

SECTION 1: INTRODUCTION

1.1 - Purpose of ~~the~~ SEIR

This ~~Draft~~ Final Subsequent Environmental Impact Report (~~Draft~~ Final SEIR) has been prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts associated with the development of the proposed Wasco Center Walmart project. This document has been prepared in conformance with the CEQA statutes (Public Resources Code Section [§] 21000, et seq.), and the CEQA Guidelines (14 Cal. Code of Regulations, §§ 15000, et seq.). The purpose of this ~~Draft~~ Final SEIR is to conduct an environmental review of the proposed modification to the Wasco Center to determine whether the modification would introduce new significant environmental effects or increase the severity of existing effects previously evaluated in the Mitigated Negative Declaration (MND) (State Clearinghouse No. 2008091103) approved for the Wasco Center (CEQA Guidelines § 15162 (a)). The new significant environmental effects or the effects that represent a substantial increase in severity are the focus of this ~~Draft~~ Final SEIR. The environmental issues that are addressed in this ~~Draft~~ Final SEIR include those issues that either will or may result in substantial increase in the severity of the environmental impact. As a worst-case, conservative evaluation, the potential project and cumulative impacts associated with the construction and operation of the entire proposed Walmart are evaluated. The mitigation measures identified in the following subsections to reduce impacts from the development of a Walmart are separated into two categories. The first category contains mitigation measures that are the same as required with the development of the approved Wasco Center that includes the 158,000 square foot “Large Box Retail” use building on the project site. The second category contains mitigation measures that are new for the proposed 170,000 square foot Walmart (i.e., an addition of 12,000 square feet to the approved structure and the change in use to a Walmart that includes a 24-hour operation) and not required with the approved Wasco Center.

The City of Wasco is the lead agency for the project. CEQA Guidelines § 15367 defines the lead agency as the public agency that has the principal responsibility for carrying out or approving a project. Other public agencies may use this ~~Draft~~ Final SEIR in the decision-making or permit process and consider the information in this document along with other information that may be presented during the CEQA process.

CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before taking action on them. This ~~Draft~~ Final SEIR is intended to serve as an informational document for the public agency decision-makers and the public regarding the objectives and components of the proposed Walmart. This document ~~will~~ addresses the potentially significant adverse environmental impacts that may be associated with the planning, construction, or operation of the Walmart, as well as ~~identify~~ identifies appropriate feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these

impacts. This ~~Draft~~ Final SEIR considers a series of actions that are needed to achieve development of the proposed Walmart, including, but not limited to precise development plan, building permit, grading permit, and landscape and irrigation plans. A more detailed discussion of the potential Walmart approvals is provided in the Intended Use of this SEIR in Section 2, Project Description.

This ~~Draft~~ Final SEIR is the primary reference document for the formulation and implementation of a mitigation monitoring program for the proposed Walmart. Environmental impacts cannot always be mitigated to a level that is considered less than significant. In accordance with § 15093(b) of the CEQA Guidelines, if a lead agency approves a project that has significant impacts that are not substantially mitigated (i.e. significant unavoidable impacts), the agency shall state in writing the specific environmental, economic, legal, social, or technological reasons for approving the project despite the adverse impacts, based upon the final CEQA documents and any other information in the public record for the project (Statement of Overriding Considerations). As described in Section 4.9 in this ~~Draft~~ Final SEIR, the proposed project would result in significant adverse traffic impacts along State Route (SR-46) and improvements are proposed to reduce potential intersection impacts to less than significant. Changes or improvements along SR-46 to improve the operations of intersections are not under the jurisdiction of the City of Wasco. Rather, these improvements would be under the jurisdiction of California Department of Transportation (Caltrans). Although the proposed mitigation measures will reduce potential traffic impacts to less than significant, conservatively, these potential traffic impacts are considered significant and unavoidable because the City of Wasco does not have jurisdiction over the proposed traffic improvements along SR-46. Therefore, the project will require a Statement of Overriding Considerations.

The intent of this ~~Draft~~ Final SEIR is to provide a comprehensive environmental document that will allow the City of Wasco's decision makers to decide whether to authorize development of the proposed Walmart. This ~~Draft~~ Final SEIR evaluates the direct, indirect, and cumulative impacts of the proposed Walmart, as well as project alternatives in accordance with the provisions set forth in CEQA and the CEQA Guidelines. This document provides a reasonably anticipated scope of the project, including subsequent actions on the project site, such as precise development plan, building permit, grading permit, and landscape and irrigation plans. The lead agency can approve subsequent actions to implement the proposed Walmart without additional environmental documentation unless otherwise required by Public Resources Code § 21166, and the state CEQA Guidelines §§ 15162 and 15163.

Where the Wasco Center MND adequately addressed potential significant effects of the proposed Walmart and where there are no new significant effects or substantial increases in the severity of existing effects identified with the proposed Walmart, no new analysis is required. The analysis and conclusions from the Wasco Center MND are included in the Wasco Center Walmart Initial Study (Appendix A), and these impacts, analyses, and conclusion are provided in Section 7, Effects Found Not to be Significant, of this ~~Draft~~ Final SEIR.

1.2 - Project History

On December 16, 2008, the City of Wasco approved GPA 08-02, Zone Change 08-06, Precise Development Plan 08-04, Vesting Tentative Tract Map 7127, and Williamson Act Cancellation 08-02, for the Wasco Center located in the City of Wasco on the north side of State Route (SR) 46 between Magnolia Avenue on the west and Palm Avenue on the east. Upon full build out, Wasco Center will comprise approximately 273,000 square feet (sq ft) of large box retail uses, a 105,000-sq ft shopping center, a 75,000-sq ft movie theater, a 100 key 4-story hotel, and 67,500 sq ft of restaurant/office space. In addition, Wasco Center will also include 123 multi-family residential units with 11,900 sq ft of attendant recreation buildings. Wasco Center will also include parking, various infrastructure improvements, extensive internal and perimeter landscaping and wall features, and a wide assortment of other site-wide pedestrian oriented amenities.

The City adopted the MND for the Wasco Center on December 16, 2008 and filed the Notice of Determination on December 22, 2008. The Wasco Center has not been constructed. As part of the approval process, the City adopted Resolution 2008-2586 establishing conditions of approval for the Wasco Center and adopting the Mitigation Monitoring and Reporting Program. Since the project site is part of the Wasco Center, those conditions of approval and mitigation measures appropriate to the proposed Walmart will apply.

The proposed Wasco Center Walmart project would modify the Precise Development Plan adopted for the Wasco Center to allow an increase in the size of one of the buildings from 158,000 to 170,000 sq ft. The increase in size is requested for the construction of a Walmart retail space consisting of a 24-hour retail and grocery center. A 24-hour business was not originally evaluated in the Wasco Center MND. The project will be located on a 17-acre parcel previously approved for the development of a 158,000 sq ft “Large Box Retail” structure.

1.3 - Scope and Content of This SEIR

This ~~Draft~~ Final SEIR has been prepared by Michael Brandman Associates (MBA), and has been independently reviewed by City staff. Technical studies prepared by other consultants have been reviewed for CEQA adequacy by MBA. Section 8, Report Preparation Personnel, of this ~~Draft~~ Final SEIR includes a Report Preparation Personnel list.

This document analyzes the environmental effects of the Walmart to the degree of specificity appropriate to the current proposed actions, as required by § 15146 of the CEQA Guidelines. This analysis considers the series of actions associated with the various discretionary actions required for Walmart implementation to determine the associated short-term and long-term effects. This ~~Draft~~ Final SEIR discusses both the direct and indirect impacts of the proposed Walmart, as well as the cumulative impacts associated with planned and foreseeable future development within the project area, as identified in Section 4, Project and Cumulative Impacts, of this ~~Draft~~ Final SEIR.

1.3.1 - Environmental Procedures

Environmental Issues Determined Not To Be Significant

The Notice of Preparation (NOP) and Initial Study (IS) for the proposed Walmart identified nine environmental issues that were determined not to be significantly affected by the Walmart and therefore, do not require evaluation in the document, per § 15063(c) of CEQA. These topic areas are:

- Agriculture and Forestry Resources
- Cultural Resources
- Geology and Soils
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Recreation
- Utilities and Service Systems
- Energy Conservation

The above environmental issues ~~have been~~ were determined not to be significantly affected by the implementation of the proposed Walmart and ~~do~~ did not require further analysis in this ~~Draft~~ Final SEIR. However, a discussion of these issues and other issues that have been determined to result in less than significant or no impacts from the implementation of the proposed Walmart is provided in Section 7, Effects Found Not to be Significant, of this ~~Draft~~ Final SEIR.

Environmental Issues Determined To Be Potentially Significant

Based on the findings of the 2010 IS/NOP and the subsequent comments that were received, a determination was made that an EIR is required to address the potentially significant environmental effects, including the cumulative effects, of the proposed project. The environmental issues that could result in potentially significant impacts to the environment that are described and evaluated in this ~~Draft~~ Final SEIR are listed below along with the corresponding Section in which they are discussed.

- Aesthetics, Section 4.1
- Air Quality, Section 4.2
- Biological Resources, Section 4.3
- Greenhouse Gas Emissions, 4.4
- Hazards and Hazardous Materials, Section 4.5
- Hydrology and Water Quality, Section 4.6
- Noise, Section 4.7
- Public Services, Section 4.8
- Transportation/Traffic, Section 4.9
- Urban Decay, Section 4.10

1.3.2 - Scoping Process

Approval of a development project requires discretionary actions by the City of Wasco. Accordingly, in compliance with CEQA Guidelines, the City of Wasco has taken steps to maximize opportunities to participate in the environmental process for the proposed project. On September 1, 2010, a NOP and IS was distributed for public review and comment. The IS/NOP described the proposed project, identified potential significant environmental issues associated with the development of the proposed project that would require further evaluation in an EIR, and also identified those environmental issues that were determined to have either no or less than significant impacts and would not require further evaluation in an EIR. The IS/NOP is contained in Appendix A of this ~~Draft~~ [Final](#) SEIR.

Based on the findings of the IS/NOP and issues identified within comments on the IS/NOP, the scope of the environmental issues to be addressed in the Draft SEIR was formulated. Three comment letters were received in response to the IS/NOP. They are listed in Table 1-1 and provided in Appendix A of this ~~Draft~~ [Final](#) SEIR. A brief summary of their content and the section that addresses each of the issues is also provided in Table 1-1.

Table 1-1: Summary of Notice of Preparation and Scoping Comments

Commentor	Summary of Environmental Issues Raised in Comment Letter	Section Where Addressed
Governor’s Office of Planning and Research, State Clearinghouse and Planning Unit	No comment on issues. Provided confirmation on the receipt of NOP and distributed NOP to state agencies.	N/A
San Joaquin Valley Air Pollution Control District	Recommends potential health risks be reviewed when approving future projects	Section 4.2, Air Quality
Native American Heritage Commission	Evaluate the potential effects and significance of historical resources.	Section 7, Effects Found Not To Be Significant
Source: Michael Brandman Associates, 2010.		

Pursuant to § 15082(c)(3) of the CEQA Guidelines, a scoping meeting requested by the project applicant and involving the California Department of Transportation (Caltrans) took place on August 26, 2010. According to this aforementioned section, a lead agency shall call at least one scoping meeting for a proposed Walmart that may affect highways or other facilities under the jurisdiction of Caltrans. Since the implementation of the proposed Walmart may affect SR 46, the scoping meeting held on August 26, 2010 fulfilled the requirement identified in § 15082(c)(3) of the CEQA Guidelines. The primary issue discussed at the meeting was the approach to the traffic analysis for the proposed Walmart. For a more detailed discussion of the agreed upon approach, refer to Section 4.9, Transportation and Traffic, of this ~~Draft~~ [Final](#) SEIR.

1.4 - Components of the ~~Draft~~ Final SEIR Analysis

This ~~Draft~~ Final SEIR is organized into the following main sections:

- Executive Summary
- Section 1, Introduction
- Section 2, Project Description
- Section 3, Environmental Setting
- Section 4, Project and Cumulative Impacts
 - Section 4.1, Aesthetics
 - Section 4.2, Air Quality
 - Section 4.3, Biological Resources
 - Section 4.4, Greenhouse Gas Emissions
 - Section 4.5, Hazards and Hazardous Materials
 - Section 4.6, Hydrology and Water Quality
 - Section 4.7, Noise
 - Section 4.8, Public Services
 - Section 4.9, Transportation/Traffic
 - Section 4.10, Urban Decay
 - [Section 4.11, Response to Comments](#)
- Section 5, Alternatives to the Proposed Project
- Section 6, Other CEQA Considerations
- Section 7, Effects Not To Be Significant
- Section 8, Report Preparation Personnel
- Section 9, Organizations and Persons Consulted
- Section 10, References
- Appendices

1.5 - Project Applicant, Lead Agency and Environmental Consultant

The City of Wasco is the lead agency in the preparation of the ~~Draft~~ Final SEIR. Walmart Real Estate Business Trust is the applicant for the proposed Walmart. Michael Brandman Associates (MBA) is the environmental consultant for the proposed Walmart.

1.6 - Incorporation by Reference

As permitted by the CEQA Guidelines § 15150, this Draft SEIR has referenced several technical studies, analyses, and previously certified environmental documentation. Information from these documents, which has been incorporated by reference, has been briefly summarized in the appropriate sections. The relationship between the incorporated part of the referenced document and the ~~Draft~~

[Final](#) SEIR has also been described. The documents and other sources that have been used in the preparation of this ~~Draft~~ [Final](#) SEIR include:

- City of Wasco General Plan Update
- City of Wasco General Plan Update, Draft and Final, Environmental Impact Report (State Clearinghouse No. 2002051154)
- City of Wasco Municipal Code
- Wasco Center Mitigated Negative Declaration (State Clearinghouse No. 2008091103)
- County of Kern New Development Standards

These documents are identified in Section 10, References, of this ~~Draft~~ [Final](#) SEIR. In accordance with § 15150(b) of the CEQA Guidelines, the referenced documents and other sources used in the preparation of the ~~Draft~~ [Final](#) SEIR are available for review at the addresses shown below:

City of Wasco General Plan/City of Wasco
General Plan Update Draft and Final
EIRs/Municipal Code/Wasco Center MND

City of Wasco
Community Development Department
764 E Street
Wasco, CA 93280

County of Kern New Development Standards

County of Kern Engineering, Surveying, and
Permit Processing Department
2700 M Street, Suite 570
Bakersfield, CA 93301

These documents are also available online at the following addresses:

- **City of Wasco:** http://www.ci.wasco.ca.us/public_documents/index
- **City of Wasco General Plan:**
http://www.ci.wasco.ca.us/Public_Documents/WascoCA_Planning/General%20Plan
- **City of Waco Municipal Code:** <http://www.codepublishing.com/ca/Wasco/>
- **Wasco Center MND:**
http://www.ci.wasco.ca.us/Public_Documents/WascoCA_Planning/Planning%20Division
- **County of Kern New Development Standards:**
<http://www.co.kern.ca.us/ess/DevelopmentStandards.asp>

1.7 - Review of the Draft SEIR

Upon completion of the Draft SEIR, the City of Wasco ~~will file~~ [filed](#) a Notice of Completion (NOC) with the State Office of Planning and Research to begin the public review period (Public Resources

Code, § 21161). Concurrent with the NOC, the Draft SEIR ~~will be~~ was distributed to responsible and trustee agencies, other affected agencies, surrounding municipalities, and all interested parties requesting a copy of the Draft SEIR in accordance with Public Resources Code 21092(b)(3). During the public review period, the Draft SEIR, including the technical appendices, ~~is~~ were available for review at the City of Wasco Community Development Department and the Kern County Library, Wasco Branch. The City and library's address and hours are:

City of Wasco
Community Development Department
764 E Street
Wasco, CA 93280
Hours:
Monday - Thursday, 7:30 a.m. to 5:30 p.m.
Friday, 8 a.m. to 5 p.m.
Closed Alternate Fridays

Kern County Library, Wasco Branch
1102 7th Street
Wasco, CA 93280
Hours:
Wednesday, 11 a.m. to 7 p.m.
Friday, 9 a.m. to 5 p.m.

Agencies, organizations, and interested parties not previously contacted, or who did not respond to the IS/NOP, ~~currently have~~ had the opportunity to comment on the Draft SEIR during the ~~45-day~~ public review period that began on June 1, 2011 and was extended to September 2, 2011. Written comments on ~~this the~~ Draft SEIR ~~should be~~ was requested to be addressed to:

Mark Brodeur, Community Development Director
City of Wasco
Community Development Department
764 E Street
Wasco, CA 93280
Phone: 661.758.7200
Fax: 661.758.7239
Email: mbrodeur@ci.wasco.ca.us

Submittal of electronic comments in Microsoft Word format ~~is~~ was encouraged. Upon completion of the public review period, written responses to all significant environmental issues raised ~~will be~~ were prepared and made available at least 10 days prior to the public hearing before the City of Wasco Planning Commission on the proposed Walmart, at which the certification of ~~the~~ this Final SEIR will be considered. Comments received and the responses to comments ~~will be~~ are included ~~as~~ in this Final SEIR in Section 11, Response to Comments, and are part of the record for consideration by decision makers for the proposed Walmart.