

If your bio survey results include...

...a known, active, or natal San Joaquin Kit Fox den.

The following minimization measures must be implemented:

7.5. San Joaquin kit fox (SJKF) Den Avoidance.

The Developer must demonstrate that they established a permanent minimum buffer using fencing or flagging as follows:

- (1) at least 100 feet around den(s);
- (2) at least 200 feet around natal dens (which SJKF young are reared); and
- (3) at least 500 feet around any natal dens with pups (except for any portions of the buffer zone that are already fully developed).



Buffer zones shall be considered Environmentally Sensitive Areas, and no Covered Activities are allowed within a buffer except per Condition of Approval 7.6., and as follows: If the work within the buffer area will not result in the destruction of the den, the den should be conserved. If the den is unoccupied (based on the required 4 consecutive days of monitoring), then the den can be covered in a secure manner to prevent access by SJKF while the work is being conducted. After the work is done, the den can be uncovered to allow use by SJKF. If the den is occupied and the SJKF don't want to leave, then a smaller buffer could be established, including a barricade to prevent the SJKF from exiting the den and entering

the work site. A qualified biologist shall monitor the den while the work is being conducted. Notify the City immediately via telephone or e-mail if any SJKF active dens, natal dens, or occupied atypical dens are discovered within or immediately adjacent to any proposed development footprint. Each Developer shall bear the costs of implementing the SJKF den avoidance requirements. A reduced SJKF avoidance buffer may be authorized with written approval by CDFW.

7.6. San Joaquin kit fox (SJKF Den) Excavation.

For active dens and potential dens that exhibit signs of SJKF use or characteristics suggestive of SJKF dens (including dens in natural substrate and in/under man-made structures) that cannot be avoided as per Condition of Approval 7.5, and if, after four consecutive days of monitoring with tracking medium or infrared camera, a Qualified Wildlife Biologist has determined that SJKF is not currently present, the den may be excavated. Natal dens shall not be excavated until the pups and adults have vacated and then only after consultation with the Service and CDFW. If the excavation process reveals evidence of current use by SJKF then den excavation shall cease immediately and tracking or camera monitoring as described above shall be conducted/resumed. Excavation of the den may be completed when, in the judgment of a Qualified Wildlife Biologist, the SJKF has escaped from the partially excavated den. SJKF dens shall be carefully excavated until it is certain no individuals of SJKF are inside. Dens shall be fully excavated, filled with dirt, and compacted to ensure that SJKF cannot reenter or use the den during Covered Activities. If an individual SJKF does not vacate a den within the proposed construction footprint within a reasonable timeframe, the Developer shall contact the Service and CDFW and get written guidance (email will suffice) from both agencies prior to proceeding with den excavation. Each Developer shall bear the costs of implementing the SJKF den excavation requirements.

...Kangaroo rat burrows (Conceptual Southwest Focus Area only).

The following minimization measures must be implemented:

7.8. Tipton kangaroo rat (TKR) Trapping and Salvage.

If the Biological Clearance Survey prepared identifies TKR burrows within the proposed construction footprint of proposed Developer projects within the "Conceptual Southwest Focus Area" as shown on attached map (to be included soon), the City shall not issue a permit until a TKR Qualified Biologist conducts a minimum of five (5) consecutive nights of live small mammal trapping, with high trap densities focused at and around TKR burrows, runways, seed caches, and dust baths. How and where captured animals will be held and the final release location and specifics shall be in accordance a CDFW-approved TKR Relocation Plan. The Developer for which the Biological Clearance Survey was conducted shall bear the costs of TKR trapping, salvage, and relocation.



7.9. Tipton kangaroo rat (TKR) Burrow Excavation.

Following live trapping activities conducted, any potential TKR burrows (e.g., any kangaroo rat burrows) present within the development footprint shall be fully excavated by hand by the TKR Qualified Biologist. The TKR Qualified Biologist shall relocate any TKR encountered in the excavated burrows to the release site(s) identified in the CDFW-approved TKR Relocation Plan. The TKR Qualified Biologist shall also collect and move dormant or torpid TKR encountered to an artificial burrow installed at the release site(s) identified in the CDFW-approved TKR Relocation Plan.

7.10. Tipton kangaroo rat (TKR) Record of Handling.

TKR Qualified Biologist(s) shall maintain a record of all TKR handled. This information shall include for each animal:

- (1) the locations (Global Positioning System (GPS) coordinates and maps) and time of capture and/or observation as well as release;
- (2) sex;
- (3) approximate age (adult/juvenile);
- (4) weight;
- (5) general condition and health, noting all visible conditions including gait and behavior, diarrhea, emaciation, salivation, hair loss, ectoparasites, and injuries; and
- (6) ambient temperature when handled and released.

A Relocation Summary shall be prepared by the TKR Qualified Biologist and submitted by the Developer to the City and CDFW as part of the information accompanying the "Notice of Grading Start."

...one or more Bakersfield cactus clumps/plants.

The following minimization measures must be implemented:

7.11. Bakersfield Cactus Avoidance.

If the Biological Clearance Survey prepared identifies Bakersfield cactus within the proposed construction footprint of a proposed Developer project, the City shall not issue a permit until the Developer demonstrates that all Bakersfield cacti shall be avoided by a minimum of 25 feet, unless Condition of Approval 7.13 is implemented. This avoidance distance may be lessened on a specific case-by-case basis if CDFW concurs in writing that a modified distance proposed by a Bakersfield Cactus Qualified Botanist is sufficient to avoid direct or indirect take of Bakersfield cactus.



7.12. Bakersfield Cactus Avoidance Fencing.

Sturdy, highly visible, plastic construction avoidance fencing (or comparable fencing approved in writing by the CDFW Regional Representative) shall be installed around Bakersfield cactus avoidance areas (Condition of Approval 7.11) and located in accordance with direction from the Bakersfield Cactus Qualified Botanist. Fencing shall be securely staked and installed in a durable manner that would be reasonably expected to withstand wind and weather events and last at least through the construction period. Fencing shall be inspected at least twice weekly during the construction period. Fencing shall be removed upon completion of construction of the Developer project.

7.13. Bakersfield Cactus Translocation.

The Bakersfield Cactus Qualified Botanist shall translocate Bakersfield cactus, which cannot be avoided by construction activities in accordance with Condition of Approval 7.11, to the nearest suitable habitat specifically identified in the Bakersfield Cactus Translocation Plan prior to disturbance of any Bakersfield cacti. Translocated cacti shall be planted in habitat that the City has proven to be suitable for Bakersfield cactus by demonstrating that Bakersfield cactus occurs naturally at the same general location and the plantable area has suitable soils, vegetation, and other aspects to support a self-sustaining population of Bakersfield cactus. The density of plantings shall not exceed densities that occur naturally in the vicinity of the Project. Pads shall be taken from the translocated clumps of cacti and planted in the receiver sites to increase the number of plants.

All required minimization measures must be implemented before a 5 day "Notice of Grading Start" can be submitted to the agencies.