

Notice of Determination**- 1 -****To:**

Office of Planning and Research
 For U.S. Mail:
 P.O. Box 3044
 Sacramento, CA 95812-3044

Street Address:

1400 Tenth Street
 Sacramento, CA 95814

From:

California Department of Fish and Wildlife (CDFW)
Central Region
 1234 East Shaw Avenue, Fresno, CA 93710
 Contact: Carrie Swanberg, 559-243-4005

Lead Agency

Kern County Planning Department
 2700 "M" Street, Suite 100, Bakersfield, CA 93301
 Contact: Katrina Slayton
 Phone: 661-862-8957

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108

State Clearinghouse Number: 2012011029

Project Title: Eland Solar Project (California Endangered Species Act Incidental Take Permit No. 2081-2020-013-04 (ITP))

Project Location: The project is located both east and west of State Highway 14, approximately 5 miles north, northwest of the City of California in an unincorporated area of Kern County.

Project Description: This proposed project involves construction and operation of a 500-megawatt solar photovoltaic electrical generating facility supported by a 230-kilovolt generation-intertie electrical transmission line and collector path corridor. Permanent facilities associated with the Project include solar modules, service roads, energy storage system, substation, inverter stations, and operation and maintenance facilities.

The Project will result in permanent impacts to 2,484.32 acres of desert tortoise (*Gopherus agassizii*) and Mohave ground squirrel (*Xerospermophilus mohavensis*) habitat. The project is expected to result in incidental take of desert tortoise (*Gopherus agassizii*) and Mohave ground squirrel (*Xerospermophilus mohavensis*), which are designated as a threatened species under the California Endangered Species Act. The ITP referenced above as issued by CDFW authorizes incidental take of species listed under CESA that may occur as a result of Project implementation.

This is to advise that CDFW, acting as [the lead agency / a responsible agency] approved the above-described project on 6/29/2021 and made the following determinations regarding the above-described project:

1. The project [will / will not] have a significant effect on the environment (This determination is limited to effects within CDFW's permitting jurisdiction as a responsible agency).
2. [An environmental impact report / A negative declaration] was prepared by the lead agency for the original project.
3. Additional mitigation measures [were / were not] made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan [was / was not] adopted by CDFW for this project.
5. A Statement of Overriding Considerations [was / was not] adopted by CDFW for this project.
6. Findings [were / were not] made by CDFW pursuant to Public Resources Code § 21081(a).
7. Compliance with the environmental filing fee requirement at Fish and Game Code § 711.4 (check one):
 - Payment is submitted with this notice.
 - A copy of a receipt showing prior payment was submitted to CDFW.

Responsible Agency statement: The EIR prepared by the lead agency for the Project is available to the general public at the office location listed above for the lead agency. CDFW's administrative record of proceedings related to the incidental take permit is available to the public for review at CDFW's regional office.

DocuSigned by:

Bob Stafford

5343A684FF02469...

Signature**Date:** 6/29/2021for Julie A. Vance, *Regional Manager*

Date Received for filing at OPR: _____