Project Consultation: Comments and Documentation

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Carlsbad Fish And Wildlife Office
2177 Salk Avenue - Suite 250
Carlsbad, CA 92008-7385
Phone: (760) 431-9440 Fax: (760) 431-5901
http://www.fws.gov/carlsbad/

In Reply Refer To: June 16, 2021
Consultation Code: 08ECAR00-2021-SLI-1155
Event Code: 08ECAR00-2021-E-02591
Project Name: 32.17.1 - 32.21.1 Rosamond Blvd and 20th Street West Pedestrian Street Improvements

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, and proposed species, designated critical habitat, and candidate species that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Carlsbad Fish And Wildlife Office
2177 Salk Avenue - Suite 250
Carlsbad, CA 92008-7385
(760) 431-9440

Project Summary

Consultation Code: 08ECAR00-2021-SLI-1155
Event Code: 08ECAR00-2021-E-02591
Project Name: 32.17.1 - 32.21.1 Rosamond Blvd and 20th Street West Pedestrian Street Improvements
Project Type: TRANSPORTATION
Project Description: Proposal provides additional funds to implement activities first proposed as part of CD Project No. 32.17.1 – Rosamond Blvd. Pedestrian Sidewalk Improvements. Project activities may include; improvement and/or acquisition for installation of curb, gutter, sidewalk, curb ramps, drive approaches, removal and relocation of existing barriers and related improvements. In addition to access improvements to Rosamond Blvd. from 20th St. West to Elberta St., the improvement area will include 20th St. West from Orange St. to Rosamond Blvd. Project activities will benefit a service area that includes all of Census Tract 58.02 or a total of 8,245 persons, 53.67% of whom are low/moderate income (2020 HUD ACS LMISD); 03K – Sidewalks, Section 570.201(c); Section 570.208(a)(1)(i); Eligible activities under 570.201(a) – Acquisition; and 570.201(c) - Public Facilities and Improvements

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@34.8608624,-118.1671429,14z

Counties: Kern County, California

Endangered Species Act Species

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Birds

NAME	STATUS
California Condor *Gymnogyps californianus* Population: U.S.A. only, except where listed as an experimental population There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/8193	Endangered
Western Snowy Plover *Charadrius nivosus nivosus* Population: Pacific Coast population DPS-U.S.A. (CA, OR, WA), Mexico (within 50 miles of Pacific coast) There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/8035	Threatened

Reptiles

NAME	STATUS
Desert Tortoise *Gopherus agassizii* Population: Wherever found, except AZ south and east of Colorado R., and Mexico There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/4481	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

California
Historical
Resources
Information
System

Fresno
Kern
Kings
Madera
Tulare

Southern San Joaquin Valley Information Center
California State University, Bakersfield
Mail Stop: 72 DOB
9001 Stockdale Highway
Bakersfield, California 93311-1022
(661) 654-2289
E-mail: ssjvic@csub.edu
Website: www.csub.edu/ssjvic

To: James Golden
Kern County Planning & Natural Resources Dept.
2700 M Street, Suite 250
Bakersfield, CA 93301

Record Search 18-098

Date: March 6, 2018

Re: CD Project No. 23.17.1 – Rosamond Boulevard Pedestrian Sidewalk Improvements

County: Kern

Map(s): Rosamond 7.5'

CULTURAL RESOURCES RECORDS SEARCH

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

The following are the results of a search of the cultural resource files at the Southern San Joaquin Valley Information Center. These files include known and recorded cultural resources sites, inventory and excavation reports filed with this office, and resources listed on the National Register of Historic Places, Historic Property Directory, California State Historical Landmarks, California Register of Historical Resources, California Inventory of Historic Resources, and California Points of Historical Interest. Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area.

PRIOR CULTURAL RESOURCE STUDIES CONDUCTED WITHIN THE PROJECT AREA AND WITHIN THE ONE-HALF MILE RADIUS

According to the information in our files, there have been three previous cultural resource studies conducted within the project area. There have been 37 additional studies conducted within the one-half mile radius. A list is enclosed.

KNOWN/RECORDED CULTURAL RESOURCES WITHIN THE PROJECT AREA AND WITHIN THE ONE-HALF MILE RADIUS

There are no recorded cultural resources within project area. There are 22 recorded resources within the one-half mile radius. A list is enclosed. These resources consist primarily of prehistoric era lithic scatters and historic era trash scatters. They also include prehistoric era ground stone, a quarry, habitation debris, and burials, and an historic era rail road.

There are no recorded cultural resources within the project area or radius that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, or the California State Historic Landmarks.

COMMENTS AND RECOMMENDATIONS

We understand this project consists of street related improvements to Rosamond Boulevard between 20th St. West and United Street. Further, we understand all project activities will take place in the existing right-of-way. As such, no further cultural resource investigation is recommended at this time. However, this area of Kern County is considered highly sensitive for cultural resources. There is a reasonable probability that subsurface cultural resources will be encountered during ground disturbance activities. Therefore, we recommend a qualified, professional archaeologist be present during project activities to monitor and identify any unearthed cultural resources and make the appropriate mitigation recommendations. A list of qualified consultants can be found at www.chrisinfo.org.

We also recommend that you contact the Native American Heritage Commission in Sacramento. They will provide you with a current list of Native American individuals/organizations that can assist you with information regarding cultural resources that may not be included in the CHRIS Inventory and that may be of concern to the Native groups in the area. The Commission can consult their "Sacred Lands Inventory" file in order to determine what sacred resources, if any, exist within this project area and the way in which these resources might be managed. Finally, please consult with the lead agency on this project to determine if any other cultural resource investigation is required. If you need any additional information or have any questions or concerns, please contact our office at (661) 654-2289.

By:

Celeste M. Thomson, Coordinator **Date:** March 6, 2018

Please note that invoices for Information Center services will be sent under separate cover from the California State University, Bakersfield Accounting Office.

James Golden

From: Samuel Johnson
Sent: Friday, May 21, 2021 9:18 AM
To: James Golden
Cc: Chiming Qu; Yolanda Alcantar
Subject: Consultation Request for Rosamond Sidewalk Improvement Project

Good morning James,

I reviewed the request for comment on the Rosamond Sidewalk Improvement Project, and it doesn't appear large enough to be subject to our fugitive dust rule (District Rule 402). The District's "less than significant" CEQA threshold for NOx & ROG emissions from indirect sources (i.e. vehicles) associated with the project is currently 137 lb/day. Portable equipment, such as generators or concrete pumps, driven by piston engines > 50-bhp should either be PERP registered or have a District permit.

Please let me know if you have additional questions.

Respectfully,
Samuel Johnson
Air Quality Engineer
Eastern Kern APCD
(661) 862-5250

Office of the Fire Marshal
Kern County Fire Department

Fire Prevention
2820 M St. • Bakersfield, CA 93301 • www.kerncountyfire.org
Telephone 661-391-3310 • FAX 661-636-0466/67 • TTY Relay 800-735-2929

May 11, 2021

Kern County Planning and Natural Resources Department
2800 M St., Bakersfield, CA 93301
Attn.: James Golden

Re: Kern County Fire Department Comments Regarding Planning Department Project

To Whom It May Concern,

The Kern County Fire Department, as the local fire authority, has received a request for comments regarding CD Activity #32.17.1. Upon initial review it has been determined that there are no Fire Code concerns regarding this project. A more detailed review and project comments will be conducted when the building permit is pulled and plans are submitted.

Please feel free to call our Fire Prevention Office at 661-391-3310 with any questions.

Sincerely,
Michael Nicholas
Assistant Fire Marshal
Kern County Fire Department

State of California • Natural Resources Agency

Gavin Newsom, *Governor*

DEPARTMENT OF PARKS AND RECREATION
OFFICE OF HISTORIC PRESERVATION

Armando Quintero, *Director*

Julianne Polanco, State Historic Preservation Officer
1725 23rd Street, Suite 100, Sacramento, CA 95816-7100
Telephone: (916) 445-7000 FAX: (916) 445-7053
calshpo.ohp@parks.ca.gov www.ohp.parks.ca.gov

May 7, 2021
[VIA EMAIL]

Refer to HUD_2021_0412_002

Mr. James Golden, Planner III
Planning & Natural Resources Department
Community Development Division
2700 "M" Street, Suite 250
Bakersfield, CA 93301_2323

Re: Rosamond Boulevard Pedestrian Sidewalk Improvements Project Rosamond, CA

Dear Mr. Golden:

The California State Historic Preservation Officer received the consultation submittal for the above referenced undertaking for our review and comment pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations found at 36 CFR Part 800. The regulations and advisory materials are located at www.achp.gov.

Pursuant to 36 CFR §800.4(d) we do not object to the County of Kern's finding that no historic properties will be affected by the proposed Rosamond Boulevard sidewalk improvements project in Rosamond, CA. However, the County may have additional Section 106 responsibilities under certain circumstances set forth at 36 CFR Part 800. For example, in the event that historic properties are discovered during implementation of the undertaking, your agency is required to consult further pursuant to §800.13(b).

We appreciate the County of Kern's consideration of historic properties in the project planning process. If you have questions please contact Shannon Lauchner Pries, Historian II, with the Local Government & Environmental Compliance Unit at (916)445-7013 or by email at shannon.pries@parks.ca.gov .

Note that we are only sending this letter in electronic format. Please confirm receipt of this letter. If you would like a hard copy mailed to you, respond to this email to request a hard copy be mailed.

Sincerely,

Julianne Polanco
State Historic Preservation Officer

Office Memorandum

KERN COUNTY

To: Planning and Natural Resources Department
James Golden

Date: April 7, 2021

From: Public Works Department
Floodplain Management Section
Kevin Hamilton, by Brian Blase

Phone: (661) 862-5098
Email: BlaseB@kerncounty.com

Subject: Early Environmental Consultation Review
CD Activity No. 32.17.1 – Rosamond Blvd. Sidewalk Improvement Project

From the information supplied, we have no comments or recommendations regarding the above project.

NATIVE AMERICAN HERITAGE COMMISSION
Environmental and Cultural Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
(916) 373-3710

March 16, 2018

James Golden
Kern County Planning and Natural Resources

Sent Via Email: golden@kerncounty.com

RE: Rosamond Blvd Pedestrian Sidewalk Improvements Project, Kern County

Dear Mr. Golden:

Attached is a consultation list of tribes with traditional lands or cultural places located within the boundaries of the above referenced project.

Government Code §65352.3 requires local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, and/or mitigating impacts to cultural places in creating or amending general plans, including specific plans. As of July 1, 2015, Public Resources Code Sections 21080.3.1 and 21080.3.2 require public agencies to consult with California Native American tribes identified by the NAHC for the purpose mitigating impacts to tribal cultural resources:

> Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section. (Public Resources Code Section 21080.3.1(d))

The law does not preclude agencies from initiating consultation with the tribes that are culturally and traditionally affiliated with their jurisdictions. The NAHC believes that in fact that this is the best practice to ensure that tribes are consulted commensurate with the intent of the law.

In accordance with Public Resources Code Section 21080.3.1(d), formal notification must include a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation. The NAHC requests that lead agencies include in their notifications information regarding any cultural resources assessment that has been completed on a potential "area of project affect" (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:

   - A listing of any and all known cultural resources have already been recorded on or adjacent to the APE;
   - Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
   - If the probability is low, moderate, or high that cultural resources are located in the APE.
   - Whether the records search indicates a low, moderate or high probability that unrecorded cultural resources are located in the potential APE; and
   - If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.

2. The results of any archaeological inventory survey that was conducted, including:

- Any report that may contain site forms, site significance, and suggested mitigation measurers.

  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 pubic disclosure in accordance with Government Code Section 6254.10.

3. The results of any Sacred Lands File (SFL) check conducted through Native American Heritage Commission. **A search of the SFL was completed for the USGS quadrangle information provided with negative results.**

4. Any ethnographic studies conducted for any area including all or part of the potential APE; and

5. Any geotechnical reports regarding all or part of the potential APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS is not exhaustive, and a negative response to these searches does not preclude the existence of a cultural place. **A tribe may be the only source of information regarding the existence of a tribal cultural resource.**

This information will aid tribes in determining whether to request formal consultation. In the case that they do, having the information beforehand well help to facilitate the consultation process.

Lead agencies or agencies potentially undertaking a project are encouraged to send more than one written notice to tribes that are traditionally and culturally affiliated to a potential APE during the 30-day notification period to ensure that the information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance we are able to assure that our consultation list contains current information. If you have any questions, please contact me at my email address: Sharaya.Souza@nahc.ca.gov.

Sincerely,

Sharaya Souza
Staff Services Analyst
(916) 573-0168

.Native American Heritage Commission.
Native American Contacts
3/16/2018

Big Pine Paiute Tribe of the Owens Valley
Genevieve Jones, Chairperson
P. O. Box 700
Big Pine , CA 93513
(760) 938-2003
(976) 938-2942 Fax
Paiute - Shoshone

Big Pine Paiute Tribe of the Owens Valley
Danelle Gutierrez THPO
P.O. Box 700
Big Pine , CA 93513
d.gutierrez@bigpinepaiute.org
(760) 938-2003, ext. 228
(760) 938-2942 Fax
Paiute

Chumash Council of Bakersfield
Julio Quair, Chairperson
729 Texas Street
Bakersfield , CA 93307
chumashtribe@sbcglobal.net
661-322-0121
Chumash

Kern Valley Indian Community
Julie Turner, Secretary
P.O. Box 1010
Lake Isabella , CA 93240
(661) 340-0032 Cell
Kawaiisu
Tubatulabal

Kern Valley Indian Community
Robert Robinson, Chairperson
P.O. Box 1010
Lake Isabella , CA 93283
brobinson@iwvisp.com
(760) 378-2915 Cell
Tubatulabal
Kawaiisu

Kitanemuk & Yowlumne Tejon Indians
Delia Dominguez, Chairperson
115 Radio Street
Bakersfield , CA 93305
deedominguez@juno.com
(626) 339-6785
Yowlumne
Kitanemuk

San Manuel Band of Mission Indians
Lee Clauss, Director-CRM Dept.
26569 Community Center Drive
Highland , CA 92346
lclauss@sanmanuel-nsn.gov
(909) 864-8933
(909) 864-3370 Fax
Serrano

San Manuel Band of Mission Indians
Lynn Valbuena
26569 Community Center Dr.
Highland , CA 92346
(909) 864-8933
Serrano

Santa Rosa Indian Community of the Santa Rosa Rancheria
Rueben Barrios Sr., Chairperson
P.O. Box 8
Lemoore , CA 93245
(559) 924-1278
(559) 924-3583 Fax
Tache
Tachi
Yokut

Tejon Indian Tribe
Octavio Escobedo, Chairperson
1731 Hasti-acres Drive, Suite 108
Bakersfield , CA 93309
oescobedo@tejontribe.net
(661) 834-8566
(661) 834-8564 Fax
Kitanemuk

This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced.

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 Resource Code, or Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American Tribes for the proposed:
Rosamond Blvd Pedestrian Sidewalk Improvements Project, Kern County.

Native American Heritage Commission
Native American Contacts
3/16/2018

Tubatulabals of Kern Valley
Robert L. Gomez, Jr., Tribal Chairperson
P.O. Box 226 Tubatulabal
Lake Isabella , CA 93240
(760) 379-4590
(760) 379-4592 Fax

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

Wuksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow, Chairperson
1179 Rock Haven Ct. Foothill Yokuts
Salinas , CA 93906 Mono
kwood8934@aol.com Wuksache
(831) 443-9702

This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced.

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 Resource Code, or Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American Tribes for the proposed:
Rosamond Blvd Pedestrian Sidewalk Improvements Project, Kern County.

James Golden

From: Souza, Sharaya@NAHC <Sharaya.Souza@nahc.ca.gov>
Sent: Friday, March 16, 2018 2:52 PM
To: James Golden
Subject: Rosamond Blvd Pedestrian Sidewalk Improvements Project, Kern County
Attachments: AB52SLFNoKernGolden-signed.pdf; AB52SLFNoKernGolden.pdf

Good afternoon,

Attached is a response to the project(s) referenced above.

Please continue to send requests and follow-ups to the main email for monthly tracking.

Please don't hesitate to contact me if you have any questions.

Regards,

Sharaya Martinez-Souza
Native American Heritage Commission
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Sharaya.souza@nahc.ca.gov
Direct Line: 916-573-0168
Office: 916-373-3710
Fax: 916-373- 5471

U.S. Department of Homeland Security
FEMA Region IX
1111 Broadway, Suite 1200
Oakland, CA. 94607-4052

FEMA

April 20, 2018

James Golden, Planner III
Kern County
2700 "M" Street. Suite 250
Bakersfield, California 93301-2323

Dear Mr. Golden:

This is in response to your request for comments regarding Kern County Early Environmental Consultation Review CD Activity 32.17.1 Rosamond Blvd Pedestrian Sidewalk Improvements.

Please review the current effective countywide Flood Insurance Rate Maps (FIRMs) for the Kern County (Community Number 060075), Maps revised September 26, 2008. Please note that the County of Kern, California are participants in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.

- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any ***development*** must not increase base flood elevation levels. **The term *development* means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.** A hydrologic and hydraulic analysis must be performed *prior* to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.

- All buildings constructed within a coastal high hazard area, (any of the "V" Flood Zones as delineated on the FIRM), must be elevated on pilings and columns, so that the lowest horizontal structural member, (excluding the pilings and columns), is elevated to or above the base flood elevation level. In addition, the posts and pilings foundation and the structure attached thereto, is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components.

- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at http://www.fema.gov/business/nfip/forms.shtm.

Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The Kern County floodplain manager can be reached by calling Aaron Leicht, Engineer III, at (661) 862-5093.

If you have any questions or concerns, please do not hesitate to call me at (510) 627-7186.

Sincerely,

Gregor Blackburn, CFM, Branch Chief
Floodplain Management and Insurance Branch

cc:
Aaron Leicht, Engineer III, Kern County
Garret Tam Sing/Salomon Miranda, State of California, Department of Water Resources, Southern Region Office
Eugene Greenberg, NFIP Planner, DHS/FEMA Region IX
Alessandro Amaglio, Environmental Officer, DHS/FEMA Region IX