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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

June 2, 2025

Steve Esselman, Planning Director
City of Shafter, Planning Department
336 Pacific Avenue
Shafter, California 93263
(661) 635-2910
sesselman@shafter.com

Subject: Wonderful Logistics Center West (WLC West Project)
State Clearinghouse No.: 2025041343
Lerdo Residential (Lerdo Residential Project)
State Clearinghouse No.: 2025041344
Notice of Preparation (NOP)

Dear Steve Esselman:

The California Department of Fish and Wildlife (CDFW) received a NOP from the City of Shafter, as Lead Agency, for the Wonderful Logistics Center (WLC) West and Lerdo Residential Projects (Projects) 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 Projects that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Projects 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

[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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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.

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, reasonably foreseeable future projects may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of reasonably foreseeable future projects 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.

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).

Additionally, specified types of infrastructure projects may be eligible for an Incidental Take Permit (ITP) for unavoidable impacts to fully protected species if certain conditions are met (see Fish & G. Code §2081.15). Project proponents should consult with CDFW early in the project planning process if an ITP may be pursued for the Projects.

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 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

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CEQA Guidelines (Cal. Code Regs., tit. 14, Chapter 3, § 15380), it should be fully considered in the environmental analysis for the Project.

Other Special-Status 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 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 Plan.

PROJECT DESCRIPTION SUMMARY

Proponent: City of Shafter

Objective:

Wonderful Logistics Center (WLC) West: The WLC West Project will develop a commerce center containing industrial, commercial, and alternative energy uses on approximately 1,308 acres. Off-site improvements will include public roadway improvements in and along existing right-of-way and upgrades of existing, and installation of new water, wastewater, storm drain, and dry utility lines and associated facilities.

Lerdo Residential: The Lerdo Residential Project will construct a master-planned community of up to 3,500 single-family and multi-family for-sale and for-rent homes and up to 150,000 square feet of supporting commercial uses on approximately 639 acres. Off-site improvements will include public roadway improvements in and along existing right-of-way and upgrades of existing, and installation of new, water, wastewater, storm drain, and dry utility lines and associated facilities.

Location:

Wonderful Logistics Center (WLC) West: The WLC West Project would be located at the northeast corner of 7th Standard and Cherry Avenue on Assessor Parcel Numbers (APNs) 090-252-01, 090-252-03, 091-252-03, 091-252-26, 091-252-34, and 091-253-10.

Lerdo Residential: The Lerdo Residential Project would be located at the northeast corner of the intersection of the intersection of Lerdo Highway and Cherry Avenue on APNs 089-090-030, 089-090-31, 089-090-19, 091-040-65, 091-040-64, 091-040-69, and 091-040-51.

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COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist the City of Shafter in adequately identifying and/or mitigating the Projects 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 CEQA document prepared for these Projects.

Aerial imagery and the NOP show that the Project sites have been in agricultural use as almond orchards for several decades. Both Project sites are primarily surrounded by agricultural orchards. The WLC West Project site is adjacent to industrial businesses on the west and east side. Additionally, the Lerdo Residential Project site is bisected by the Calloway Canal and bordered by the Friant/Kern Canal on the east, both canals are currently used for agricultural irrigation. Based on a review of the NOP, California Natural Diversity Database (CNDDB) records, and the surrounding habitat, the Project sites are within the geographic range of several special-status animal and plant species, including, but not limited to, the species identified in **Attachment 1** of this letter. These resources would need to be evaluated and addressed as part of the DEIR for these Projects and prior to any approvals that would allow ground-disturbing activities. CDFW also recommends that the DEIR analyze potential impacts to these species and provide mitigation measures that would reduce impacts to less than significant levels as needed for implementation of these projects.

Special-Status Species:

Tipton kangaroo rat

The Project site is within the known geographic range of Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*) (TKR). Suitable TKR habitat includes areas of grassland, upland scrub, and alkali sink habitats that contain requisite habitat elements, such as small mammal burrows. Based on a review of aerial imagery, lands adjacent to the Project site may contain habitat for TKR. In order to determine if TKR currently utilize the Project sites, CDFW recommends that a qualified biologist conduct a habitat assessment for TKR within the Project site and vicinity as part of the biological studies conducted in support of the DEIR. If suitable habitat is identified during these assessments, CDFW recommends that focused protocol-level live trapping surveys be conducted in areas of suitable habitat and that a trapping plan for determining presence of TKR be submitted to and approved by CDFW prior to subsequent trapping efforts. The trapping plan should also follow the U.S Fish and Wildlife Service (USFWS) (2013) “Survey Protocol for Determining Presence of San Joaquin Kangaroo Rats” survey protocol. If surveys indicate the presence or potential presence of TKR, consultation with the CDFW is recommended for guidance on the development of mitigation measures such as take avoidance, minimization, and mitigation. If take cannot be

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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.

Blunt-Nosed Leopard Lizard

The Project site is within the known geographic range of blunt-nosed leopard lizard (*Gambelia sila*) (BNLL) and several historical occurrences are noted within 10 miles of the Project site (CDFW 2025). Suitable BNLL habitat includes all areas of grassland and shrub habitat that contain required habitat elements, such as small mammal burrows and open areas for basking. BNLL are also known to utilize open space patches between suitable habitat features including disturbed sites and unpaved access roadways, and canals. Based on aerial imagery and the information provided in the NOP, portions of the Project sites and adjacent lands may contain suitable habitat for BNLL.

As BNLL may have the potential to occupy the Project site, CDFW recommends that a qualified biologist conduct a habitat assessment for BNLL within the Project site and vicinity as part of the biological studies conducted in support of the DEIR. If suitable habitat is identified during these assessments, CDFW recommends that a qualified biologist conduct protocol surveys in accordance with the "Approved Survey Methodology for the Blunt-nosed Leopard Lizard" (CDFW 2019) as part of the biological technical studies conducted in support of the DEIR. This survey protocol, designed to optimize BNLL detectability, reasonably assures CDFW that ground disturbance will not result in take of this fully protected species. If surveys indicate the presence or potential presence of BNLL, consultation with the CDFW is recommended to discuss how to implement ground-disturbing activities and avoid take.

San Joaquin Kit Fox

The Project sites are within the known geographic range of San Joaquin kit fox (*Vulpes macrotis mutica*) (SJKF) and the neighboring City of Bakersfield is home to a significant urban population of this federally endangered and State threatened species. There are also multiple recorded occurrences of SJKF in the Project vicinity (CDFW 2025). The urban population of SJKF has been recorded to utilize certain types of anthropogenically altered habitats (Cypher 2013), including foraging within agricultural lands (Warrick et al. 2007); (Cypher et al. 2005) . Additionally, SJKF 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). Therefore, as mitigation measures during construction, CDFW recommends thoroughly inspecting all construction materials or structures with sufficient spaces for SJKF, in

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addition to pipes and culvert-like structures, before these materials are used or moved in any way. To help 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.

To assess and minimize potential Project related impacts to SJKF dens, CDFW recommends that a qualified biologist assess the presence/absence of SJKF by conducting focused surveys to detect SJKF and their sign in all Project areas and a 500-foot buffer of Project areas as part of the biological studies conducted in support of the DEIR.

CDFW also recommends the DEIR include the following:

Recommended Mitigation Measure 1: SJKF Preconstruction Surveys

CDFW recommends assessing presence/absence of SJKF by conducting focused den surveys for the species prior to the initiation of Project ground disturbance activities. Specifically, CDFW recommends conducting these surveys over the entirety of the Project site no less than 14-days and no more than 30-days prior to beginning of ground and/or vegetation disturbing activities.

Recommended Mitigation Measure 2: 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" (2011) (USFWS Protocol) around potentially suitable or known SJKF den sites.

Recommended Mitigation Measure 3: 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 to implement the Project and avoid take. If take cannot be avoided, acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is required to comply with CESA.

Swainson's Hawk

Swainson's hawk (*Buteo swainsoni*) (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 (CDFG 1994). SWHA exhibit high nest-site fidelity year after year and lack of suitable habitat limits their local distribution and abundance (CDFW 2016). Power poles and any trees, even those of ornamental species and in association with homes and other structures in the Project vicinity may be utilized for perching and/or nesting. SWHA are known to travel up to 18

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miles to forage and are also attracted to ground disturbing activities such as disking because these activities make prey vulnerable by reducing cover (Estep 1989). Several CNDDB occurrences are known within the Project vicinity.

CDFW recommends surveys for SWHA be conducted as part of the biological technical studies conducted in support of the DEIR by a qualified biologist following the survey methods developed by the Swainson's Hawk Technical Advisory Committee (SWHA TAC 2000).

In addition to conducting SWHA surveys, CDFW recommends the DEIR include the following measures:

Recommended Mitigation Measure 4: 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, be repeated the survey season immediately prior to any ground disturbing activities that occur as part of this Project.

Recommended Mitigation Measure 5: 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 6: 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 7: 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

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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.

Tricolored Blackbird

The Project site is within the known geographic range of tricolored blackbird (*Agelaius tricolor*) TRBL) and historical and recent occurrences have been documented within approximately ten miles of the Project site (CDFW 2025). In the San Joaquin Valley, TRBL historically bred within the vicinity of fresh water, primarily in marshy areas and important sites for nesting colonies included heavy growths of cattails, tules, thistles, willows, blackberries, mustard, nettles, and salt cedar, Foraging typically occurred within flooded lands, grassy fields, and margins of ponds (Grinnel and Miller 1994). However, a large proportion of the San Joaquin Valley TRBL population now nests in agricultural grain fields (Weintraub et al., 2016). Based on aerial imagery, portions of the Project sites could provide potential foraging and nesting habitat to TRBL.

CDFW recommends that a qualified biologist conduct a habitat assessment for TRBL as part of the biological technical studies conducted in support of the DEIR. If potentially suitable habitat, including grain crops is identified, consultation with CDFW is recommended for guidance on focused survey methods and mitigation measures such avoidance, minimization, and mitigation. 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 Burrowing Owl

The California Fish and Game Commission named western burrowing owl (*Athene cunicularia* ssp. *hypugaea*) (BUOW) as a candidate for listing as a protected species under CESA on October 10, 2024. This action advanced the species to candidacy under CESA and as such BUOW now receives the same legal protection afforded to an endangered or threatened species (Fish & G. Code, §§ 2074.2 & 2085). It is illegal to import, export, take (hunt, pursue, catch, capture, or kill, or attempt engage in any of these activities), possess, purchase, or sell BUOW or any part or product thereof (Fish & G. Code, §§§ 86, 2080, 2085).

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The Project site is within the known geographic range of BUOW and there are multiple historic and recent occurrences located within ten miles of the Project site (CDFW 2025). BUOW inhabit open grasslands, agricultural lands, and desert scrublands containing small mammal burrows, a requisite habitat feature used by BUOW for nesting and cover. BUOW also commonly nest along canals, irrigation ditches, and other infrastructure. Based on aerial imagery the Project sites and adjacent lands may contain suitable habitat for BUOW nesting and foraging.

As BUOW are known to occur within the Project vicinity and suitable nesting and foraging habitat may be present within the Project site and adjacent lands, CDFW recommends assessing presence/absence of BUOW by having a qualified biologist conduct surveys following CDFW's "Staff Report on Burrowing Owl Mitigation" (CDFG 2012) as part of the biological studies conducted in support of the DEIR.

CDFW also recommends the DEIR include the following:

Recommended Mitigation Measure 8: BUOW Preconstruction Surveys

Depending on the time between the initial survey efforts conducted in support of the DEIR and Project construction, CDFW recommends that a qualified biologist conduct surveys for BUOW following the 2012 Staff Report on Burrowing Owl Mitigation (CDFG 2012) be conducted the survey season immediately prior to initiation of ground-disturbance activities.

Recommended Mitigation Measure 9: 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 10: 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.

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Crotch's Bumble Bee

The Project sites are within the range of Crotch's bumble bee (*Bombus crotchii*) (CBB). CBB was once common throughout most of central and southern California. However, it now appears to be absent from most of their range, especially in the central portion of its historic range within California's Central Valley (Hatfield et al. 2015). Analyses by the Xerces Society et al. (2018) suggest there have been sharp declines in relative abundance by 98% and persistence by 80% over the last ten years.

CDFW recommends a qualified biologist conduct a habitat assessment as part of the biological technical studies conducted in support of the CEQA document to determine if the Project site or its immediate vicinity contain habitat suitable to support CBB. 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), as part of the biological technical studies conducted in support of the DEIR. If surveys indicate the presence or potential presence of CBB, consultation with CDFW is recommended for guidance on the development of mitigation measures such as take avoidance, minimization, and mitigation. 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.

State Species of Special Concern

The Project is within the geographic range of species of special concern such as American badger (*Taxidea taxus*), Tulare grasshopper mouse (*Onychomys torridus tularensis*), Bakersfield legless lizard (*Anniella grinnelli*), California glossy snake (*Arizona elegans occidentalis*), northwestern pond turtle (*Actinemys marmorata*), western spadefoot (*Spea hammondii*), and coast horned lizard (*Phrynosoma blainvilli*), and suitable habitat may be present within the Project site.

CDFW recommends that a qualified biologist conduct a habitat assessment as part of the biological technical studies conducted in support of the DEIR, to determine if Project sites or their immediate vicinity contain potential habitat for the species mentioned above. If potential habitat is present, CDFW recommends that a qualified biologist conduct focused surveys for the applicable species and their requisite habitat features to evaluate potential impacts resulting from ground and vegetation disturbance.

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CDFW also recommends the DEIR include the following:

Recommended Mitigation Measure 11: Pre-construction Surveys

CDFW recommends that a qualified biologist conduct focused surveys for these species, using appropriate survey methodologies, immediately prior to any ground disturbing activities that may occur as part of the Project.

Recommended Mitigation Measure 12: Avoidance

Avoidance whenever possible is encouraged via delineation and observance of a 50-foot no-disturbance buffer around dens or burrows/refugia of these species. If these species are observed on the Project site, CDFW recommends that Project construction activities in their immediate vicinity cease, allowing individuals to leave the Project site on their own accord.

Editorial Comments and/or Suggestions

Nesting birds: CDFW encourages that Project 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 activities begin, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends 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

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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 the Project site 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.

Federally Listed Species: CDFW recommends consulting with the USFWS regarding potential impacts to federally listed species including, but not limited to Buena Vista Lake ornate shrew (*Sorex ornatus relictus*), TKR, SJKF, and BNLL. Take under the Federal Endangered Species Act (ESA) is more broadly defined than CESA; take under the ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS in order to comply with FESA is advised well in advance of any Project activities.

Lake and Streambed Alteration: According to the NOP, Google Earth, and other mapping resources, the Lerdo Residential Project site is bisected by the Calloway Canal and the Friant/Kern Canal runs along the Project's eastern boundary. Additional streams may also be present within the Project sites. Project activities that substantially change the bed, bank, and channel of any river, stream, or lake are subject to CDFW's regulatory authority pursuant 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 or intermittent as well as those that are perennial and may include those that are highly modified such as canals and retention basins.

CDFW is required to comply with CEQA in the issuance of a Lake or Streambed Alteration Agreement (LSAA); therefore, if the CEQA document 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 LSAA 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.

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Project Alternative Analysis: CDFW recommends that the information and results obtained from the biological technical surveys, studies, and analysis conducted in support of the Project's DEIR be used to develop and modify the Project's alternatives to avoid and minimize impacts to biological resources to the maximum extent possible. When efforts to avoid and minimize have been exhausted, remaining impacts to sensitive biological resources should be mitigated to reduce impacts to a less than significant level, if feasible.

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 sites, 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 should be analyzed using an acceptable methodology to evaluate the impacts of past, present, and reasonably foreseeable future projects on resources and should be focused specifically on the resource, not the project. An appropriate resource study area should be identified and utilized for this analysis. CDFW staff is available for consultation in support of cumulative impacts analyses as a trustee and responsible agency under CEQA.

CNDDB: Please note that the CNDDB is populated by records through voluntary submissions of species detections. As a result, species may be present in locations not depicted in the CNDDB but where there is suitable habitat and features capable of supporting species. A lack of an occurrence record, or lack of recent occurrence records, in the CNDDB 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 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 surveys to the CNDDB. The CNDDB field survey form can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Submitting-Data. The completed form can be mailed electronically to the CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to the CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

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FILING FEES

If it is determined that the Plan or subsequent projects have the potential to impact biological resources, 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).

CONCLUSION

CDFW appreciates the opportunity to comment on the NOP to assist the City of Shafter in identifying and mitigating Project impacts on biological resources. A Mitigation Monitoring and Reporting Program (Attachment 2) is included below to assist the City of Shafter 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:
Julie Vance
FA83F09FE08945A...

Julie A. Vance
Regional Manager

ATTACHMENTS

ec: State Clearinghouse
Governor's Office of Planning and Research
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Attachment 1

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
SPECIAL-STATUS SPECIES TABLE

PROJECT: Wonderful Logistics Center West (Project)
Lerdo Residential (Project)
SCH No.: 2025041343
2025041344

Common Name	Scientific Name	Status	
		State	Federal
Tipton kangaroo rat	*Dipodomys nitratoides nitratoides*	E	E
Blunt-nosed leopard lizard	*Gambelia sila*	E/FP	E
San Joaquin kit fox	*Vulpes macrotis mutica*	T	E
Swainson's hawk	*Buteo swainsoni*	T	None
Tricolored blackbird	*Agelaius tricolor*	T	None
Western burrowing owl	*Athene cunicularia hypugaea*	C	None
Crotch's bumble bee	*Bombus crotchii*	C	None
American badger	*Taxidea taxus*	SSC	None
Buena Vista Lake ornate shrew	*Sorex ornatus relictus*	SSC	E
Tulare grasshopper mouse	*Onychomys torridus tularensis*	SSC	None
Bakersfield legless lizard	*Anniella grinnelli*	SSC	None
California glossy snake	*Arizona elegans occidentalis*	SSC	None
Coast horned lizard	*Phrynosoma blainvillii*	SSC	None
Northwestern pond turtle	*Actinemys marmorata*	SSC	PT
Western spadefoot	*Spea hammondii*	SSC	PT

E= Endangered, T=Threatened, C= Candidate for listing as Threatened and/or Endangered, SSC= Species of Special Concern, FP= Fully Protected, PT=Proposed Threatened

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Attachment 2

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

PROJECT: Wonderful Logistics Center West (Project)
Lerdo Residential (Project)
Notice of Preparation (NOP)
SCH No.: 2025041343
2025041344

RECOMMENDED MITIGATION MEASURE	**STATUS/DATE/INITIALS**
Before Disturbing Soil or Vegetation	
San Joaquin Kit Fox (SJKF)	
Recommended Mitigation Measure 1: SJKF Preconstruction Surveys	
Recommended Mitigation Measure 3: SJKF Take Authorization	
Swainson's Hawk (SWHA)	
Recommended Mitigation Measure 4: SWHA Surveys Prior to Construction	
Recommended Mitigation Measure 6: SWHA Take Authorization	
Recommended Mitigation Measure 7: SWHA Foraging Habitat Mitigation	
Western Burrowing Owl (BUOW)	
Recommended Mitigation Measure 8: BUOW Preconstruction Surveys	
Recommended Mitigation Measure 10: BUOW Take Authorization	
State Species of Special Concern	
Recommended Mitigation Measure 11: Preconstruction Surveys	
During Construction	
San Joaquin Kit Fox (SJKF)	
Recommended Mitigation Measure 2:	

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SJKF Avoidance Buffer	
Swainson's Hawk (SWHA)	
Recommended Mitigation Measure 5: SWHA Avoidance Buffer	
Western Burrowing Owl (BUOW)	
Recommended Mitigation Measure 9: BUOW Avoidance Buffer	
State Species of Special Concern	
Recommended Mitigation Measure 12: Avoidance	