

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) Bay Delta Region
 2825 Cordelia Road, Suite 100, Fairfield, CA 94534
 Contact: Brenda Blinn
 Phone: (707) 339-0334, Email: Brenda.Blinn@wildlife.ca.gov

Lead Agency (if different than CDFW)

Alameda County Community Development Agency Planning Dept
 224 West Winton Avenue R. 111, Hayward, CA 94544
 Contact: Albert Lopez, Planning Director
 Phone: (510) 670-5426

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

State Clearinghouse Number: 2010082063

Project Title: Mulqueeney Ranch Wind Repowering Project (Project) (California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2021-006-03 (ITP))

Project Location: The Project is located south of I-580 in northeastern Alameda County and is 4,605 acres in size and located within the Altamont Pass Wind Resource Area (APWRA). Patterson Pass Road roughly bisects the Project Area. The Project is within the Midway 7.5-minute U.S. Geological Survey quadrangle in Township 2 south, Range 3 east, Sections 1, 2, 11, and 12; and Township 3 south, Range 4 east, Sections 5, 6, 7, 8, 17, 18. The Project is centered at 37°41'33"N, 121°34'47"W.

Project Description: The Project includes the construction of up to 19 new wind turbines to repower a previously decommissioned wind facility, with generating capacities up to 4.5 megawatts (MW) each for a maximum of 80 MW. Major components are the new and widened access roads, a meteorological tower, up to 17 Identiflight units and the installation of underground electrical lines connecting the turbines to a new substation.

The Project will result in impacts to a total of 211.3 acres of California tiger salamander (*Ambystoma californiense*) and San Joaquin kit fox (*Vulpes macrotis mutica*) habitat, including temporary impacts to 185.3 acres and permanent impacts to 26.7 acres of grassland habitat. The Project is expected to result in incidental take of California tiger salamander and San Joaquin kit fox which are designated as a threatened species under CESA. 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 10/7/2024 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.

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:

Erin Chappell

Signature

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Date: 10/7/2024

Erin Chappell, Regional Manager

Date Received for filing at OPR: _____