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February 6, 2026

Steve Esselman, Planning Director
City of Shafter, Planning Department
336 Pacific Avenue
Shafter, California 93263
(661) 746-5002
sesselman@shafter.com

**Subject: Ranch 12 Industrial Park (Project)
Notice of Preparation (NOP)
State Clearinghouse No.: 2025121064**

Dear Steve Esselman:

The California Department of Fish and Wildlife (CDFW) received an NOP from the City of Shafter, 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.

Steve Esselman, Planning Director
City of Shafter
February 6, 2026
Page 2

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.

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 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: Merced Avenue, LLC

Objective: The Project proposes to construct a master-planned logistics center intended to support up to 11.7 million square feet of industrial uses including, but not limited to, distribution, fulfillment, cold storage warehouses, and manufacturing. The Project also includes 11.5 acres of commercial retail support. Off-site improvements associated with the Project would include public roadway improvements in and along existing rights-of-way and upgrades of existing, and installation of new water, wastewater, and dry utility lines and associated facilities.

Location: The Project site is located on approximately 786.2-gross-acres in the northeast portion of the City of Shafter. The Project is located west of State Route 99 and the Union Pacific Railroad, bisected by Merced Avenue, North of Minter Airfield and Lerdo Highway, and east of the Lerdo Canal. The Project is located within the following Assessor's Parcel Numbers: 091-040-06, -08, -14, -22, -25, -33, -88, 073-270-08, -10, -12, -17, 073-280-02, -05, -07, -08, -09, -12, -13, and -19.

Steve Esselman, Planning Director
City of Shafter
February 6, 2026
Page 3

COMMENTS AND RECOMMENDATIONS

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

Special-status Species

Aerial imagery of the Project site and the NOP note that the majority of Project site has been utilized for agricultural production for several decades with an approximately 40-acre area used as a private residential and agricultural equipment retailer/repair business. The Project site is bordered by Lerdo Canal on west and south portions; Highway 99 and Union Pacific Railroad to the east; and agricultural orchards to the north. Several small ponding basins are located throughout the Project site. Based on a review of the NOP, California Natural Diversity Database (CNDDDB) records, and aerial imagery, the Project site is within the geographic range of several special-status animal 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 this Project 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 the Project.

To adequately assess potential Project related impacts to biological resources in the DEIR, CDFW recommends that a qualified biologist perform relevant database reviews and other research of the Project area, then conduct focused habitat assessments and/or focused biological surveys during the appropriate survey period(s) in order to determine whether any special-status species may be present within the Project site. CDFW recommends this initial work be documented and used to inform further efforts that may be needed thereafter including the need for additional protocol surveys and/or the development of avoidance, minimization, and/or mitigation measures. This information and analysis may then be used to consider the development of modified or new Project alternatives to avoid and minimize potentially significant environmental impacts on the biological environment. This information is critical to make an informed decision during the CEQA process and to ensure Project compliance with CESA, Fish and Game code, and other applicable State and federal laws and regulations.

San Joaquin Kit Fox

Based on aerial imagery, the Project site, the adjacent Minter Field, and the vacant parcels surrounding the Project, may contain suitable habitat for San Joaquin Kit Fox (*Vulpes macrotis mutica*; SJKF) foraging. The Project site is within the known

Steve Esselman, Planning Director
City of Shafter
February 6, 2026
Page 4

geographic range of SJKF and there are multiple recent and historical occurrences in the Project vicinity (CDFW 2026). Additionally, the City of Bakersfield is home to a significant population of urban SJKF that are known to utilize anthropogenically altered habitats (Cypher 2013), including foraging within agricultural lands (Cypher et al. 2005, Warrick et al. 2007). 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, CDFW recommends the DEIR include measures that require construction personnel to thoroughly inspect all construction materials or structures with sufficient spaces for SJKF, in addition to pipes and culvert-like structures, before these materials are used or moved in any way. 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. Additionally, CDFW recommends a qualified biologist conduct on-site worker awareness training and inspect all construction materials for SJKF before use. Any pits or trenches created should be sloped or covered to prevent inadvertent capture or entrapment (take).

CDFW also recommends the DEIR include the following:

Recommended Mitigation Measure 1: SJKF Pre-construction Surveys

CDFW recommends assessing presence/absence of denning 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, CDFW recommends the Project proponent pursue take authorization through the

Steve Esselman, Planning Director
City of Shafter
February 6, 2026
Page 5

acquisition of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081, subdivision (b) 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). There are several recent occurrences of mating and nesting pairs noted within ten (10) miles of the Project site (CDFW 2026). SWHA exhibit high nest-site fidelity year after year, and lack of suitable habitat limits their local distribution and abundance (CDFW 2016). Additionally, SWHA are known to travel up to 18 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).

As the Project is within the range of SWHA, there are multiple nearby occurrences, and the Project provides suitable foraging and nesting habitat, CDFW recommends that a qualified biologist conduct surveys for SWHA as part of the biological technical studies conducted in support of the DEIR following the survey methods developed by the Swainson's Hawk Technical Advisory Committee (SWHA TAC 2000).

In addition to conducting SWHA focused 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 (SWHA TAC 200), 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.

Steve Esselman, Planning Director
City of Shafter
February 6, 2026
Page 6

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.

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 2026). 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 occurs 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 site and immediate vicinity 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 nesting habitat 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 (FGC) approved Western burrowing owl (*Athene cunicularia hypugaea*; BUOW) as a candidate for potential listing as a protected species under CESA on October 10, 2024, and published these findings in the California Regulatory Notice Register (Notice Register) on October 25, 2024. As such, BUOW is now a candidate under CESA and receives the same legal protection afforded to an endangered or threatened species (Fish & G. Code, §§ 2074.2 & 2085).

The Project site is within the known geographic range of BUOW and there are multiple historic and recent occurrences located within ten (10) miles of the Project site (CDFW 2026). BUOW inhabit open grasslands and desert scrublands containing small mammal burrows, a requisite habitat feature used by BUOW for nesting and cover, but are also known to utilize agricultural settings, nesting within and adjacent to agricultural canals,

Steve Esselman, Planning Director
City of Shafter
February 6, 2026
Page 7

basins, and roadways. Based on aerial imagery, the Project site and adjacent lands contain suitable habitat for BUOW nesting and foraging.

As BUOW are known to occur within the Project vicinity and suitable nesting and foraging habitat is present within the Project site, CDFW recommends that a qualified biologist conduct surveys for BUOW as part of the biological technical studies conducted in support of the DEIR following the 2012 Staff Report on Burrowing Owl Mitigation (2012 Staff Report) (CDFG 2012).

CDFW also recommends the DEIR include the following:

Recommended Mitigation Measure 7: BUOW Pre-construction Surveys

CDFW recommends that focused surveys, following the 2012 Staff Report (CDFG 2012), be conducted the survey season immediately prior to construction within areas of suitable habitat. Please note that the 2012 Staff Report necessitates multiple surveys prior to the initiation of construction.

Recommended Mitigation Measure 8: BUOW Avoidance Buffer

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

Recommended Mitigation Measure 9: BUOW Take Authorization

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

Crotch's Bumble Bee

The Project site is within the known geographical range of Crotch's bumble bee (*Bombus crotchii*; CBB), and several occurrences, recent and historical have been documented within ten (10) miles of the Project site (CDFW 2026). CBB are known to inhabit areas of grasslands and scrub that contain requisite habitat elements for nesting, such as small mammal burrows and bunch/thatched grasses, and these habitat elements may be present within the Project site and Project vicinity.

Steve Esselman, Planning Director
City of Shafter
February 6, 2026
Page 8

As the Project site is within the known range of CBB and suitable nesting and foraging habitat may be present within the Project site and vicinity, CDFW recommends a qualified biologist conduct a habitat assessment to determine if the Project site and the immediate surrounding vicinity contain habitat suitable to support CBB. Potential nesting sites, which include all small mammal burrows, perennial bunch grasses, thatched annual grasses, brush piles, old bird nests, dead trees, and hollow logs would need to be documented as part of the assessment. Additionally, 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). If potentially suitable habitat is identified, consultation with CDFW is recommended for guidance on 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.

State Species of Special Concern

The Project is within the geographic range of species of special concern such as American badger (*Taxidea taxus*), northwestern pond turtle (*Actinemys marmorata*), and western spadefoot (*Spea hammondi*; WESP), 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 the Project site or the immediate vicinity contains potential habitat for the species mentioned above. If potential habitat is present, consultation with CDFW is recommended for guidance on focused survey methods and mitigation measures such avoidance, minimization, and mitigation.

Editorial Comments and/or Suggestions

Lake and Streambed Alteration: Based on a review of aerial imagery, the Project is adjacent to the Lerdo Canal. 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.

Steve Esselman, Planning Director
City of Shafter
February 6, 2026
Page 9

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.

Wildlife Connectivity: The Project and vicinity supports significant biological resources and contains habitat connections and supports movement across the broader landscape, sustaining both transitory and permanent wildlife populations. The Project, as proposed, may have the potential to impact wildlife movement and habitat connectivity, specifically for SJKF, as the agricultural lands within and surrounding the Project site facilitate movement between the urban Bakersfield SJKF population and other satellite and core populations within the species range, including the population located within the Kern National Wildlife Refuge area (USFWS 1998). It is imperative that this essential linkage be maintained to allow for movement of SJKF between these blocks of land (USFWS 1998) to maintain genetic diversity of the species, promote population-level conservation and connectivity, and implement the measures outlined in the species recovery plan to recover the species (USFWS 1998). Recognizing the importance of this area for SJKF connectivity, the California High Speed Rail (HSR) Project alignment, located west of the Project site, incorporated dedicated wildlife crossings (DWC) within the HSR guideway embankment at a frequency of three DWCs per mile. These DWCs span several miles of the HSR alignment and have been carefully sited with assistance from CDFW, USFWS, and regional wildlife experts to allow for terrestrial movement for SJKF.

As the Project site is located within an essential linkage for SJKF and may impact connectivity and movement of the species, CDFW recommends the Project include a robust analysis on wildlife connectivity impacts within the DEIR and incorporate measures to enhance and facilitate movement through the Project for SJKF, such as incorporating corridors within certain portions of the Project site, as well as considering modifications to siting, size, or configuration of building envelopes. The Project should also be designed to facilitate unimpeded movement between the Bakersfield urban SJKF population, the Project site, and the DWC's incorporated within the nearby HSR alignment (e.g., modify building envelopes or incorporate wildlife corridors to facilitate movement through the HSR DWCs).

Cumulative Impacts: CDFW recommends that a cumulative impact analysis be conducted for all biological resources that will either be significantly or potentially significantly impacted by implementation of the Project, including those whose impacts are determined to be less than significant with mitigation incorporated or for those resources that are rare or in poor or declining health and will be impacted by the project, even if those impacts are relatively small (i.e., less than significant). CDFW

Steve Esselman, Planning Director
City of Shafter
February 6, 2026
Page 10

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

Project Alternatives 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, CDFW advises that remaining impacts to sensitive biological resources be mitigated to reduce impacts to a less than significant level, if feasible.

Western Spadefoot: 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, 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.

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.

Steve Esselman, Planning Director
City of Shafter
February 6, 2026
Page 11

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.

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

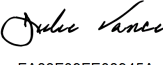
Steve Esselman, Planning Director
City of Shafter
February 6, 2026
Page 12

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:

FA83F09FE08945A...

Julie A. Vance
Regional Manager

ATTACHMENT 1: Special-Status Species Table

ATTACHMENT 2: Mitigation Monitoring and Reporting Program

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

Steve Esselman, Planning Director
City of Shafter
February 6, 2026
Page 13

REFERENCES

- California Department of Fish and Game. 1994. Staff report regarding mitigation for impacts to Swainson's hawks (*Buteo Swainsoni*) in the Central Valley of California. California Department of Fish and Game, Sacramento, California, USA.
- California Department of Fish and Game. 2012. Staff report on burrowing owl mitigation. California Department of Fish and Game, Sacramento, California, USA.
- California Department of Fish and Wildlife. 2016. Five-year status review for Swainson's Hawk (*Buteo swainsoni*). California Department of Fish and Wildlife, Sacramento, California, USA.
- California Department of Fish and Wildlife. 2023. Survey considerations for California Endangered Species Act candidate bumble bee species. California Department of Fish and Wildlife, Sacramento, California, USA.
- California Department of Fish and Wildlife. 2026. Biogeographic information and observation system (BIOS). <https://wildlife.ca.gov/Data/BIOS>. Accessed 20 January 2026.
- Cypher, B., P. Kelly, D. Williams, H. Clark, A. Brown, and S. Phillips. 2005. Foxes in farmland: recovery of the endangered San Joaquin kit fox on private lands in California. Final Report Submitted to the National Fish and Wildlife Foundation, Project Number 2000-0129-012.
- Cypher, B., S. Phillips, and P. Kelly. 2013. Quantity and distribution of suitable habitat for endangered San Joaquin kit foxes: conservation implications. *Canid Biology and Conservation* 16(7): 25-31.
- Cypher B., E. Noel, E. Kelly, T. Westall, N. Deatherage, and A. Gabaldon. 2023. Response of San Joaquin kit foxes to road construction sites. California State University-Stanislaus – Endangered Species Recovery Program, Turlock, California, USA.
- Estep, J. A. 1989. Biology, movements, and habitat relationships of the Swainson's hawk in the Central Valley of California 1986-1987. State of California, The Resources Agency, Department of Fish and Game, Wildlife Management Division.
- Grinnell, J. and A. Miller. 1994. The distribution of the birds of California. *Pacific Coast Avifauna* 27.

Steve Esselman, Planning Director
City of Shafter
February 6, 2026
Page 14

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

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

Warrick, G., H. Clark, P. Kelly, D. Williams, and B. Cypher. 2007. Use of agricultural lands by San Joaquin kit foxes. *Western North American Naturalist* 67(2): 270-277.

Weintraub, K., T. George, and S. Dinsmore. 2016. Nest survival of tricolored blackbirds in California's Central Valley. *The Condor* 118: 850-861.

Attachment 1

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE SPECIAL-STATUS SPECIES TABLE

**PROJECT: Ranch 12 Industrial Park (Project)
Notice of Preparation (NOP)
SCH No.: 2025121064**

Common Name	Scientific Name	Status	
		State	Federal
San Joaquin kit fox	<i>Vulpes macrotis mutica</i>	T	E
Swainson's hawk	<i>Buteo swainsoni</i>	T	None
Tricolored blackbird	<i>Agelaius tricolor</i>	T	None
Western burrowing owl	<i>Athene cunicularia hypugaea</i>	C	None
Crotch's bumble bee	<i>Bombus crotchii</i>	C	None
American badger	<i>Taxidea taxus</i>	SSC	None
Northwestern pond turtle	<i>Actinemys marmorata</i>	SSC	PT
Western spadefoot	<i>Spea hammondi</i>	SSC	PT

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

Attachment 2

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

**PROJECT: Ranch 12 Industrial Park (Project)
Notice of Preparation (NOP)
SCH No.: 2025121064**

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
<i>Before Disturbing Soil or Vegetation</i>	
San Joaquin Kit Fox (SJKF)	
Recommended Mitigation Measure 1: SJKF Pre-construction 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	
Western Burrowing Owl (BUOW)	
Recommended Mitigation Measure 7: BUOW Pre-construction Surveys	
Recommended Mitigation Measure 9: BUOW Take Authorization	
<i>During Construction</i>	
San Joaquin Kit Fox (SJKF)	
Recommended Mitigation Measure 2: SJKF Avoidance Buffer	
Swainson’s Hawk (SWHA)	
Recommended Mitigation Measure 5: SWHA Avoidance Buffer	

Western Burrowing Owl (BUOW)	
Recommended Mitigation Measure 8: BUOW Avoidance Buffer	