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August 28, 2026

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**Subject: Tulare County Stream Channel Routine Maintenance Agreement Project
(Project)
Initial Study (IS) and Mitigated Negative Declaration (MND)
State Clearinghouse No.: 2026071141**

Dear Gary Mills:

The California Department of Fish and Wildlife (CDFW) received an IS/MND from Tulare County Resource Management Agency (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 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

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project would be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), 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 (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.

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

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

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and Game Code sections that protect birds, their nests, and eggs 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 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: Tulare County Resource Management Agency (County)

Objective: The proposed Project would consist of routine maintenance activities within improved and unimproved stream channels and drainage facilities. Project activities would include removal, replacement, or repair of facilities; channel alignment maintenance; debris or obstruction removal; silt, sand, or sediment removal; vegetation control in channels or on banks; goat/sheep grazing; minor erosion control work; repair of previous erosion control work; and geotechnical sampling and subsurface cultural resource sensitivity testing.

Location: The proposed Project area encompasses the County-maintained portions of the following creeks: Antelope Creek, Cottonwood Creek, Cross Creek, Deer Creek, Elk Bayou, Frazier Creek, Lewis Creek, Sand Creek, White River, and Yokohl Creek. In addition to the creek channels, the Project area encompasses a 100-foot buffer surrounding each creek reach to capture the associated riparian corridor. The Project area comprises approximately 3,502 acres.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below 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 IS/MND prepared for this Project.

Special-Status Species

Based on the IS/MND and the Biological Resources Technical Report (BRTR) prepared for the Project, the Project sites are in the western portion of Tulare County, which includes the San Joaquin Valley floor. The Project sites occur in and adjacent to

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agricultural areas, such as orchards and croplands, and natural habitat areas, such as the Pixley National Wildlife Refuge and Allensworth Ecological Reserve.

The IS/MND acknowledges that special-status species occur or have the potential to occur in or adjacent to the Project area and proposes specific mitigation measures to reduce impacts to less than significant. CDFW has concerns about the ability of some of these measures to reduce impacts to less than significant and avoid unauthorized take of special-status species, including, but not limited to the species identified in **Attachment 1** of this letter. CDFW recommends the following modifications and/or edits be incorporated into the IS/MND, including proposed avoidance and minimization measures, prior to its adoption by the County.

The IS/MND includes mitigation measure BIO-4 which states, "Prior to the implementation of routine maintenance projects, a qualified biologist will conduct a desktop review of aerial and street-level imagery, species occurrence and range data, and/or other sources to identify whether the specific project site contains suitable habitat for the following special-status wildlife species: California tiger salamander, western spadefoot, [...] and Northern California legless lizard." CDFW recommends modifying BIO-4 to state that the pre-activity desktop review will be conducted to identify suitable or potentially suitable habitat for any special-status species, including, but not limited to those listed in BIO-4 and Attachment 1 of this letter.

The IS/MND also includes mitigation BIO-7 which requires covering steep-walled holes or deep trenches overnight to reduce the potential for wildlife to become trapped. CDFW recommends modifying BIO-7 to clarify that all trenches, holes, and other excavations with sidewalls steeper than a *1:1 (45 degree) slope* would be covered when workers or equipment are not actively working in the excavation and at the end of each workday. The outer two feet of excavation covers should conform to solid ground so that gaps do not occur between the cover and the ground. The outer two feet of cover material should be semi-rigid and secured to the ground to preclude wildlife from lifting the edge. The edges of the covers should be secured with re-bar, minimum 10-inch soil staples, or similar means every 12 inches to prevent wildlife from lifting the edges.

Tipton Kangaroo Rat

The IS/MND states that Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*; TKR) has the potential to occur within or near the anticipated routine maintenance areas. The IS/MND provides mitigation measure TKR-1 which requires a habitat assessment in and within 50 feet of the Project site. If suitable habitat is identified, TKR-1 requires a qualified biologist to flag all potentially suitable rodent burrows within 50 feet of the Project work areas and avoidance of all flagged burrows by a minimum 50-foot no-disturbance buffer. Alternatively, if avoidance of all flagged burrows is not possible, then TKR-1 requires protocol-level trapping surveys and submission of the survey results to CDFW. CDFW recommends modifying this measure to reflect the following

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recommendations and that these measures be incorporated prior to the initiation of any Project activities:

Recommended Mitigation Measure 1: TKR Live Trapping Surveys

If suitable habitat for TKR is present within or adjacent to any Project site, CDFW recommends that a qualified biologist conduct live trapping surveys in areas of suitable habitat prior to any vegetation- or ground-disturbing activities. Prior to trapping efforts, CDFW recommends that a trapping plan for determining presence of TKR be submitted to and approved by CDFW. The trapping plan should also consider the Survey Protocol for Determining Presence of San Joaquin Kangaroo Rats (U.S. Fish and Wildlife Service [USFWS] 2013) survey protocol. CDFW further recommends that surveys for the species be conducted between April 1 and October 31, when the species is most active, and well in advance of any vegetation- or ground-disturbing activities.

Recommended Mitigation Measure 2: TKR Take Authorization

If surveys indicate the presence or potential presence of TKR, consultation with CDFW is recommended for guidance on the development of mitigation measures such as take avoidance, minimization, and mitigation. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

Least Bell's Vireo

The IS/MND does not include least bell's vireo (*Vireo bellii pusillus*; LBVI) within the Biological Resource section and no mitigation measures are provided to mitigate for potential significant impacts to the species and avoid unauthorized take. While LBVI are known to breed within mature riparian woodland, second-growth forest, and coastal chaparral in coastal southern California, there are both recent and historical occurrences within Tulare County to suggest the species occurs at least sporadically within the riparian habitats located within the San Joaquin Valley (CDFW 2026). As no mitigation measures are proposed to mitigate for potential significant impacts, CDFW has the following recommendations and recommends that these measures be incorporated prior to the initiation of any Project activities:

Recommended Mitigation Measure 3: LBVI Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment prior to the start of any vegetation- or ground-disturbing activities, to determine if the Project site(s) or its immediate vicinity contains suitable habitat for LBVI.

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Recommended Mitigation Measure 4: LBVI Pre-Activity Surveys

If it is determined that suitable LBVI habitat is present, CDFW recommends assessing presence/absence of LBVI by conducting surveys following the USFWS Least Bell's Vireo Survey Guidelines (USFWS 2020) prior to the start of any vegetation- or ground-disturbing activities.

Recommended Mitigation Measure 5: LBVI Take Authorization

If surveys indicate the presence or potential presence of LBVI, consultation with CDFW is recommended for guidance on the development of mitigation measures such as take avoidance, minimization, and mitigation. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

Blunt-nosed Leopard Lizard

The IS/MND states that blunt-nosed leopard lizard (*Gambelia sila*; BNLL) has the potential to occur within or near the expected routine maintenance areas. The IS/MND provides mitigation measure BNLL-1 which requires a habitat assessment in and within 50 feet of the Project site. If suitable habitat is identified, BNLL-1 requires a qualified biologist to flag all rodent burrows within the Project work area and a 50-foot buffer. All flagged burrows would be avoided by a minimum 50-foot no-disturbance buffer. Alternatively, if avoidance is not feasible, protocol-level surveys to detect BNLL would be conducted by qualified biologists. CDFW recommends modifying BNLL-1 to reflect the following recommendations and that these measures be incorporated prior to the initiation of any Project activities:

Recommended Mitigation Measure 6: BNLL Pre-Activity Surveys

Within a year prior to the start of any vegetation- or ground-disturbing activities where suitable habitat is present, CDFW recommends that a qualified biologist conduct surveys for BNLL in accordance with the Approved Survey Methodology for the Blunt-nosed Leopard Lizard (CDFW 2019). This survey protocol is designed to optimize BNLL detectability. Please note that protocol-level surveys must be conducted on multiple dates during late spring, summer, and fall of the same calendar year, and that within these time periods, there are specific date, temperature, and time parameters. As a result, protocol-level surveys for BNLL are not synonymous with 30-day "pre-activity surveys" often recommended for other wildlife species.

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Recommended Mitigation Measure 7: BNLL Take Avoidance

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

San Joaquin Kit Fox

The IS/MND states that San Joaquin kit fox (*Vulpes macrotis mutica*; SJKF) has the potential to occur within or near the anticipated routine maintenance areas. The IS/MND provides mitigation measure SJKF-1 which requires a habitat assessment. If the Project site is within the range of the species and provides suitable habitat, SJKF-1 requires a qualified biologist to survey the Project site and a 250-foot buffer to identify potential dens and other signs of the species. Additionally, SJKF-1 would require following all requirements in the Standardized Recommendations for the Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (Standardized Recommendations; USFWS 2011) and require a qualified biologist to be available on-site during all Project activities that could impact the species.

CDFW recommends that the habitat assessment required by SJKF-1 be conducted within the Project site plus a 500-foot buffer. If suitable habitat is present within or adjacent to any Project site, CDFW recommends conducting focused den surveys within the Project site and a 500-foot buffer. Please note that while most of the buffers provided in SJKF-1 are consistent with the Standardized Recommendations, the 250-foot buffer proposed for pupping dens is not. As such, CDFW recommends modifying SJKF-1 to reflect the following recommendations and that these measures be incorporated prior to the initiation of any Project activities:

Recommended Mitigation Measure 8: SJKF Pre-Activity Surveys

If suitable habitat is present within or adjacent to any Project site, CDFW recommends assessing presence/absence of SJKF by conducting focused den surveys for the species prior to any vegetation- or ground-disturbing activities. Specifically, CDFW recommends conducting these surveys over the entirety of the Project site plus a 500-foot buffer no less than 14 days and no more than 30 days prior to the beginning of vegetation- or ground-disturbing activities.

Recommended Mitigation Measure 9: SJKF No-Disturbance Buffer

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

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Recommended Mitigation Measure 10: SJKF Take Authorization

If the no-disturbance buffers outlined in the Standardized Recommendations for the Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS 2011) 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 IS/MND states that Swainson's hawk (*Buteo swainsoni*; SWHA) has the potential to occur within or near the anticipated routine maintenance areas. The IS/MND provides mitigation measure SWHA-1 which requires a habitat assessment. If the Project site contains or is within 0.5 miles of SWHA nesting habitat, SWHA-1 requires Project activities to occur entirely outside of the nesting season. Alternatively, Project activities may occur during the nesting season if negative survey results are obtained following the survey methodology developed by the SWHA Technical Advisory Committee (SWHA TAC 2000). CDFW concurs with conducting activities outside of the nesting season and conducting surveys following the survey methodology developed by the SWHA Technical Advisory Committee (SWHA TAC 2000), but recommends modifying mitigation measure SWHA-1 to reflect the following recommendations and that these measures be incorporated prior to the initiation of any Project activities:

Recommended Mitigation Measure 11: SWHA Pre-Activity Surveys

CDFW recommends that Project activities be timed to avoid the normal bird breeding season (February 1 through September 15). However, if Project activities must take place during that time, 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 the start of any Project activities.

Recommended Mitigation Measure 12: SWHA No-Disturbance Buffer

If any active SWHA nest is detected during pre-activity surveys or Project activities, CDFW recommends delineating and maintaining a minimum ½-mile no-disturbance buffer around each nest prior to and during any Project activities. To prevent nest abandonment and other take of SWHA as a result of Project activities, CDFW advises that these no-disturbance buffers remain in place until the breeding season (February 1 through September 15) has ended or until a

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qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.

Recommended Mitigation Measure 13: SWHA Take Authorization

If any active SWHA nest is detected during pre-activity surveys or Project activities, 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 IS/MND states that tricolored blackbird (*Agelaius tricolor*; TRBL) has the potential to occur within or near the anticipated routine maintenance areas. The IS/MND provides mitigation measure TCB-1 which requires a habitat assessment within 500 feet of the Project site and completion of the maintenance activity entirely outside of the nesting season, or during the nesting season if surveys are conducted and a 500-foot no-disturbance buffer is maintained around nesting colonies. CDFW concurs with conducting activities outside of the nesting season or conducting surveys for TRBL prior to Project activities, but recommends modifying mitigation measure TCB-1 to reflect the following recommendations and that these measures be incorporated prior to the initiation of any Project activities:

Recommended Mitigation Measure 14: TRBL Pre-Activity Surveys

CDFW recommends that Project activities be timed to avoid the normal bird breeding season (February 1 through September 15). However, if Project activities must take place during that time, CDFW recommends that a qualified biologist conduct surveys for nesting TRBL no more than 10 days prior to the start of Project activities to evaluate presence/absence of TRBL nesting colonies in proximity to Project activities and to evaluate potential Project-related impacts.

Recommended Mitigation Measure 15: TRBL No-Disturbance Buffer

If any active TRBL nesting colony is found during pre-activity surveys or Project activities, CDFW recommends implementation of a minimum 500-foot no-disturbance buffer around the colony. CDFW recommends that this buffer remain in place until the breeding season has ended or until a qualified biologist has determined that nesting has ceased, the birds have fledged and are no longer reliant upon the colony or parental care for survival.

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It is important to note that TRBL colonies can expand over time. For this reason, CDFW also recommends conducting pre-activity surveys of an identified nesting colony within 10 days prior to the start of vegetation- or ground-disturbing activities to reassess the colony's real extent.

Recommended Mitigation Measure 16: TRBL Take Authorization

If any TRBL nesting colony is detected during pre-activity surveys or Project activities, 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.

California Tiger Salamander

The IS/MND states that California tiger salamander (*Ambystoma californiense* pop.1; CTS) has the potential to occur within or near the anticipated routine maintenance areas. The IS/MND provides mitigation measure CTS-1 which requires identifying suitable upland or breeding habitat for the species, surveying and flagging of any potentially suitable rodent burrows in and within 50 feet of the Project area and establishing a 50-foot no-disturbance buffer around the burrows. CDFW recommends modifying CTS-1 to reflect the following recommendations and that these measures be incorporated prior to the initiation of any Project activities:

Recommended Mitigation Measure 17: CTS Habitat Assessment

Prior to vegetation- or ground-disturbing activities, CDFW recommends that a qualified biologist conduct a habitat assessment following the Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander (USFWS 2003).

Recommended Mitigation Measure 18: Focused CTS Protocol-level Surveys

If suitable habitat is present within or in the vicinity of any Project site, CDFW recommends that a qualified biologist conduct protocol-level surveys in accordance with the Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander (USFWS 2003) at the appropriate time of year to determine the existence and extent of CTS breeding and refugia habitat. The protocol-level surveys for CTS require more than one survey season and are dependent upon sufficient rainfall to complete. As a result, consultation with CDFW and the USFWS is recommended well in advance of beginning the surveys and prior to any planned vegetation- or ground-disturbing activities. CDFW advises that the protocol-level survey include a 100-foot buffer around the Project site in all areas of wetland

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and upland habitat that could support CTS. Please be advised that protocol-level survey results are viable for two years after the results are reviewed by CDFW.

Recommended Mitigation Measure 19: CTS No-Disturbance Buffer

If CTS protocol-level surveys as described in Recommended Mitigation Measure 15 are not conducted, CDFW advises that a minimum 50-foot no-disturbance buffer be delineated around all small mammal burrows in suitable upland refugia habitat within and/or adjacent to the Project site. Further, CDFW recommends potential or known breeding habitat within and/or adjacent to the Project site be delineated with a minimum 250-foot no-disturbance buffer. Both upland burrow and wetland breeding no-disturbance buffers are intended to minimize impacts to CTS habitat and avoid take of individuals.

Recommended Mitigation Measure 20: CTS Take Authorization

If through surveys or during Project activities it is determined that CTS are occupying the Project site, consultation with CDFW is warranted to determine if activities can avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

Western Burrowing Owl

The IS/MND notes that western burrowing owl (*Athene cunicularia hypugaea*; BUOW) have the potential to occur within or near the anticipated routine maintenance areas. The IS/MND provides mitigation measure BUOW-1 which requires identification of BUOW habitat on or within 500 feet of the work area, surveys for BUOW if habitat is present, and implementation of a minimum 500-foot buffer around each burrow during the nesting season and a minimum 150-foot avoidance buffer around each buffer outside of the nesting season. CDFW recommends modifying BUOW-1 of the IS/MND to reflect the following recommendations and that these measures be incorporated prior to the initiation of any Project activities:

Recommended Mitigation Measure 21: BUOW Pre-Activity Surveys

If suitable habitat is present in or within 500 meters of any Project site, CDFW recommends that focused surveys, following the 2012 Staff Report on Burrowing Owl Mitigation (2012 Staff Report; CDFG 2012), be conducted the survey season immediately prior to Project activities at the Project site. Please note that the 2012 Staff Report necessitates multiple surveys prior to the initiation of Project activities.

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Recommended Mitigation Measure 22: BUOW No-Disturbance Buffer

If any BUOW or known BUOW den (active or inactive) is detected during pre-activity surveys or Project activities, CDFW recommends delineating and maintaining no-disturbance buffers, as outlined in the 2012 Staff Report on Burrowing Owl Mitigation (CDFG 2012), prior to and during any Project activities. CDFW advises that these no-disturbance buffers be implemented for both wintering and breeding BUOW.

Recommended Mitigation Measure 23: BUOW Take Authorization

If any BUOW or known BUOW den (active or inactive) is detected, and the no-disturbance buffers outlined in the 2012 Staff Report on Burrowing Owl Mitigation (CDFG 2012) 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.

Western Spadefoot

The IS/MND states that western spadefoot (*Spea hammondi*; WESP) is listed as a State species of special concern and that it has the potential to occur within or near the anticipated routine maintenance areas. Please be advised that the California Fish and Game Commission (FGC) approved WESP as a candidate for potential listing as a protected species under CESA on August 13, 2026, and is in the process of publishing the Notice of Findings in the California Regulatory Notice Register. Once the Notice of Findings is published, WESP will be designated as a candidate under CESA and as such will receive the same legal protection afforded to an endangered or threatened species (Fish & G. Code, §§ 2074.2 & 2085).

The IS/MND provides mitigation measure AMPH-1 which requires a qualified biologist to conduct a clearance sweep of the Project site within 3 days prior to initial ground disturbance if water and potentially suitable habitat for WESP is present within the work areas. AMPH-1 also requires that WESP be allowed to move out of the work areas of their own volition. CDFW has concerns with the ability of this measure to reduce impacts to less than significant and avoid unauthorized take of WESP. As such, CDFW recommends that habitat assessments for WESP be conducted specifically during the rainy season when pooled/ponded water is visible to evaluate potentially occupied breeding habitat. CDFW also recommends conducting several site visits while conducting these assessments to further assess whether there is a sufficient hydroperiod for WESP breeding (as little as two weeks, Stebbins 1951) and/or dispersal. If potentially suitable habitat is identified at any Project site, consultation with CDFW is recommended for guidance on appropriate WESP surveys, and for guidance on appropriate avoidance, minimization, and mitigation measures. If take of WESP

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cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081, subdivision (b), would be necessary to comply with CESA.

Crotch's Bumble Bee

The IS/MND notes that Crotch's bumble bee (*Bombus crotchii*; CBB) has the potential to occur within or near the anticipated routine maintenance areas. The IS/MND does not provide a specific mitigation measure for CBB. As such, CDFW recommends including the following measures in the IS/MND and that these measures be incorporated prior to the initiation of any Project activities:

Recommended Mitigation Measure 24: CBB Habitat Assessment

CDFW recommends that a habitat assessment, following the Survey Considerations for California Endangered Species Act Bumble Bee Species (CDFW 2023), be conducted by a qualified biologist the survey season immediately prior to vegetation- or ground-disturbing activities.

Recommended Mitigation Measure 25: CBB Pre-Activity Surveys

If potentially suitable habitat is identified, CDFW recommends that a qualified biologist conduct focused surveys for CBB, and their requisite habitat features, following the methodology outlined in the Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (CDFW 2023) immediately prior to vegetation- or ground-disturbing activities.

Recommended Mitigation Measure 26: CBB Avoidance and Take Authorization

If CBB is detected, CDFW recommends that all small mammal burrows, thatched/bunch grasses, and any other potential nesting resources be avoided by a minimum of 50 feet to avoid take and potentially significant impacts. If vegetation- or ground-disturbing activities would occur during the overwintering period (October through February), consultation with CDFW is warranted to discuss how to implement Project activities and avoid take. Any detection of CBB prior to or during Project implementation warrants consultation with CDFW to discuss how to avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

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American Badger

The IS/MND notes that American badger (*Taxidea taxus*; AMBA) has the potential to occur within or near the anticipated routine maintenance areas. The IS/MND provides mitigation measure AMBA-1 which requires allowing AMBA to move out of the work area of their own volition. It also states that if an AMBA is denning on or immediately adjacent to a Project work area, consultation with CDFW will be conducted to determine whether the animal(s) may be evicted from the den. CDFW recommends modifying AMBA-1 to reflect the following recommendations and that these measures be incorporated prior to the initiation of any Project activities:

Recommended Mitigation Measure 27: AMBA Pre-Activity Surveys

CDFW recommends conducting a habitat assessment for AMBA prior to vegetation- or ground-disturbing activities. If suitable habitat for AMBA is present, CDFW recommends that a qualified biologist conduct focused surveys for AMBA prior to the start of vegetation- or ground-disturbing activities.

Recommended Mitigation Measure 28: AMBA No-Disturbance Buffer

If any AMBA den is present within or immediately adjacent to the Project site, CDFW recommends establishing and maintaining a minimum 100-foot no-disturbance buffer around the burrow. CDFW also advises that any individuals observed be allowed to leave the Project site of their own volition.

Special-Status Bats

The IS/MND states that pallid bat (*Antrozous pallidus*), Townsend's big-eared bat (*Corynorhinus townsendii*), and western mastiff bat (*Eumops perotis californicus*) have the potential to occur within or near the expected routine maintenance areas. The western red bat (*Lasiurus frantzii*) also has the potential to occur within or near the Project areas. The IS/MND provides mitigation measure BAT-1 which requires a habitat assessment, pre-activity surveys, species identification, and submission of a survey report and a Bat Exclusion Plan to CDFW for review and approval. Mitigation measure BAT-1 also prohibits bats from being disturbed without specific notice to and consultation with CDFW. CDFW recommends modifying BAT-1 to reflect the following recommendations and that these measures be incorporated prior to the initiation of any Project activities:

Recommended Mitigation Measure 29: Bat Pre-Activity Surveys

No more than 30 days prior to initiating vegetation- or ground-disturbing activities, CDFW recommends assessing presence/absence of special-status bat roosts by conducting focused surveys where suitable habitat is present during

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the appropriate period of bat activity. Focused survey methodology is advised to include visual surveys of bats (observation of presence of bats during foraging period), inspection for suitable habitat or bat sign (guano), and use of ultrasonic detectors (Anabat, Sonobat, etc.) as part of dusk emergence and pre-dawn re-entry surveys. To maximize detectability, each survey needs to be conducted within one 24-hour period.

Recommended Mitigation Measure 30: Bat Roost No-Disturbance Buffer

If bats are present, CDFW recommends that a 100-foot no-disturbance buffer be placed around the roost and that a qualified biologist monitor the roost for signs of disturbance to bats from Project-related activities. If a bat roost is present and work is planned to occur during the maternity season, CDFW recommends that no disturbance to maternity roosts occur and that CDFW be consulted to determine measures to prevent breeding disruption or failure.

Special-Status Reptiles

The IS/MND notes that Bakersfield legless lizard (*Anniella grinnelli*; BLL), coast horned lizard (*Phrynosoma blainvillii*; CHL), northern California legless lizard (*Anniella pulchra*; NCLL), and northwestern pond turtle (*Actinemys marmorata*; NPT) have the potential to occur within or near the expected maintenance areas. The IS/MND provides mitigation measure REPT-1 which states, "Each maintenance project work area providing habitat for the species shall be searched for these lizards by a qualified biologist immediately prior to starting work. Individuals of this species present in the work area shall be allowed to leave the work area of their own volition or shall be moved out of harm's way by a qualified biologist to a suitable area at least 100 feet upstream or downstream and outside the influence of the Project area. Should the northwestern pond turtle become federally listed, it shall not be moved without prior coordination with the USFWS. Any loose substrate in which lizards could bury themselves shall be gently raked with a hand tool (e.g., a garden rake) to a depth of 2 inches to locate any lizards that could be under the surface immediately prior to starting the Project activity."

Prior to conducting surveys, CDFW recommends that a qualified biologist conduct a habitat assessment to determine if the Project site and the immediate surrounding vicinity contain suitable habitat for BLL, CHL, NCLL, and NPT. In addition to conducting pre-activity surveys for BLL, CHL, and NCLL, CDFW recommends having a qualified biologist conduct pre-activity surveys for NPT if suitable habitat is present. Please note raking loose substrates to locate lizards can result in take and associated injury of individuals. As such, consultation with CDFW is recommended for survey guidance prior to implementation of survey and raking activities for BLL, CHL, and NCLL. CDFW also recommends modifying REPT-1 to reflect the following recommendations and that these measures be incorporated prior to the initiation of any Project activities:

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Recommended Mitigation Measure 31: Special-Status Reptile Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment to determine if any Project sites and their immediate surrounding vicinity contain habitat suitable to support BLL, CHL, NCLL, and NPT.

Recommended Mitigation Measure 32: Special-Status Reptile Pre-Activity Surveys

If suitable habitat is present within or adjacent to any Project site, CDFW recommends that a qualified biologist conduct focused surveys for BLL, CHL, NCLL, and NPT and their requisite habitat features prior to the start of vegetation- or ground-disturbing activities. CDFW also recommends that focused surveys for NPT nests occur during the egg-laying season of March through August.

Recommended Mitigation Measure 33: Special-Status Reptile No-Disturbance Buffer

Avoidance whenever possible is encouraged via delineation and observance of a 50-foot no-disturbance buffer around these species and their associated burrows and habitat areas. CDFW also recommends that if these species are found, Project activities in their immediate vicinity cease, allowing individuals to leave the Project site on their own accord. Furthermore, CDFW recommends that any NPT nests that are discovered remain undisturbed with a no-disturbance buffer maintained around the nest until the eggs have hatched and neonates are no longer in the nest or Project sites.

Special-Status Plants and Sensitive Natural Communities

The IS/MND notes that the anticipated routine maintenance areas are within the range of several special-status plant species and may impact sensitive natural communities. The IS/MND provides mitigation measure BIO-5 which requires pre-construction special-status plant surveys prior to the implementation of routine maintenance activities within special-status plant habitats and in areas that have not been surveyed in the past 5 years.

Please note that multiple annual surveys may be necessary to fully capture baseline conditions for habitats that have annual and short-lived perennial plants. Additionally, please note that adverse conditions from yearly weather patterns may prevent botanical field surveyors from determining the presence of, or accurately identifying, some special-status plants in the surveyed area. Disease, drought, predation, fire, herbivory, or other disturbance may also preclude presence or identification of special-status plants in any given year. Special-status plants may also be present as dormant seeds

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within the seed bank. Therefore, CDFW recommends visiting the survey sites in more than one year to increase the likelihood of detection of special-status plants.

CDFW also recommends surveying for sensitive natural communities, such as northern claypan vernal pools within the Cross Creek East Conservation Easement and the Pixley National Wildlife Refuge, and valley sink scrub within the Allensworth Ecological Reserve in accordance with the Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018).

As such, CDFW recommends modifying BIO-5 to reflect the following recommendations and that these measures be incorporated prior to the initiation of any Project activities:

Recommended Mitigation Measure 34: Special-Status Plant and Sensitive Natural Community Pre-Activity Surveys

CDFW recommends that a qualified botanist survey the Project sites for special-status plants and sensitive natural communities following the Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018) the survey season prior to vegetation- or ground-disturbing activities.

Recommended Mitigation Measure 35: Special-Status Plant and Sensitive Natural Community Avoidance and Take Authorization

CDFW recommends special-status plant species and sensitive natural communities be avoided whenever possible by delineating and observing a no-disturbance buffer of at least 50 feet from the outer edge of the plant population(s), specific habitat type(s) required by special-status plants species, and sensitive natural communities. If buffers cannot be maintained, consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special-status plants and sensitive natural communities and/or how to implement the Project to avoid take of State-listed plants. 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.

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Allensworth Ecological Reserve

Portions of the Project site are within or directly adjacent to CDFW's Allensworth Ecological Reserve (Reserve). The approximately 5,100-acre Reserve consists of valley sink scrub and valley saltbush scrub habitat, which supports plants such as iodine bush (*Allenrolfea occidentalis*) and San Joaquin saltbush (*Extriplex joaquinana*), and animals such as CHL, BUOW, WESP, and AMBA. The Reserve was conserved for the protection of habitat supporting TKR, BNLL, and SJKF, all of which are present within the Reserve. The Project's location within and adjacent to the Reserve increases the likelihood that special-status species may be impacted by the Project in that area.

As outlined in Fish and Game Code section 1583 and California Code of Regulations, Title 14, Section 630, ecological reserves, including the Reserve, are maintained for the primary purpose of protecting sensitive biological resources and their associated habitats, and any other activity on these lands, is prohibited. CDFW recommends that Project activities be sited and designed to minimize the impact footprint, and that consultation with CDFW occur prior to conducting any Project activities within the Reserve. To consult with CDFW on this issue, please contact Reagen O'Leary, Inland Lands Unit Supervisor, at the address on the letterhead above or via email at Reagen.OLeary@wildlife.ca.gov. CDFW also recommends the Project assess and reduce associated indirect impacts that could impact the Reserve from construction activities including but not limited to: vegetation- and ground-disturbing activities, vibration, increased noise, lighting, water quality degradation, fugitive dust, and increased traffic and to implement a buffer between the Project footprint and the Reserve as well as other adjacent conserved lands, such as the Allensworth Conservation Bank and the Colonel Allensworth State Historic Park.

Pixley National Wildlife Refuge

Portions of the Project site are within or directly adjacent to the USFWS's Pixley National Wildlife Refuge (Refuge). The Refuge is managed with a focus on threatened and endangered species, migratory birds, and wetland habitat restoration, and is known to support TKR, Buena Vista Lake shrew (*Sorex ornatus relictus*), BNLL, and SJKF (USFWS 2026). Based on a review of California Natural Diversity Database (CNDDB) records (CDFW 2026), the Refuge also likely supports other numerous special-status species, such as those identified in Attachment 1. The Project's location within and adjacent to the Refuge increases the likelihood that special-status species may be impacted by the Project.

Disturbing, injuring, or damaging plants or animals within the Refuge is prohibited (50 CFR § 27.51). As such, CDFW recommends that Project activities be sited and designed to avoid direct and indirect impacts to the Refuge, including but not limited to: vegetation- and ground-disturbing activities, vibration, increased noise, lighting, water quality degradation, fugitive dust, and increased traffic. CDFW also strongly

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recommends including an appropriately sized buffer between the Project footprint and habitat within the Refuge.

Editorial Comments and/or Suggestions

Lake and Streambed Alteration: Please note that some or all of the proposed Project activities may be subject to CDFW's regulatory authority pursuant to Fish and Game Code section 1600 et seq. Specifically, Fish and Game Code section 1602 requires project proponents 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; or (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 in nature.

The IS/MND states that the Project area encompasses the County-maintained portions of the following creeks: Antelope Creek, Cottonwood Creek, Cross Creek, Deer Creek, Elk Bayou, Frazier Creek, Lewis Creek, Sand Creek, White River, and Yokohl Creek. The IS/MND further states that the Project area includes a 100-foot buffer surrounding each creek reach to capture the associated riparian corridor, comprising a total of approximately 3,502 acres. Please note that the BRTR used to prepare the IS/MND states that the Project area includes the County-maintained portions of these creeks, plus a 20-foot buffer from the centerline to encompass the associated riparian corridor, comprising a total of approximately 2,549 acres. Given the smaller Project footprint evaluated in the BRTR, CDFW has concerns that the BRTR used to prepare the IS/MND may not adequately describe the Project's potentially significant impacts on biological resources. Therefore, CDFW recommends the County evaluate the biological resource impacts described in the BRTR to determine whether all potentially significant impacts are adequately addressed in the context of the proposed Project footprint and associated Project activities described in the IS/MND.

Please be advised that CDFW is required to comply with CEQA in the issuance of a Lake or Streambed Alteration (LSA) Agreement; therefore, if the CEQA document approved for the Project does not adequately describe the Project and its impacts on lakes or streams, a subsequent CEQA analysis may be necessary for issuance of a Final LSA Agreement. Furthermore, please note that CDFW has an obligation to ensure LSA Agreements have protections for all fish and wildlife (including State species of special concern and or State special animals) and that Project activities fully avoid impacts to State-listed species, except in instances where an ITP has been acquired for the specific species in question.

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, or R4LSA@wildlife.ca.gov.

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Nesting Birds: CDFW encourages that any proposed vegetation- or ground-disturbing activities occur during the bird non-nesting season; however, if vegetation- or ground-disturbing activities must occur during the nesting season (February 1 through September 15), the Project proponent 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 recommends modifying the nesting season window in mitigation measure BIRD-1 to February 1 through September 15. Additionally, CDFW recommends modifying BIRD-1 to state that surveys will 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 a project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of vegetation- or ground-disturbing activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests.

Once vegetation- or ground-disturbing activities begin, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the activities associated with 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 implementing a minimum 250-foot no-disturbance buffer around active nests of non-listed bird species and a minimum 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. Prior to implementing a variance from these no-disturbance buffers, CDFW recommends that a qualified biologist assess the site-specific circumstances, provide a biological or ecological justification to support a variance, if possible, and notify CDFW.

Mitigation measure BIRD-2 states, "If swallow mud nests occur within a Project area, swallow nests may be removed by a qualified biologist in order to exclude nesting swallows and other avian species from the Project area. Swallow nests will only be removed if necessary to reduce conflicts with maintenance activities and will be timed to occur outside of the nesting season (i.e., between September 1 and February 14). Nests will be inspected by a CDFW-approved Designated Biologist and removal may occur only once the nests are determined to be inactive, i.e., the young of the year have fledged and no swallow nesting activity is actively occurring. During the nesting season (February 15 through August 31), the County may discourage swallow nest construction

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by removing partially completed nests. Only nests that are less than one-third complete will be removed by washing or knocking down nests. Once a nest is more than one-third complete, it will not be disturbed until a biologist has determined the nest to be inactive.” CDFW has concerns with mitigation measure BIRD-2 as it could result in the disturbance or destruction of active nest sites or the unauthorized take of birds, and result in a violation of Fish and Game Code 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird) and 3513. As such, CDFW recommends removing mitigation measure BIRD-2 from the IS/MND and coordinating with CDFW prior to the removal of any incomplete, active, or inactive swallow nest.

California Natural Diversity Database (CNDDDB): Please note that the CNDDDB is populated by voluntary submission records 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, or lack of recent occurrence records, 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/botanist 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 filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

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CONCLUSION

CDFW appreciates the opportunity to comment on the IS/MND to assist the County in identifying and mitigating Project impacts on biological resources. 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>).

Please see the enclosed, Attachment 2, Mitigation Monitoring and Reporting Program (MMRP) table, which corresponds with recommended mitigation measures in this comment letter. If you have any questions regarding this letter or further coordination, please contact Stephanie Manzo, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 578-0409, or by electronic mail at Stephanie.Manzo@wildlife.ca.gov.

Sincerely,

DocuSigned by:

E9964E60293D40A...

For Julie A. Vance
Regional Manager

Attachment 1: Special-Status Species List
Attachment 2: Mitigation Monitoring and Reporting Program

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

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Attachment 1

Attachment 1**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
SPECIAL-STATUS SPECIES TABLE****PROJECT: Tulare County Stream Channel Routine Maintenance
Agreement Project****SCH No.: 2026071141**

Common Name	Scientific Name	Status	
		State	Federal
Tipton kangaroo rat	<i>Dipodomys nitratoides nitratoides</i>	E	E
Least Bell's vireo	<i>Vireo bellii pusillus</i>	E	E
Blunt-nosed leopard lizard	<i>Gambelia sila</i>	E/FP	E
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
California tiger salamander- central California Distinct Population Segment (DPS)	<i>Ambystoma californiense</i> pop. 1	T	T
Western burrowing owl	<i>Athene cunicularia hypugaea</i>	C	None
Western spadefoot	<i>Spea hammondi</i>	C	PT
Crotch's bumble bee	<i>Bombus crotchii</i>	C	None
American badger	<i>Taxidea taxus</i>	SSC	None
Buena Vista Lake shrew	<i>Sorex ornatus relictus</i>	SSC	E
Pallid bat	<i>Antrozous pallidus</i>	SSC	None
Spotted bat	<i>Euderma maculatum</i>	SSC	None
Townsend's big-eared bat	<i>Corynorhinus townsendii</i>	SSC	None
Western mastiff bat	<i>Eumops perotis californicus</i>	SSC	None
Western red bat	<i>Lasiurus frantzii</i>	SSC	None
Loggerhead shrike	<i>Lanius ludovicianus</i>	SSC	None
Western snowy plover	<i>Anarhynchus nivosus nivosus</i>	SSC	T
Yellow-breasted chat	<i>Icteria virens</i>	SSC	None
Yellow warbler	<i>Setophaga petechia</i>	SSC	None
Coast horned lizard	<i>Phrynosoma blainvillii</i>	SSC	None
Bakersfield legless lizard	<i>Anniella grinnelli</i>	SSC	None
Northern California legless lizard	<i>Anniella pulchra</i>	SSC	None
Northwestern pond turtle	<i>Actinemys marmorata</i>	SSC	PT

Vernal pool fairy shrimp	<i>Branchinecta lynchi</i>	SSA	T
Vernal pool tadpole shrimp	<i>Lepidurus packardii</i>	SSA	E
San Joaquin pocket mouse	<i>Perognathus inornatus</i>	SSA	None
California jewelflower	<i>Caulanthus californicus</i>	E	E
San Joaquin adobe sunburst	<i>Pseudobahia peirsonii</i>	E	T
San Joaquin Valley Orcutt grass	<i>Orcuttia inaequalis</i>	E	T
Striped adobe-lily	<i>Fritillaria striata</i>	T	None
Alkali-sink goldfields	<i>Lasthenia chrysantha</i>	1B.1	None
Coulter's goldfields	<i>Lasthenia glabrata</i> ssp. <i>coulteri</i>	1B.1	None
Lesser saltscale	<i>Atriplex minuscula</i>	1B.1	None
Alkali mariposa-lily	<i>Calochortus striatus</i>	1B.2	None
Calico monkeyflower	<i>Diplacus pictus</i>	1B.2	None
California alkali grass	<i>Puccinellia simplex</i>	1B.2	None
Earlimart orache	<i>Atriplex cordulata</i> var. <i>erecticaulis</i>	1B.2	None
Hoover's spurge	<i>Euphorbia hooveri</i>	1B.2	T
Kern mallow	<i>Eremalche parryi</i> ssp. <i>kernensis</i>	1B.2	E
Recurved larkspur	<i>Delphinium recurvatum</i>	1B.2	None
Sanford's arrowhead	<i>Sagittaria sanfordii</i>	1B.2	None
Spiny-sepaled button-celery	<i>Eryngium spinosepalum</i>	1B.2	None
Subtle orache	<i>Atriplex subtilis</i>	1B.2	None
Winter's sunflower	<i>Helianthus winteri</i>	1B.2	None
California satintail	<i>Imperata brevifolia</i>	2B.1	None
E= Endangered, T= Threatened, C= Candidate for listing as Threatened and/or Endangered, R= Rare, SSC= Species of Special Concern, FP= Fully Protected, PT= Proposed Threatened, 1B.1, 1B.2, & 2B.1= California Rare Plant Ranking			

Attachment 2

Attachment 2

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

**PROJECT: Tulare County Stream Channel Routine Maintenance
Agreement Project**

SCH No.: 2026071141

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
<i>Before Disturbing Soil or Vegetation</i>	
Tipton kangaroo rat (TKR)	
Recommended Mitigation Measure 1: TKR Live Trapping Surveys	
Recommended Mitigation Measure 2: TKR Take Authorization	
Least bell's vireo (LBVI)	
Recommended Mitigation Measure 3: LBVI Habitat Assessment	
Recommended Mitigation Measure 4: LBVI Pre-Activity Surveys	
Recommended Mitigation Measure 5: LBVI Take Authorization	
Blunt-nosed leopard lizard (BNLL)	
Recommended Mitigation Measure 6: BNLL Pre-Activity Surveys	
Recommended Mitigation Measure 7: BNLL Take Avoidance	
San Joaquin kit fox (SJKF)	
Recommended Mitigation Measure 8: SJKF Pre-Activity Surveys	
Recommended Mitigation Measure 9: SJKF No-Disturbance Buffer	
Recommended Mitigation Measure 10: SJKF Take Authorization	
Swainson's hawk (SWHA)	
Recommended Mitigation Measure 11: SWHA Pre-Activity Surveys	

Recommended Mitigation Measure 12: SWHA No-Disturbance Buffer	
Recommended Mitigation Measure 13: SWHA Take Authorization	
Tricolored blackbird (TRBL)	
Recommended Mitigation Measure 14: TRBL Pre-Activity Surveys	
Recommended Mitigation Measure 15: TRBL No-Disturbance Buffer	
Recommended Mitigation Measure 16: TRBL Take Authorization	
California tiger salamander (CTS)	
Recommended Mitigation Measure 17: CTS Habitat Assessment	
Recommended Mitigation Measure 18: Focused CTS Protocol-level Surveys	
Recommended Mitigation Measure 19: CTS No-Disturbance Buffer	
Recommended Mitigation Measure 20: CTS Take Authorization	
Western burrowing owl (BUOW)	
Recommended Mitigation Measure 21: BUOW Pre-Activity Surveys	
Recommended Mitigation Measure 22: BUOW No-Disturbance Buffer	
Recommended Mitigation Measure 23: BUOW Take Authorization	
Crotch's bumble bee (CBB)	
Recommended Mitigation Measure 24: CBB Habitat Assessment	
Recommended Mitigation Measure 25: CBB Pre-Activity Surveys	
Recommended Mitigation Measure 26: CBB Avoidance and Take Authorization	
American badger (AMBA)	
Recommended Mitigation Measure 27: AMBA Pre-Activity Surveys	
Recommended Mitigation Measure 28: AMBA No-Disturbance Buffer	
Special-Status Bats	

Recommended Mitigation Measure 29: Bat Pre-Activity Surveys	
Recommended Mitigation Measure 30: Bat Roost No-Disturbance Buffer	
Special-Status Reptiles	
Recommended Mitigation Measure 31: Special-Status Reptile Habitat Assessment	
Recommended Mitigation Measure 32: Special-Status Reptile Pre-Activity Surveys	
Recommended Mitigation Measure 33: Special-Status Reptile No-Disturbance Buffer	
Special-Status Plants and Sensitive Natural Communities	
Recommended Mitigation Measure 34: Special-Status Plant and Sensitive Natural Community Pre-Activity Surveys	
Recommended Mitigation Measure 35: Special-Status Plant and Sensitive Natural Community Avoidance and Special-Status Plant Take Authorization	
<i>During Activities</i>	
Least bell's vireo (LBVI)	
Recommended Mitigation Measure 5: LBVI Take Authorization	
Blunt-nosed leopard lizard (BNLL)	
Recommended Mitigation Measure 7: BNLL Take Avoidance	
San Joaquin kit fox (SJKF)	
Recommended Mitigation Measure 9: SJKF No-Disturbance Buffer	
Recommended Mitigation Measure 10: SJKF Take Authorization	
Swainson's hawk (SWHA)	
Recommended Mitigation Measure 12: SJKF No-Disturbance Buffer	
Recommended Mitigation Measure 13: SWHA Take Authorization	

Tricolored blackbird (TRBL)	
Recommended Mitigation Measure 15: TRBL No-Disturbance Buffer	
Recommended Mitigation Measure 16: TRBL Take Authorization	
California tiger salamander (CTS)	
Recommended Mitigation Measure 19: CTS No-Disturbance Buffer	
Recommended Mitigation Measure 20: CTS Take Authorization	
Western burrowing owl (BUOW)	
Recommended Mitigation Measure 22: BUOW No-Disturbance Buffer	
Recommended Mitigation Measure 23: BUOW Take Authorization	
Crotch's bumble bee (CBB)	
Recommended Mitigation Measure 26: CBB Avoidance and Take Authorization	
American badger (AMBA)	
Recommended Mitigation Measure 28: AMBA No-Disturbance Buffer	
Special-Status Bats	
Recommended Mitigation Measure 30: Bat Roost No-Disturbance Buffer	
Special-Status Reptiles	
Recommended Mitigation Measure 33: Special-Status Reptile No-Disturbance Buffer	
Special-Status Plants and Sensitive Natural Communities	
Recommended Mitigation Measure 35: Special-Status Plant and Sensitive Natural Community Avoidance and Take Authorization	