



STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE

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May 21, 2026

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**Subject: Winston Solar Project (Project)
Notice of Preparation (NOP) of a Draft Environmental Impact Report
(DEIR)
State Clearinghouse No. 2026040933**

Dear Andrea Calderon:

The California Department of Fish and Wildlife (CDFW) received an NOP from Kern County (County) 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 Fish and Game Code.

CDFW ROLE

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

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.

Andrea Calderon, Planner II
Kern County Planning and Natural Resources Department
May 21, 2026
Page 2

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. Likewise, to the extent implementation of the Project as proposed may result in “take” as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code may 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 a project.

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.

Andrea Calderon, Planner II
Kern County Planning and Natural Resources Department
May 21, 2026
Page 3

PROJECT DESCRIPTION SUMMARY

Proponent: Winston Solar, LLC

Objective: The Project proposes to construct and operate a utility-scale alternating current (AC) photovoltaic (PV) solar generating and battery energy storage system (BESS) that would produce and store up to approximately 200 megawatts (MW) of energy at the point of electrical grid interconnection on approximately 1,357 acres. The Project would include the construction of electrical interconnection facilities, a Project substation, detention or retention basins, a new offsite generation interconnection transmission (gen-tie) line, and other necessary infrastructure. The gen-tie line would be approximately 2.2 miles long installed on poles up to 200 feet in height and terminate at the Pacific Gas and Electric (PG&E) operated Midway Substation.

Location: The Project site is generally bound by flat agricultural lands, other solar generation facilities, as well as residential areas and undeveloped parcels. The site is approximately 2 miles northeast of the community of Buttonwillow. It consists of 15 parcels equaling approximately 1,357 acres within the U.S. Geological Survey Buttonwillow 7.5-minute topographic quadrangle, and in Sections 25 and 36 of Township 28 South, Range 23 East; Section 1 of Township 29 South, Range 23 East; and Section 6 of Township 29 South, Range 24 East of the Mount Diablo Base and Meridian (MDB&M). The route of the gen-tie line would extend south across Interstate 5, running parallel with Wasco Way for approximately 2.2 miles before terminating at the existing PG&E Midway Substation.

COMMENTS AND RECOMMENDATIONS

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

Conditional Use Permit Area 29

According to aerial imagery and information provided in the NOP, the proposed Project site is relatively flat and mostly agricultural, while the surrounding area includes agricultural development, a large portion of which is slated for future solar development, and areas of relatively undisturbed alkali scrub habitat. The Project site is within the geographic range of several special-status species including the species identified below, and Project activities have the potential to significantly impact these species. In particular, the southeastern parcels of the Project, which includes the Conditional Use Permit (CUP) 29 area (Attachment 1), are located directly adjacent to high quality habitat, which is likely to have a number of special-status species present.

Andrea Calderon, Planner II
Kern County Planning and Natural Resources Department
May 21, 2026
Page 4

As portions of the Project site (e.g., CUP 29 area) are located directly adjacent to high quality habitats for the species identified below, and the nearby CDFW owned Buttonwillow Ecological Reserve (ER) which is known to support many of these species, the Project would likely need to mitigate for potential significant impacts to biological resources. Appropriate mitigation could necessitate the conservation of mitigation lands to compensate for impacts associated with the Project. As the CUP 29 area is located directly adjacent to high quality habitat for a number of special-status species, and Project activities in this area are likely to impact or have a strong likelihood of impacting the special-status species over the life of the Project, CDFW recommends the Project proponent modify the Project footprint to avoid development within this area. Rather than develop the CUP 29 area, CDFW recommends this area be considered for permanent conservation as part of the overall mitigation strategy for the Project. CDFW staff are available to discuss this recommendation in more detail prior to circulation of the DEIR.

Special Status Species

Based on a review of the Project description, California Natural Diversity Database (CNDDDB) records, and aerial imagery of the Project site and surrounding habitat, the Project is within the geographic range of, and could potentially impact, several special-status animal species including, but not limited to, the State and federally endangered giant kangaroo rat (*Dipodomys ingens*) and Tipton's kangaroo rat (*Dipodomys nitratooides nitratooides*); the State and federally endangered and fully protected blunt-nosed leopard lizard (*Gambelia sila*); the State threatened San Joaquin [Nelson's] antelope squirrel (*Ammospermophilus nelsoni*); the State threatened and federally endangered San Joaquin kit fox (*Vulpes macrotis mutica*); the State threatened Swainson's hawk (*Buteo swainsoni*) and tricolored blackbird (*Agelaius tricolor*); the State candidates LeConte's thrasher (*Toxostoma lecontei*), western burrowing owl (*Athene cunicularia*), and Crotch's bumblebee (*Bombus crotchii*); the State Species of Special Concern American badger (*Taxidea taxus*); the State species of special concern and federally endangered Buena Vista Lake ornate shrew (*Sorex ornatus relictus*); the State species of special concern San Joaquin pocket mouse (*Perognathus inornatus*) and Tulare grasshopper mouse (*Onychomys torridus tularensis*), the State species of special concern and federally proposed threatened western spadefoot (*Spea hammondi*); the State species of special concern loggerhead shrike (*Lanius ludovicianus*), northern harrier (*Circus cyaneus*), coast horned lizard (*Phrynosoma coronatum blainsvillii*), and San Joaquin coachwhip (*Masticophis flagellum*); and the State watch list species California horned lark (*Eremophila alpestris actia*).

Additionally, the Project site is within the geographic range of several special-status plant species including, but not limited to, the State and federally endangered and California Rare Plant Rank CRPR 1B.1 California jewelflower (*Caulanthus californicus*), and the CRPR1B.2 and federally endangered Kern mallow (*Eremalche parryi ssp. kernensis*) and San Joaquin woollythreads (*Monolopia congdonii*). Finally, the Project is within the geographic range of many migratory and non-migratory nesting birds.

Andrea Calderon, Planner II
Kern County Planning and Natural Resources Department
May 21, 2026
Page 5

To support the adequate assessment of potential impacts to biological resources, CDFW recommends that a qualified biologist perform relevant database reviews and other research of the Project site and surrounding 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. Survey areas should also include the route of the new gen-tie line.

CDFW recommends this initial work be documented within the DEIR 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 in the DEIR 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.

Giant kangaroo rat and Tipton kangaroo rat

The Project site is within the known geographic range of giant kangaroo rat (GKR) and Tipton kangaroo rat (TKR) and based on a review of aerial imagery, portions of the Project site may contain habitat for GKR and TKR. Suitable TKR habitat includes areas of grassland, upland scrub, and alkali sink habitats that contain requisite habitat elements, such as small mammal burrows. Suitable GKR habitat includes grassland and scrub communities with sandy-loam soils and gentle slopes vegetated with annual grasses and scattered shrubs. In order to determine if GKR and TKR currently occupy the Project site, CDFW recommends that a qualified biologist conduct a habitat assessment for GKR and TKR within the Project site and vicinity as part of the biological studies conducted in support of the DEIR. CDFW also recommends that focused protocol-level live trapping surveys be conducted within and adjacent to areas of suitable habitat and that a trapping plan for determining presence of GKR and 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. In addition to conducting a habitat assessment and focused GKR and TKR surveys, CDFW recommends the DEIR include the following measures:

Recommended Mitigation Measure 1: GKR and TKR Consultation

CDFW recommends that consultation with CDFW occur to discuss how to implement the Project and avoid take over the life of the Project, specifically within the portions of the Project that are adjacent to areas of higher quality habitat (e.g., parcels within CUP 29 area). 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.

Andrea Calderon, Planner II
Kern County Planning and Natural Resources Department
May 21, 2026
Page 6

Blunt-nosed leopard lizard

The Project site is within the known geographic range of blunt-nosed leopard lizard (BNLL) and BNLL are known to inhabit the Buttonwillow ER and surrounding areas within approximately 1 mile of the Project site. Suitable BNLL habitat includes all areas of grassland and shrub habitat that contains 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 female BNLL have been documented dispersing over a kilometer before returning back to their home range (Tennant 2018). Based on aerial imagery and the information provided in the NOP, portions of the Project site and surrounding area may contain suitable habitat for BNLL. As BNLL have the potential to occupy the Project site and have been documented within and surrounding the Buttonwillow ER, 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. CDFW also recommends that a qualified biologist conduct focused protocol surveys in accordance with the "Approved Survey Methodology for the Blunt-nosed Leopard Lizard" (CDFW 2019) within and adjacent to areas of potentially suitable habitat. This survey protocol, designed to optimize BNLL detectability, reasonably assures CDFW that ground disturbance will not result in take of this fully protected species. In addition to conducting BNLL surveys, CDFW recommends the DEIR include the following measures:

Recommended Mitigation Measure 2: BNLL Consultation

CDFW recommends that consultation with CDFW occur to discuss how to implement the Project and avoid take over the life of the Project, specifically within the portions of the Project that are adjacent to high quality habitats for BNLL (e.g., CUP 29 area). With the passage of Senate Bill No. 147, the incidental take of BNLL may be authorized for certain categories of projects, including industrial solar photovoltaic projects. If take cannot be avoided, the potential to pursue an ITP pursuant Fish and Game Code section 2081 subdivision (b) will be discussed during the consultation process.

San Joaquin Antelope Squirrel

The Project site is within the known geographic range of San Joaquin antelope squirrel (SJAS) and based on a review of aerial imagery, portions of the Project site may contain habitat for SJAS. Suitable habitat for SJAS includes areas of grassland, upland scrub, and alkali sink habitats that contain requisite habitat elements, such as small mammal burrows. In order to determine if SJAS currently occupy the Project site, CDFW recommends that a qualified biologist conduct a habitat assessment for SJAS within the Project site as part of the biological studies conducted in support of the DEIR. If suitable habitat is determined to be present, CDFW recommends that a qualified biologist

Andrea Calderon, Planner II
Kern County Planning and Natural Resources Department
May 21, 2026
Page 7

conduct focused daytime visual surveys for SJAS within and adjacent to areas of suitable habitat as part of the biological studies conducted in support of the DEIR. In addition to conducting a habitat assessment and focused SJAS surveys, CDFW recommends the DEIR include the following measures:

Recommended Mitigation Measure 3: SJAS Consultation

CDFW recommends that consultation with CDFW occur to discuss how to implement the Project and avoid take over the life of the Project, specifically within the portions of the Project that are adjacent to areas containing higher quality potential habitats (e.g., parcels within CUP 29 area). 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.

San Joaquin Kit Fox

The Project site is within the known geographic range of San Joaquin kit fox (SJKF), and there are numerous occurrences of SJKF in the Project vicinity, with several historical occurrences reported within 3 miles of the Project site (CDFW 2026). 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 because of intensive ground disturbance. SJKF will readily use pipes, culverts, shipping containers, portable buildings, and stacks of materials (e.g., I-beams, wooden boards) with spaces within or underneath them for denning (Cypher et al. 2023). Therefore, as a mitigation measure during construction, CDFW recommends thoroughly inspecting all construction materials or structures with sufficient spaces for SJKF 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.

As there is a strong likelihood that SJKF could utilize the Project site over the life of the Project and be impacted by Project activities, CDFW recommends that a qualified biologist assess the presence/absence of SJKF dens by conducting focused surveys to detect SJKF dens and their sign in all areas of the Project site, as well as a 500-foot buffer around the Project site, as part of the biological studies conducted in support of the DEIR.

CDFW also recommends the DEIR include the following:

Recommended Mitigation Measure 4: SJKF Pre-Construction Surveys

Prior to the initiation of Project ground-disturbing activities, CDFW recommends assessing presence/absence of SJKF by conducting focused SJKF den surveys. CDFW recommends conducting these surveys over the entirety of the Project site, as well as a 500-foot buffer around the Project site, no less than 14 days

Andrea Calderon, Planner II
Kern County Planning and Natural Resources Department
May 21, 2026
Page 8

and no more than 30 days prior to beginning ground- and/or vegetation-disturbing activities.

Recommended Mitigation Measure 5: 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 6: SJKF Take Authorization

If the no-disturbance buffers outlined in the USFWS Protocol for SJKF are 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

The Project is within the known geographic range of Swainson’s hawk (SWHA) and there are multiple recent occurrences reported within 3 miles of the Project site (CDFW 2026). SWHA are known to travel for miles to forage and exhibit high nest-site fidelity year after year. SWHA are known to breed within the Central Valley of California and prefer to nest near and forage in alfalfa, fallow fields, field crops, and grassland habitats with a sufficient source of small mammals (CDFG 1994). Based on aerial imagery, the Project site appears to contain suitable habitat for SWHA foraging and is adjacent to areas that may contain trees suitable for nesting. Therefore, CDFW recommends that a qualified biologist conduct surveys for nesting SWHA following the entire survey methodology developed by the SWHA Technical Advisory Committee (SWHA TAC 2000) as part of the biological studies conducted in support of the DEIR.

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

Recommended Mitigation Measure 7: 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 a qualified biologist conduct surveys for nesting SWHA following the entire survey methodology developed by the SWHA Technical Advisory Committee (SWHA TAC 2000) the survey season immediately prior to initiation of Project activities.

Andrea Calderon, Planner II
Kern County Planning and Natural Resources Department
May 21, 2026
Page 9

Recommended Mitigation Measure 8: 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 9: 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 10: SWHA Foraging Habitat Mitigation

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

- For projects within 1 mile of an active nest tree, a minimum of 1 acre of habitat mitigation (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 (TRBL). TRBL breed within the vicinity of fresh water, primarily in marshy areas. Important sites for nesting colonies include heavy growths of cattails, tules, thistles, willows, blackberries, mustard, nettles, and salt cedar. They typically forage within flooded lands,

Andrea Calderon, Planner II
Kern County Planning and Natural Resources Department
May 21, 2026
Page 10

grassy fields, and margins of ponds (Grinnel and Miller, 1944). Based on aerial imagery and the information provided in the NOP, portions of the Project site and surrounding area could provide potential foraging and nesting habitat for TRBL. CDFW recommends that a qualified biologist conduct a habitat assessment as part of the biological technical studies conducted in support of the DEIR. If potentially suitable habitat is identified, consultation with CDFW is recommended for guidance on focused survey methods and mitigation measures such as 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.

LeConte's Thrasher

The California Fish and Game Commission approved LeConte's thrasher (LETH) as a candidate for potential listing as a protected species under CESA on April 15, 2026, and published these findings in the California Regulatory Notice Register on April 29, 2026. As such, LETH 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 LETH. LETH are non-migratory and highly territorial within their range. In the San Joaquin Valley, LETH usually inhabit alkali desert scrub habitat that is mostly bare ground with sparse to moderate cover of common saltbush (*Atriplex polycarpa*), spiny saltbush (*Atriplex spinifera*), and desert tea (*Ephedra californica*). Based on aerial imagery and information provided in the NOP, certain portions of the Project site, including the Project's gen-tie line, are within the range of LETH and suitable habitat may be present.

CDFW recommends a qualified biologist conduct a habitat assessment to determine if the Project site and vicinity contain habitat suitable to support LETH as part of the biological technical studies conducted in support of the DEIR. If suitable habitat is identified, CDFW recommends conducting focused surveys for LETH in consultation with CDFW, also as part of the biological studies supporting the DEIR. In addition, CDFW recommends the DEIR include the following measures:

Recommended Mitigation Measure 11: LETH Surveys Prior to Construction

If suitable habitat is identified as part of the biological technical studies conducted in support of the DEIR, CDFW recommends that focused surveys be conducted to determine the presence/absence of LETH (individuals and nests) in consultation with CDFW, and that these surveys be conducted the survey season immediately prior to construction.

Recommended Mitigation Measure 12: LETH Avoidance and Consultation

Should a LETH nest or occupied habitat (i.e., territory) be detected, either during pre-construction surveys or construction activities, CDFW recommends that a

Andrea Calderon, Planner II
Kern County Planning and Natural Resources Department
May 21, 2026
Page 11

500-foot no-disturbance buffer be implemented around these areas and consultation with CDFW occur 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.

Western Burrowing Owl

The California Fish and Game Commission approved western burrowing owl (BUOW) as a candidate for potential listing as a protected species under CESA on October 10, 2024, and published these findings in the California Regulatory Notice Register 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 recent and historical occurrences located near the Project site (CDFW 2026). BUOW typically inhabit open grasslands containing small mammal burrows, a requisite habitat feature used by BUOW for nesting and cover. BUOW may also use “man-made burrows” such as pipes or culverts and are known to utilize canals, ditches, and roadways within agricultural settings. Based on aerial imagery the Project site and adjacent areas likely contain suitable habitat for BUOW nesting and foraging.

As there is a strong likelihood that BUOW could be impacted by Project activities, CDFW recommends assessing presence/absence of BUOW within the Project site, as well as a 500-meter buffer surrounding the Project site, by having a qualified biologist conduct surveys following the 2012 Staff Report on Burrowing Owl Mitigation (2012 Staff Report; CDFG 2012) as part of the biological studies conducted in support of the DEIR.

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

Recommended Mitigation Measure 13: BUOW Pre-Construction Surveys

Depending on the time between the initial survey efforts conducted in support of the DEIR and Project construction, CDFW recommends assessing presence/absence of BUOW on the Project site, as well as a 500-meter buffer surrounding the Project site, by having a qualified biologist conduct surveys following the 2012 Staff Report (CDFG 2012) the survey season immediately prior to Project initiation.

Recommended Mitigation Measure 14: BUOW Avoidance Buffer

Should a BUOW individual or known BUOW burrow (active or inactive) be detected, either during pre-construction surveys or construction activities, CDFW

Andrea Calderon, Planner II
Kern County Planning and Natural Resources Department
May 21, 2026
Page 12

recommends that no-disturbance buffers, as outlined in the 2012 Staff Report on Burrowing Owl Mitigation, 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 15: BUOW Take Authorization

If a BUOW individual or known BUOW burrow (active or inactive) is detected, and the no-disturbance buffers outlined in the 2012 Staff Report 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 geographic range of the State candidate Crotch's bumble bee (CBB) (CDFW 2026). CBB inhabit a variety of habitats, including grasslands, scrublands, openings in woodlands, and areas with bare ground such as vacant lots, dirt roads, and levees (Xerces Society et al. 2018). CBB use requisite habitat elements for nesting, such as small mammal burrows and bunch/thatched grasses, which may be present in the agricultural ditches and roadways within or near the Project site.

As CBB may be present within the Project site, 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.

If it is determined that suitable habitat is present for CBB, 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) in support of the DEIR. If surveys indicate the presence or potential presence of the species, consultation with CDFW is recommended for guidance on mitigation measures such as 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.

American Badger

The Project site is within the geographic range of American Badger (AMBA), and the species is known to occur within the Buttonwillow ER. AMBA occupy sparsely vegetated land cover with dry, friable soils to excavate dens, which they use for cover, and that

Andrea Calderon, Planner II
Kern County Planning and Natural Resources Department
May 21, 2026
Page 13

support fossorial rodent prey populations (i.e., ground squirrels, pocket gophers, etc.). As AMBA have the potential to den and/or forage within the Project site, CDFW recommends that a qualified biologist assess the presence/absence of AMBA by conducting a focused field survey in all areas of potentially suitable habitat as part of the biological studies conducted in support of the DEIR. If surveys indicate the presence or potential presence of AMBA, consultation with the CDFW is recommended for guidance on mitigation measures such as avoidance, minimization, and mitigation.

Western Spadefoot

The Project is within the geographic range of western spadefoot (WESP) and suitable habitat may be present within portions of the Project site and the surrounding area. WESP occurs primarily in grasslands, seasonal wetlands, vernal features (e.g., alkali playas), but are also known to utilize agricultural settings including agricultural sumps, irrigation ditches, and seasonally or artificially flooded areas.

On September 24, 2025, the California Fish and Game Commission (FGC) received a petition to list the northern population of WESP as a threatened species and the southern population of WESP as an endangered species under CESA. At the FGC meeting on April 16, 2026, CDFW presented its determination that the petition provided sufficient scientific information that the petitioned action to list WESP under CESA may be warranted; however, the FGC deferred its decision on WESP candidacy until the next meeting in June 2026. If WESP becomes a Candidate for listing pursuant to CESA (possible in June 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 cannot be achieved.

As such, CDFW recommends a qualified biologist conduct a habitat assessment to determine if the Project site and the immediate surrounding vicinity contain habitat suitable to support WESP as part of the technical studies conducted in support of the DEIR. If potentially suitable habitat is identified, CDFW recommends that a qualified biologist conduct focused surveys for WESP, using appropriate survey methodologies, in consultation with CDFW. If surveys indicate the presence or potential presence of the species, consultation with CDFW is recommended for guidance on mitigation measures such as avoidance, minimization, and mitigation.

Other State Species of Special Concern

The Project is within the geographic range of additional State species of special concern (SSC), including, but not limited to, Buena Vista Lake ornate shrew, San Joaquin pocket mouse, Tulare grasshopper mouse, Blainville's horned lizard, and San Joaquin coachwhip 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

Andrea Calderon, Planner II
Kern County Planning and Natural Resources Department
May 21, 2026
Page 14

site or immediate vicinity contains potential habitat for SSCs. 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 Project activities. If surveys indicate the presence or potential presence of these species, consultation with the CDFW is recommended for guidance on mitigation measures such as avoidance, minimization, and mitigation.

Special Status Plant Species

The Project site is within the known geographic range of several special-status plant species, including the species identified above, and suitable habitat may be present within certain portions of the Project site. As such, CDFW recommends that the Project site(s) be surveyed for special-status plants within areas of suitable habitat by a qualified botanist following the “Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities” (CDFW 2018) as part of the biological technical studies conducted in support of the DEIR. This protocol, which is intended to maximize detectability, includes the identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. If surveys indicate the presence or potential presence of special-status plants, 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

Battery Energy Storage System Evaluation: The proposed Project includes installation of an approximately 200-MW BESS. CDFW is familiar with the Moss Landing battery plant fire, which was a battery energy storage system (BESS) which had densely stacked batteries within a single warehouse building and which used lithium-ion batteries with Nickel Manganese Cobalt (NMC) chemistry, which are more prone to overheating and thermal runaway. Fires at NMC BESSs cannot be extinguished with water and thus an alternative onsite fire suppression system is critical.

As such, the BESS systems proposed as part of the Project warrant a careful evaluation for potential fire-related impacts to biological resources within and surrounding the Project site. While newer BESS technologies have been made more readily available since construction of the Moss Landing BESS, current battery technologies can still have the potential for impacts to biological resources if overheating and thermal runaway were to occur. For example, Lithium-ion BESS fires can release an array of toxic chemicals into the air (Mylenbusch et al. 2023). In addition to potential human

Andrea Calderon, Planner II
Kern County Planning and Natural Resources Department
May 21, 2026
Page 15

health concerns, these emissions may also impact air quality for nearby wildlife, and harmful particulate matter may settle into soils or waterways, possibly affecting soil-dwelling organisms, burrowing mammals, and aquatic life.

Based on information in the NOP, it appears the BESS configuration for the Project is likely to be constructed of self-contained energy storage modules (i.e., individual battery containers), monitored locally with a battery management system, and monitored remotely via a Supervisory Control and Data Acquisition system (SCADA) which lessens the risk of widespread fire. The NOP also mentions a number of potential battery technology options, including Lithium Ion, Sodium-Sulphur, iron-flow, or Vanadium-Redox-Flow. As part of the BESS configuration, CDFW recommends the Project consider alternative battery technologies to the NMC chemistry, such as Lithium Iron Phosphate (LFP), which uses more benign constituents, is more stable over long life cycles, and has better thermal stability and is less prone to overheating (Evro 2024).

CDFW also recommends a thorough analysis of the BESS component of the Project in the DEIR to evaluate the potential impacts of large and small BESS fires on biological resources within and surrounding the Project site. CDFW recommends the evaluation not only assess the risk to biological resources but also detail the Project-specific measures that would be implemented to reduce the risk of fire, and to carefully consider BESS siting, battery/container spacing, battery chemistry, battery life and degradation, and the most appropriate fire protection/suppression system.

Wildlife Connectivity: The Project site and vicinity support significant biological resources and contain habitat connections that support movement across the broader landscape, sustaining both transitory and permanent wildlife populations. In addition to this Project, CDFW is aware of the Buttonbush Solar Project (Buttonbush), which has Project parcels located directly adjacent to the Project site. The combination of Buttonbush and this Project would result in solar panels being sited almost entirely around the Buttonwillow ER and in close proximity to the Lokern and Semitropic Ecological Reserves (collectively, Ecological Reserves). As discussed above, the Ecological Reserves, including the Buttonwillow ER, provide habitat for a number of State and federal special-status species and were acquired specifically to protect their habitat in perpetuity. It is imperative that connectivity be maintained within the Project vicinity, particularly between the Ecological Reserves and surrounding natural habitats to allow for movement of species between blocks of land (USFWS 1998).

There is the potential that Project activities have the potential to impact connectivity for wildlife within the Project vicinity and broader landscape. Additionally, Project activities could impact the ability of species within the Project site to move between the Project and the nearby conserved lands such as the Buttonwillow ER. As such, CDFW recommends that on-site features that contribute to habitat connectivity be evaluated and maintained. Aspects of the Project that could create physical barriers to wildlife movement, including direct or indirect Project-related activities, should be identified, and addressed in the DEIR. The Project should also consider design measures to enhance

Andrea Calderon, Planner II
Kern County Planning and Natural Resources Department
May 21, 2026
Page 16

and facilitate wildlife movement through the Project, such as incorporating corridors within certain Project areas, as well as considering modifications to siting, size, or configuration of arrays. Finally, CDFW recommends the Project include design features to ensure Project perimeter fencing is permeable to wildlife, as outlined in the Wildlife Friendly Fencing section below.

Wildlife Friendly Fencing: The proximity of the Project site to Buttonbush and the Buttonwillow ER necessitates that the Project facilities and components be permeable to wildlife. As such, CDFW recommends that all fencing installed on the perimeter of the solar Project, excluding areas designated for BESS infrastructure, be designed to allow for passage of small and medium-sized wildlife, while impeding the passage of larger predators such as coyotes. Perimeter fencing should be installed with a four (4) to six (6) inch gap from the bottom of the fencing material and knuckled back to form a smooth edge and allow permeability for wildlife. This gap should be continuous along the perimeter of the Project site. CDFW does not recommend the use of “portals” in lieu of having a continuous 4-to-6-inch gap for permeability as they are likely much less effective.

Cumulative Impacts: CDFW recommends that a cumulative impact analysis be conducted for all biological resources that will either be significantly or potentially significantly impacted by implementation of the Project, including those whose impacts are determined to be less than significant with mitigation incorporated or for those resources that are rare or in poor or declining health and will be impacted by the Project, even if those impacts are relatively small (i.e., less than significant). Cumulative impacts are recommended to be analyzed using an acceptable methodology to evaluate the impacts of this Project’s incremental contribution to habitat loss and past, present, and reasonably foreseeable future projects on resources and be focused specifically on the resource, not the Project. The cumulative impacts analysis should specifically include all past, present, and foreseeable renewable energy projects in the Central Valley area. An appropriate resource study area should also be identified and mapped for each resource being analyzed 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.

Nesting Birds: CDFW encourages that Project ground-disturbing activities occur during the bird non-nesting season; however, if ground- 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.

The Project site and vicinity are known to support many species of nesting birds, including loggerhead shrike, northern harrier, and California horned lark. 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

Andrea Calderon, Planner II
Kern County Planning and Natural Resources Department
May 21, 2026
Page 17

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 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 are suitable habitat features capable of supporting species. A lack of an occurrence record in the CNDDDB does not mean a species is not present. To adequately assess any potential Project-related impacts to biological resources, surveys conducted by a qualified biologist during the appropriate survey period(s) using the appropriate protocol survey methodology are warranted to determine whether any special-status species are present at or near the Project site.

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

CDFW recommends that the DEIR include an analysis of artificial lighting as it relates to biological resources and incorporate enforceable mitigation measures to decrease the impacts of artificial outdoor lighting on wildlife species. Potentially feasible mitigation measures include motion sensitive lighting; mounting light fixtures as low as possible to

Andrea Calderon, Planner II
Kern County Planning and Natural Resources Department
May 21, 2026
Page 18

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

Project Alternatives Analysis: CDFW recommends that the information and results obtained from the biological technical surveys, studies, and analyses conducted in support of the 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 may need to be mitigated to reduce impacts to a less than significant level, if feasible.

Lake and Streambed Alteration: 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.

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

Andrea Calderon, Planner II
Kern County Planning and Natural Resources Department
May 21, 2026
Page 19

be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

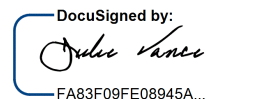
FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required 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 County in identifying and mitigating Project impacts on biological resources. Please see the enclosed Mitigation Monitoring and Reporting Program (MMRP) table (Attachment 2) which corresponds with the recommended mitigation measures in this comment letter. If you have any questions, please contact Ren Cotter, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 767-0956, or by electronic mail at Ren.Cotter@wildlife.ca.gov.

Sincerely,


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Julie A. Vance
Regional Manager

Attachment 1 (Project Conditional Use Permit Map) (MMRP)
Attachment 2 (Mitigation and Monitoring Reporting Program)

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

Andrea Calderon, Planner II
Kern County Planning and Natural Resources Department
May 21, 2026
Page 20

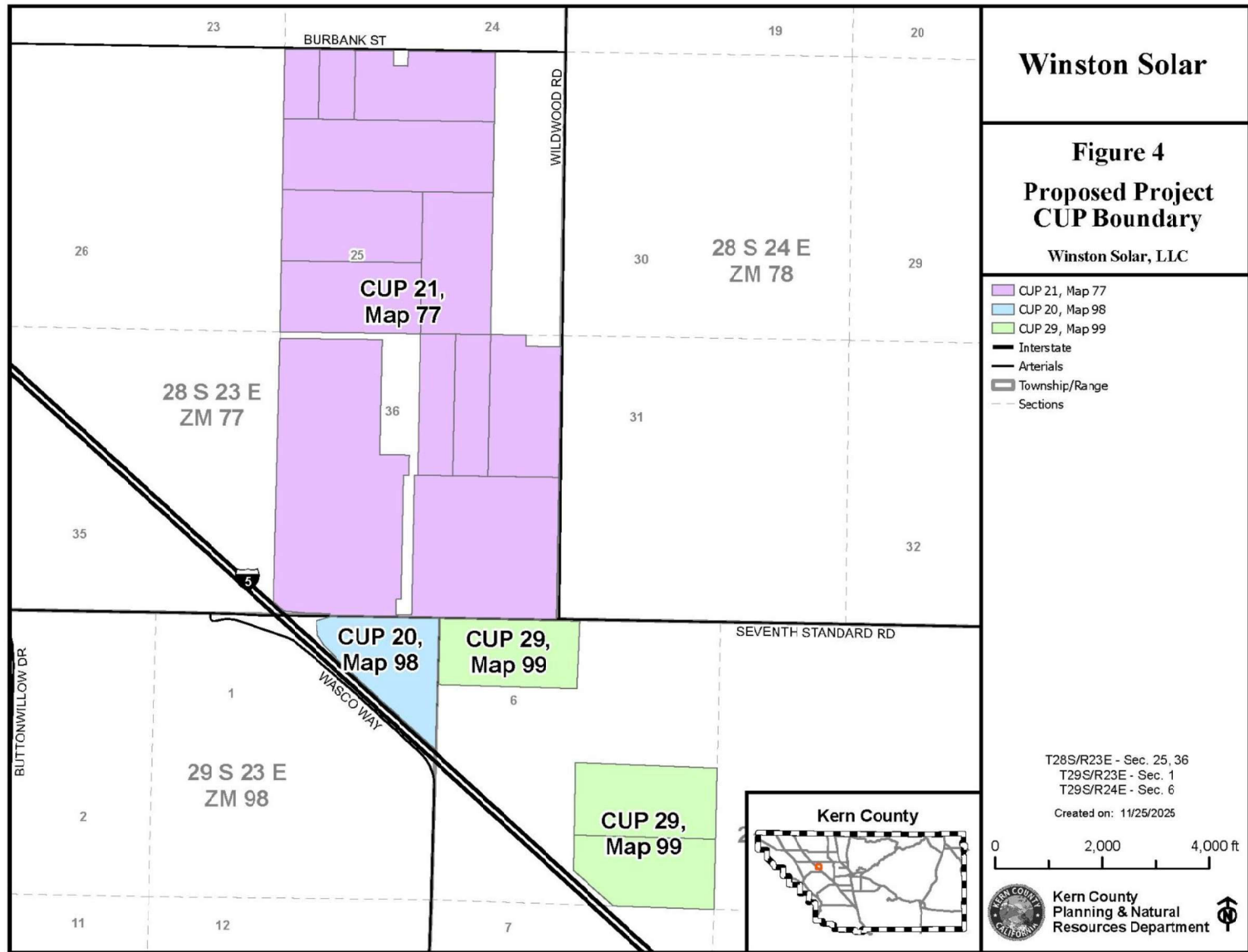
REFERENCES

- 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. Sacramento, California, USA.
- California Department of Fish and Game. 2012. Staff report on burrowing owl mitigation. Sacramento, California, USA.
- California Department of Fish and Wildlife. 2018. Protocols for surveying and evaluating impacts to special-status native plant populations and sensitive natural communities. Sacramento, California, USA.
- California Department of Fish and Wildlife. 2019. Approved survey methodology for the blunt-nosed leopard lizard. Sacramento, California, USA.
- California Department of Fish and Wildlife. 2023. Survey considerations for California endangered species act candidate bumble bee species. Sacramento, California, USA.
- California Department of Fish and Wildlife. 2026. Biogeographic information and observation system (BIOS). <https://www.wildlife.ca.gov/Data/BIOS>. Accessed 8 May 2026.
- 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.
- Evro, S., A. Ajumobi, D. Mayon, and T. Tomomewo. 2024. Navigating battery choices: A comparative study of lithium iron phosphate and nickel manganese cobalt battery technologies. Future Batteries, Vol. 4, 100007.
- Grinnell, J., and A. Miller. 1944. The distribution of the birds of California. Pacific Coast Avifauna 27.
- Longcore, T., and C. Rich. 2004. Ecological light pollution - Review. Frontiers in Ecology and the Environment, 2:191–198.
- Miller, M. 2006. Apparent effects of light pollution on singing behavior of American robins. The Condor, 108:130–139.
- Mylenbusch, I., K. Claffey, and B.Chu. 2023. Hazards of lithium-ion battery energy storage systems (BESS), mitigation strategies, minimum requirements, and best practices. Process Safety Progress:1–10.

Andrea Calderon, Planner II
Kern County Planning and Natural Resources Department
May 21, 2026
Page 21

- Nightingale, B., T. Longcore, and C. Simenstad. 2006. Artificial night lighting and fishes. Pages 257–276 in C. Rich and T. Longcore, editors. Ecological consequences of artificial light at night. Island Press, Washington, D.C., USA.
- Perry, G., B. Buchanan, R. Fisher, M. Salmon, and S. Wise. 2008. Effects of night lighting on urban reptiles and amphibians. Chapter 16 in: Urban Herpetology: Ecology, Conservation and Management of Amphibians and Reptiles in Urban and Suburban Environments. J. C. Mitchell, R. E. Jung Brown and B. Bartholomew (ed.). Herpetological Conservation, 3:211-228.
- Stone, E., G. Jones, and S. Harris. 2009. Street lighting disturbs commuting bats. *Current Biology*, 19:1123–1127.
- Swainson's Hawk Technical Advisory Committee (SWHA TAC). 2000. Recommended timing and methodology for Swainson's hawk nesting surveys in the central valley of California. Swainson's Hawk Technical Advisory Committee.
- Tennant, E., D. Germano, J. Stewart, H. Butterfield and M. Westphal. 2018. Investigating blunt-nosed leopard lizard population size, demographics, space use, and future population trends on Department Ecological Reserves. *PLOS ONE*.
- U.S. Fish and Wildlife Service. 1998. Recovery plan for upland species of the San Joaquin Valley, California. Region 1, Portland, OR. 319pp.
- 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 Fish and Wildlife Office, Sacramento, California.
- U.S. Fish and Wildlife Service. 2013. Survey protocol for determining presence of San Joaquin kangaroo rats. U.S. Fish and Wildlife Service, Sacramento Fish and Wildlife Office, Sacramento, California.
- Xerces Society for Invertebrate Conservation, Defenders of Wildlife, and Center for Food Safety. 2018. A petition to the state of California fish and game commission to list the Crotch bumble bee (*Bombus crotchii*), Franklin's bumble bee (*Bombus franklini*), Suckley cuckoo bumble bee (*Bombus suckleyi*), and western bumble bee (*Bombus occidentalis occidentalis*) as Endangered under the California Endangered Species Act.

Attachment 1



Attachment 2

Attachment 1

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

**PROJECT: Winston Solar Notice of Preparation (NOP) of a Draft
Environmental Impact Report State Clearinghouse No.
2026040933**

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
<i>Before Disturbing Soil or Vegetation</i>	
GKR and TKR	
Recommended Mitigation Measure 1: GKR and TKR Consultation	
BNLL	
Recommended Mitigation Measure 2: BNLL Consultation	
SJAS	
Recommended Mitigation Measure 3: SJAS Consultation	
SJKF	
Recommended Mitigation Measure 4: SJKF Pre-Construction Surveys	
Recommended Mitigation Measure 6: SJKF Take Authorization	
SWHA	
Recommended Mitigation Measure 7: SWHA Surveys Prior to Construction	
Recommended Mitigation Measure 9: SWHA Take Authorization	
Recommended Mitigation Measure 10: SWHA Foraging Habitat Mitigation	
LETH	
Recommended Mitigation Measure 11: LETH Surveys Prior to Construction	
Recommended Mitigation Measure 12: LETH Avoidance and Consultation	
BUOW	
Recommended Mitigation Measure 13: BUOW Surveys Prior to Construction	
Recommended Mitigation Measure 15: BUOW Take Authorization	
<i>During Construction</i>	
SJKF	

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
Recommended Mitigation Measure 5: SJKF Avoidance Buffer	
SWHA	
Recommended Mitigation Measure 8: SWHA Avoidance Buffer	
BUOW	
Recommended Mitigation Measure 14: BUOW Avoidance Buffer	