

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

Office of Planning and Research  
[CEQA Submit](#)

**From:**

Department of Fish and Wildlife (CDFW)  
 Central Region; Region 4  
 1234 E Shaw Avenue  
 Fresno, CA 93710  
 Contact: Ren Cotter  
 Email: Ren.Cotter@wildlife.ca.gov  
 Phone: 559-767-0956

**Lead Agency**

Kern County  
 c/o Natural Resources Department  
 2700 M Street, Suite 100  
 Bakersfield, CA 93301  
 Contact: Lorelei H Oviatt  
 Phone: (661) 862-8600  
 Email: planning@co.kern.ca.us

**SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108**  
 State Clearinghouse Number: 2015111057

**Project Title:** Windhub Solar B (Western Joshua Tree Conservation Act (WJTCA) Incidental Take Permit No. 1927-ITP-2024-044-04 (ITP))

**Project Location (include county):** The Windhub Solar B Project (Project) is located on an approximately 74.5-acre portion of a 160-acre property at approximately 35.014864 N 118.270292 W within Section 28, Township 11 North, Range 13 West, west of the unincorporated community of Mojave in eastern Kern County.

**Project Description:** The Project involves the construction and operation of a 20-megawatt (MW) photovoltaic (PV) solar energy-generating facility on 75.59 acres of California State Lands Commission property. The Project consists of site preparation, road construction, electrical collection system installation, PV solar array and infrastructure installation, Project substation construction within the SEPV Mojave West substation area, perimeter fence installation, and Operations and Maintenance (O&M).

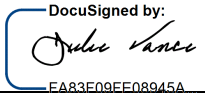
The Project will result in incidental take of 20,046 western Joshua tree (*Yucca brevifolia*) which is protected under the WJTCA and the California Endangered Species Act. The WJTCA ITP referenced above as issued by CDFW authorizes incidental take of western Joshua tree that may occur as a result of Project implementation.

This is to advise that CDFW, acting as [ the lead agency /  a responsible agency] approved the above-described project on the date signed below 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 mitigated 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.

**Notice of Determination**

- 6. Findings were 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.

Signature  Date: 9/26/2024

Julie A. Vance, *Regional Manager*