

CEQA
Transmittal Memorandum for 2025

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1) If notice requires F&W receipt, you must provide a minimum of 3 copies of the notice.
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AIMEE X. ESPINOZA
AUDITOR CONTROLLER-COUNTY CLERK
BY A. Maldonado DEPUTY

TYPE OR PRINT CLEARLY

LEAD AGENCY City of Bakersfield

PROJECT TITLE Lower Kern River Restoration Project

PROJECT APPLICANT City of Bakersfield

PHONE NUMBER (661) 326-3715

PROJECT APPLICANT ADDRESS: 1000 Buena Vista Road

CITY Bakersfield STATE CA ZIP CODE 93311

WORK ORDER # _____ 30-Day Posting 35-Day Posting 45-Day Posting Other _____

CONTACT PERSON Daniel Maldonado PHONE NUMBER (661) 326-3715

CHECK DOCUMENT BEING FILED:

- Notice of Availability.....No Fee
- Notice of Intent.....No Fee
- Notice of Preparation.....No Fee
- Notice of Public Hearing.....No Fee
- Other _____.....No Fee
- Environmental Impact Report (EIR).....\$4123.50
 - Previously paid F&W (**must attach F&W receipt**) F&W Receipt Number# _____
 - DFG No Effect Determination (**F&W letter must be attached**).....No Fee
 - County Administrative Fee.....\$50.00
- Mitigated Negative Declaration or Negative Declaration.....\$2968.75
 - Previously paid F&W (**must attach F&W receipt**) F&W Receipt Number# _____
 - DFG No Effect Determination (**F&W letter must be attached**).....No Fee
 - County Administrative Fee.....\$50.00
- Notice of Exemption.....No Fee
 - County Administrative Fee.....\$50.00

TOTAL \$ 50.00

*Additional copies to be returned to: City of Bakersfield Water Department

*Method of return: Hold for pick-up/Call # 326-3715 Interoffice Mail

PAYMENT METHOD: ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING

- JV – Ledger Account _____ Cost Center 4215 Fund 20105 Spend Category _____
- Money Order
- Check

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: Kern
1115 Truxtun Avenue
Bakersfield, CA 93311

From: (Public Agency): City of Bakersfield
1000 Buena Vista Rd.
Bakersfield, CA 93311
(Address)

Project Title: Lower Kern River Restoration Project

Project Applicant: City of Bakersfield

Project Location - Specific:
The general Project boundary encompasses roughly 700 acres of riparian lands along the Kern River through the center of the City of Bakersfield, from Manor Street to the intersection of Stockdale Highway.

Project Location - City: Bakersfield Project Location - County: Kern

Description of Nature, Purpose and Beneficiaries of Project:
The Project will restore up to 550 acres and enhance up to 150 acres of degraded riparian lands along eight miles of the Kern River through the City of Bakersfield in Kern County, California.

Name of Public Agency Approving Project: City of Bakersfield

Name of Person or Agency Carrying Out Project: City of Bakersfield

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
Categorical Exemption. State type and section number:
Statutory Exemptions. State code number: Public Resources Code section 21080.56(a) to (d), inclusive

Reasons why project is exempt:

The project meets the requirements of exemption under CDFWs Statutory Exemption for Restoration Projects. "As is more fully detailed in the two (2) attached documents titled (i) CALIFORNIA ENVIRONMENTAL QUALITY ACT STATUTORY EXEMPTION FOR RESTORATION PROJECTS CONCURRENCE NO. 21080.56-2026-092-R4, and (ii) California Environmental Quality Act Statutory Exemption for Restoration Projects - Lower Kern River Restoration Project (Request No. 21080.56-2026-092-R4) the Project is exempt from CEQA pursuant to Public Resources Code section 21080.56, commonly called the Statutory Exemption for Restoration Projects (SERP)."

Lead Agency
Contact Person: Daniel Maldonado Area Code/Telephone/Extension: (661) 326-3715

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: [Signature] Date: 02/25/2026 Title: Assistant Water Director

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
P.O. Box 944209
Sacramento, CA 94244-2090
wildlife.ca.gov

GAVIN NEWSOM, Governor
VALERIE TERMINI, Acting Director



February 6, 2026

Daniel Maldonado
Assistant Water Resources Director
City of Bakersfield
1000 Buena Vista Road
Bakersfield, CA 93311

**California Environmental Quality Act Statutory Exemption for Restoration Projects –
Lower Kern River Restoration Project (Request No. 21080.56-2026-092-R4)**

Dear Daniel Maldonado:

I am pleased to inform you as the Acting Director of the California Department of Fish and Wildlife (CDFW) that I concur with the lead agency determination by the City of Bakersfield that the Lower Kern River Restoration Project qualifies as a statutorily exempt restoration project under the California Environmental Quality Act (CEQA). (Pub. Resources Code, § 21080.56, subd. (e).) My concurrence as the Acting CDFW Director is based on CDFW's independent review of the City of Bakersfield's request for concurrence, which CDFW received on January 22, 2026. In my opinion, informed by the best available science and described in the separate CDFW concurrence, the Lower Kern River Restoration Project meets all the qualifying criteria in Public Resources Code section 21080.56, subdivisions (a) to (d), inclusive.

This concurrence signifies the continued commitment by CDFW and its partners in advancing the "Cutting the Green Tape" initiative, which is a collaborative effort to increase the pace and scale of restoration projects in California in a way that protects the environment and results in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery. CDFW stands ready to continue this effort in coordination with City of Bakersfield.

City of Bakersfield
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CDFW's concurrence will be posted on our website as provided by Public Resources Code section 21080.56. If you have any related questions, please contact Brad Henderson, Cutting the Green Tape Program Manager, at (530) 351-5948, or by email at Brad.Henderson@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Valerie Termini
414750F79734400...

Valerie Termini, Acting Director
California Department of Fish and Wildlife

ec: **California Department of Fish and Wildlife**

Steven Ingram
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Office of the General Counsel

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Attorney III
Office of the General Counsel

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Watershed Restoration Grants Branch

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Senior Environmental Scientist (Supervisor)
Central Region

City of Bakersfield
February 6, 2026
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Environmental Scientist
Central Region

City of Bakersfield

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CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
DIRECTOR'S OFFICE
POST OFFICE BOX 944209
SACRAMENTO, CA 94244-2090



**CALIFORNIA ENVIRONMENTAL QUALITY ACT STATUTORY EXEMPTION FOR
RESTORATION PROJECTS
CONCURRENCE NO. 21080.56-2026-092-R4**

Project: Lower Kern River Restoration Project
Location: Kern County
Lead Agency: City of Bakersfield
Lead Agency Contact: Daniel Maldonado; dr Maldonado@bakersfieldcity.us

Background

Project Location: The Lower Kern River Restoration Project (Project) is located within the City of Bakersfield, in Kern County; centered at approximately 35.373884, -119.052489; Sections 6, 13, 18, 24, 26, 27, 31, 32, 33, and 34, Township 29 and 30 South, Range 27 and 28 East; U.S. Geological Survey Maps Gosford and Oildale. Specifically, the Project will occur along eight miles of the Kern River, along the Kern River Parkway, and through the center of Bakersfield, from Manor Street to the intersection of Stockdale Highway and Jewetta Avenue.

Project Description: The Project site has been degraded by decades of industrial, agricultural, and urban land uses, as well as a reduction in streamflow associated with the Isabella Dam and diversions. The site can be characterized as low quality habitat, primarily consisting of non-native, invasive grassland with small patches of native riparian forest. The Project Proponent, River Partners, proposes to restore or provide habitat for California native fish and wildlife. Specifically, River Partners will enhance 150 acres of degraded riparian habitat and restore up to 550 acres of riparian and upland habitat along the Kern River. The Project will ultimately increase the abundance and richness of common and sensitive wildlife species onsite. Due to the large Project size, it is likely that the Project will be implemented in phases.

Enhancement activities include the following invasive plant species treatments: mowing, string trimming, hand-weeding, discing, and targeted herbicide application. Restoration activities include:

- Invasive species treatments (consistent with the description for enhancement activities above)
- Planting and seeding of native species from the following vegetation associations: Fremont cottonwood (*Populus fremontii*) forest and woodland, Goodding's willow (*Salix gooddingii*)/red willow (*Salix laevigata*) riparian woodland, mulefat (*Baccharis salicifolia*) thickets, sandbar willow (*Salix exigua*) thickets, allscale (*Atriplex polycarpa*) scrub, and valley oak (*Quercus lobata*) woodland and forest
- Decommissioning of an existing network of informal, user-created dirt trails (informal

Concurrence Determination

The CDFW Director concurs with the Lead Agency Determination that the Project meets the qualifying criteria set forth in Public Resources Code section 21080.56, subdivisions (a) to (d), inclusive (Concurrence).

Specifically, the CDFW Director concurs with the Lead Agency that the Project meets all of the following conditions: (A) the Project is exclusively to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend; or is exclusively to restore or provide habitat for California native fish and wildlife; (B) the Project may have public benefits incidental to the Project's fundamental purpose; (C) the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery; and includes procedures and ongoing management for the protection of the environment; and (D) Project construction activities are solely related to habitat restoration. Pursuant to Public Resources Code section 21080.56, subdivision (g), CDFW will post this Concurrence on its CEQA Notices and Documents internet page: <https://wildlife.ca.gov/Notices/CEQA>.

This Concurrence is based on best available science and supported, as described below, by substantial evidence in CDFW's administrative record of proceedings for the Project.

This Concurrence is also based on a finding that the Project is consistent with and that its implementation will further CDFW's mandate as California's trustee agency for fish and wildlife, including the responsibility to hold and manage these resources in trust for all the people of California.

Discussion

- A. Pursuant to Public Resources Code section 21080.56, subdivision (a), the CDFW Director concurs with the Lead Agency that the Project will exclusively conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend; or restore or provide habitat for California native fish and wildlife.

The Project is exclusively intended to restore and enhance riparian and upland habitat along approximately eight miles of the Kern River. Project goals include creating self-sustaining riparian and upland vegetation; promoting species richness; providing habitat connectivity between conserved lands; and creating habitat structure and diversity suitable for an abundance of invertebrates, mammals, reptiles, and birds.

- B. Pursuant to Public Resources Code section 21080.56, subdivision (b), the CDFW Director concurs with the Lead Agency that the Project may have incidental public benefits, such as public access and recreation.

The Project occurs along the Kern River Parkway, a system of various parks and trails along the Kern River that offer recreational opportunities for the public. Though the

Project is exclusively intended to restore and provide habitat for California native fish and wildlife, it is expected to provide incidental public benefits, such as:

- Consolidated public access along the Kern River Parkway, by decommissioning informal trails and installing signage and fencing.
- Increased shade along designated public trails, from the planting of riparian trees that will mature and provide cover
- Increased opportunities for wildlife viewing, as restored habitats are expected to promote species richness
- Educational and research opportunities for California State University, Bakersfield students and faculty by restoring habitat within the Audubon Bakersfield Environmental Studies Area

- C. Pursuant to Public Resources Code section 21080.56, subdivision (c), the CDFW Director concurs with the Lead Agency that the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery, and includes procedures and ongoing management for the protection of the environment.

Long-term Net Benefits to Climate Resiliency:

Connectivity corridors facilitate wildlife movement between fragmented habitats, therefore connecting isolated populations and promoting adaptation to environmental pressures associated with an increasingly hotter, drier future. The Project will restore and enhance an eight-mile-long connectivity corridor along the Kern River, bounded by a densely populated urban setting. This corridor will connect conserved habitats such as the Kern Water Bank and the Panorama Vista Preserve, and will foster genetic diversity, making wildlife more resilient to environmental changes. Revegetation efforts will provide shaded refugia for wildlife migrating through the Project site and will buffer the connectivity corridor from the impacts of flood events.

Long-term Net Benefits to Biodiversity:

The Project site is dominated by non-native annual grasses and forbs, such as mustard (*Brassica spp.*), giant reed (*Arundo donax*), and wall barley (*Hordeum murinum*). Non-native species outcompete native plants for sunlight, water, space, and nutrients. They can become invasive, effectively replacing diverse ecosystems with monocultures of low habitat quality. The Project will eliminate non-native species and re-establish native plant communities such as Fremont cottonwood (*Populus fremontii*) and western sycamore (*Platanus racemosa.*) forests and saltbush (*Atriplex spp.*) scrub. Low-quality habitats will be converted to biodiverse communities with valuable structure, providing essential food and shelter for wildlife. Restoration of the Project site is expected to foster increased utilization of habitat by an abundance of species, ultimately contributing to the development of a more complex food web.

Long-term Net Benefits to Sensitive Species Recovery:

By restoring riparian and upland habitat along eight miles of the Kern River, several sensitive birds, mammals, pollinators, and reptiles are expected to experience long-term net benefits that will aid in their recovery.

The southwestern willow flycatcher (*Empidonax traillii extimus*), a species listed as endangered under the Endangered Species Act (ESA) and the California Endangered Species Act (CESA), has established breeding sites along the Kern River. By restoring dense riparian habitat along presently degraded and/or denuded reaches of the Kern River, the Project will create habitat suitable for southwestern willow flycatcher breeding, foraging, and migration.

The Project revegetation palette includes milkweed (*Asclepias spp.*), the obligate host plant for the western monarch butterfly (*Danaus plexippus plexippus*), a species proposed as threatened under the ESA. The palette also includes other floristic species intended to provide foraging habitat for Crotch's bumble bee (*Bombus crotchii*), a species that is a candidate for listing as endangered under CESA.

The Project may also benefit the Bakersfield legless lizard (*Anniella grinnelli*), a CDFW Species of Special Concern, because it will provide shaded tree and shrub canopy. Trees and shrubs will reduce the temperature at ground level, retain moisture, and produce leaf litter, which will improve soil and cover conditions for Bakersfield legless lizard.

In upland areas, allscale scrub will be planted and non-native grasses will be eliminated. This will establish suitable habitat for local populations of San Joaquin kit fox (*Vulpes macrotis mutica*), a species listed as endangered under the ESA and threatened under CESA. The San Joaquin kit fox prefers habitats that are arid and sparsely vegetated.

Procedures for the Protection of the Environment:

River Partners has prepared a draft Restoration Plan which outlines Project goals, objectives, and implementation details. The Restoration Plan will be finalized before implementation of the Project. During implementation of the Project, River Partners will follow best management practices (BMPs) to protect the environment. These BMPs may include, but are not limited to:

- Pre-activity surveys will be performed to identify special-status wildlife species and measures will be implemented to avoid and minimize impacts.
- Project personnel will undergo environmental awareness training.
- Staging, refueling, and storage areas will be located away from aquatic features.
- No work will occur during rain events of ¼-inch or more or within 24 hours of such rain events.

The Lead Agency is requiring River Partners to consult with CDFW and the U.S. Fish and Wildlife Service to develop measures to avoid and minimize impacts to special-status species during Project activities.

Ongoing Management for the Protection of the Environment:

Aside from Project goals, objectives, and implementation details, the Restoration Plan will also outline success criteria, monitoring methods, and potential maintenance needs. Monitoring will be conducted to evaluate the success of the Project in meeting goals and objectives. Monitoring parameters will include, but may not be limited to, plant survivorship, wildlife utilization of habitat, and habitat quality. Maintenance activities are anticipated to include the application of supplemental water via temporary drip and/or sprinkler irrigation systems, maintenance of irrigation systems to keep them in working order, and mowing and herbicide application to retreat non-native species. The temporary irrigation systems will be removed once plants are established.

Upon completion of the Project, long-term management of the Project site will be overseen by the City of Bakersfield.

- D. Pursuant to Public Resources Code section 21080.56, subdivision (d), the CDFW Director concurs with the Lead Agency that the Project does not include any construction activities, except those solely related to habitat restoration.

The Project does not include construction activities, though Project activities will require use of equipment and vehicles. Notably, equipment and vehicles will be used for the decommissioning of informal trails and the installation of signage and fencing. Trail decommissioning will include scarifying and seeding the informal trail footprints. Signage and fencing will discourage the public from disturbing restored areas, and will consolidate public access along the Kern River Parkway. The Project does not include the creation of new trails nor improvements to existing informal trails or Kern River Parkway trails. Other Project activities that may require operation of equipment and vehicles include discing and digging to prepare the site for planting and installation of temporary irrigation systems. All Project activities are solely related to habitat restoration.

Scope and Reservation of Concurrence

This Concurrence is based on the proposed Project as described by the Lead Agency Determination and the Request. If there are any subsequent changes to the Project that affect or otherwise change the Lead Agency Determination, the Lead Agency, or any other public agency that proposes to carry out or approve the Project, shall submit a new lead agency determination and request for concurrence from CDFW pursuant to Public Resources Code section 21080.56. If any other public agency proposes to carry out or approve the Project subsequent to the effective date of this Concurrence, this Concurrence shall remain in effect and no separate concurrence from CDFW shall be required so long as the other public

agency is carrying out or approving the Project as described by the Lead Agency Determination and the Request.

Other Legal Obligations

The Project shall remain subject to all other applicable federal, state, and local laws and regulations, and this Concurrence shall not weaken or violate any applicable environmental or public health standards. (Pub. Resources Code, § 21080.56, subd. (f).)

CDFW Director's Certification

DocuSigned by:
By: Valerie Termini
414750F79734400...

Date: 2/6/2026

Valerie Termini, Acting Director
California Department of Fish and Wildlife