



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



October 8, 2025

Will Tackett, Director of Community Development
City of Madera
428 East Yosemite Avenue
Madera, California 93638
(559) 661-3688
wtackett@madera.gov

**Subject: Northeast Water Storage Tank, Booster Pump Station, and
Transmission Main Project (Project)
Initial Study/Mitigated Negative Declaration (MND)
State Clearinghouse No.: 2025090413**

Dear Will Tackett:

The California Department of Fish and Wildlife (CDFW) received an MND from the City of Madera (City) 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 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

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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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.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

Nesting Birds: CDFW has jurisdiction over actions with the potential to result in the disturbance or destruction of active nest sites or unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs, or 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: City of Madera

Objective: The Project proposes water supply construction and associated distribution infrastructure and facilities to meet the City's water demand and fire protection. The initial phase includes the construction of one 2.5-million-gallon (mg) water storage tank, a booster pump station, and installation of related facilities and improvements on an approximately 2.89 acre property located on the west side of North Lake Street between Martin and Ellis Streets in an unincorporated area of Madera County. The Project will also include the installation of a 13,200 linear-foot 24-inch pipeline that will connect to the proposed water storage tank to an existing City-owned water well site. The pipeline route will follow the existing right-of-way (ROW) south along Lake Street, west along Ellis Street, and northwest along Sharon Boulevard. Additional phases will also include the installation of an additional 2.5-mg water storage tank and possible replacement of existing facilities, pumps, and equipment on the property located on the west side of North Lake Street.

Location: The Project site is located in the City of Madera Sphere of Influence in Madera County, generally bounded by Lake Street to the east, Ellis Street to the south, and Martin Street to the north. The proposed water tanks and other infrastructure will be located on a parcel on North Lake Street, Assessor's Parcel Number (APN) 038-030-031. The pipeline route will follow the ROW south along Lake Street, west along Ellis

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Street, and northwest along Sharon Boulevard. This pipeline will connect to an existing water well site located on a parcel on Sharon Boulevard, APN 013-280-001.

COMMENTS AND RECOMMENDATIONS

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

The MND notes the Project vicinity is a combination of residential, commercial development, undeveloped lots, and agriculture lands. The Project site consists of previously tilled parcels, undeveloped parcels surrounded by residential development and undeveloped pastures, and non-native grassland with residences within an urban setting with ornamental trees, plants, grass lawns, and ruderal habitats. The Project site also intersects a canal, operated by the Madera Irrigation District, just west of Road 26 and Ellis Street.

Currently, the MND acknowledges that the Project site 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 of these measures to reduce impacts to less than significant and avoid unauthorized take for special-status animal species, including but not limited to: the State threatened Swainson's hawk (*Buteo swainsoni*); the State and federally threatened California tiger salamander - Central California Distinct Population Segment (DPS) (*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 American badger (*Taxidea taxus*); the State species of special concern and federally proposed threatened western spadefoot (*Spea hammondi*); and the State special animal and federally threatened vernal pool fairy shrimp (*Branchinecta lynchi*).

Swainson's Hawk

The MND notes that suitable Swainson's hawk (SWHA) nesting and foraging habitat occurs within the Project site, and that one adult SWHA was observed within the BSA, however no SWHA nest was located in the vicinity. Conservation measure (CM) BIO-4 requires protocol surveys within ½ mile of construction activities during the nesting season (March 1-August 30). CDFW concurs with this approach but recommends extending the latter date to September 15th to avoid potentially significant impacts. CM BIO-4 also states that Project-related activities with the potential to cause nest abandonment will be avoided, but if Project activities cause nest abandonment within the ½ mile buffer zone, the Project developer/contractor is required to fund the controlled release of captive-reared young. CDFW doesn't concur with these methods

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as they would result in unauthorized take of a CESA listed species. CDFW concurs with necessary coordination with CDFW and recommends the following measures:

Recommended Mitigation Measure 1: 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 2: 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 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 known geographic range of California tiger salamander (CTS) and several historical occurrences are documented within 1 mile from the Project site (CDFW 2025). The MND states that CTS have no potential to occur on the Project site due to an absence of suitable habitat being identified during surveys, and thus no mitigation measures were proposed to mitigate for potential Project-related impacts. CDFW does not concur with this determination, as CTS breed and develop in vernal and seasonal pools, stock ponds, pooled ditches, and other inundated features in agricultural, grassland, woodland, and scrub habitat types and have been determined to be physiologically capable of dispersing up to approximately 1.3-miles from seasonally flooded wetlands (Searcy and Shaffer 2011).

The MND states that “The National Hydrography Dataset (NHD) and National Wetlands Inventory (NWI) datasets show one historical water feature that intersects the Biological Study Area (BSA) west of Road 26 along the pipeline route”, also “The NHD identified the feature as a canal ditch, and NWI identified the feature as a riverine feature.” Additionally, based on aerial imagery, it appears that periodic inundation occurs within the canal ditch and required CTS habitat of upland refugia is present adjacent to the canal ditch and potentially suitable seasonally flooded wetlands or pools are located within 1.3-miles from the Project site. The MND describes Project construction activities where the canal crossing will be completed via trenchless bore and jack construction within potential CTS habitat. Also, the MND describes small mammal burrows that were

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found within the Project site that could be utilized by CTS. As suitable habitat appears to be present within and adjacent to the Project site, and CTS have been documented within the Project vicinity, CDFW recommends the following:

Recommended Mitigation Measure 3: CTS Protocol Surveys

CDFW recommends that a qualified biologist conduct protocol-level surveys in accordance with the United States 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 and USFWS 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 site 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 4: CTS Avoidance Buffer

If CTS protocol-level surveys 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 no-disturbance buffers are intended to minimize impacts to CTS habitat and avoid take of individuals. Alternatively, the applicant can assume presence of CTS within the Project site and obtain an ITP in accordance with Fish and Game Code section 2081(b).

Recommended Mitigation Measure 5: 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 Project site is within the known geographic range of western burrowing owl (BUOW) and there are historical occurrences documented within a ½ mile of the Project site (CDFW 2025). The MND states that BUOW have no potential to occur on the

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Project site due to no suitable habitat as the site is highly disturbed, and no mitigation measures were proposed to mitigate for potential Project-related impacts. CDFW does not concur; in addition to natural habitats, BUOW are known to utilize agricultural areas and have been documented breeding and foraging along canal banks and roadways within agricultural settings. Aerial imagery shows potential habitat at the future water tank location and in various sections along Ellis Street. Additionally, the MND describes small mammal burrows that were found within the Project site that could be utilized by BUOW. As suitable habitat appears to be present within the Project site, and BUOW have been documented within the Project vicinity, CDFW recommends that a qualified biologist conduct surveys following the 2012 Staff Report on Burrowing Owl Mitigation (CDFG 2012), and that these surveys be conducted the survey season immediately prior to construction. CDFW also recommends the following:

Recommended Mitigation Measure 6: 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 7: 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 a historical occurrence was documented within 1.5-miles from the Project site (CDFW 2025). CBB are known to inhabit a variety of habitats, including grasslands, scrublands, areas with bare ground including vacant lots, dirt roads, and levees (Xerces Society et al. 2018). Based on aerial imagery, potential CBB habitat appears to be present within the Project site and the MND describes small mammal burrows that were found within the Project site that could be utilized by CBB. The MND does not include an evaluation for CBB and no mitigation measures were proposed for potential Project-related impacts to the species. As there is potential CBB habitat within the Project site and CBB have been documented within the Project vicinity, CDFW recommends a qualified biologist conduct a habitat assessment to determine if the Project site and the 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,

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and old bird nests would need to be documented as part of the assessment. If it is determined that suitable CBB habitat is present, CDFW recommends the following mitigation measures:

Recommended Mitigation Measure 8: CBB Focused 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) to detect bees and potential nesting sites.

Recommended Mitigation Measure 9: CBB Avoidance Buffer

If CBB is detected, 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 10: 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.

American Badger

The Project site is within the known geographic range of American badger (AMBA) and a historical occurrence was documented approximately 8 miles from the Project site (CDFW 2025). The MND states that AMBA have no potential to occur on the Project site due to no suitable habitat being identified during surveys; thus no mitigation measures were proposed to mitigate for potential Project-related impacts. CDFW does not concur with this determination as AMBA occupy sparsely vegetated land cover with dry, friable soils to excavate dens, which they use for cover, and that support fossorial rodent prey populations (i.e., ground squirrels, pocket gophers, etc.) (Zeiner et. Al 1990). Based on aerial imagery the Project site contains suitable habitat for AMBA denning and foraging. In addition, the MND describes small mammal burrows that were found within the Project site that could be utilized by AMBA. As suitable habitat appears to be present within the Project site, and AMBA have been documented within the Project vicinity, CDFW recommends the following mitigation measures:

Recommended Mitigation Measure 11: AMBA Focused Surveys

CDFW recommends that a qualified biologist conduct focused surveys for AMBA, as well as their requisite habitat features, to evaluate potential impacts resulting from ground disturbance.

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Recommended Mitigation Measure 12: AMBA Avoidance Buffer

Avoidance whenever possible is encouraged via delineation and a 50-foot no disturbance buffer around burrows. CDFW also advises that any individuals observed be allowed to leave the Project site of their own volition.

Western Spadefoot

The Project site is within the geographic range of western spadefoot (WESP) and there are several historical occurrences documented within 1 mile from the Project site (CDFW 2025). The MND states that WESP have no potential to occur on the Project site due to no suitable habitat being identified during surveys; thus no mitigation measures were proposed to mitigate for potential Project-related impacts. CDFW does not concur as WESP occurs primarily in grasslands and seasonal wetlands with appropriate upland habitat and have also been found in agricultural settings. The MND states that “The National Hydrography Dataset (NHD) and National Wetlands Inventory (NWI) datasets show one historical water feature that intersects the Biological Study Area (BSA) west of Road 26 along the pipeline route”, also “The NHD identified the feature as a canal ditch, and NWI identified the feature as a riverine feature.” Additionally, based on aerial imagery, it appears that periodical inundation occurs within the canal ditch and required WESP upland habitat is present adjacent to the canal ditch. The MND describes Project construction activities where the canal crossing will be completed via trenchless bore and jack construction within WESP habitat. As suitable habitat appears to be present within and adjacent to the Project site and WESP have been documented within the Project vicinity, CDFW recommends the following mitigation measures:

Recommended Mitigation Measure 13: WESP Focused Surveys

Prior to initiation of the Project, CDFW recommends that a qualified biologist conduct focused surveys for WESP and their requisite habitat.

Recommended Mitigation Measure 14: WESP Avoidance Buffer

If burrows, cracks, loose soil areas or other refugia are found to be used by WESP during focused surveys, avoidance is encouraged via delineation and observance of a 50-foot no-disturbance buffer around these resources. If WESP are observed on the Project site, Project activities in their immediate vicinity cease, allowing individuals to leave the Project site on their own accord.

Please note that the California Fish and Game Commission has received a petition to list Western spadefoot pursuant to CESA. If Western spadefoot becomes a Candidate species, it would receive the same legal protection afforded to an endangered or threatened species (Fish & G. Code, §§ 2074.2 & 2085). In the event Western spadefoot becomes a Candidate prior to project construction or completion of construction, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the

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acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b), would be necessary to comply with CESA.

Vernal Pool Fairy Shrimp

The Project site is within the geographic range of vernal pool fairy shrimp (VPFS) and there are several historical occurrences documented within 1.5-miles from the Project site (CDFW 2025). The MND states that VPFS have no potential to occur on the Project site due to no suitable habitat, including vernal pools, were identified during the survey that could support the species, and no mitigation measures were proposed to mitigate for potential Project-related impacts. CDFW does not concur as VPFS are known to breed and develop in aquatic habitats and inundated road-ruts in both grassland and agricultural habitats. Also, the MND states that “The National Hydrography Dataset (NHD) and National Wetlands Inventory (NWI) datasets show one historical water feature that intersects the Biological Study Area (BSA) west of Road 26 along the pipeline route”, and “The NHD identified the feature as a canal ditch...” Aerial imagery shows the canal ditch to be intermittently inundated with water providing potential habitat for VPFS. The MND describes Project construction activities where the canal crossing will be completed via trenchless bore and jack construction within potential VPFS habitat. Additionally, potentially suitable seasonally inundated depressions, wetlands, or pools are located within 1.5-miles from the Project site providing potential habitat for VPFS. As potential suitable habitat appears to be present within and adjacent to the Project site and VPFS have been documented within the Project vicinity, CDFW recommends the following:

Recommended Mitigation Measure 15: VPFS 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 would need to be conducted at the appropriate time of year to determine the existence and extent of branchiopods. Surveys are dependent upon sufficient rainfall to complete, therefore if a single wet season is determined to be unreliable, then the next wet season with sufficient rainfall may be needed to complete survey requirements. 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 and minimization measures including adequate implementation of no-disturbance buffers.

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Special-Status Plants

CDFW recommends that the Project site be surveyed for special-status plants by a qualified botanist following the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018). This protocol, which is intended to maximize detectability, includes identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. Please note that adverse conditions from yearly weather patterns may prevent botanical field surveyors from determining the presence of, or accurately identifying, some special status plants in the surveyed area. Disease, drought, predation, fire, herbivory, or other disturbance may also preclude presence or identification of special status plants in any given year. Visiting the survey site in more than one year increases the likelihood of detection. If special-status plants are identified during surveys, consultation with CDFW is recommended for guidance on mitigation measures such as avoidance, minimization, and mitigation. If State endangered, threatened, or rare plants are identified during special status plant surveys and take cannot be avoided, then to ensure compliance with CESA and the Native Plant Protection Act (NPPA), consultation with CDFW for acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) and/or California Code of Regulations, Title 14, section 786.9, subdivision (b), is necessary to comply with CESA and the NPPA.

Editorial Comments and/or Suggestions

Nesting Birds: To protect nesting birds, CDFW recommends that Project ground-disturbing and vegetation-disturbing activities occur during the bird non-nesting season; however, if ground-disturbing or vegetation-disturbing activities must occur during the nesting season (February 1 through September 15), 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.

If the nesting season cannot be avoided, CDFW 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

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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 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.

Lake and Streambed Alteration: The MND states the possibility the Project could disturb the bed or bank of the canal west of Road 26 and permits might be required. CDFW concurs as Project activities that will substantially change or use any material from 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 or dispose of 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 prior to issuance of a Lake or Streambed Alteration Agreement; 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 Lake or Streambed Alteration 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.

CNDDDB Positive Submission of Data: Please note that the California Natural Diversity Database (CNDDDB) is populated by and records 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 wildlife biologist/botanist during the appropriate survey period(s) and using the appropriate protocol survey methodology are warranted to

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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 CNDDDB. The CNDDDB field survey form can be filled out and submitted online at the following link: <https://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 CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

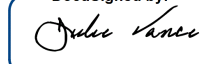
FILING FEES

The Project, as proposed, could have an impact on fish and/or wildlife, and assessment of environmental document 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 environmental document filing 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 MND to assist the City in identifying and mitigating Project impacts on biological resources. A Mitigation and Monitoring Program (MMRP) (Attachment 1) is included to assist the City with incorporating the recommended mitigation measures provided above. Questions regarding this letter or further coordination should be directed to John Riedel, Environmental Scientist, at (559) 807-1453 or John.Riedel@wildlife.ca.gov.

Sincerely,

DocuSigned by:

FA83F09FE08945A...
Julie A. Vance
Regional Manager

Attachment (MMRP)

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cc: State Clearinghouse
Land Use and Climate Innovation
state.clearinghouse@lci.ca.gov

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California Department of Fish and Wildlife

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Attachment 1

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

**PROJECT: Northeast Water Storage Tank, Booster Pump Station, and
Transmission Main Project**

SCH No.: 2025090413

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
<i>Before Disturbing Soil or Vegetation</i>	
Swainson's Hawk (SWHA)	
Recommended Mitigation Measure 2: SWHA take authorization	
California Tiger Salamander (CTS)	
Recommended Mitigation Measure 3: CTS protocol surveys	
Recommended Mitigation Measure 5: CTS take authorization	
Western Burrowing Owl (BUOW)	
Recommended Mitigation Measure 7: BUOW take authorization	
Crotch's Bumble Bee (CBB)	
Recommended Mitigation Measure 8: CBB focused surveys	
Recommended Mitigation Measure 10: CBB take authorization	
American Badger (AMBA)	
Recommended Mitigation Measure 11: AMBA focused surveys	
Western Spadefoot (WESP)	
Recommended Mitigation Measure 13: WESP focused surveys	
Vernal Pool Fairy Shrimp (VPFS)	
Recommended Mitigation Measure 15: VPFS surveys and consultation	
<i>During Construction</i>	

Swainson's Hawk (SWHA)	
Recommended Mitigation Measure 1: SWHA avoidance buffer	
California Tiger Salamander (CTS)	
Recommended Mitigation Measure 4: CTS avoidance buffer	
Western Burrowing Owl (BUOW)	
Recommended Mitigation Measure 6: BUOW avoidance buffer	
Crotch's Bumble Bee (CBB)	
Recommended Mitigation Measure 9: CBB avoidance buffer	
American Badger (AMBA)	
Recommended Mitigation Measure 12: AMBA avoidance buffer	
Western Spadefoot (WESP)	
Recommended Mitigation Measure 14: WESP avoidance buffer	