



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

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



Governor's Office of Planning & Research

November 1, 2022

**NOV 2 2022**

## STATE CLEARING HOUSE

Noelle Tomlinson  
Kings County Community Development Agency  
1400 W. Lacey Blvd.  
Building 6  
Hanford, California 93230  
(559) 852-2697

Subject: **Conditional Use Permit No. 22-05 Westlands Cherry Solar Project and Gen-Tie Line (Project)**  
**MITIGATED NEGATIVE DECLARATION (MND)**  
**State Clearinghouse No. 2022090283**

Dear Noelle Tomlinson:

The California Department of Fish and Wildlife (CDFW) received a Mitigated Negative Declaration (MND) from Kings County Community Development Agency (Kings County), as Lead Agency, for the Conditional Use Permit No. 22-05 Westlands Cherry Solar Project and Gen-Tie Line (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

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. While the comment period may have ended, CDFW would appreciate if you will still consider our comments.

### 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,

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<sup>1</sup> 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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subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may 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 will be required.

**Fully Protected Species:** CDFW has jurisdiction over species of birds, mammals, amphibians, reptiles, and fish designated by statute as “fully protected” pursuant to Fish and Game Code sections 3511, 4700, 5050, and 5515. Take of any fully protected species is prohibited and CDFW cannot authorize their incidental take.

**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.

As a responsible agency, CDFW is responsible for providing, as available, biological expertise during public agency environmental review efforts (e.g., CEQA), focusing specifically on project activities that have the potential to adversely affect fish and wildlife resources. CDFW provides recommendations to identify potential impacts and possible measures to avoid or reduce those impacts.

## **PROJECT DESCRIPTION SUMMARY**

**Proponent:** Westlands Cherry, LLC

**Objective:**

The Project proposes to establish a 250-megawatt (MW) solar photovoltaic facility. The proposed Project includes an electrical substation, a battery storage facility, and an Operations and Maintenance (O&M) facility. The solar generation from the project will be transferred to a new 230 kilovolt (kV) Nevada-Jayne gen-tie line which will transmit the power south along the 25th Avenue alignment and then west along Nevada-Jayne

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Avenues to the PG&E Gates Substation approximately 12 miles to the west. The on-site battery storage will include 250 battery containers with 4 MW hours storage capacity each, providing a total energy storage capacity of up to 1,000 MW hours.

**Location:** The proposed Project site is generally located on the north side of Nevada Avenue, approximately 2.5 miles west of SR-41. The southern site boundary fronts onto Nevada Avenue for a distance of 1.5 miles. The project site includes Assessor's Parcel Numbers 026-300-034, 026-320-006, 026-320-017, and 026-320-020. All of the project parcels are under Farmland Security Zone Contract under the Williamson Act. The CUP application includes a 230-kV Gen-Tie Line extending 1.14 miles from the planned on-site substation eastward across the adjacent Grape Solar Project site to the completed central switchyard on the approved Chestnut Solar Project site.

**Timeframe:** Project to be built over a 12-month period starting in 2024.

## COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist Kings 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 CEQA document.

Aerial imagery of the Project boundary and its surroundings show the area contains agricultural land that may have suitable habitat for special status species. Based on a review of the Project description, a review of California Natural Diversity Database (CNDDDB) records, and the surrounding habitat, several special status species could potentially be impacted by Project activities.

Currently, the MND acknowledges that the Project area is within the geographic range of several special-status animal species and proposes specific mitigation measures to reduce impacts to less than significant. CDFW has concerns about the ability of some the proposed mitigation measures to reduce impacts to less than significant and avoid unauthorized take for several special status animal species, including the State threatened and federally endangered San Joaquin kit fox (*Vulpes macrotis mutica*); the State and federally endangered Tipton Kangaroo rat (*Dipodomys nitratoides nitratoides*); the State threatened Swainson's hawk (*Buteo swainsoni*); the State threatened tricolored blackbird (*Agelaius tricolor*); the State fully protected white-tailed kite (*Elanus leucurus*); the State species of special concern burrowing owl (*Athene cunicularia*); the State species of special concern San Joaquin coachwhip (*Coluber flagellum ruddocki*); and the State species of special concern western spadefoot (*Spea hammondi*).

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CDFW also has concerns about the ability of the some of the proposed mitigation measures to reduce impacts to less than significant and avoid unauthorized take for several special-status plant species including the State and federally endangered and California rare plant rank (CRPR) 1B.1 California jewelflower (*Caulanthus californicus*); the federally endangered and CRPR 1.2 Kern mallow (*Eremalche parryi ssp. kernensis*); and the federally endangered and CRPR 1B.2 San Joaquin woollythreads (*Monolopia congdonii*).

### **Recommended Mitigation Measure 1: San Joaquin Kit Fox (SJKF)**

Mitigation Measure BIO-1 states that, “Pre-construction surveys shall be conducted no less than 14 days and no more than 30 days prior to the beginning of ground disturbance, construction activities, and/or any project activity likely to impact the San Joaquin kit fox. These surveys shall be conducted in accordance with the “U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance” (USFWS 2011). The primary objective is to identify San Joaquin kit fox habitat features (e.g., potential dens and refugia) on the project site and evaluate their use by San Joaquin kit fox. If an active San Joaquin kit fox den is detected within or immediately adjacent to the area of work, the USFWS shall be contacted immediately to determine the best course of action.” CDFW agrees with conducting these surveys in the Project area in accordance with USFWS’s “Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance” (2011), but also recommends conducting these surveys within a 500-foot buffer of Project areas. In the event active SJKF dens are detected during surveys, CDFW also recommends updating BIO-1 to establish exclusion buffers as outlined in this USFWS guidance and to consult with the Department to discuss how to implement the Project and avoid “take,” or if avoidance is not feasible, to acquire an Incidental Take Permit (ITP) prior to ground disturbing activities, pursuant to Fish and Game Code section 2081 subdivision (b).

### **Recommended Mitigation Measure 2: Tipton Kangaroo Rat (TKR)**

The MND states that, “The site is within the historic distribution but the current distribution is more than 25 miles to the east of the site. The suitable alkali sink scrub habitat required for this species is not present on or near the site. This species distribution occurs mainly on the southern end of the San Joaquin Valley with the project site being at the northernmost edge of this species’ range, and there are no reported sightings of this species west of the Kings River in the vicinity of the project site, which is three miles east of the project site and forms a barrier to westward movement toward the project site. Therefore, this species will not occur on the site or vicinity.” CDFW does not agree that the current range is restricted to 25 miles east of the Project site and that there is no potential for TKR occurrence.

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While continued loss of habitat has led to a reduction in the amount of occupied habitat, TKR have still been detected at numerous locations throughout their historic range (Cypher et al. 2017). Additionally, no mitigation measures were included within the MND to determine presence of TKR and avoid project-related impacts.

CDFW recommends that a trapping plan for determining presence of TKR be submitted to and approved by CDFW prior to subsequent trapping efforts. CDFW recommends these surveys be conducted by a qualified biologist who holds a CDFW Memorandum of Understanding for TKR, and any appropriate USFWS permit(s). CDFW further recommends that these surveys be conducted between April 1 and October 31, when kangaroo rats are most active and before nighttime temperatures become prohibitively cold in late fall and winter. These trapping surveys should be conducted well in advance of ground- and/or vegetation-disturbing activities in order to determine if impacts to TKR could occur so that a State ITP can be obtained as needed. Once completed, all survey results would need to be sent to CDFW.

In addition to trapping surveys, CDFW advises maintenance of a 50-foot minimum no-disturbance buffer around all small mammal burrow entrances where feasible. Although these recommended buffer distances may be sufficient to avoid direct mortality or burrow destruction, encircling a burrow with development activities would inhibit the ability of TKR to freely disperse to and from burrows and has the potential to be considered “capture” and/or ultimately result in take in the form of mortality. Therefore, CDFW recommends that in addition to the buffer distances, that no burrow is surrounded more than 180 degrees by development activities.

Finally, If TKR are found within the Project area during the trapping surveys described above, during any other species-specific preconstruction surveys, or during construction of the project, consultation with CDFW is advised to occur immediately to discuss how to implement the Project and avoid take; or if avoidance is not feasible, to acquire an ITP prior to any ground disturbing activities, pursuant Fish and Game Code section 2081 subdivision (b).

### **Recommended Mitigation Measure 3: Swainson’s Hawk (SWHA)**

Mitigation Measure BIO-4 states that, “Should any active nests be discovered in or near proposed construction zones, the qualified biologist shall establish a suitable construction-free buffer around the nest. This buffer shall be identified on the ground with flagging or fencing, and shall be maintained until the biologist has determined that the young have fledged.” In general, CDFW agrees with this measure but recommends that the measure be modified to state that in the event an active SWHA nest is detected, that a ½-mile no disturbance buffer be implemented around the nest to avoid take. If a ½-mile no-disturbance buffer is not feasible,

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consultation with CDFW is warranted to discuss how to implement the project and avoid take. If take cannot be avoided, take authorization through the issuance of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA. Additionally, 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 management (HM) land for each acre of development is advised.
- For projects within 5 miles of an active nest but greater than 1 mile, a minimum of  $\frac{3}{4}$  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  $\frac{1}{2}$  acre of HM land for each acre of development is advised.

#### **Recommended Mitigation Measure 4: Tricolored Blackbird (TRBL)**

The MND states that, "the Cherry Solar Project site provides nesting habitat for a number of migratory bird species, including, but not limited to, the snowy plover, black-necked stilt, great horned owl, common raven, loggerhead shrike, house finch, Brewer's blackbird, and tricolored blackbird." Within the MND, Mitigation Measure BIO-2 is provided to mitigate for impacts to TRBL. CDFW does not recognize that Mitigation Measure BIO-2 would be sufficient to prevent the "take" of TRBL and 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 wildlife biologist conduct surveys specifically for nesting TRBL no more than 10 days prior to the start of implementation to evaluate presence/absence of TRBL nesting colonies in proximity to Project activities and to evaluate potential Project-related impacts.

If an active TRBL nesting colony is found during preconstruction surveys, CDFW recommends the immediate implementation of a minimum 300-foot no-disturbance buffer in accordance with CDFW's "Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agriculture Fields in 2015" (CDFW 2015). CDFW advises 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. It is important to note that TRBL colonies can expand over time and for this reason,

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the colony would need to be reassessed to determine the extent of the breeding colony within 10 days for Project initiation

In the event that a TRBL nesting colony is detected during surveys, and the recommended avoidance measures cannot be implemented, consultation with CDFW is warranted to discuss how to implement the Project and avoid take, or if avoidance is not feasible, to acquire an ITP, pursuant to Fish and Game Code section 2081 subdivision (b), prior to any ground-disturbing activities.

#### **Recommended Mitigation Measure 5: Fully Protected Raptors**

The MND states that, "Suitable foraging and breeding habitat occurs" for the State fully protected white-tailed kite. As projects within occupied white-tailed kite territories have the potential to significantly impact the species, CDFW recommends that focused surveys be conducted by qualified and experienced biologists prior to Project implementation. In the event that the species is found within 0.5-mile of the Project site, implementation of avoidance measures are warranted. CDFW also recommends that a qualified wildlife biologist be onsite during all ground disturbing/construction related activities and that a 0.5 mile no disturbance buffer be put into effect. If the 0.5 mile no disturbance buffer cannot feasibly be implemented, CDFW would need to be contacted to assist with providing and implementing additional avoidance measures.

#### **Recommended Mitigation Measure 6: Burrowing Owl (BUOW)**

Mitigation Measure BIO-3 states that, "If pre-construction surveys are undertaken during the breeding season (February through August) and active nest burrows are located within or near construction zones, a construction-free buffer of 150 to 250 feet shall be established around all active owl nests. The specific dimensions of the exclusion zone in each case shall be established by a qualified biologist based on site conditions and the level of intensity of the disturbance activity. The buffer zones shall be enclosed with temporary fencing, and construction equipment and workers shall not be allowed to enter the enclosed setback areas. These buffer zones shall remain in place for the duration of the breeding season." CDFW does not agree that these buffer distances would be sufficient to prevent the take of burrowing owls within occupied habitat. Human-related disturbances were documented to cause degradation and abandonment of active burrows at distances up to 500 meters (Scobie and Faminow 2000, Lehman et al. 1999). As such, CDFW recommends that no-disturbance buffers follow the buffer distances outlined in the "Staff Report on Burrowing Owl Mitigation" (CDFG 2012), and that these buffers be implemented prior to and during any ground-disturbing activities. Specifically, CDFW's Staff Report recommends that impacts to occupied burrows be avoided in accordance with the following table unless a qualified biologist approved by CDFW verifies

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through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

\* meters (m)

Mitigation Measure BIO-3 also states that, “During the non-breeding season (September through January), any burrows occupied by resident owls in areas planned for construction shall be protected by a construction-free buffer with a radius of 150 feet around each active burrow. Passive relocation of resident owls is not recommended by CDFW where it can be avoided. If passive relocation is not avoidable, resident owls may be passively relocated according to a relocation plan prepared by a qualified biologist.” It is important to note that according to the Staff Report (CDFG 2012), exclusion is not a take avoidance, minimization, or mitigation method and is considered a potentially significant impact under CEQA. However, if passive relocation is necessary during the non-breeding season, CDFW recommends that burrow exclusion be conducted by qualified biologists and only during the non-breeding season, before breeding behavior is exhibited and after the burrow is confirmed empty through non-invasive methods, such as surveillance. CDFW also recommends replacement of occupied burrows with artificial burrows at a ratio of 1 burrow collapsed to 1 artificial burrow constructed (1:1) as mitigation for the potentially significant impact of evicting BUOW. BUOW may attempt to colonize or re-colonize an area that will be impacted; thus, CDFW recommends ongoing surveillance, at a rate that is sufficient to detect BUOW if they return.

### **Recommended Mitigation Measure 7: Other State Species of Special Concern**

The MND States that San Joaquin coachwhip and western spadefoot are absent from the Project site and either no suitable habitat or marginal habitat occurs for these species within the canals and tailwater basin. CDFW disagrees that there is no possibility that these species may be present, and no mitigation measures are offered to avoid impacts. As these species have been documented to occur in the vicinity of the Project site and marginally suitable habitat is present along agricultural roads and within the drainage ditches and tailwater basin within the Project vicinity (CDFW 2022), CDFW recommends that a qualified biologist conduct focused surveys for these two species of special concern and that a 50-foot no-disturbance

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buffer is implemented around the entrances of burrows for species identified during surveys.

### **Recommended Mitigation Measure 8: Special-status Plants**

The MND states that, “Three special status vascular plant species are known to occur in the vicinity of the Cherry Solar Project site: California jewel-flower, Kern mallow, and San Joaquin woollythreads. Because of the many decades of agricultural disturbance, habitat for these plant species is absent from the site.” As these listed and/or rare plant species are known to occur in the vicinity of the project and rare plant surveys were not conducted during the correct season for accurate detection or identification as part of the survey effort, CDFW recommends conducting scientifically adequate rare plant surveys following the “Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities” (March 20, 2018). 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. CDFW advises special-status plant species found during focused floristic surveys 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) or specific habitat type(s) required by special status plant species. If buffers cannot be maintained, then consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special-status plant species or to determine if the acquisition of an ITP is necessary prior to conducting ground disturbing activities.

### **Editorial Comments and/or Suggestions**

**Federally Listed Species:** CDFW recommends consulting with USFWS regarding potential impacts to federally listed species including but not limited to the San Joaquin kit fox, Tipton kangaroo rat, California jewelflower, Kern mallow, and San Joaquin woollythreads. Take under the Federal Endangered Species Act (FESA) is more broadly defined than CESA; take under FESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS in order to comply with FESA is advised well in advance of any Project activities.

### **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,

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§ 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 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**

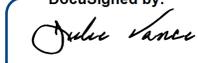
The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order 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 MND to assist Kings County in identifying and mitigating Project impacts on biological resources.

If you have any questions, please contact Jeremy Pohlman, Senior Environmental Scientist (Specialist), at the address provided on this letterhead, by telephone at (805) 503-2375 or by electronic mail at [Jeremy.pohlman@wildlife.ca.gov](mailto:Jeremy.pohlman@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
FA83F09FE08945A...  
Julie A. Vance  
Regional Manager

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## REFERENCES

- California Department of Fish and Game (CDFG), 1994. Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo Swainsoni*) in the Central Valley of California. California Department of Fish and Wildlife.
- CDFG, 2012. *Staff Report on Burrowing Owl Mitigation*. California Department of Fish and Game. March 7, 2012.
- California Department of Fish and Wildlife (CDFW), 2015. *Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015*. California Department of Fish and Wildlife, March 19, 2015.
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- Cypher, B.L., S.E. Phillips, T.L. Westall, E.N. Tennant, L.R. Saslaw, E.C Kelly, C.L. Van Horn Job, 2017. *Conservation of Endangered Tipton Kangaroo Rats (Dipodomys Nitratoides Nitratoides): Status Surveys, Habitat Suitability, and Conservation Strategies*. Endangered Species Recovery Program, Turlock, CA.
- Lehman, R. N., K. Steenhof, M. N. Kochert, and L. B. Carpenter, 1999. *Effects of military training activities on shrub-steppe raptors in southwestern Idaho, USA*. Environmental Management 23(3): 409-417.
- Scobie, D., and C. Faminow, 2000. *Development of standardized guidelines for petroleum industry activities that affect COSEWIC Prairie and Northern Region vertebrate species at risk*. Environment Canada, Prairie and Northern Region, Edmonton, Alberta, Canada.
- U.S. Fish and Wildlife (USFWS), 2011. *Standard Recommendations for the Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance*. U.S. Fish and Wildlife Service. January 2011.

**Attachment 1**

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

**PROJECT: Westlands Cherry Solar Project**

**SCH No.: 2022090283**

<b>RECOMMENDED MITIGATION MEASURE</b>	<b>STATUS/DATE/INITIALS</b>
<i>Before Disturbing Soil or Vegetation</i>	
Recommended Mitigation Measure 1: SJKF	
SJKF surveys	
SJKF take authorization	
Recommended Mitigation Measure 2: TKR	
TKR trapping plan	
TKR take authorization	
Recommended Mitigation Measure 3: SWHA	
SWHA take authorization	
SWHA foraging habitat mitigation	
Recommended Mitigation Measure 4: TRBL	
TRBL survey	
TRBL take authorization	
Recommended Mitigation Measure 5: Fully Protected Raptors	
White-tailed Kite surveys	
Recommended Mitigation Measure 7: Other State Species of Special Concern	
Special Status Species surveys	
Recommended Mitigation Measure 8: Special Status Plants	
Special Status Plants survey	
Special Status Plants take authorization	
<i>During Construction</i>	
Recommended Mitigation Measure 2: TKR	
TKR avoidance buffer	
Recommended Mitigation Measure 3: SWHA	
SWHA avoidance buffer	
Recommended Mitigation Measure 4: TRBL	
TRBL avoidance buffer	
Recommended Mitigation Measure 5: Fully Protected Raptors	
White-tailed Kite avoidance buffer	
Recommended Mitigation Measure 6: BUOW	
BUOW avoidance buffer	

Recommended Mitigation Measure 7: Other State Species of Special Concern	
Species avoidance buffer	
Recommended Mitigation Measure 8: Special Status Plants	
Special Status Plants avoidance buffer	