

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:

Department of Fish and Wildlife (CDFW)
 Central Region
 1234 East Shaw Avenue
 Fresno, CA 93710
 Contact: Shaelyn Latronica
 Phone: (559) 246-2584

Lead Agency

City of Bakersfield
 Community Development Department
 Planning Division
 1715 Chester Ave.
 Bakersfield, CA 93301
 Contact: Phil Burns
 Phone: (661) 326-3075

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

State Clearinghouse Number: 1989020264

Project Title: Mercy Southwest Hospital Expansion Project (Project) (California Endangered Species Act Incidental Take Permit No. 2081-2023-030-04 (ITP))

Project Location: The Project is located in Bakersfield, CA on Old River Road approximately 4.25 miles west of Stockdale Highway at the existing Mercy Hospital Southwest in Kern County. The Project site is adjacent to California State University Bakersfield. The Project includes five (5) Work Areas, the North Parking lot (Work Area 1), the New Patient Tower & Central Utility Plant (Work Area 2), the Soil Staging Area (Work Area 3), the Contractor Parking Lot/ Material Staging Area (Work Area 4), and the Single-Story Imaging Addition (Work Area 5). APNs: 390-300-19, 390-300-33, 390-300-34, 390-300-24, and 390-300-23.

Project Description: This proposed Project continues the expansion of the existing Mercy Southwest (MSW) Hospital Care Facility. Project activities include the construction of a new parking lot area, patient tower, central utility plant, a single-story imaging addition and the installation of associated amenities including parking lots, landscaping, and underground utilities. Project activities began in March 2022 with take coverage for San Joaquin kit fox (*Vulpes macrotis mutica*, SJKF) under the Metropolitan Bakersfield Urban Development Incidental Take Permit (MBITP) (No. 2081-2013-058-04). Due to the MBITP expiration on June 1, 2023, Dignity Health applied for an Incidental Take Permit to continue activities for the completion of the Project with take authorization for SJKF.

The Project is expected to result in the permanent loss of 11.44 acres and temporary loss of 7.90 acres of SJKF habitat. The Project is expected to result in incidental take of SJKF, which is 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 3/14/2024 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.

Notice of Determination

- 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:
Julie Vance
Signature _____ Date: 3/14/2024
FA83F09FE08945A...
Julie A. Vance, *Regional Manager*

Date Received for filing at OPR: _____