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DEPARTMENT OF FISH AND WILDLIFE
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GAVIN NEWSOM, Governor
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January 02, 2026

Tiffany Ho, Deputy Director of Planning
County of Merced
Community and Economic Development Department
2222 "M" Street
Merced, California 95340
(209) 385-7654 ext. 4407
Tiffany@countyofmerced.com

Subject: The Correia Family Dairy Farms Expansion Project (Project)
Draft Environmental Impact Report (DEIR)
State Clearinghouse No.: 2024010339

Dear Tiffany Ho:

The California Department of Fish and Wildlife (CDFW) received a DEIR from Merced County (County), as Lead Agency, for the above-referenced Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802.). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include, sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

Unlisted Species: Species of plants and animals need not be officially listed as Endangered, Rare, or Threatened (E, R, or T) on any State or Federal list to be considered E, R, or T under CEQA. If a species can be shown to meet the criteria for E, R, or T, as specified in the CEQA Guidelines section 15380, CDFW recommends it be fully considered in the environmental analysis for the Project.

PROJECT DESCRIPTION SUMMARY

Proponent: Correia Family Dairy Farms Expansion

Objective: The Project proposes to expand an existing dairy facility located in rural Merced County. The Project would expand the existing dairy from the existing 2,130 animals (milk cows, dry cows, bred heifers, and calves) to house a total of 3,945 animals.

The proposed Project would include the construction of 474,831 square feet of supporting buildings and structures at the existing dairy, including: five new free stall barns (totaling 310,931 square feet), two new loafing barns (totaling 127,200 square feet), a new milking parlor (36,700 square feet), a new domestic well at the dairy to replace an old existing domestic well on the dairy parcel, a new impervious manure drying area, a new feed storage areas, and two new solid manure weeping walls.

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Location: The Project site consists of 398± acres located on portions of 12 parcels (in addition to aforementioned parcels, APNs 070-270-006, -014, -018, -021, -046, 070-112-001, and 070-100,014).

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the DEIR prepared for the Project.

CDFW submitted a comment letter on January 3, 2024 (Attachment 1) in response to the Project's Notice of Preparation (NOP). That letter provided recommendations to identify and mitigate the Project's significant or potentially significant direct and indirect impacts on biological resources. Specifically, CDFW recommended mitigation measures for the State threatened Swainson's hawk (*Buteo swainsoni*) and tricolored blackbird (*Agelaius tricolor*).

Based on aerial imagery and the DEIR, the Project site is comprised of active dairy facilities and agricultural lands. Portions of the Project site (e.g., eastern and northern "Project Areas") are situated within close proximity to natural grassland habitats and the Volta Wildlife Area (VWA), which is incorporated within the larger Grasslands Ecological Area (GEA) boundary. Currently, the DEIR acknowledges that the Project area is within the geographic range of several special-status animal species and proposes specific mitigation measures to reduce impacts to less than significant. CDFW has concerns about the ability of some the proposed mitigation measures to reduce impacts to less than significant and avoid unauthorized take for several special status animal species, including the State and federally threatened giant garter snake (*Thamnophis gigas*) and California tiger salamander – Central Coast Distinct Population Segment (*Ambystoma californiense* pop. 1); the State candidate western burrowing owl (*Athene cunicularia hypugaea*) and Crotch's bumble bee (*Bombus crotchii*); the State species of special concern and federally proposed threatened western spadefoot (*Spea hammondi*); the State special animal and federally endangered conservancy fairy shrimp (*Branchinecta conservatio*), longhorn fairy shrimp (*Branchinecta longiantenna*), vernal pool tadpole shrimp (*Lepidurus packardii*); and the State special animal and federally threatened vernal pool fairy shrimp (*Branchinecta lynchi*).

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Giant Garter Snake

The Project site is within the range of Giant Garter snake (GGS) and portions of the Project site (e.g., northern and eastern “Project Areas”), including San Luis Creek and the Central California Irrigation District (CCID) Main Canal, contain habitat that could support GGS. Additionally, the Project is situated within close proximity to natural grassland and wetland habitats and the VWA, which is incorporated within the larger Grasslands Ecological Area (GEA), and provides high quality habitat for GGS. Giant garter snakes inhabit natural wetlands like marshes, sloughs, ponds, small lakes and small streams. These snakes also live in artificial waterways and agricultural wetlands, like irrigation and drainage canals, and the adjacent uplands.

The Biological Resources Reconnaissance Survey (Attachment H to the DEIR) states that there is no habitat to support GGS; however, it does not appear that a robust habitat assessment and/or surveys were conducted to support absence of this species from the Project or Project vicinity. Additionally, no mitigation measures were proposed to mitigate for potential Project-related impacts. As the Project is within the range of GGS and have the potential to utilize the habitat within the Project site, CDFW recommends the DEIR include the following measures:

Recommended Mitigation Measure 1: GGS Survey and Avoidance Buffer

CDFW recommends that a qualified biologist, with specific giant garter snake experience, conduct focused surveys no more than 30 days prior to ground disturbing activities within and adjacent to areas of suitable habitat. The surveyor would need to survey for burrows and crevices in which giant garter snake could be present as part of these surveys. If giant garter snake is detected during these surveys, CDFW also recommends that all potentially suitable burrows and crevices be flagged and avoided by a minimum 50-foot no disturbance buffer.

Recommended Mitigation Measure 2: GGS Take Authorization

If giant garter snake are detected and a 50-foot radius buffer isn't feasible, consultation with CDFW is warranted to discuss how to implement the Project and avoid take under CESA. If take cannot be avoided, acquisition of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

California Tiger Salamander

The Project site is within the range of California tiger salamander (CTS) and portions of the Project site (e.g., northern and eastern “Project Areas”) contains habitat that may support CTS dispersal. Additionally, the Project is situated within close proximity to natural grassland habitats and the VWA, which is incorporated within the larger

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Grasslands Ecological Area (GEA), and provides high quality habitat for CTS breeding and dispersal. CTS are known to breed and develop in vernal and seasonal pools and stock ponds in grassland habitat types and have been determined to be physiologically capable of dispersing up to approximately 1.5 miles from these habitats. The Biological Resources Reconnaissance Survey (Attachment H to the DEIR) states that there is no habitat to support CTS; however, it does not appear that a robust habitat assessment and/or surveys were conducted to support absence of this species from the Project or Project vicinity. Additionally, no mitigation measures were proposed to mitigate for potential Project-related impacts. As the Project is within the range of CTS and have the potential to utilize the habitat within the Project site, CDFW recommends the DEIR include the following measures:

Recommended Mitigation Measure 3: CTS Habitat Assessment

CDFW recommends a qualified biologist conduct a robust habitat assessment to determine if the Project site (including Project Areas) and the immediate surrounding vicinity contain habitat suitable to support CTS breeding and/or dispersal. Potential dispersal sites, which include all small mammal burrows and upland refugia, should be included as part of this assessment.

Recommended Mitigation Measure 4: Focused CTS Protocol-level Surveys

If potentially suitable habitat is identified, CDFW recommends that a qualified biologist conduct protocol-level surveys in accordance with the U.S. Fish and Wildlife Service (USFWS) "Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander" (USFWS 2003) at the appropriate time of year to determine the existence and extent of CTS breeding and refugia habitat. The protocol-level surveys for CTS require more than one survey season and are dependent upon sufficient rainfall to complete. As a result, consultation with CDFW is recommended well in advance of beginning the surveys and prior to any planned vegetation- or ground-disturbing activities. CDFW advises that the protocol-level survey include a 100-foot buffer around the Project area in all areas of wetland and upland habitat that could support CTS. Please be advised that protocol-level survey results are viable for two years after the results are reviewed by CDFW.

Recommended Mitigation Measure 5: CTS Avoidance Buffer

If CTS protocol-level surveys as described in Recommended Mitigation Measure 4 are not conducted, CDFW advises that a minimum 50-foot no-disturbance buffer be delineated around all small mammal burrows in suitable upland refugia habitat within and/or adjacent to the Project site. Further, CDFW recommends potential or known breeding habitat within and/or adjacent to the Project site be delineated with a minimum 250-foot no-disturbance buffer. Both upland burrow and wetland breeding

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no-disturbance buffers are intended to minimize impacts to CTS habitat and avoid take of individuals.

Recommended Mitigation Measure 6: CTS Take Authorization

If through surveys it is determined that CTS are occupying or have the potential to occupy the Project site, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA. As stated above, in the absence of protocol surveys, the applicant can assume presence of CTS within the Project site and obtain an ITP from CDFW.

Western Burrowing Owl

The California Fish and Game Commission (FGC) approved western burrowing owl (BUOW) as a candidate for potential listing as a protected species under CESA on October 10, 2024, and published these findings in the California Regulatory Notice Register (Notice Register) on October 25, 2024. As such, BUOW is now a candidate under CESA and receives the same legal protection afforded to an endangered or threatened species (Fish & G. Code, §§ 2074.2 & 2085). The DEIR has BUOW listed as a state species of special concern and CDFW recommends the DEIR be updated to note the change in the species status.

The Biological Resources Reconnaissance Survey (Attachment H to the DEIR) states that there is a low likelihood of occurrence for BUOW; however, it does not appear that a robust habitat assessment and/or surveys were conducted to support absence of this species from the Project or Project vicinity. Attachment H also notes that surveys were conducted at a reconnaissance level, and focused BUOW surveys do not appear to have been conducted. Additionally, no mitigation measures were proposed to mitigate for potential Project-related impacts. As the Project is within the range of BUOW, focused BUOW surveys do not appear to have been conducted, and BUOW have and the potential to utilize the habitat within the Project site, CDFW recommends the DEIR include the following measures:

Recommended Mitigation Measure 7: BUOW Pre-construction Surveys

CDFW recommends that focused surveys, following the 2012 Staff Report on Burrowing Owl Mitigation (2012 Staff Report) (CDFG 2012), be conducted the survey season immediately prior to construction. Please note that the 2012 Staff Report necessitates multiple surveys prior to the initiation of construction.

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Recommended Mitigation Measure 8: BUOW Avoidance Buffer

Should a BUOW or known BUOW den (active or inactive) be detected, either during pre-construction surveys or construction activities, CDFW recommends that no-disturbance buffers, as outlined in the 2012 Staff Report on Burrowing Owl Mitigation (CDFG 2012), be implemented prior to and during any ground-disturbing activities. CDFW also recommends that these buffers be implemented for both wintering and breeding BUOW.

Recommended Mitigation Measure 9: BUOW Take Authorization

If a BUOW or known BUOW den (active or inactive) is detected, and the no-disturbance buffers outlined in the 2012 Staff Report on Burrowing Mitigation are not feasible, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

Crotch's Bumble Bee

The Project site is within the geographic range of Crotch's bumble bee (CBB) and portions of the Project site (e.g., northern and eastern "Project Areas" contains habitat that may support CBB. CBB are known to inhabit areas of grasslands, scrub habitat, and ruderal vegetation that contain requisite habitat elements for nesting, such as small mammal burrows and bunch/thatched grasses, and these habitat elements may be present within the Project site. As it does not appear that CBB was evaluated within the DEIR or Appendix H, CDFW recommends the DEIR include the following measures:

Recommended Mitigation Measure 10: CBB Habitat Assessment

CDFW recommends a qualified biologist conduct a habitat assessment to determine if the Project site and the immediate surrounding vicinity contain habitat suitable to support CBB. Potential nesting sites, which include all small mammal burrows, perennial bunch grasses, thatched annual grasses, brush piles, old bird nests, dead trees, and hollow logs would need to be documented as part of the assessment.

Recommended Mitigation Measure 11: CBB Surveys

If potentially suitable habitat is identified, CDFW recommends that a qualified biologist conduct focused surveys for CBB, and their requisite habitat features following the methodology outlined in the Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (CDFW 2023).

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Recommended Mitigation Measure 12: CBB Avoidance

If CBB is detected, then CDFW recommends that all small mammal burrows and thatched/bunch grasses be avoided by a minimum of 50 feet to avoid take and potentially significant impacts. If ground-disturbing activities will occur during the overwintering period (October through February), consultation with CDFW is warranted to discuss how to implement Project activities and avoid take. Any detection of CBB prior to or during Project implementation warrants consultation with CDFW to discuss how to avoid take.

Recommended Mitigation Measure 13: CBB Take Authorization

If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

Western Spadefoot

The Project site is within the geographic range of western spadefoot (WESP) and portions of the Project site (e.g., northern and eastern “Project Areas” contains habitat that may support WESP. The Biological Resources Reconnaissance Survey (Attachment H to the DEIR) states that WESP do not occupy the Project site and habitat to support this species is absent from the area and as such the proposed Project would not impact this species. As such, no mitigation measures were proposed to mitigate for potential Project-related impacts to the species.

San Luis Creek, an intermittent waterway which appears to have habitat that may support WESP, is located west of the Project site and CCID Main Canal is located approximately 0.4 miles west of the dairy site. Additionally, Portions of the Project site (e.g., eastern and northern “Project Areas”), appear to have potential suitable habitat for WESP (e.g., annual grasslands) and are situated within close proximity to natural grassland habitats and the VWA. As such CDFW recommends the DEIR include the following measures:

Recommended Mitigation Measure 14: WESP Habitat Assessment

CDFW recommends a qualified biologist conduct a habitat assessment to determine if the Project site and the immediate surrounding vicinity contain habitat suitable to support WESP.

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Recommended Mitigation Measure 15: WESP Surveys

If potentially suitable habitat is identified, CDFW recommends that a qualified biologist conduct focused surveys for WESP, using appropriate survey methodologies, prior to any ground-disturbing activities that may occur as part of the Project.

Recommended Mitigation Measure 16: WESP Minimization

If WESP burrows, cracks, loose soil areas or other refugia are found to be used by WESP during focused surveys, avoidance whenever possible is encouraged via delineation and observance of a 50-foot no-disturbance buffer around these resources, including all potential breeding habitat, which can include agricultural sumps and irrigation ditches in addition to any areas that pool water for only a few weeks. Avoidance of potential breeding habitat should occur even when dry, since post-metamorphic WESP juveniles have a unique adaptation to the drying of their temporary breeding pools; they utilize the dried pond bottom as a refuge, burying themselves in the desiccation cracks and damp soil beneath the surface crust (Baumberger et al., 2020). If any lifestage of WESP are observed on the Project site, Project activities in their immediate vicinity should cease, allowing individuals to leave the Project site on their own accord.

Branchiopods

The Project site is within the geographic range of conservancy fairy shrimp, longhorn fairy shrimp, vernal pool fairy shrimp, and vernal pool tadpole shrimp (branchiopods), and these species have been identified within the vicinity of the Project site. Portions of the Project site (e.g., eastern and northern “Project Areas”), appear to have potential suitable habitat for branchiopods (e.g., annual grasslands) and are situated within close proximity to natural grassland and wetland habitats and the VWA.

As such CDFW recommends the DEIR include the following measures:

Recommended Mitigation Measure 17: Branchiopod Surveys and Consultation with CDFW

CDFW recommends that a qualified biologist conduct protocol level surveys in accordance with the USFWS “Survey Guidelines for the Listed Large Branchiopods” (USFWS 2017) the survey season prior to construction. These surveys need to be conducted at the appropriate time of year to determine the existence and extent of branchiopods. If through surveys it is determined that branchiopods are occupying or have the potential to occupy the Project site, coordination with CDFW is recommended well in advance of any planned vegetation- or ground-disturbing activities to determine appropriate avoidance

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and minimization measures including adequate implementation of no-disturbance buffers.

Editorial Comments and/or Suggestions

CDFW Wildlife Areas: California Code of Regulations, Title 14, Section 550 (g) states “Except for the take of fish and/or wildlife in compliance with general and site-specific hunting and fishing regulations, or under written authorization from the department to conduct environmental research or environmental education, no visitor shall: (1) mine or disturb geological formations, archeological, cultural or anthropological artifacts, structures, or resources; (2) take or disturb any bird nest, or eggs thereof; (3) cut, saw, trim, remove, or disturb any plant, mammal, fish, mollusk, crustacean, amphibian, reptile, soil, sand, gravel, rock, mineral, or any other form of plant or animal life on department land, except that non-woody vegetation may be cut and used for temporary hunting blinds; or (4) construct or build any type of structure, including those made of vegetation (except as provided in subsection 550(g)(3) or any other type of material, on department land except as may be specifically authorized by a Special Use Permit.”

The primary purpose of CDFW’s Wildlife Areas is to conserve wildlife and their habitats, while also allowing for compatible recreational activities. These areas also serve to protect threatened or endangered plants and animals, and specialized habitat types, and provide opportunities for public observation and environmental research; any other activity on these lands is restricted.

While the Project appears to have been sited in disturbed agricultural lands that are located approximately 0.5-mile from the VWA, CDFW recommends that all associated Project activities in the eastern portion of the Project be sited to avoid direct and indirect impacts to VWA and that a sufficient buffer be incorporated between the Project site perimeter and the VWA parcels.

Grasslands Ecological Area: CDFW is concerned about any incompatible uses within or adjacent to the Grasslands Ecological Area (GEA), a 230,000-acre complex of State and Federal refuges and privately owned wetlands, including VWA. The GEA boundary is a non-jurisdictional boundary which has been designated by the USFWS as a priority area for protection and enhancement. The GEA is comprised of wetlands, riparian woodlands, native grasslands, vernal pools, and other habitats which support abundant and diverse wildlife, including numerous threatened and endangered plants and animals. The area also provides critically important wintering and breeding habitat for migratory waterbirds utilizing the Pacific flyway. Encroachment of any incompatible land uses in and adjacent to this sensitive area will ultimately degrade its habitat quality. The 1995 Grassland Water District Land Planning Study recommends that:

“all uses within the one-to-two-mile buffer zone be resource neutral or resource beneficial, and that no resource negative uses be permitted by county, city or

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community plans within the buffer area. Resource beneficial means that land uses in the area should directly benefit the species of interest and should minimize or eliminate all sources of adverse impacts. Resource beneficial land uses include natural wetlands, upland, managed duck clubs, irrigated pastures and some types of cultivated agriculture. Resource neutral means land uses that may or may not provide a direct benefit, but do not create adverse impacts, and act to buffer the resource beneficial areas from the effects of the urban uses. Resource neutral land uses are primarily cultivated agriculture, such as rice. Resource negative uses have little or no habitat value and result in adverse impacts. Resource negative uses encompass most urban uses, including residential, commercial and industrial, as well as developed parks, bicycle trails, and golf courses.”

CDFW recommends that the County evaluate the proposed Project in detail with respect to whether it would be resource neutral or resource negative with respect to the GEA. In either case, minimization and mitigation measures should be developed to lessen direct and indirect impacts (e.g. traffic, light pollution) impacts to the GEA as a whole.

Lake and Streambed Alteration: Based on aerial imagery and information provided in the DEIR, the Project site contains several hydrological features including San Luis Creek and the CCID Main Canal. Please note that Project activities occurring within the bed, bank, channel, or floodplain of a stream may be subject to 1602.

CDFW's regulatory authority pursuant to Fish and Game Code section 1600 et seq. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake (including the removal of riparian vegetation); (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. “Any river, stream, or lake” includes those that are ephemeral, intermittent, or episodic, as well as those that are perennial. CDFW is required to comply with CEQA in the issuance of a Lake or Streambed Alteration Agreement; therefore, if the Draft EIR approved for the Project does not adequately describe the Project and its impacts to lakes or streams, a subsequent CEQA analysis may be necessary for LSA Agreement issuance. For information on notification requirements, please refer to CDFW's website (<https://wildlife.ca.gov/Conservation/LSA>) or contact CDFW staff in the Central Region Lake and Streambed Alteration Program at (559) 243-4593 or R4LSA@wildlife.ca.gov.

Artificial Lighting: Installation of outdoor artificial night lighting can disrupt the circadian rhythms of many wildlife species. Many species use photoperiod cues for communication, determining when to begin foraging, thermoregulation behavior, and migration (Longcore and Rich 2004, Miller 2006, Nightingale et al. 2006, Perry et al. 2008, Stone et al. 2009). Phototaxis, a phenomenon which results in attraction and

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movement towards light, can disorient, entrap, and temporarily blind wildlife species that experience it (Longcore and Rich 2004). Project activities could result in disruption of wildlife behavior, inadvertent injury, or mortality.

CDFW recommends that the DEIR for the Project include an analysis of the impacts of artificial lighting on biological resources and incorporate enforceable mitigation measures to decrease the impacts of artificial outdoor lighting on wildlife species. Potentially feasible mitigation measures include motion sensitive lighting; mounting light fixtures as low as possible to minimize light trespass; use of light fittings that direct and confine the spread of light downward; and use of long-wavelength light sources. In addition, CDFW recommends that lighting not be installed in ecologically sensitive areas (e.g., streams, wetlands, and habitat used by special status species, such as nesting/roosting sites and riparian corridors) and the use of the white/blue wavelengths of the light spectrum be avoided.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database, which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be filled out and submitted online at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to the CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and an assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

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CONCLUSION

CDFW appreciates the opportunity to comment on the DEIR to assist the County in identifying and mitigating Project impacts on biological resources. More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>)

A Mitigation and Monitoring Program (MMRP) (Attachment 2) is included to assist the County with incorporating the recommended mitigation measures provided above. If you have any questions regarding this letter or further coordination, please contact Evelyn Barajas-Perez, Environmental Scientist, at the address provided on this letterhead, by telephone at (805) 503-5738 or evelyn.barajas-perez@wildlife.ca.gov.

Sincerely,

DocuSigned by:

12950B95267A4F5...

For Julie A. Vance
Regional Manager

Attachments

Attachment 1 - CDFW January 2024 Letter

Attachment 2 - MMRP

ec: State Clearinghouse
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Attachment 1



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January 03, 2024

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County of Merced, Community and Economic Development Department
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**Subject: Correia Family Dairy Farms Expansion Project (Project) CUP 21-009
Notice of Preparation (NOP)**

Dear Tiffany Ho:

The California Department of Fish and Wildlife (CDFW) received a NOP for an Environmental Impact Report (EIR) from the County of Merced Community and Economic Development Department, as Lead Agency, for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include, §§ 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

Unlisted Species: Species of plants and animals need not be officially listed as Endangered, Rare, or Threatened (E, R, or T) on any State or Federal list to be considered E, R, or T under CEQA. If a species can be shown to meet the criteria for E, R, or T, as specified in the CEQA Guidelines section 15380, CDFW recommends it be fully considered in the environmental analysis for the Project.

PROJECT DESCRIPTION SUMMARY

Proponent: Correia Family Dairy Farms Expansion

Objective: The Project includes the construction and operation of an expansion of an existing dairy facility located in rural Merced County. The Project sponsor has applied for a new Conditional Use Permit (CUP #21-009) from Merced County to modify and expand the existing dairy from the existing 2,130 animals (milk cows, dry cows, bred heifers, and calves) to house a total of 3,945 animals.

The proposed Project would include the construction of 474,831 square feet of supporting buildings and structures at the existing dairy, including: five new freestall barns (totaling 310,931 square feet), two new loafing barns (totaling 127,200 square feet), a new milking parlor (36,700 square feet), a new domestic well at the dairy to replace an old existing domestic well on the dairy parcel, a new impervious manure drying area, a new feed storage areas, and two new solid manure weeping walls.

Location: The dairy expansion Project site is located on the north and south sides of W. Fahey Road, approximately one mile west of S. Ingomar Grade, and approximately 2.6-miles east of Interstate 5, in the city of Gustine.

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Per Project information, the proposed Project site includes seven parcels labeled “Project Areas”, and two parcels labeled “Existing and Proposed Facilities” per Figure 2 in the NOP. San Luis Creek is an intermittent waterway located west of the Project site; the creek channel appears intermittently, and in some stretches is modified as concrete ditches. The Central California Irrigation District (CCID) Main Canal is located approximately 0.4 miles west of the dairy site, and the San Luis Wasteway is located 1.4 miles to the south.

The active dairy facilities on the north side of W. Fahey Road are located at Assessor’s Parcel Number (APN) 070-270-008 and the associated heifer facilities on the south side of W. Fahey Road are located on portions of APNs 070-270-011, -019, and -020. The Project site is located in Section 27, Township 9 South, Range 9 East, Mount Diablo Base and Meridian; 37° 7’21.68”N, 120° 58’5.10”W.

The existing active dairy facilities include approximately 185,354 square feet of roofed structures located on approximately 60 acres of an existing farm. The remaining Project acres consist of field roads and ancillary farm uses. The existing Project cropland application area consists of approximately 398 acres located on portions of 12 parcels. Additional parcels in the vicinity are used as cropland and for wastewater and manure application.

Timeframe: Unspecified

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County of Merced in adequately identifying and/or mitigating the Project’s significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the Draft EIR.

The Project location and surrounding areas appear to have a high likelihood for suitable habitat for several special status species. Based on a review of the Project description, a review of California Natural Diversity Database (CNDDB) records, and a review of the surrounding habitat, special status species could potentially be impacted by Project activities, if present. The Project is in the geographic range of special status species including but not limited to the State threatened (ST) Swainson’s hawk (*Buteo swainsoni*) and the ST tricolored blackbird (*Agelaius tricolor*).

To evaluate Project-related impacts to listed species, SSC species, and unlisted biological species, CDFW recommends that a general habitat assessment be conducted as part of the biological technical studies conducted in support of the Draft EIR. CDFW recommends that this general habitat assessment be followed with specific

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protocol surveys for listed species including the Swainson's hawk and tricolored blackbird.

Swainson's Hawk

The State threatened Swainson's hawk (SWHA) has been previously observed within and in the vicinity of the proposed Project site (California Department of Fish and Wildlife 2023). CDFW has jurisdiction over this species under the California Endangered Species Act (CESA). SWHA are known to breed within the Central Valley of California and prefer to nest and forage in alfalfa, fallow fields, field crops, and grassland habitats with a sufficient source of small mammals (California Department of Fish and Game 1994). Additionally, SWHA exhibit high nest-site fidelity year after year in the San Joaquin Valley (California Department of Fish and Wildlife 2016). Based on aerial imagery and the information provided in the NOP, the Project location and adjacent areas appear to contain suitable habitat for SWHA foraging. In addition, there are trees and structures located within and in the vicinity of the Project site that may provide suitable nesting habitat.

The dairy expansion Project as proposed may involve noise, groundwork, and movement of workers that could affect nests and has the potential to result in nest abandonment, significantly impacting local nesting SWHA. CDFW recommends that a qualified wildlife biologist conduct surveys for nesting SWHA following the entire survey methodology developed by the SWHA Technical Advisory Committee (Swainson's Hawk Technical Advisory Committee 2000) as part of the biological technical studies conducted in support of the Draft EIR.

In addition to conducting SWHA surveys, CDFW recommends the Project mitigate for loss of SWHA foraging habitat as described in Recommended Mitigation Measure 4 below. CDFW also recommends the Draft EIR include the following measures:

Recommended Mitigation Measure 1: SWHA Surveys Prior to Construction

Depending on the time between the initial survey efforts conducted in support of the Draft EIR and Project construction, CDFW recommends that additional surveys, following the survey methodology developed by the SWHA Technical Advisory Committee (Swainson's Hawk Technical Advisory Committee 2000), be repeated the survey season immediately prior to construction. The survey protocol includes early season surveys to assist the Project proponent in implementing necessary avoidance and minimization measures, and in identifying active nest sites prior to initiating ground-disturbing activities.

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Recommended Mitigation Measure 2: SWHA Avoidance Buffer

If Project-specific activities will take place during the SWHA nesting season (i.e., March 1 through September 15), and active SWHA nests are present, CDFW recommends a minimum ½-mile no-disturbance buffer be delineated and maintained around each nest, regardless of whether it was detected by surveys or observed incidentally. These buffers would remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival, to prevent nest abandonment and other take of SWHA as a result of Project activities.

Recommended Mitigation Measure 3: SWHA Take Authorization

CDFW also recommends that in the event an active SWHA nest is detected, and a ½-mile no-disturbance buffer is not feasible, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

Recommended Mitigation Measure 4: SWHA Foraging Habitat Mitigation

CDFW recommends compensation for the loss of SWHA foraging habitat as described in CDFW's "Staff Report Regarding Mitigation for Impacts to Swainson's Hawks" (California Department of Fish and Game 1994) to reduce impacts to foraging habitat to less than significant. The Staff Report recommends that mitigation for habitat loss occur within a minimum distance of 10 miles from known nest sites. CDFW has the following recommendations based on the Staff Report:

- For projects within 1 mile of an active nest tree, a minimum of 1 acre of habitat management (HM) land for each acre of development is advised.
- For projects within 5 miles of an active nest but greater than 1 mile, a minimum of ¾ acre of HM land for each acre of development is advised.
- For projects within 10 miles of an active nest tree but greater than 5 miles from an active nest tree, a minimum of ½ acre of HM land for each acre of development is advised.

Tricolored Blackbird

The Project site is within the known geographic range of the tricolored blackbird (TRBL) and occurrences have been recorded approximately 1.74-miles northwest, and approximately 1.76-miles south of the Project area in 2015 (California Department of Fish and Wildlife 2023). TRBL breed within the vicinity of fresh water, primarily in

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marshy areas. Important sites for nesting colonies include heavy growths of cattails, tules, thistles, willows, blackberries, mustard, nettles, and salt cedar (Grinnel and Miller 1944). TRBL are also known to breed in alfalfa, wheat, and other low agricultural crop fields, and these fields are becoming an increasingly important nesting habitat type, particularly in the San Joaquin Valley (Beedy et al. 2023). Based on aerial imagery and the information provided, there are agricultural fields within, and in the vicinity of the Project site that may contain habitat suitable for TRBL nesting and foraging. In addition, there are several basins in the Project vicinity.

CDFW recommends that a qualified biologist conduct a habitat assessment as part of the biological technical studies conducted in support of the Draft EIR. If potentially suitable habitat is identified, consultation with CDFW is recommended for guidance on focused survey methods and mitigation measures such avoidance, take authorization, and mitigation.

As TRBL have the potential to use the Project site and have been documented within the Project vicinity, CDFW recommends that the Project address potential impacts to TRBL by including the following avoidance and minimization measures.

Recommended Mitigation Measure 5: TRBL Surveys

CDFW recommends that Project activities be timed to avoid the normal bird breeding season (February 1 through September 15). However, if Project activities must take place during that time, CDFW recommends that a qualified wildlife biologist conduct surveys for nesting TRBL no more than 10 days prior to the start of construction to evaluate presence/absence of TRBL nesting colonies in proximity to Project activities and to evaluate potential Project-related impacts.

Recommended Mitigation Measure 6: TRBL Avoidance

If an active TRBL nesting colony is found during preconstruction surveys, CDFW recommends implementation of a minimum 300-foot no-disturbance buffer in accordance with CDFW's "Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agriculture Fields in 2015" (California Department of Fish and Wildlife 2015). CDFW advises that this buffer remain in place until the breeding season has ended or until a qualified biologist has determined that nesting has ceased, the birds have fledged, and are no longer reliant upon the colony or parental care for survival. It is important to note that TRBL colonies can expand over time and for this reason, the colony should be reassessed to determine the extent of the breeding colony within 10 days of Project construction.

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Recommended Mitigation Measure 7: TRBL Take Authorization

In the event that a TRBL nesting colony is detected during surveys, consultation with CDFW is warranted to discuss how to implement the Project and avoid take, or if avoidance is not feasible, to acquire an ITP, pursuant to Fish and Game Code § 2081(b), prior to any ground-disturbing activities.

II. Editorial Comments and/or Suggestions

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

CDFW encourages Project construction to occur during the bird non-nesting season; however, if Project construction activities must occur during the breeding season (i.e., February through mid-September), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above.

To evaluate Project-related impacts on nesting birds, CDFW recommends that a qualified wildlife biologist conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground disturbance to maximize the probability that nests that could potentially be impacted by the Project are detected. CDFW also recommends that surveys cover a sufficient area around the work site to identify nests and determine their status. A sufficient area means any area potentially affected by a project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends that a qualified biologist continuously monitor nests to detect behavioral changes resulting from the project. If behavioral changes occur, CDFW recommends that the work causing that change cease and CDFW be consulted for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Variance

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from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. CDFW recommends that a qualified wildlife biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

Lake and Streambed Alteration: Based on aerial imagery and information in the NOP, the Project site contains San Luis Creek and the Main Canal. Per Figure 2, “Project Location” in the NOP, one of the Project Areas contains San Luis Creek and another Project Area is adjacent to the Main Canal.

Since features including streams and drainages appear to be present onsite and within the adjacent areas, Project activities will be subject to CDFW’s regulatory authority pursuant to Fish and Game Code section 1600 et seq. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake (including the removal of riparian vegetation); (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. “Any river, stream, or lake” includes those that are ephemeral, intermittent, or episodic, as well as those that are perennial. CDFW is required to comply with CEQA in the issuance of a Lake or Streambed Alteration Agreement; therefore, if the Draft EIR approved for the Project does not adequately describe the Project and its impacts to lakes or streams, a subsequent CEQA analysis may be necessary for LSA Agreement issuance. For information on notification requirements, please refer to CDFW’s website (<https://wildlife.ca.gov/Conservation/LSA>) or contact CDFW staff in the Central Region Lake and Streambed Alteration Program at (559) 243-4593 or R4LSA@wildlife.ca.gov.

Artificial Lighting: Per Project information, the proposed dairy expansion would include new building-mounted, dusk to dawn lighting on the proposed structures. Installation of outdoor artificial night lighting can disrupt the circadian rhythms of many wildlife species. Many species use photoperiod cues for communication, determining when to begin foraging, thermoregulation behavior, and migration (Longcore and Rich 2004, Miller 2006, Nightingale et al. 2006, Perry et al. 2008, Stone et al. 2009). Phototaxis, a phenomenon which results in attraction and movement towards light, can disorient, entrap, and temporarily blind wildlife species that experience it (Longcore and Rich 2004). Project activities could result in disruption of wildlife behavior, inadvertent injury, or mortality.

CDFW recommends that the Draft EIR for the Project include an analysis of the impacts of artificial lighting on biological resources and incorporate enforceable mitigation measures to decrease the impacts of artificial outdoor lighting on wildlife species. Potentially feasible mitigation measures include motion sensitive lighting; mounting light

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fixtures as low as possible to minimize light trespass; use of light fittings that direct and confine the spread of light downward; and use of long-wavelength light sources. In addition, CDFW recommends that lighting is not installed in ecologically sensitive areas (e.g., streams, wetlands, and habitat used by special status species, such as nesting/roosting sites and riparian corridors) and the use of the white/blue wavelengths of the light spectrum be avoided.

Cumulative Impacts: CDFW recommends that a cumulative impact analysis be conducted for all biological resources that will either be significantly or potentially significantly impacted by implementation of the Project, including those whose impacts are determined to be less than significant with mitigation incorporated or for those resources that are rare or in poor or declining health and will be impacted by the Project, even if those impacts are relatively small (i.e., less than significant). Cumulative impacts are recommended to be analyzed using an acceptable methodology to evaluate the impacts of past, present, and reasonably foreseeable future projects on resources and be focused specifically on the resource, not the Project. An appropriate resource study area should also be identified and mapped for each resource being analyzed and utilized for this analysis. CDFW recommends closely evaluating the need for a cumulative impacts analysis for the SWHA and the TRBL as part of the Draft EIR.

CDFW staff is available for consultation in support of cumulative impacts analyses as a trustee and responsible agency under CEQA.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database, which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB field survey form can be found at the following link:

<https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address:

CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required for the underlying project approval to be

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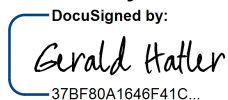
operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

CONCLUSION

CDFW appreciates the opportunity to comment on the NOP to assist the County of Merced Community and Economic Development Department in identifying and mitigating Project impacts on biological resources.

If you have any questions, please contact Kelley Nelson, Environmental Scientist, at the address provided on this letterhead, or by electronic mail at Kelley.Nelson@wildlife.ca.gov.

Sincerely,

DocuSigned by:

37BF80A1646F41C...

Gerald Hatler for Julie A. Vance
Regional Manager

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Swainson's Hawk Technical Advisory Committee. 2000. Recommended timing and methodology for Swainson's hawk nesting surveys in California's Central Valley. Swainson's Hawk Technical Advisory Committee.

Attachment 1

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE RECOMMENDED MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

PROJECT: Correia Family Dairy Farms Expansion Project

SCH No.: None listed

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
<i>Before Disturbing Soil or Vegetation</i>	
SWHA	
Recommended Mitigation Measure 1: SWHA surveys prior to construction	
Recommended Mitigation Measure 3: SWHA take authorization	
Recommended Mitigation Measure 4: SWHA foraging habitat mitigation	
TRBL	
Recommended Mitigation Measure 5: TRBL surveys	
<i>During Construction</i>	
SWHA	
Recommended Mitigation Measure 2: SWHA avoidance buffer	
TRBL	
Recommended Mitigation Measure 6: TRBL avoidance	
Recommended Mitigation Measure 7: TRBL take authorization	

Attachment 2

Attachment 2

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
RECOMMENDED MITIGATION MONITORING AND REPORTING PROGRAM
(MMRP)**

**PROJECT: The Correia Family Dairy Farms Expansion Project
(Project)**

SCH No.: 2024010339

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
<i>Before Disturbing Soil or Vegetation</i>	
Giant Garter Snake (GGS)	
Recommended Mitigation Measure 1: GGS Survey and Avoidance Buffer	
Recommended Mitigation Measure 2: GGS Take Authorization	
California Tiger Salamander (CTS)	
Recommended Mitigation Measure 3: CTS Habitat Assessment	
Recommended Mitigation Measure 4: Focused CTS Protocol-level Surveys	
Recommended Mitigation Measure 6: CTS Take Authorization	
Western Burrowing Owl (BUOW)	
Recommended Mitigation Measure 7: BUOW Pre-construction Surveys	
Recommended Mitigation Measure 9: BUOW Take Authorization	
Crotch's Bumble Bee (CBB)	

Recommended Mitigation Measure 10: CBB Habitat Assessment	
Recommended Mitigation Measure 11: CBB Surveys	
Recommended Mitigation Measure 13: CBB Take Authorization	
Western Spadefoot (WESP)	
Recommended Mitigation Measure 14: WESP Habitat Assessment	
Recommended Mitigation Measure 15: WESP Surveys	
Branchiopods	
Recommended Mitigation Measure 17: Branchiopod Surveys and Consultation with CDFW	
<i>During Construction</i>	
Giant Garter Snake (GGS)	
Recommended Mitigation Measure 1: GGS Survey and Avoidance Buffer	
California Tiger Salamander (CTS)	
Recommended Mitigation Measure 5: CTS Avoidance Buffer	
Western Burrowing Owl (BUOW)	
Recommended Mitigation Measure 8: BUOW Avoidance Buffer	
Crotch's Bumble Bee (CBB)	
Recommended Mitigation Measure 12: CBB Avoidance	
Western Spadefoot (WESP)	
Recommended Mitigation Measure 16: WESP Minimization	