposed location of the Wal-Mart structure has the potential to inhibit traffic flow and certainly slices the commercial district in half. For these reasons, we ask the City Council members to consider the impact of the proposed orientation of Super Wal-Mart on the overall commercial center and the future tax based revenue.

Thank you very much for this consideration,

Citizens in Support of a Master Planned Eastern Sierra Regional Commerce Center

Thursday, October 27, 2005

To: Mr. Gary Parson

Community & Economic Development Director
City of Ridgecrest,
100 W California Ave.
Ridgecrest, CA 93555

Subject: Proposed Super Wal-Mart Site Plan

Introduction:

A Super Wal-Mart has the potential to positively impact the City of Ridgecrest and surrounding regions in many ways. Many of these impacts are now in the process of being evaluated in an Environmental Impact Study (EIR) commissioned by the City. We believe the placement and orientation of the Super Wal-Mart building itself, as shown on engineering drawings provided to the City, are important items to be considered in this evaluation.

Summary:

The planned orientation of the Wal-Mart building on the proposed site is sub-optimal and impacts negatively rather than positively the overall vision for the establishment of a Master planned Regional Commerce Center on adjacent properties.

Detailed Evaluation:

The City of Ridgecrest has pursued a vision to develop a regional shopping center during the past two decades. This commercial center is planned to extend from Bowman Rd/Sunland St intersection to China Lake Blvd/Norma St intersection. A large building sitting crosswise at the entrance to the site will obscure and diminish the important visual access to the remainder of the planned center from traffic on China Lake Blvd. A commercial representative of CB Ellis has spontaneously and flatly stated that orientating the building in this manner severely impacts the overall visual access and appeal of the center. In addition the representative stated that with Wal-Mart turning its back to the rest of the center, the harm is multiplied and that despite the positives associated with the close proximity of Wal-Mart it "will be a very tough sell" to interest other tenants in going in behind a Wal-Mart.

A large building sitting crosswise nearly across the total width of the site will act as a plug, instead of promoting, desired shopper traffic flow between the Wal-Mart site and other tenants of the center. Thus one of the largest expected benefits to the new center of having such a great anchor tenant is severely compromised.

Needed Change:

The problems mentioned above would be entirely mitigated if the proposed building is rotated 90 degrees clockwise and placed centered east to west against the southern boundary of the site. Please see attached drawings.

Wal-Mart Impact:

In addition to positively supporting the important Master plan goals mentioned above there are many other positives associated with this move for Wal-Mart.

1. High visibility from China Lake Blvd will be augmented with the building now closer to this main artery and with building mounted, boulevard visible, signage now possible on both the north and west facing sides of the building.
2. The average customer walking distance to the store entrances will be reduced 27% (218 feet round trip) without optimizing the parking layout.
3. The number of parking spaces still meets the city specifications.
4. The store entrance instead of facing the West would now face north and be shaded during the hot summer afternoons. In addition the building itself will provide shade to a portion of the parking lot and most of the nursery area in the afternoon. Both the shorter walk and added shade are big considerations with average temperatures in the 100 degree + range during the summer months.
5. The prevailing winds in the valley move from west to east. As currently planned the wind will be blowing directly at the main entranceways. Reorientation significantly lessens the impact of this fact of life in the desert.
6. The Pharmacy drive thru access accessibility and visibility is greatly improved.
7. The overall site plan is more balanced and traditional.

Conclusion:

There are many very good reasons for Ridgecrest and Wal-Mart to desire a change in the orientation and location of the building. Although it might appear that this will involve a major engineering effort, in fact most of the site planning work that has been accomplished to date would remain intact and fully applicable. If the changes that are necessary are made during the remaining seven month EIR study period the impact on the overall desired schedule should be negligible.

Sincerely,

Terry Haven

David Hoagland

Nicholine Haven

Robert Hoagland

Enclosures: Wal-Mart Site Plan
Ridgecrest Friendly Site Plan
Indian Wells Valley Regional Commerce Center Plot Plan

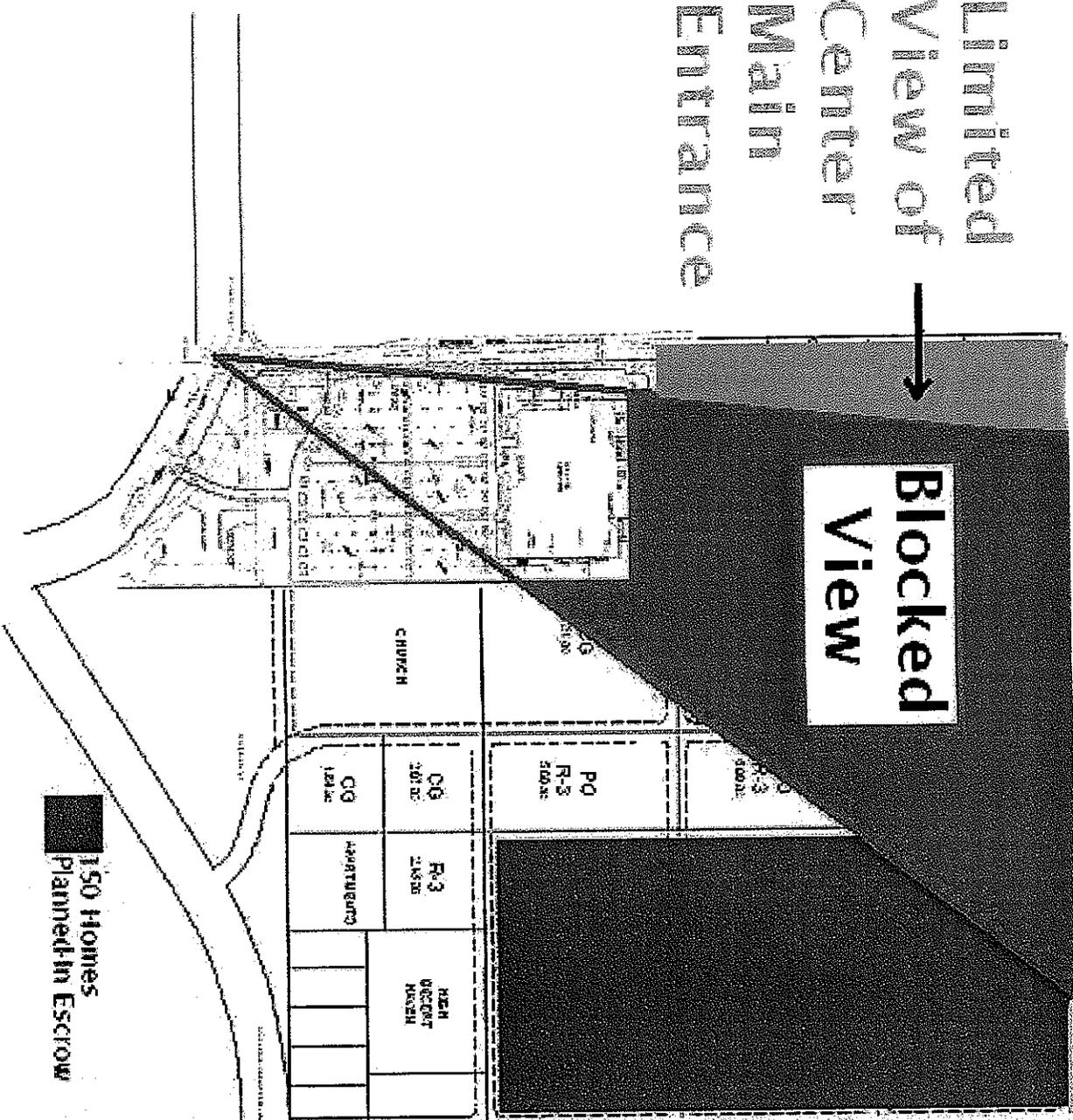
CC

Christopher A. Joseph & Associates
Re: Ridgecrest California Wal-Mart EIR
% Mr. Christopher Joseph
11849 W. Olympic Boulevard, Suite 101
Los Angeles, CA 90064
Phone: (310) 473-1600
Fax: (310) 473-9336

Rothbart Development
Attention: Mr. Stanley Rothbart
1801 Avenue of the Stars; Suite 920,
Los Angeles, CA 90067
Phone: (310) 277-6288

Limited
View of
Center
Main
Entrance

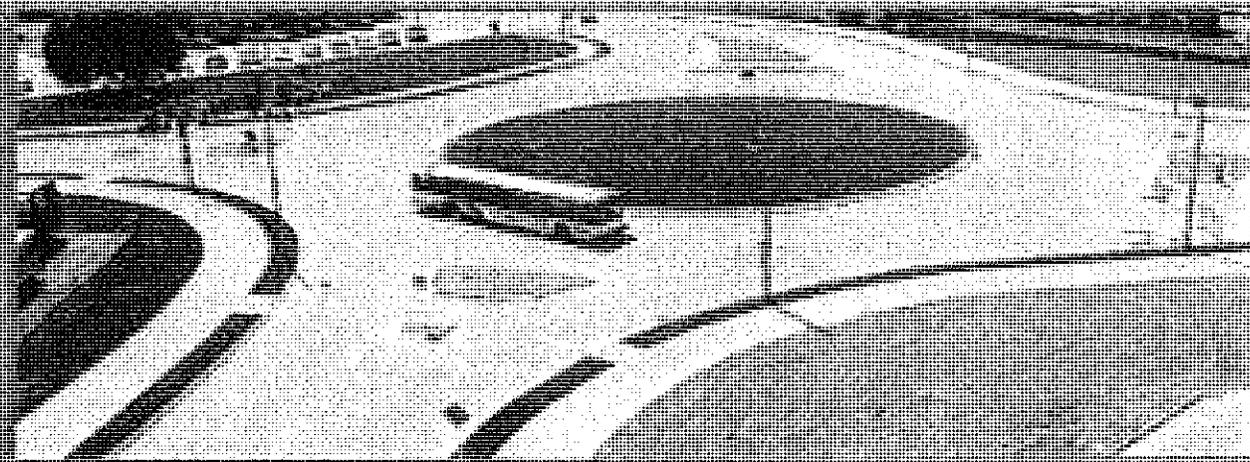
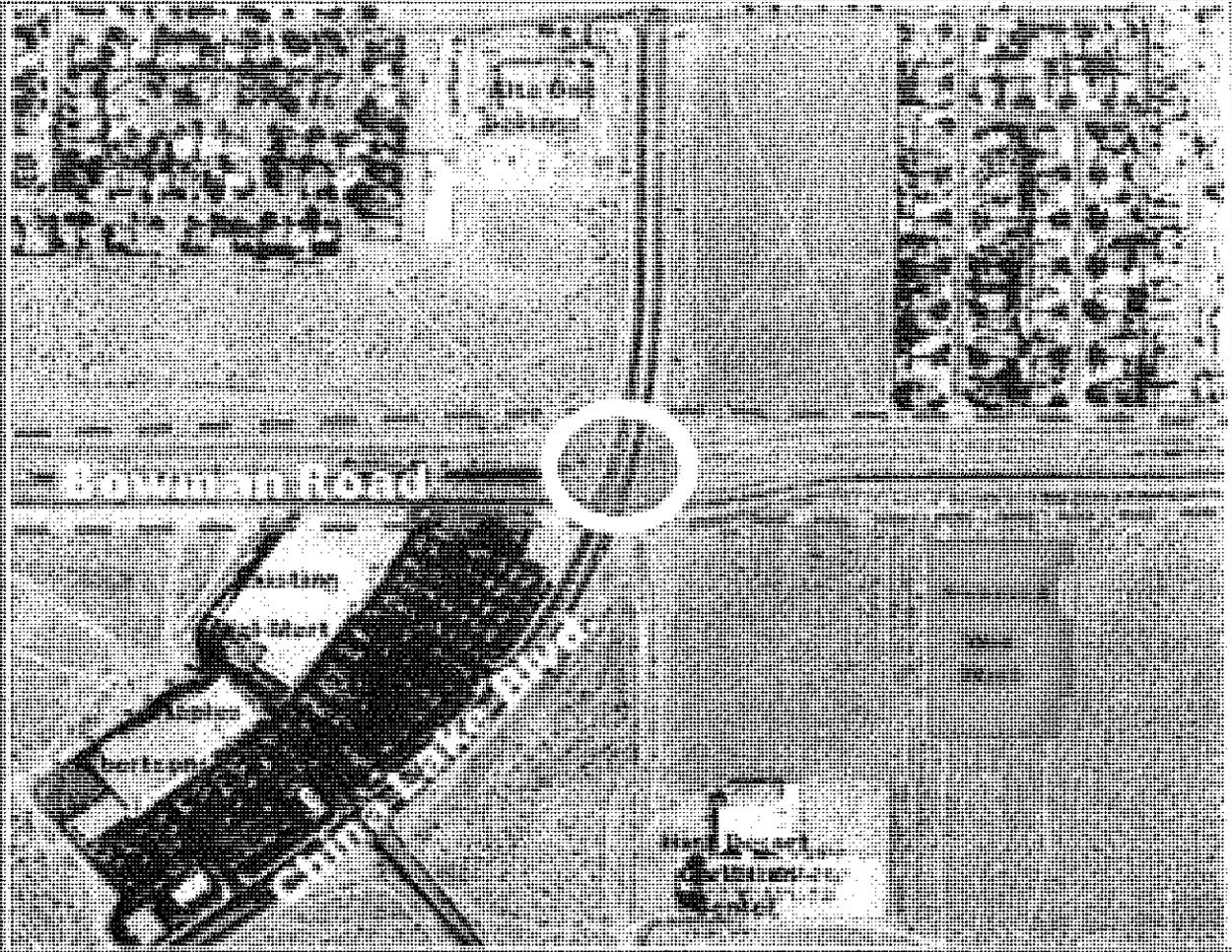
Blocked
View



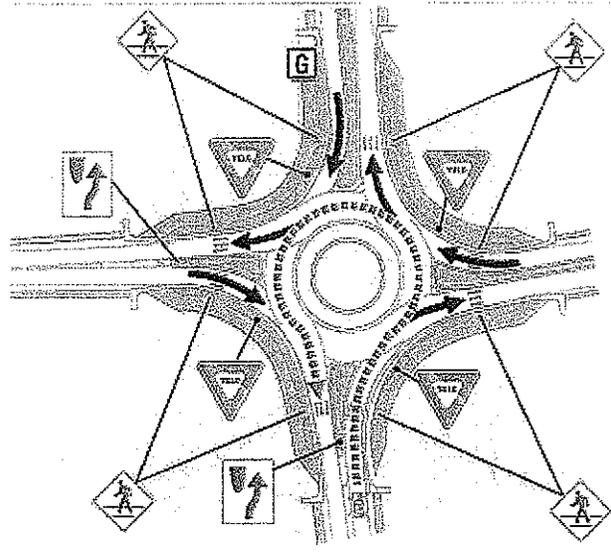
View from China Lake/Bowman
Intersection

APPENDIX B

Should the City of Ridgecrest consider a Roundabout at Bowman Rd. & China Lake Blvd?



Roundabouts



- A subset of circular intersections
NOT ALL CIRCULAR INTERSECTIONS ARE ROUNDABOUTS.
- Has a generally circular shape
- Requires all entering traffic to yield to circulation traffic
- Has appropriate geometric features to ensure slow entering and circulating speeds

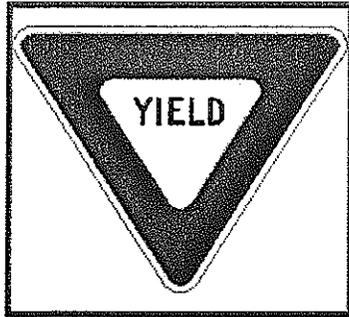
Evolution Of Roundabouts

- **1860-1930** Traffic Control Officers
- **1900-1930** Traffic Circles and Rotaries
 - First in rule
 - Yield to the right
- **1930-1950**
 - Enter on tangent and merge with traffic
 - Designs had large radius and long weaving section resulting high speeds

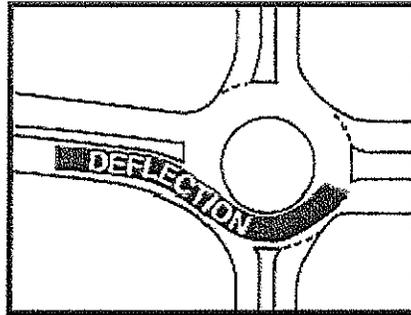
Evolution Of Roundabouts

- **1950 - 1970**
 - US starts to abandon the construction of circular intersection
 - Britain and other European countries continue to develop circular intersection
- **1980-2000s Modern Roundabouts**
 - Yield at entry
 - Slow entering speeds
 - Slow circulating speeds
- **1950 - 1970**
 - US starts to abandon the construction of circular intersection
 - Britain and other European countries continue to develop circular intersection
- **1980-2000s Modern Roundabouts**
 - Yield at entry
 - Slow entering speeds
 - Slow circulating speeds

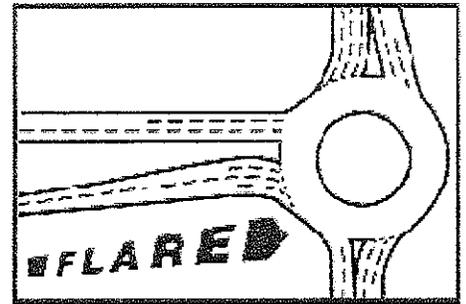
Key Characteristics & Geometric Features



Yield-at-Entry



Deflection



Flare

Roundabouts vs. Traffic Circle

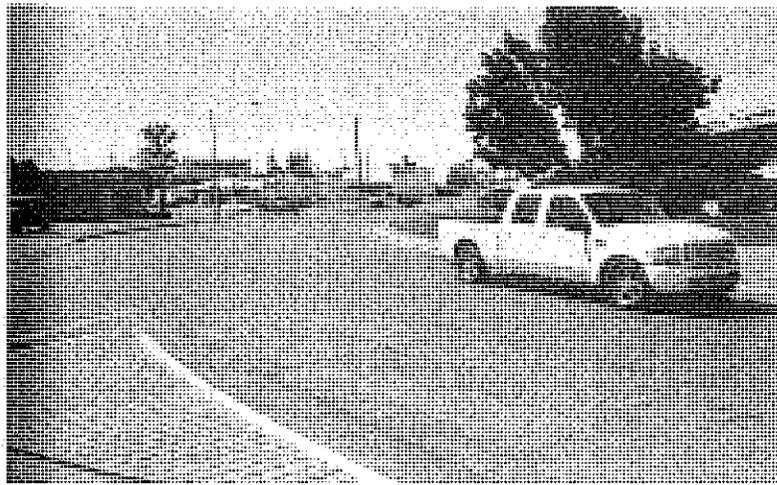
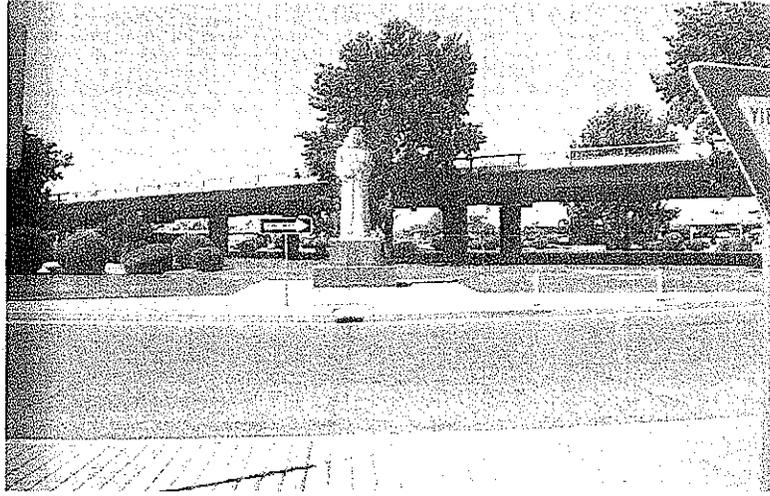
Modern Roundabout

- Entering traffic yields to circulating traffic
- Entering traffic aims at center of central island and is deflected around it
- Upstream roadway often flares at entry, adding lanes

Nonconforming Traffic Circle

- Entering traffic cuts off circulating traffic
- Entering traffic aims to the right of the central island and proceeds straight ahead at speed
- Lanes are not added at entry

Bakersfield Roundabout @ Hwy 178 & Chester Ave.



Benefits Of A Roundabout

- Increased safety
- Equal or greater capacity capabilities
- Lower maintenance costs
- Environmentally friendly
- Aesthetically pleasing

Safety

- Roadways are the Most Dangerous Public Facilities
- 800 people killed each week in the US
- Leading cause of death for Americans Ages 1-34, yr 2000
- 6 out of 10 children will be injured in a traffic crash over a lifetime, many more than once
- This week alone over 48 children will die and 6,100 will be injured

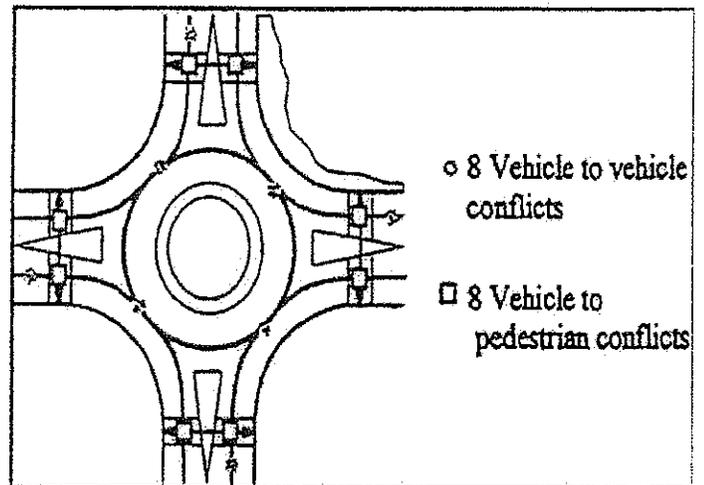
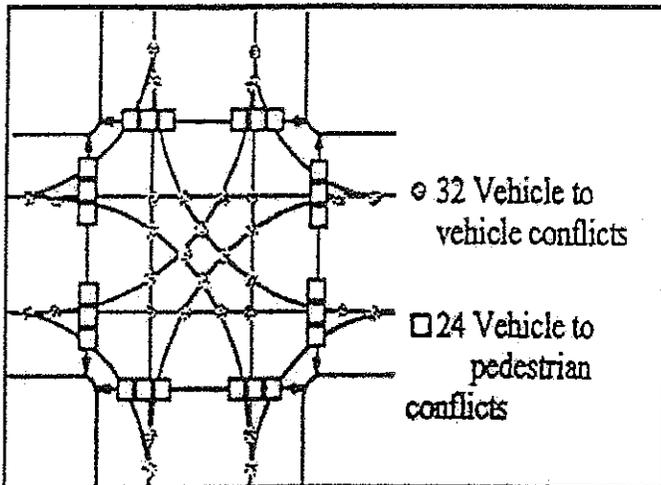
US Intersection Crash Statistics

- 27.3% of all reported crashes
- Almost 25% of all traffic fatalities
- Almost 50% of all traffic injures
- Over 55% of all crashes are related to access

Designing for Safety

- Limiting and Managing Vehicular Conflicts
 - Fewer number of conflict points
 - Lower vehicle speeds
 - Reduction of injury accidents
 - Increase in pedestrian safety

Conflict Points



Insurance Institute for Highway Safety

- **Crash study on before and after construction of roundabouts**

- 39% overall decrease
- 76% decrease in injury crashes
- 90% decrease in fatal crashes
- Added benefit of increased capacity

Capacity

- **Traffic yields vs. Stops**
- **No lost time**
- **Size depends on entering flow and circulating flow**

Cotati, CA - Main Street (Before)

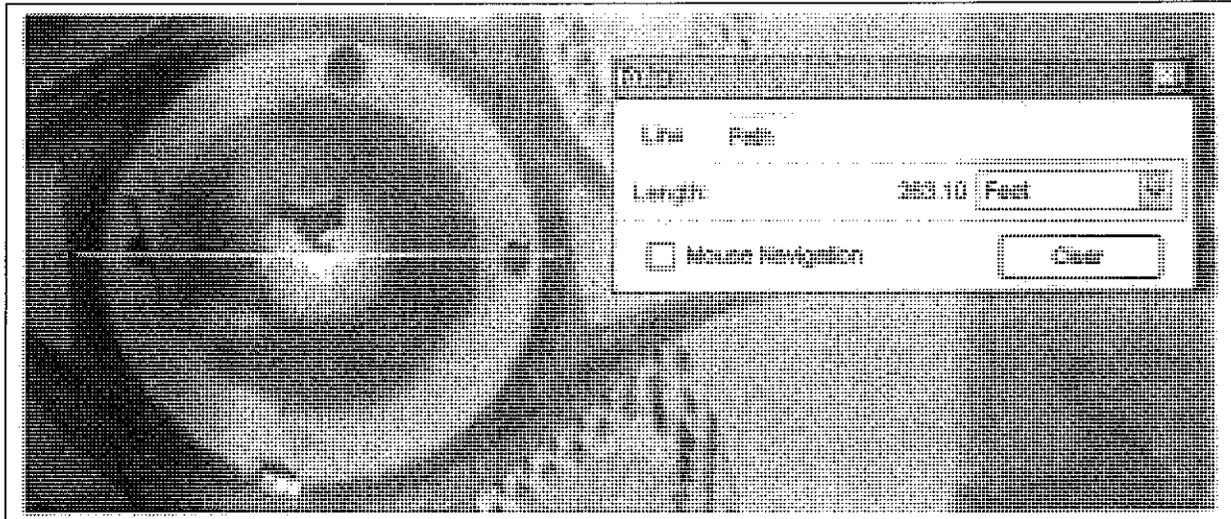


Cotati, CA - Main Street (After)

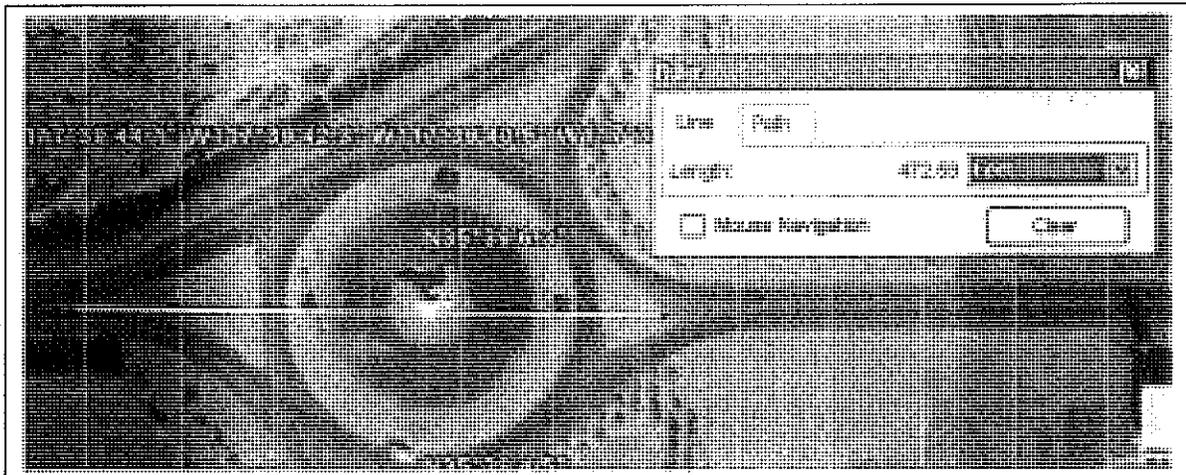


Bowman/China Lake Roundabout Size Study

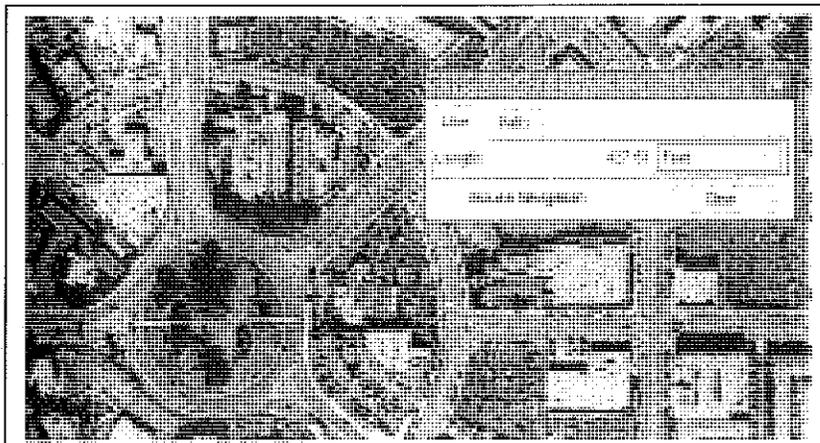
China Lake Traffic Circle: Outside Diameter 263 Feet



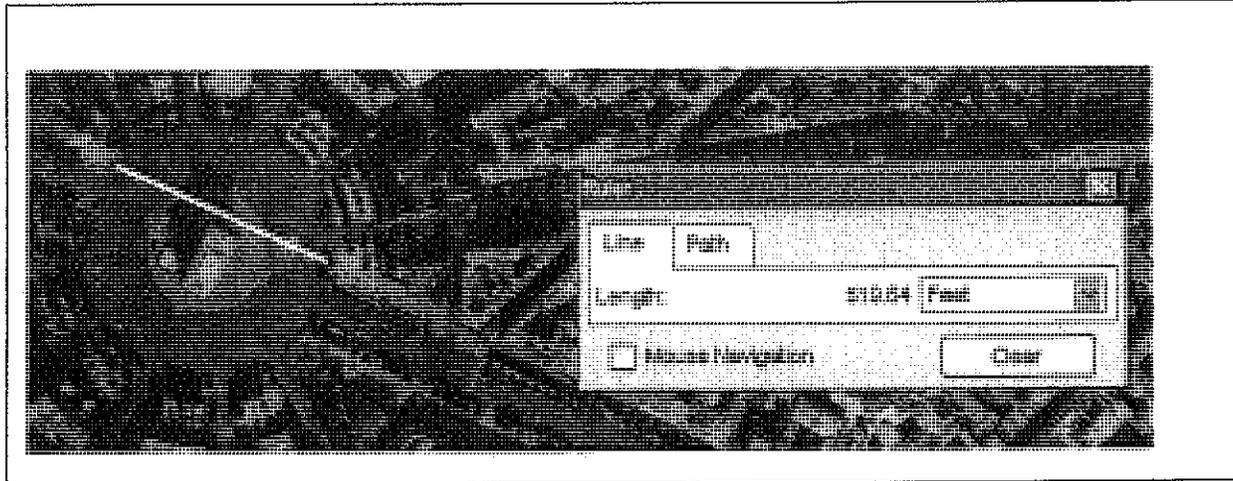
Distance: Gore Point to Gore Point 473 Ft.



Long Beach California Outside Diameter 427 Feet



Paris Etoile/Arc de Triumph Roundabout : 519 Ft. Outside Diameter



Example of What is Recommended by Design Engineers

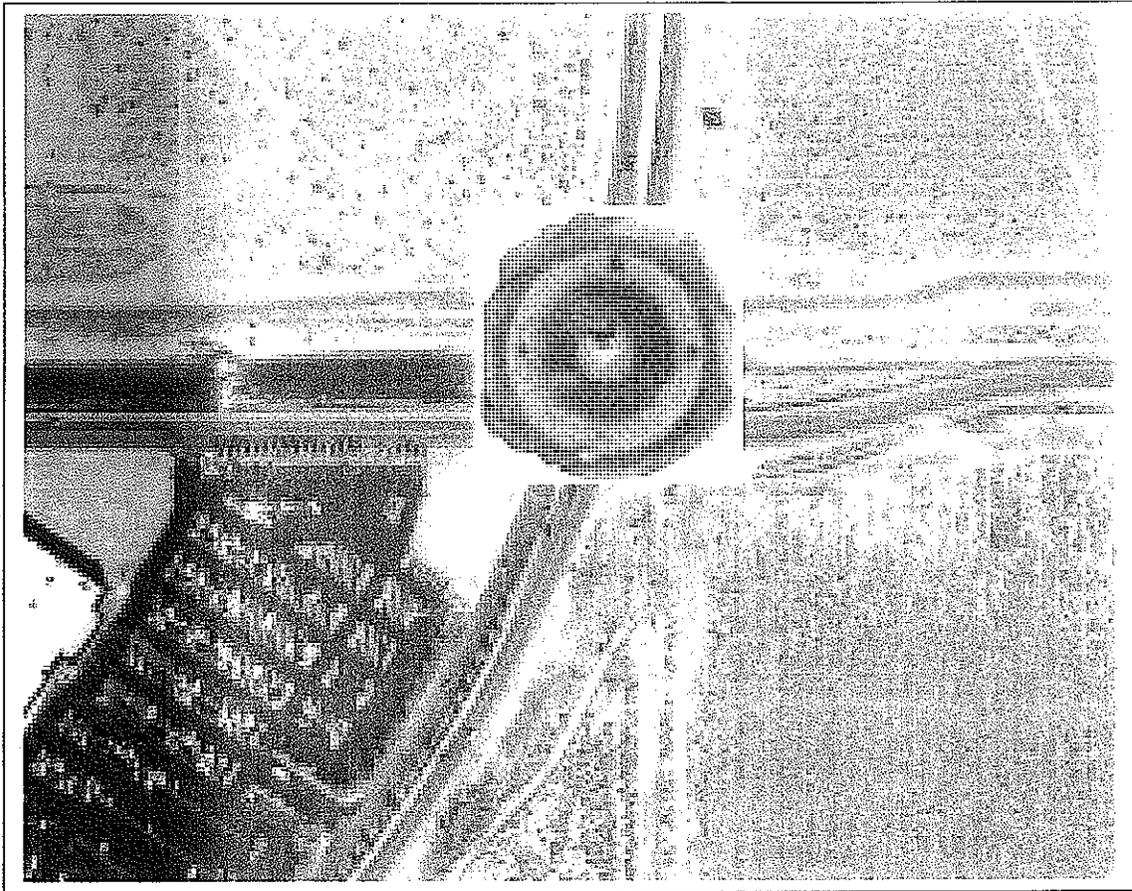
<http://www.co.kane.il.us/DOT/roundabout>

**Table 4-1
Roundabout Categories and Design Characteristics**

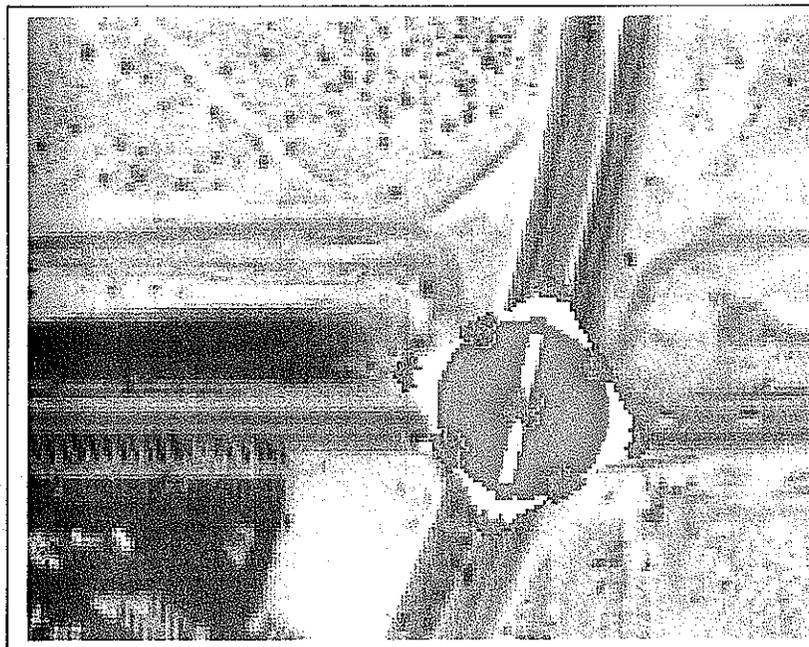
Design Element	Mini-Roundabout	Urban Compact	Urban Single-lane	Urban Double-lane	Rural Single-lane	Rural Double-Lane
Functional Highway Classification (typical applications)	Township residential collector	Township residential collector	County Arterial	County Arterial	County Arterial	County Arterial
Recommended maximum entry design speed	15 mph	15 mph	20 mph	25 mph	25 mph	30 mph
Maximum number of entering lanes per approach	1	1	1	2	1	2
Typical inscribed circle diameter	50 to 90 ft	100 to 150 ft	120 to 150 ft	150 to 200 ft	120 to 200 ft	175 to 250 ft
Splitter island treatment	Raised if possible, crosswalk cut if raised	Raised, with crosswalk cut	Raised, with crosswalk cut	Raised, with crosswalk cut	Raised and extended, with crosswalk cut	Raised and extended, with crosswalk cut
Typical daily service volume on 4-leg roundabout (veh/day)	10,000	15,000	20,000	Approximately 40,000-50,000 Refer to FHWA Roundabout Guide	20,000	Approximately 40,000-50,000 Refer to FHWA Roundabout Guide

Generally, the right-of-way set aside for the roundabout should provide at least 10 additional feet around the outside of the inscribed circle diameter (20 feet total) to allow for sidewalks and buffer space. Until concept layouts are developed for the roundabout adequate to evaluate the actual right-of-way needs for the roundabout, it may be desirable to reserve even more right-of-way.

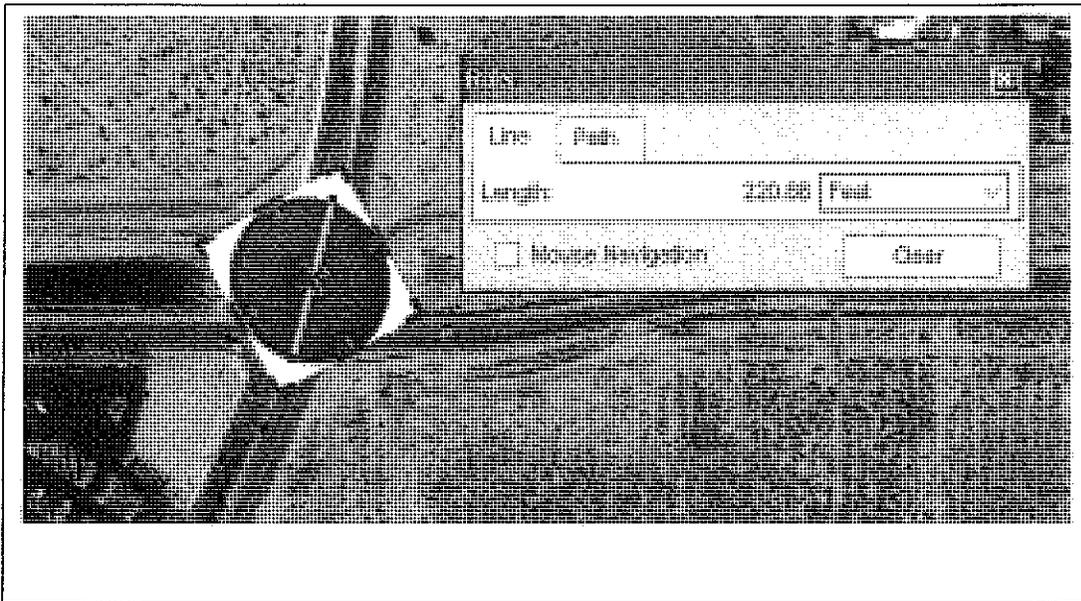
Superimposed China Lake Circle



150 Ft Circle Urban Single Lane
Capacity (20,000 Cars per day) @ 20 Miles per Hour



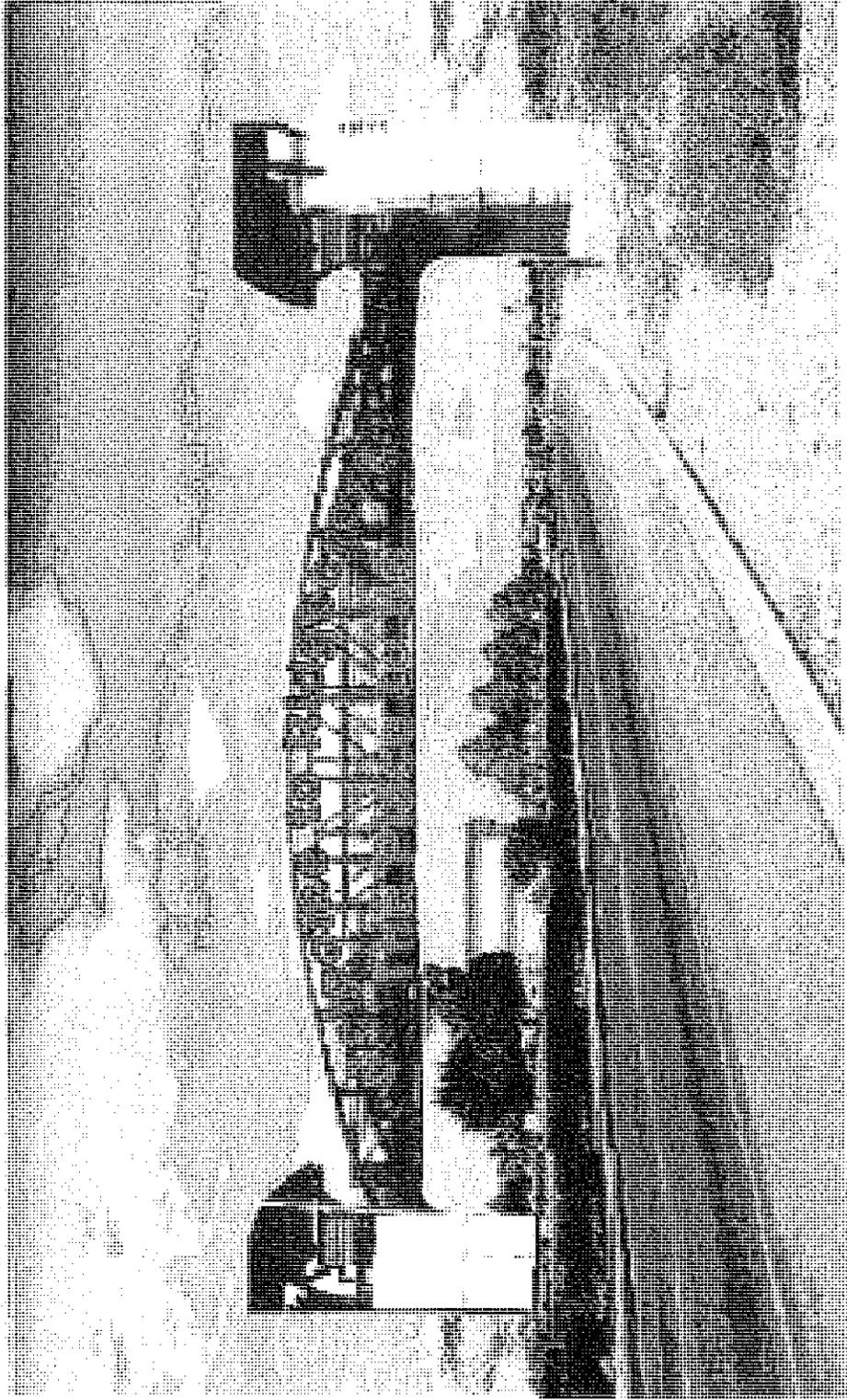
220 Ft Circle Urban *DOUBLE* Lane
Capacity (40-50,000 Cars per day @ 25 Miles per hour)



Conclusion: High Capacity Urban Roundabout with Two Lanes Entering from Four Directions appears supportable without impacting Northern Quadrant Land Owners

Appendix C

PROPOSED IDEA:



A Multi-Purpose Pedestrian & Bike Connecting Bridge/Landmark for Ridgecrest's Southern Entrance

RIDGECREST BRIDGE/LANDMARK OPPORTUNITY

- Genesis of Idea
 - Potential of new Super Wal-Mart represents an unprecedented opportunity to beautify the Southern entrance to our city.
 - This may represent the largest commercial development in the history of our city
 - High profile location deserves careful PLANNING and VISION by our civic leaders and citizens.

RIDGECREST BRIDGE/LANDMARK OPPORTUNITY

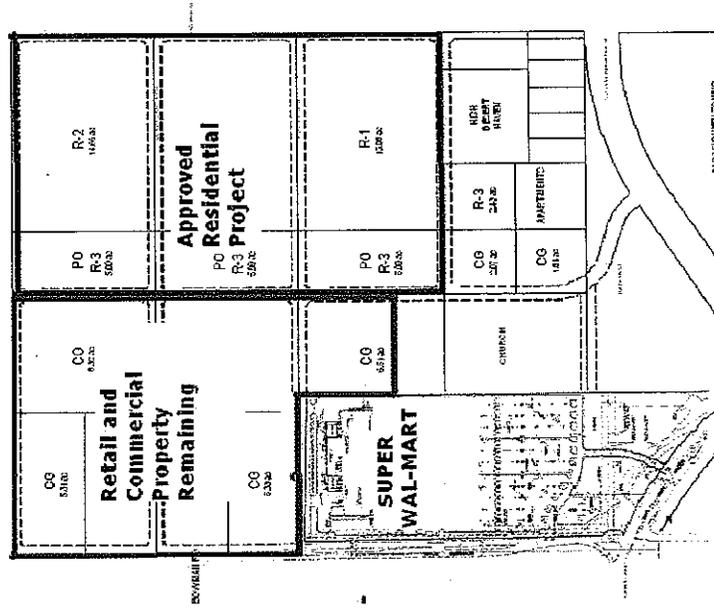
- Eastern Sierra Regional Shopping Center
 - Super Wal-Mart represents the first and most important step (establishment of an outstanding anchor tenant) for the commercial shopping center envisioned and zoned by our city's General Plan over 15 years ago.
 - There are approximately 60 Acres of additional commercial property impacted.
 - Other large tenants usually soon follow a Super Wal-Mart.

RIDGECREST BRIDGE/LANDMARK OPPORTUNITY

- Eastern Sierra Regional Shopping Center
(Continued)
 - The planning that is occurring now for this first Eastern side store will directly effect the future overall circulation flow to/from/in-between and around the new Shopping Center and the existing Center on the West.
 - It is very important to the city, existing and future tenants, and citizens that both centers not only thrive but are truly synergistic one with the other.
 - It is very important that the mobility and thus the ability of all of our citizens to enjoy and utilize these centers be optimized.

RIDGECREST BRIDGE/LANDMARK OPPORTUNITY

- Eastern Sierra Regional Shopping Center From the General Plan

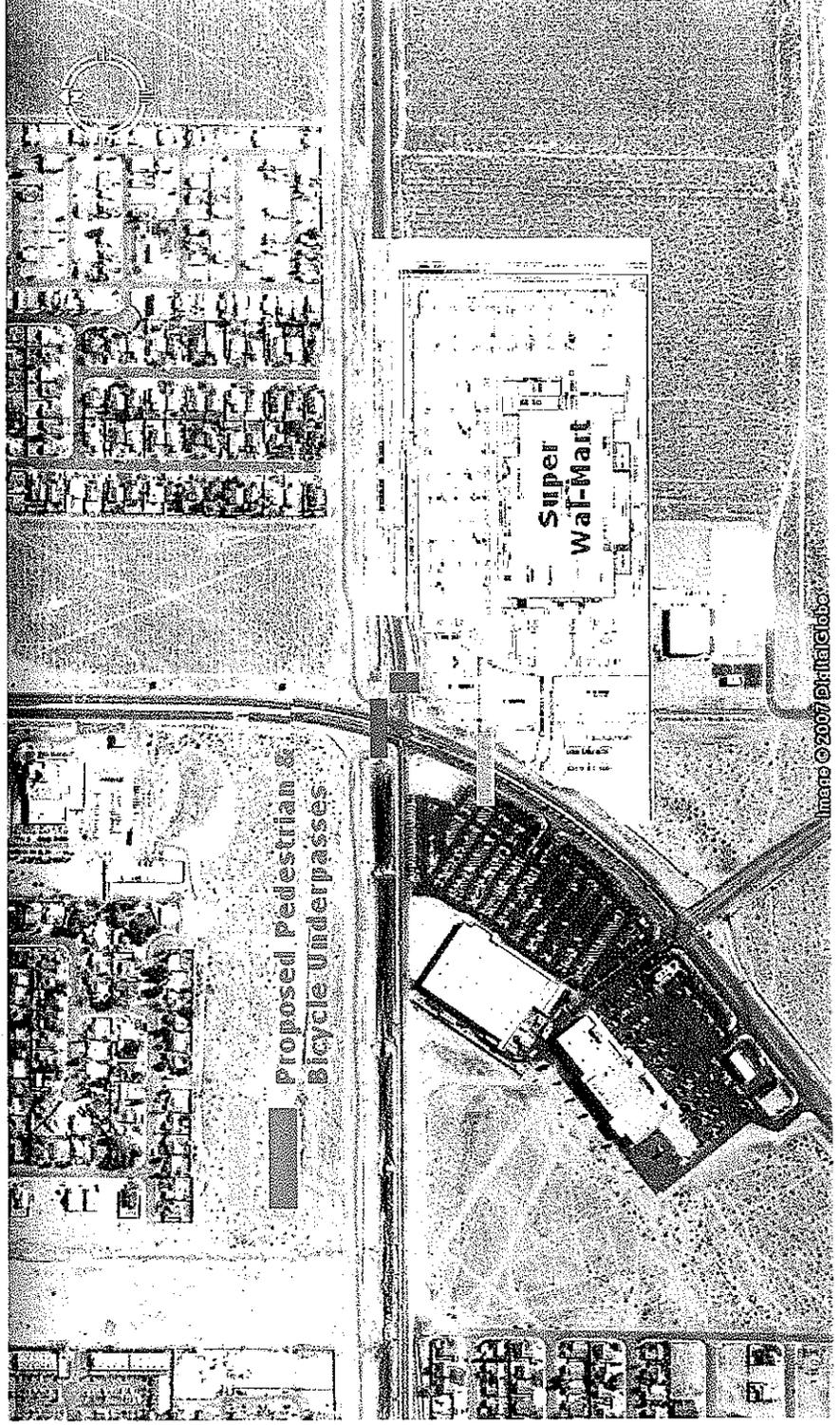


RIDGECREST BRIDGE/LANDMARK OPPORTUNITY

- Pedestrian/Bicycle Access Bridge and Underpasses
 - A combination of both an access bridge over China Lake Blvd and underpasses beneath Bowman and China Lake Blvd's would optimize the convenience and safety of non-vehicular movement between and around the two centers.

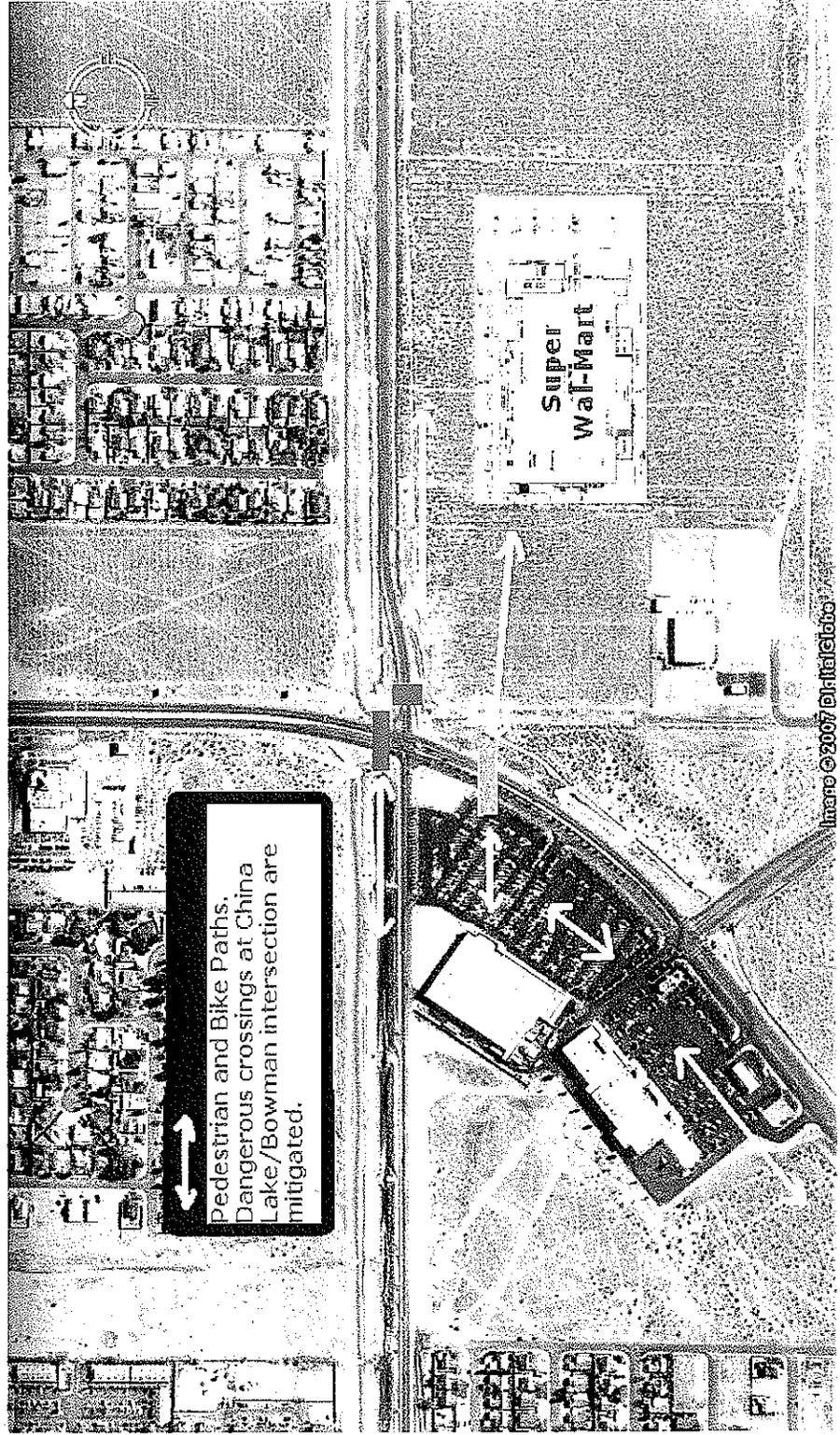
RIDGECREST BRIDGE/LANDMARK OPPORTUNITY

- Bridge and Underpass Locations



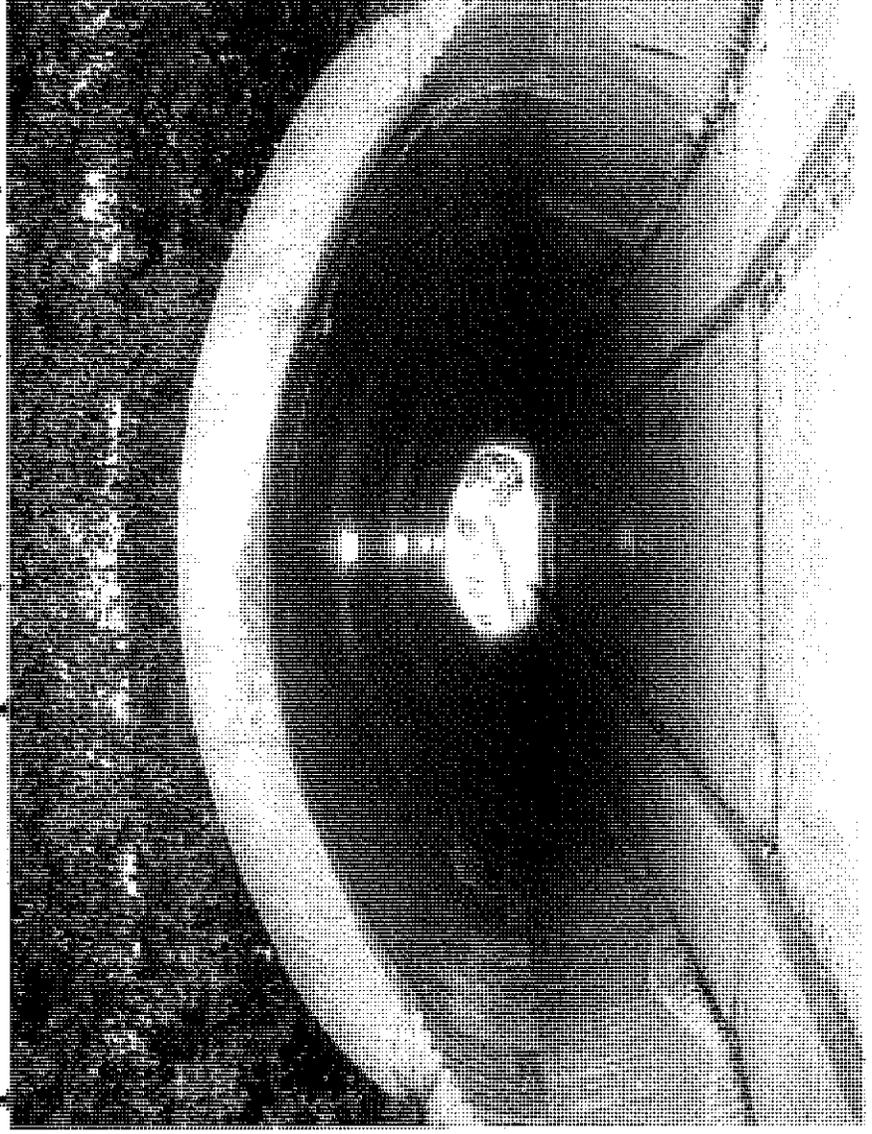
RIDGECREST BRIDGE/LANDMARK OPPORTUNITY

- Bicycle and Pedestrian Access



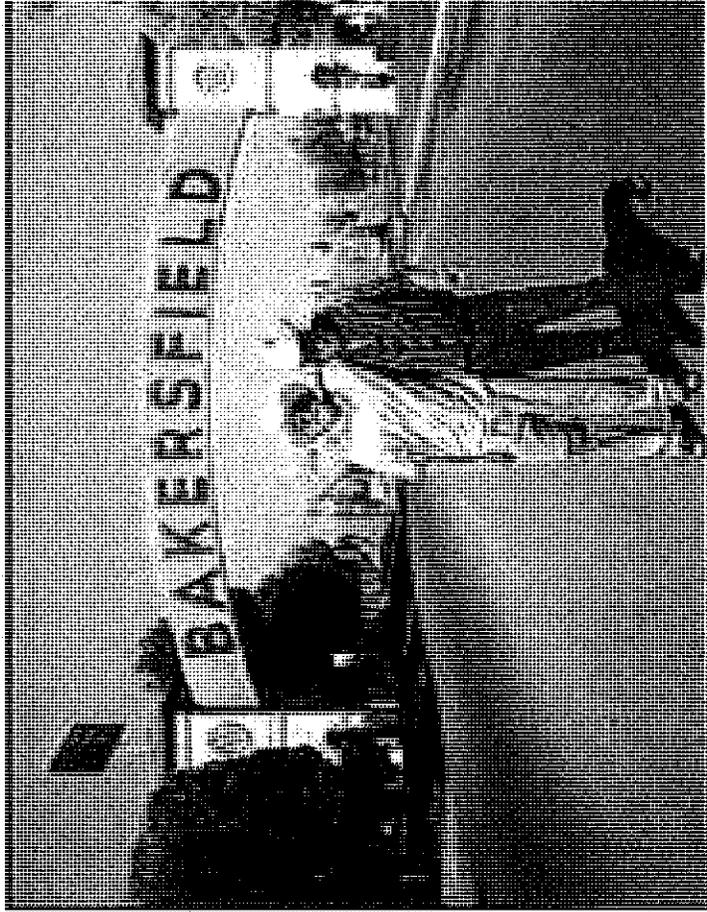
RIDGECREST BRIDGE/LANDMARK OPPORTUNITY

- Underpass Example(Irvine, Ca.)



RIDGECREST BRIDGE/LANDMARK OPPORTUNITY

- Landmark Bridge for Ridgecrest
 - A distinct access bridge could also serve as a high profile welcoming landmark for the Southern entrance to the city.



RIDGECREST BRIDGE/LANDMARK OPPORTUNITY

- **Serendipity: Preparedness meets Opportunity**
 - The idea of a landmark bridge vs. another type of landmark is not a coincidence.
 - It so happens that first class prefabricated bridges of this type are built right in our backyard (Olancha) and shipped all over the country.
 - Steve Vasquez, a principal of Excel Bridge Co, is a citizen of Ridgecrest and manages the company's Olancha, California bridge fabrication plant.
 - **The span part of this bridge could cost as little as \$160-180,000. The approaches and abutments (paved earthen ramps, for example) would be additional.**
 - **Major cost savings in bridge transportation would be realized.**
 - **Lots of Pictures and info at: WWW.Excelbridge.com**

RIDGECREST BRIDGE/LANDMARK OPPORTUNITY

- Requested/Hoped For Action:
 - It is requested that this suggestion is brought before a working session of the Planning Commission, City Council and Community at-large to be vetted by all as both a circulation and access item and as a Landmark and city identification item.
 - It is requested that the Planning Commission request that the cognizant Wal-Mart EIR Compliance Partners be asked to consider these suggestions in light of a master planned regional shopping center bridging China Lake Blvd.

RIDGECREST BRIDGE/LANDMARK OPPORTUNITY

- Requested Action (Continued)
 - Civic Leaders, those granted both power and influence, and fellow citizens:

**Please Think Big and Let Us Join Together to
do Our Very Best to Create a Wonderful New
Overall Environment from this Once in A
Lifetime Opportunity!**

Contact: Jim Fallgatter Jfallgatter@Hotmail.com (562)-355-8172

September 4, 2007

RECEIVED

SEP 4 '07

CITY OF RIDGECREST

13

Matthew Alexander, City Planner
Community Development Department
City of Ridgecrest
100 W. California Ave.
Ridgecrest, CA 93555

RE: WalMart Super Center Environmental Impact Report

Dear Mr. Alexander:

I have reviewed the prodigiously-sized EIR for the proposed WalMart Super Center (WMSC) to be located on Bowman Road in Ridgecrest. First let me say that I appreciate your making the document and its equally gigantic Appendix Volume available on your website. I'm sure this saved the better part of a small forest from being pulped into paper to print the thing.

My primary concerns with this project involve transportation and socio-economics:

1. The traffic analysis offered is well-crafted and extensive. It points clearly to the impracticality of the site chosen for the WMSC. It does not offer workable solutions to traffic jams and dangers to pedestrian and bike traffic that would result from the WSMC. It would appear that this is just an un-workable site for such an enterprise.

2. I am deeply concerned that the socio-economic effects of the WMSC project have not been adequately addressed in the EIR. It appears the major thrust for this project is based on population increases being projected for the community from the 2005 BRAC actions affecting NAWS China Lake. Based on what can be known at this time (since the Dept. of the Navy has not released an approved Business Plan for executing the BRAC Commission's recommendations for China Lake), there is little justification for the WMSC. I question the Indian Wells Valley's ability to support an additional retail enterprise of this magnitude. Ridgecrest currently has three supermarkets, which are seldom over utilized. We used to have four. Once the "new" Albertsons on S. China Lake Blvd. became well-established, the Vons store bailed out. There are volumes of anecdotal evidence that when a WMCS enters a community that is pretty much at population equilibrium, one of the existing supermarkets closes. One example is Alamogordo, NM. Alamogordo could be our twin in many ways. The population is nearly the same. It's located in high desert. It serves two military installations—Holloman AFB and White Sands Missile Range. Alamogordo had two supermarkets for quite some time. When the WMCS came, one of them closed. This scenario has been repeated throughout the country. Personally, I don't want to lose one of our neighborhood supermarkets (not to mention how many other local small businesses?) in trade for the giant "one-stop-shop" WMSC.

11-1

11-2

I would add that designating the ill-conceived trash collection/drainage ditch along Bowman Road as "Bowman Creek" is silly. It's not a creek. Before it was constructed, it was simply a piece of desert in the greater flood plain of that part of town. Be that as it may, the Bowman Ditch is an eyesore and I applaud reasonable efforts by the city to make it less so.

11-3

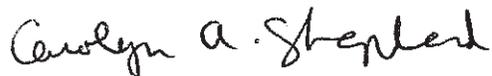
The EIR package contains comment letters received by the City on the Initial Study for the proposed WMSC. I didn't find the concerns raised by the citizens who wrote these comments adequately addressed in the EIR. This is particularly the case with those from nearby neighbors to the WMSC site. I hope all relevant concerns will be resolved before the City considers approving this project.

In closing, I am opposed to the WalMart Super Center project for Ridgecrest as it is currently proposed.

11-4

Thank you for providing the opportunity to review the WMSC EIR. Please place me on any mailing/notification lists for public hearings and other actions concerning this project.

Sincerely,



CAROLYN A. SHEPHERD
216 W. Cielo Avenue
Ridgecrest, CA 93555

DEPARTMENT OF TRANSPORTATION

District 9
500 South Main Street
Bishop, CA 93514
PHONE (760) 872-0785
FAX (760) 872-0754
TTY 711 (760) 872-0785



Flex your power!
Be energy efficient!



June 10, 2009

Matthew Alexander, City Planner
Ridgecrest Community Development Department
100 West California Avenue
Ridgecrest, California 93555

File: 09-KER
DEIR
SCH #: 2005121053

Dear Mr. Alexander:

Ridgecrest Wal-Mart Supercenter Revised Draft Environmental Impact Report (DEIR)

Thank you for giving the California Department of Transportation (Caltrans) the opportunity to review the revised DEIR for the Wal-Mart proposed for the southeast corner of Bowman Road and South China Lake Boulevard.

12-1

We have the following comments:

- If alternative site D-1 is chosen (Business Park vicinity along State Route 178), the Wal-Mart Traffic Impact Analysis would obviously need to be revised.
- The City could consider updating its Traffic Impact Fee Program to add a project for timing coordination of the City's traffic signal system (existing and proposed) on both State and local roadways.

12-2

12-3

We value a cooperative working relationship with Ridgecrest regarding transportation and development. If you have any questions, I may be contacted at (760) 872-0785.

12-4

Sincerely,

GAYLE J. ROSANDER
IGR/CEQA Coordinator

c: State Clearinghouse
Steve Wisniewski, Caltrans



To: Mr. Matthew Alexander, City Planner, City of Ridgecrest

From: Desert Christian Center, 100 E. Bataan Ave. Ridgecrest CA.

Subj: Environmental Impact Report for the Ridgecrest Wal-Mart and Retail Center, State Clearinghouse No. 2005121053.

Mr. Alexander, thank for the opportunity to comment on the revised draft Environmental Impact Report (EIR) for the Ridgecrest Wal-Mart and Retail Center, State Clearinghouse No. 2005121053.

13-1

The following are our comments, concerns and questions in regard to the EIR.

1. Desert Christian Center (DCC) property borders the proposed Wal-Mart site to the south. Over the last three years DCC and the Wal-Mart engineering firm have had four meetings in Ridgecrest, over a dozen phone calls and exchanged many drawings of the DCC site and proposed Wal-Mart site plans. Subjects discussed were; Drainage, Noise, Fencing, Safety, Security and Lighting.

13-2

2. Our oral agreement with Wal-Mart in regards to drainage was that Wal-Mart would provide underground drainage from the DCC north-east corner of our property and sump. Currently, the DCC sump overflows from the north-east corner of the sump to the north towards Bowman Rd. We see no provision listed in Appendix J of the EIR to address this issue nor are there elevations provided in the EIR that would indicate where the overflow of the DCC sump would be channeled to when the Wal-Mart site is complete. Where would the DCC sump overflow go?

13-3

3. Appendix J of the EIR addresses the drainage issues to the south-west of their property. The report indicates that Wal-Mart will make improvements to the drainage area referred to as CHW-12. The reports states that the improvements will be "Native Sides and Floor". DCC made the improvements to Bataan Ave. and the curb, gutter and sidewalk to allow for both water runoff and vehicle access to the west side of our property. Will the proposed CHW-12 improvements prevent us from using that same access to park our vehicles on the west side of our property?

13-4

4. The EIR did not address our concern about noise, safety and security from the Wal-Mart parking lot. In previous discussions, Wal-Mart agreed to build a block wall on their south property line. This would reduce noise and improve the visual look from our church looking north to Wal-Mart. The block wall would also provide security and safety for our members and their children from the high traffic rate at Wal-Mart. Will a block wall be constructed on the south property line of the proposed Wal-Mart?

13-5

Please refer all questions to Ted Hicks or Mike Cash, Desert Christian Center, 100 E. Bataan Ave. Ridgecrest CA. 93555, Phone 760-375-9954.

Thank you.

Mike Cash



California Natural Resources Agency
 DEPARTMENT OF FISH AND GAME
 Central Region
 1234 East Shaw Avenue
 Fresno, California 93710
 (559) 243-4005
<http://www.dfg.ca.gov>

ARNOLD SCHWARZENEGGER, Governor
 DONALD KOCH, Director



Comment Letter No. 14

July 1, 2009

JUL 6 2009

Matthew Alexander
 City of Ridgecrest
 Community Development Department
 100 West California Avenue
 Ridgecrest, California 93555

Subject: Revised Draft Environmental Impact Report (RDEIR)
 Ridgecrest Wal-Mart and Retail Center
 SCH No. 2005121053

Dear Mr. Alexander:

The Department of Fish and Game has reviewed the RDEIR submitted by the City of California City for the above Project. Project approval would allow for the construction of a Wal-Mart store and gas station, and the grading of two additional parcels on approximately 28.5 acres. The Project site is located on the southeast corner of Bowman Road and China Lake Boulevard.

14-1

The Department has comments regarding proposed mitigation for biological resources. The Department agrees with measure D-5 regarding nesting birds, and with measure D-3 regarding focused surveys, passive exclusion, and off-site mitigation to compensate for impacts to burrowing owls (*Athene cunicularia*). According to the measure D-4, the Project applicant will assume presence of the State threatened Mohave ground squirrel (*Spermophilus mohavensis*) and apply for an Incidental Take Permit from the Department. Regarding the State and Federally threatened desert tortoise (*Gopherus agassizii*), the Department does not agree that measure D-2 would necessarily result in the avoidance of the species, and several activities could instead result in "take": exclusion fencing could corral tortoises into a confined area and result in capture (which is defined as "take" in Section 86 of the Fish and Game Code), and the trenching for the fence could result in direct "take" of individuals or destruction of underground burrows. The same impacts could occur to Mohave ground squirrel, for which presence is being assumed. Focused surveys for desert tortoises on the Project site have expired, and it is possible that individuals or sign that were not detected in March 2007 are now present. Because of potential impacts to both desert tortoise and Mohave ground squirrel, the Department cannot give the approval that would be necessary according to measure D-2 to construct an exclusion fence. The Department requests that measure D-2 be removed and that the applicant instead either repeat protocol-level

14-2

14-3

Matthew Alexander
July 1, 2009
Page 2

presence/absence surveys (USFWS 2009) and submit survey results to the Department, or assume presence and incorporate desert tortoise into the Incidental Take Permit application that is already planned.

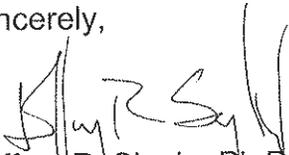
14-3

We are aware that the public comment period for this Project ended on June 26, 2009; however, we respectfully request that our late comments are considered in the development of minimization and mitigation measures and conditions of approval for this Project. In addition, it is important to note that Project approval by the CEQA Lead Agency does not eliminate the Project proponent's obligation to comply with Fish and Game Code Section 2080. In other words, compliance with the California Endangered Species Act (CESA) does not automatically occur based on local agency project approvals or CEQA completion; consultation with the Department is warranted to insure that Project implementation does not result in unauthorized "take" of a State-listed species.

14-4

If you have any questions regarding these comments, please contact Linda Connolly, Environmental Scientist, at the address provided on this letterhead or by telephone at (559) 243-4014, extension 242.

Sincerely,



Jeffrey R. Single, Ph.D.
Regional Manager

cc: United States Fish and
Wildlife Service
2493 Portola Road, Suite B
Ventura, California 93003

EDA Design Professionals
1998 Santa Barbara Street, Suite 200
San Luis Obispo, California 93401

Matthew Alexander
July 1, 2009
Page 3

Literature Cited

USFWS, 2009. Preparing For Any Action That May Occur Within the Range of the Mojave Desert Tortoise (*Gopherus agassizii*). United States Fish and Wildlife Service, April 2009.

ROADS DEPARTMENT

CRAIG M. POPE, P.E., Director
2700 "M" STREET, SUITE 400
BAKERSFIELD, CA 93301-2370
Phone: (661) 862-8850
FAX: (661) 862-8851
Toll Free: (800) 552-5376 Option 5
TTY Relay: (800)735-2929
E-Mail: roads@co.kern.ca.us



RESOURCE MANAGEMENT AGENCY

DAVID PRICE III, RMA DIRECTOR
Community Development Program Department
Engineering & Surveying Services Department
Environmental Health Services Department
Planning Department
Roads Department

July 6, 2009

Ref.: 8-4.7 DEIR-Traffic Impact Analysis
Zone Map 71-(9 & 10)

Mr. Matthew Alexander, City Planner
City of Ridgecrest
Community Development Department
100 West California Avenue
Ridgecrest, CA 93555-4054

JUL 6 2009

**Subject: Draft Environmental Impact Report for the Ridgecrest Wal-Mart and Retail Center Project
(Southeast corner of China Lake Boulevard and Bowman Road).**

Dear Mr. Alexander,

Thank you for the opportunity to review the Draft EIR for the above project. This department has reviewed the Traffic Impact Analysis (Austin Foust Associates, Inc. - revised February 2009) for the project above, and has the following comments:

15-1

- 1. Page 3-1, Appendix M - Traffic Report, 3.1 TRIP GENERATION, Please provide justification for the Pass-by percentage reductions for the project. The ITE's Trip Generation Handbook does not show this as being a Multi-Use Development. Please explain.
- 2. The Kern COG model runs do not reflect existing improvements. Please explain.
- 3. The Traffic Impact Analysis should be expanded to include the following intersections due to peak hour trip generations (Bowman Road and Gateway Blvd.), (China Lake Blvd. and Ridgecrest Blvd.), and (China Lake Blvd. and Downs Street). Please revise.

15-2

15-3

15-4

If you have any questions please call me at (661) 862-8860.

Sincerely,

Steven Young
Steven Young
Engineer 41