



## NOTICE OF PREPARATION

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To: Interested Agencies and Individuals

Subject: Notice of Preparation of a Program Environmental Impact Report for the 2026 Regional Transportation Plan

Date: April 21, 2025

Lead Agency: Kern Council of Governments  
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Bakersfield, California 93301

The Kern Council of Governments (Kern COG), as Lead Agency, is publishing this Notice of Preparation (NOP) to prepare a Program Environmental Impact Report (Program EIR) in accordance with the California Environmental Quality Act (CEQA) for the 2026 Regional Transportation Plan (2026 RTP) that also includes a Sustainable Communities Strategy (SCS). Kern COG is preparing an RTP as required by Section 65080 et seq, of Chapter 2.5 of the California Government Code, and federal guidelines pursuant to the federal surface transportation reauthorization, the Transportation Conformity in the Air Quality Attainment Plan per 40 CFR Part 51 and 40 CFR Part 93, and requirements set forth in Assembly Bill 32, The Global Warming Solutions Act of 2006, Senate Bill 375, The Sustainable Communities and Climate Protection Act of 2008, Senate Bill 32, California Global Warming Solutions Act of 2006: emissions limit (2016) and Assembly Bill 197, State Air Resources Board, greenhouse gases: regulations (2016). Consistent with these regulations Kern COG prepares an updated RTP every four years.

Kern COG is soliciting input from your agency as to the scope and content of the environmental issues to be included in the Program EIR. Kern COG seeks input from local, state, and federal agencies, as well as other interested parties, on issues relevant to the RTP. The project location, description, and the expected scope of environmental analysis are described on the following pages.

A scoping meeting for this project will be held at Kern COG's office (see location above), **Thursday, May 1, 2025, 4:30 to 6:30 PM**. Due to the time limits mandated by state law, your response must be sent **no later than 30 days** after the date of this notice.

Please send your response to Becky Napier, Deputy Director of Administration, either electronically to: [napier@kerncog.org](mailto:napier@kerncog.org); or to the Lead Agency mailing address shown above. Please include a return address and the name of a contact person in your agency/organization.

### 1. INTRODUCTION

CEQA and its implementing regulations (*State CEQA Guidelines*) require Kern COG as the Lead Agency to prepare an EIR for any discretionary government action, including programs and plans that may cause

significant environmental effects. The 2026 RTP is a regional planning document that provides policy guidance to local jurisdictions within Kern County. Specifically, the 2026 RTP necessitates preparation of a Program EIR, which is a “first-tier” CEQA document designed to consider “broad policy alternatives and program wide mitigation measures” (*State CEQA Guidelines* Sec. 15168). The programmatic environmental analysis will evaluate environmental effects, such as direct and indirect effects, growth-inducing impacts, and cumulative impacts, and will include all appropriate feasible mitigation measures to offset any identified potentially significant adverse environmental effects. In addition, the Program EIR will supply the foundation for subsequent, site-specific environmental reviews that will be conducted by implementation agencies, as projects in the RTP are developed (*State CEQA Guidelines* Sec. 15385).

In addition to fulfilling legal requirements, the 2026 RTP Program EIR will provide an opportunity to inform decision makers and the public about potential environmental effects associated with the implementation of the RTP and alternatives. This first-tier regional-scale environmental analysis will also help local agencies evaluate and reduce direct and indirect impacts, growth-inducing impacts, and cumulative environmental effects with respect to local projects.

This NOP is intended to alert responsible agencies, interested agencies, organizations, and individuals of the preparation of the 2026 RTP Program EIR. Comments regarding the scope of the Program EIR received during the 30-day NOP review period will be used to refine the scope and content of the Program EIR, as appropriate.

## 2. PROJECT LOCATION AND BACKGROUND

Kern COG is an association of city and county governments created to address regional transportation issues. Its member agencies include the County of Kern and the 11 incorporated cities within Kern County: Arvin, Bakersfield, California City, Delano, Maricopa, McFarland, Ridgecrest, Shafter, Taft, Tehachapi, and Wasco. The Kern COG Board of Directors is comprised of one elected representative from each of the 11 incorporated cities, two Kern County Supervisors, and two ex-officio members representing Caltrans and the Golden Empire Transit District. **Figure 1, Map of the Kern COG Region**, illustrates the Kern COG region.

Kern COG is officially designated by federal law as the Metropolitan Planning Organization (MPO) for the Kern County region. Additionally, under state law, Kern COG is designated as a Council of Governments (COG). As such, Kern COG has several formal authorities and responsibilities, including:

- Conducting continued, comprehensive, and coordinated transportation planning and programming processes that result in a Regional Transportation Plan and a Federal Transportation Improvement Program (FTIP) for the region. Together these documents serve as the legal basis for transportation decision making in the region.
- Preparing an SCS in accordance with the Sustainable Communities and Climate Protection Act of 2008 (SB 375), as part of the RTP. If the SCS does not meet greenhouse gas (GHG) emission reduction targets, Kern COG would prepare an Alternative Planning Strategy (APS) which would show how the GHG emission targets would be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies. It is Kern COG’s intent to achieve the targets with the SCS.

- Preparing a Regional Housing Need Allocation (RHNA) Plan in which Kern COG identifies areas within the region sufficient to house an 11-year projection of the regional housing need. Additionally, the RHNA allocates housing units within the region consistent with the development pattern included in the RTP. In August 2022, the California Housing and Community Development Department (HCD) approved the 2023- 2031 RHNA Plan.
- Conducting a comprehensive environmental planning process, including a Program EIR for the RTP and conducting inter-governmental review for all projects of regional significance.
- Determining, pursuant to the Federal Clean Air Act, the conformity of Kern COG RTPs and FTIPs to air quality planning requirements.

### **3. PROJECT DESCRIPTION**

Pursuant to the federal FAST ACT authorization, Kern COG must prepare and update a transportation plan for its metropolitan planning area every four years to ensure that the plan adequately addresses future travel needs and is consistent with the federal Clean Air Act. Kern COG's last RTP/SCS is currently pending CARB approval. The 2026 RTP is the culmination of a multi-year effort with the intent to improve the balance between land use and transportation systems. Kern COG is required by federal law to develop an RTP that determines the needs of the transportation system and prioritizes proposed transportation projects. The RTP is also necessary to obtain and allocate federal funding for regional transportation projects. Kern COG does not implement individual projects in the RTP; these projects will be implemented by local jurisdictions and other agencies. FAST ACT modifies existing state and MPO transportation planning processes and requires discussion of the types of potential environmental mitigation activities. Consultation activities are a part of the 2026 RTP and Program EIR development processes.

#### **Regional Transportation Plan**

The RTP defines the region's mobility needs and issues through 2049, sets forth an action plan of projects and programs to address the needs consistent with the adopted policies, and documents the financial resources needed to implement the plan. Regional transportation improvement projects proposed to be funded, in whole or in part, in the state transportation improvement program must be included in the adopted RTP.

The development of the 2026 RTP has already been initiated by Kern COG. In April 2024, the Kern COG board adopted the 2024-2050 regional growth forecast that provides a long-range projection for countywide total population. The population total is used to develop housing, employment, school enrollment, and income forecasts. The forecast is also used for local transportation and air quality planning, as well as for a variety of long-range planning activities, such as the 2026 RTP.

#### **Sustainable Communities Strategy**

The requirement of an SCS under SB 375 ties regional transportation planning with regional housing planning under the RHNA. The SCS will coordinate planning for land use and transportation at a regional scale, with the goal of reducing the amount that people must drive and associated GHGs. The SCS is required to:

- use the most recent planning assumptions considering local general plans and other factors;
- identify the general location of uses, residential densities, and building intensities within the region;
- identify areas within the region sufficient to house all the population of the region;
- identify areas within the region sufficient to house an eight-year projection of the regional housing need;
- identify a transportation network to service the transportation needs for the region;
- gather and consider the best practically available scientific information regarding resource areas and farmland in the region;
- consider the state housing goals;
- set forth a forecasted development pattern for the region;
- comply with Section 176 of the federal Clean Air Act;
- consider spheres of influence that have been adopted by the Local Agency Formation Commission (LAFCO) within the region;
- quantify the reduction in GHG projected to be achieved by the SCS; and
- consider any adopted multiregional goals and policies.

### **SB 375 Targets**

The current emissions targets for Kern COG, as provided by the California Air Resources Board (CARB), are a regional target of a 9 percent reduction in per capita GHG emissions for the planning year 2020 (successfully attained) and a 15 percent reduction in per capita GHG emissions for the planning year 2035, as compared to baseline per capita emissions levels in 2005. SB 375 requires that CARB update the targets every four to eight years and then use those targets as goals to be achieved in the RTP. CARB is currently undertaking the updated target-setting process required by SB 375. Updated targets are anticipated to be adopted by CARB in 2026. The Kern 2026 RTP will use the current emissions targets. If these targets cannot be feasibly met, Kern COG will prepare an APS to show how the targets would be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies.

### **CEQA Streamlining**

SB 375 contains CEQA incentives, or streamlining provisions, to encourage coordinated land use and transportation planning. Certain types of development projects (i.e., transit priority projects or residential/mixed use residential projects, as defined by the statute) may qualify for CEQA streamlining as long as the requisite criteria are met. Generally, this means that the proposed project seeking to utilize the CEQA incentives is determined to be consistent with an approved SCS. Consistency will be determined by the local jurisdiction that is the lead agency for each project to be streamlined. Kern COG's primary role is to include appropriate information in the SCS, such as land use information as required by SB 375 and/or guidance to aid in interpreting land use information that will allow a jurisdiction to make a consistency determination with respect to appropriate streamlining options on a project-by-project basis.

## **Public Outreach**

Community engagement and outreach are an important component of the development of the 2026 RTP. By nature, this plan represents the region's mutual vision for its future and was developed using a grassroots, bottom-up approach. Kern COG has solicited community involvement and input on the RTP through several committees. One such committee is the Regional Planning Advisory Committee (RPAC). Formed by the Kern COG Board in 2011, the RPAC was created to provide a forum to review and develop recommendations on key activities associated with regional transportation plans and other planning issues, including SB 375 implementation.

During the coming months, Kern COG will continue to revise the land use scenarios based on comments and new data gathered from local jurisdictions and from the public outreach workshops. During the public outreach workshops and roundtables, residents, local jurisdictions and other stakeholders will be given the opportunity to provide input on a variety of scenarios. This information and input will be reflected in the scenarios to ensure the development of the RTP meets GHG reduction targets.

## **Preliminary 2026 RTP Alternatives**

It is anticipated that the 2026 RTP Program EIR will evaluate three alternatives to the RTP as follows: No Project, Modified 2022 RTP; and a more aggressive infill or transportation alternative. Each alternative, except the No Project Alternative, will vary policies and projects in order to provide a reasonable range. Together with the proposed 2026 RTP, the alternatives will represent a reasonable range of potential land use densities and intensities, bus routes, high-speed passenger rail options, highway/roadway construction and widening projects, and rail projects.

Kern COG has the discretion to select an alternative in its entirety or to combine elements of various alternatives to develop the plan selected for the 2026 RTP. Alternatives analysis in an EIR are focused on reducing the significant or potentially significant impacts of a project. Therefore, the descriptions of alternatives are developed as the impacts of the project are identified through the Program EIR process. The three conceptual alternatives currently proposed to be evaluated in the Program EIR are as follows:

### ***No Project Alternative***

The No Project Alternative consists of all major transportation projects that are reasonably foreseeable and reasonably expected to go forward without the 2026 RTP, including all projects that have already received funding, are scheduled to receive funding, and/or have received environmental clearance by December 2025. The No Project Alternative will assume that no safety related maintenance would be deferred, but the overall appearance and function of the transportation system would be expected to deteriorate. This alternative would also assume conditions without the SCS.

### ***Modified 2022 RTP***

As part of the 2026 RTP and Program EIR development and scoping process, an additional alternative will be developed and considered using the policies and projects from the 2022 RTP with the following changes/focus:

- updated with more recent population information
- focus on reducing one or more impacts identified through the 2026 RTP Program EIR analysis

## *Intensified Transportation Alternative*

Kern COG anticipates that this alternative will vary from the proposed 2026 RTP by identifying a more intensely developed urban form and more transportation measures and policies to reduce GHG emissions and energy consumption. This alternative could include more mixed-use, infill development and increased densities in urban cores.

### **Scope of Environmental Analysis**

The impact categories listed below have been preliminarily identified for analysis in the 2026 RTP Program EIR.

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services, Recreation and Utilities
- Transportation
- Tribal Cultural Resources
- Wildfire

In addition, the Program EIR will address cumulative impacts, growth-inducing impacts, and other issues required by CEQA.



SOURCE: Esri, 2025

FIGURE 1