



STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE

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April 20, 2026

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**Subject: Airport Commerce Center Industrial Project (Project)
Draft Environmental Impact Report (DEIR)
State Clearinghouse No.: 2025030498**

Dear Nicole Menchaca:

The California Department of Fish and Wildlife (CDFW) received a DEIR from Kern County, as Lead Agency, for the above-referenced Project pursuant to 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 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.

CDFW Ecological Reserve: Fish and Game Code section 1583 states "Except in accordance with the regulations of the commission it is unlawful to enter upon any ecological reserves established under the provisions of the article, or to take therein any bird or the nest or eggs thereof, or any mammal, fish, mollusks, crustaceans, amphibia, reptiles or any other form of plant or animal life." In addition, California Code of Regulations, Title 14, Section 630 states "All ecological reserves are maintained for the primary purpose of developing a statewide program for protection of rare, threatened, or endangered native plants, wildlife, aquatic organisms, and specialized terrestrial or aquatic habitat types", and therefore, any other activity on these lands is restricted.

Fully Protected Species: CDFW has jurisdiction over fully protected species of birds, mammals, amphibians and reptiles, and fish, pursuant to Fish and Game Code sections 3511, 4700, 5050, and 5515. Fully protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except as follows:

- Take is for necessary scientific research,
- Efforts to recover a fully protected, endangered, or threatened species, live capture, and relocation of a bird species for the protection of livestock, or
- They are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (Fish & G. Code, §§ 3511, 4700, 5050, & 5515).

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 on any State or federal list pursuant to CESA and/or

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the federal Endangered Species Act (ESA) to be considered Endangered, Rare, or Threatened under CEQA. If a species can be shown to meet the criteria specified in the CEQA Guidelines (Cal. Code Regs., tit. 14, Chapter 3, § 15380), it should be fully considered in the environmental analysis for the Project.

PROJECT DESCRIPTION SUMMARY

Proponent: ACC Bakersfield JV, LLC

Objective: This Project proposes to construct four single-story industrial warehouses totaling 1,505,440 square-feet consisting of 625,446 square-feet for warehousing, 393,624 square-feet for cold storage, 335,826 square-feet for industrial manufacturing or assembly for a food/beverage company, and 150,544 square-feet for office space. The Project will include two quick-serve restaurants, and related site improvements. Off-site improvements along Airport Drive, Merle Haggard Drive, Landings Way, and Petrol Road are also part of the Project.

Location: The Project is located on approximately 114.8-gross acres outside of the City of Bakersfield limits in the unincorporated Oildale area of Kern County. The property is located south of Petrol Road, north of Merle Haggard Drive, and between Landings Way and Airport Drive. Meadows Field Airport is located approximately 0.3-mile southwest of the Project and this Project is within its Sphere of Influence. The Assessor's Parcel Numbers (APNs) associated with the Project are: 483-040-29, -32, -33, -42, -43, -45, and -46.

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist Kern 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 this Project. CDFW previously commented on the Notice of Preparation (NOP) for the Project in a letter dated April 23, 2025.

Proximity of Bakersfield Cactus Ecological Reserve

The DEIR acknowledges the Project's proximity to CDFW's Bakersfield Cactus Ecological Reserve (BCER) and includes mitigation measures to minimize Project impacts on the BCER. These mitigation measures include, but are not limited to, retention of a Lead Biologist to oversee compliance with applicable regulatory requirements and requiring nighttime lighting to be directed away from areas containing habitat for special-status wildlife.

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As noted in the NOP comment letter, direct impacts including but not limited to noise, traffic, and lighting to the BCER are prohibited. CDFW recommends consultation with CDFW's Regional Ecological Reserve Management Unit staff well in advance of Project initiation to demonstrate accurate delineation of property boundaries to prevent inadvertent encroachment on CDFW-owned lands. To consult with CDFW on this issue, please contact Reagen O'Leary, Inland Lands Unit Supervisor, at the address on the letterhead above or via email at Reagen.OLeary@wildlife.ca.gov.

Special-Status Species

Aerial imagery shows the majority of the Project site contains regularly disked annual grasslands and ruderal habitats. The Project site is bordered by an existing tank farm located to the northwest of the Project site; regularly disked annual grassland and ruderal vegetation to the south; an Amazon warehouse/logistics facility to the west; and regularly disked ruderal vegetation to the east.

The DEIR acknowledges that the Project site is within the geographic range of several special-status species and includes a Biological Resources Assessment (BRA) based on information compiled through a field reconnaissance performed on November 10, 2023 and a review of Project-appropriate reference materials and literature. The DEIR also includes specific mitigation measures to reduce biological resource impacts to less than significant including, retaining a Lead Biologist to oversee compliance with protection measures for all listed species and other special-status species that may be impacted by the construction and operation of the Project; development and implementation of a Worker Environmental Awareness Training Program; and implementation of various general and species-specific avoidance and protective measures. CDFW concurs with the mitigation measures provided to mitigate for potential significant impacts to Crotch's bumble bee (*Bombus crotchii*), California horned lark (*eremophila alpestris actia*), and nesting birds; however, CDFW has concerns about the ability of the proposed mitigation measures to reduce impacts to less than significant and avoid unauthorized take for the State and federally endangered and State fully-protected blunt-nosed leopard lizard (*Gambelia sila*); the State threatened and federally endangered San Joaquin kit fox (*Vulpes macrotis mutica*); the State threatened Swainson's hawk (*Buteo swainsoni*); the State candidate western burrowing owl (*Athene cunicularia hypugaea*); and the State species of special concern and federally proposed threatened western spadefoot (*Spea hammondi*).

Comment 1: Blunt-Nosed Leopard Lizard

The BRA included in the DEIR concludes that the study area, comprised of the Project site and a 500-foot buffer, lacks habitat for blunt-nosed leopard lizard (BNLL) and notes that the species has no potential to occur within the Project site or the study area. No protocol surveys are included as part of the biological technical studies conducted for

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this Project. As the Project site is within the known geographic range of BNLL, is in close proximity to CDFW's BCER, which provides suitable habitat for the species, there are several historical observations within five (5) miles of the Project site, and the BRA notes a large number of mammal burrows onsite, CDFW recommends adding the following mitigation measures within the DEIR:

Recommended Mitigation Measure 1: BNLL Surveys

CDFW recommends that a qualified biologist conduct protocol surveys in accordance with the "Approved Survey Methodology for the Blunt-nosed Leopard Lizard" (CDFW 2019) prior to the initiation of any ground-disturbance activities that may occur as part of this Project. This survey protocol, designed to optimize BNLL detectability, reasonably assures CDFW that ground disturbance will not result in take of this fully protected species.

Recommended Mitigation Measure 2: BNLL Take Avoidance

CDFW recommends that consultation with CDFW occur to discuss how to implement ground-disturbing activities and avoid take if any BNLL detection, known burrows, or egg clutch sites are detected during surveys or during construction of the Project.

Comment 2: San Joaquin Kit Fox

In addition to the Project's proximity to CDFW's BCER, which was acquired and permanently conserved to mitigate for impacts to species such as San Joaquin Kit Fox (SJKF), the neighboring City of Bakersfield is home to a significant urban population of SJKF with multiple recorded occurrences in the California Natural Diversity Database (CNDDDB) (CDFW 2026). In addition to native habitats, SJKF can den in rights-of-way, vacant lots, under buildings, and other urban habitats and populations can fluctuate over time. San Joaquin kit fox may be attracted to both construction materials (pipes, etc.) and construction footprints due to the type and level of activity (excavation, etc.) and the loose, friable soils that are created as a result of intensive ground disturbance. SJKF will readily use shipping containers, portable buildings, and stacks of materials (e.g., I-beams, wooden boards) with spaces within or underneath them for denning, in addition to pipes and culverts (Cypher et al. 2023). To deter SJKF from creating dens under construction materials, CDFW recommends elevating materials one foot or more off the ground using k-rails or similar structures.

The DEIR mentions that there is a moderate potential for SJKF to occur on the Project site due to the existence of suitable habitat for foraging and denning. Several California ground squirrel (*Otospermophilus beecheyi*) burrows were also observed during the site

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survey in addition to observation of a California ground squirrel during the field reconnaissance survey.

Mitigation measures 4.3-1, 4.3-2, 4.3-4, 4.3-5, 4.3-7, and 4.3-8 are included to reduce potential impacts to SJKF to less than significant. These mitigation measures, include but are not limited to, preventing inadvertent entrapment during construction by covering excavated steep-walled holes or trenches, thoroughly inspecting all construction pipes, culverts, or similar structures with a four inch or greater diameter prior to being moved or capped, and containing trash and food items in closed containers. CDFW concurs with the approaches described in the mitigation measures but has concerns regarding language in mitigation measure 4.3-8 referring to hand-excavation of potential dens that cannot be avoided. As SJKF have a high potential to den and/or forage within the Project site, CDFW is concerned that excavation of potential dens, without adequate surveys and monitoring, could result in the unauthorized take of the species. As such, consultation with CDFW is recommended if potential or known SJKF dens are identified within the Project site and den avoidance is infeasible. In addition, as SJKF have a high potential to den and/or forage within the Project site and historical SJKF observations have been documented within the species on the Project site and vicinity, CDFW strongly recommends that the Project proponent pursue SJKF take authorization through the acquisition of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b) to comply with CESA.

In the absence of an ITP, CDFW recommends conducting the SJKF pre-construction surveys mentioned in mitigation measure 4.3-5 following the U.S. Fish and Wildlife Service (USFWS) "Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance" (USFWS 2011). These measures should be implemented no less than 14 days and no more than 30 days prior to the beginning of ground and/or vegetation disturbing activities.

Additionally, CDFW recommends including the following mitigation measures within the DEIR:

Recommended Mitigation Measure 3: SJKF Avoidance Buffer

CDFW recommends implementing no-disturbance buffers, as described in the USFWS' "Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance" (USFWS 2011) around potentially suitable or known SJKF den sites.

Recommended Mitigation Measure 4: SJKF Take Authorization

If the no-disturbance buffers outlined in the USFWS Protocol for SJKF is not feasible, CDFW recommends that consultation with CDFW occur to discuss how

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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.

Comment 3: Swainson's Hawk

The DEIR notes there is a moderate potential for SWHA to occur on the Project site because suitable foraging habitat for the species is present throughout the Project site and adjacent lands could support nesting by SWHA. Mitigation measures 4.3-1, 4.3-2, 4.3-4, 4.3-5, 4.3-7, 4.3-9, 4.3-10 and 4.3-11 are included to minimize Project impacts on the species. These mitigation measures include, but are not limited to, monitoring of all construction activities for potential biological impacts by a Lead Biologist, or their designee, confining all construction activities within the construction area, and conducting pre-construction surveys prior to any site preparation and/or construction activity to identify any potential nesting bird activity. CDFW concurs with these measures but recommends a minimum ½-mile no-disturbance buffer be delineated and maintained around each SWHA nest. The 500-foot buffer mentioned in mitigation measure 4.3-9 for raptors is likely inadequate to mitigate for potential significant impacts to SWHA and avoid unauthorized take of the species.

In addition to the aforementioned mitigation measures, CDFW recommends incorporating the following mitigation measures within the DEIR:

Recommended Mitigation Measure 5: SWHA Surveys Prior to Construction

Depending on the time between the initial survey efforts conducted in support of the DEIR and Project construction, CDFW recommends that additional surveys, following the survey methodology developed by the SWHA Technical Advisory Committee (SWHA TAC 2000), be repeated the survey season immediately prior to any ground disturbing activities that occur as part of this Project.

Recommended Mitigation Measure 6: SWHA Avoidance Buffer

If Project-specific ground disturbance 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.

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Recommended Mitigation Measure 7: 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 8: SWHA Foraging Habitat Mitigation

Finally, 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" (CDFG 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

Comment 4: Western Burrowing Owl

The DEIR acknowledges that there is a high potential for western burrowing owl (BUOW) to utilize the Project site due to the presence of habitat, including many California ground squirrel burrows, and records of burrowing owls nearby. Mitigation measures 4.3-1, 4.3-2, 4.3-4, 4.3-5, and 4.3-6 are included in the DEIR to minimize potential impacts to BUOW and include required biological monitoring, covering of construction pipes, culverts, or similar structures, and completion of preconstruction surveys along with consultation with CDFW. Mitigation measure 4.3-6 specifically requires burrowing owl surveys, consistent with the methods outlined in the 2012 CDFW Staff Report on Burrowing Owl Mitigation, prior to ground disturbance activity and implementing appropriate construction buffers around any burrowing owl burrows found on or immediately adjacent to the Project site. CDFW concurs with the pre-construction surveys and avoidance buffers approach outlined; however, CDFW is concerned that implementation of a passive relocation, absent a CESA ITP, may result in the unauthorized take of BUOW. As such, if known BUOW dens are identified either during

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surveys or during Project implementation, CDFW recommends the Project proponent consult with CDFW to discuss how to implement the Project and avoid take.

It is also important to note that according to the Staff Report (CDFG 2012), BUOW den exclusion is considered a potentially significant impact under CEQA. CDFW concurs with the portion of Mitigation Measure 4.3-6 that requires permanent conservation of BUOW habitat for impacts to occupied BUOW burrows and habitats and CDFW recommends this requirement be carried forward as part of the Project approval.

CDFW also recommends incorporating the following mitigation measure within the DEIR:

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.

Comment 5: Western Spadefoot

The Project is within the geographic range of western spadefoot (WESP) and suitable habitat may be present within the Project site. WESP occur primarily within grasslands and seasonal wetlands, but are known to utilize agricultural ditches, ponds, sumps, and pumps within agricultural settings, and may also utilize roadsides and low-lying areas with sufficient seasonal inundation.

CDFW recommends that a qualified biologist conduct a habitat assessment prior to the implementation of the Project to determine if the Project site or the immediate vicinity contains potential habitat for WESP. This habitat assessment should be timed to occur when it is seasonally appropriate to identify potential breeding or ponding habitat. If potential habitat is present, consultation with CDFW is recommended for guidance on focused survey methods and mitigation measures such avoidance, minimization, and mitigation.

Additionally, on September 24, 2025, the California Fish and Game Commission (Commission) received a petition to list the northern population of WESP as threatened species and the southern population of WESP as an endangered species under CESA. If the Commission takes action and WESP becomes listed as a Candidate for listing pursuant to CESA (possible in 2026), or ultimately becomes listed as threatened or endangered pursuant to CESA, take authorization through the acquisition of an ITP,

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pursuant to Fish and Game Code section 2081, subdivision (b), is necessary to comply with CESA if full avoidance of WESP could not be achieved.

Editorial Comments and/or Suggestions

Artificial Lighting: Due to the Project's proximity to undisturbed habitat at CDFW's BCER, installation of outdoor artificial night lighting would likely disrupt the circadian rhythms of wildlife species supported by the preserve. 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 acknowledges that mitigation measure 4.3-7 addresses lighting for nighttime construction activities and operations within 50 feet of the outside edge of areas containing habitat for special-status species and that lighting shall be directed away from those areas. To supplement this mitigation measure, CDFW recommends reviewing additional feasible mitigation measures for potential inclusion 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.

Nesting birds: CDFW encourages that ground-disturbing activities occur during the bird non-nesting season; however, if ground-disturbing or vegetation-disturbing activities must occur during the nesting season (February 1st through September 15th), 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 Code sections as referenced above.

CDFW further recommends that a qualified biologist conduct a pre-construction survey for active nests no more than 10 days prior to the start of ground- or vegetation-disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the Project site to identify nests and determine their status. A sufficient area means any area potentially affected, either directly or indirectly, by the Project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. CDFW recommends that a qualified biologist establish a behavioral baseline of all identified nests. Once Project-specific activities begin, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the activities. If behavioral changes occur, CDFW recommends

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halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified 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 the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is a compelling biological or ecological reason to do so, such as when Project activities would be concealed from a nest site by topography. CDFW recommends that a qualified biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

CNDDDB: Please note that the CNDDDB is populated by records through voluntary submissions of species detections. As a result, species may be present in locations not depicted in the CNDDDB, but where there is suitable habitat and features capable of supporting species. A lack of an occurrence record in the CNDDDB does not mean a species is not present. In order to adequately assess any potential Project related impacts to biological resources, surveys conducted by a qualified biologist during the appropriate survey period(s) and using the appropriate protocol survey methodology are warranted in order to determine whether or not any special-status species are present at or near the Project site.

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-specific 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 the CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. 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 biological resources, 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

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approval to be 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 DEIR to assist Kern County in identifying and mitigating Project impacts on biological resources. A Mitigation Monitoring and Reporting Program (Attachment 1) is included below to assist Kern County with incorporating the recommended mitigation measures provided above.

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>). If you have any questions regarding this letter or further coordination, please contact Marile Colindres, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 974-3452, or by electronic mail at marile.colindres@wildlife.ca.gov.

Sincerely,

DocuSigned by:

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For Julie A. Vance
Regional Manager

ATTACHMENT 1: Mitigation Monitoring and Reporting Program

ec: State Clearinghouse
Governor's Office of Land Use and Climate Innovation
state.clearinghouse@lci.ca.gov

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U.S. Fish and Wildlife Service. 2011. Standard recommendations for the protection of the San Joaquin kit fox prior to or during ground disturbance. Sacramento, California, USA.

Attachment 1

Attachment 1

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

**PROJECT: Airport Commerce Center Industrial Project (Project)
Draft Environmental Impact Report (DEIR)**

SCH No.: 2025030498

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
<i>Before Disturbing Soil or Vegetation</i>	
Blunt-nosed leopard lizard (BNLL)	
Recommended Mitigation Measure 1: BNLL Surveys	
Recommended Mitigation Measure 2: BNLL Take Avoidance	
San Joaquin Kit Fox (SJKF)	
Recommended Mitigation Measure 4: SJKF Take Authorization	
Swainson's Hawk (SWHA)	
Recommended Mitigation Measure 5: SWHA Surveys Prior to Construction	
Recommended Mitigation Measure 7: SWHA Take Authorization	
Recommended Mitigation Measure 8: SWHA Foraging Habitat Mitigation	
Western Burrowing Owl (BUOW)	
Recommended Mitigation Measure 9: BUOW Take Authorization	
<i>During Construction</i>	
San Joaquin Kit Fox (SJKF)	

Recommended Mitigation Measure 3: SJKF Avoidance Buffer	
Swainson's Hawk (SWHA)	
Recommended Mitigation Measure 6: SWHA Avoidance Buffer	