

**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  
 Phone: (559) 243-4005

## Lead Agency

Kern County  
 Planning and Community Development Department  
 2700 M Street, Suite 100  
 Bakersfield, CA 93301  
 Contact: Lorelei H. Oviatt  
 Phone: (661)862-8621

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

State Clearinghouse Number: 2010031034

Project Title: Maricopa Sun Solar Complex Project (Project) (California Endangered Species Act Incidental Take Permit No. 2081-2014-060-04, Major Amendment No. 6 (ITP as amended).

Project Location: The Project is located on 3,856.1 acres of land located on the north and south sides of South Lake Road, east of Gardner Field Road and northeast of Copus Road and Schallock Road, approximately 5 miles west of the City of Taft in an unincorporated area of southwestern Kern County, California.

Project Description: The Project, as permitted by CDFW, involves the construction, operation, and decommissioning of a 3,856.1-acre photovoltaic solar facility and associated on-site distribution lines, as well as the permanent conservation of 5,692.6 acres of on-site and nearby off-site lands.

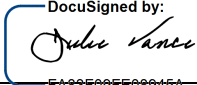
The Project will result in permanent impacts to 3,798.2 acres of San Joaquin kit fox (*Vulpes macrotis mutica*), San Joaquin antelope squirrel (*Ammospermophilus nelsoni*), and Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*) (collectively, Covered Species) habitat and temporary impacts to 81.9 acres of utility and railroad easements. The Project is expected to result in incidental take of San Joaquin kit fox and San Joaquin antelope squirrel, which are designated as threatened species under the California Endangered Species Act (CESA) and Tipton kangaroo rat, which is designated as an endangered species under CESA. The ITP as amended, authorizes incidental take of the Covered Species that may occur as a result of Project implementation. Major Amendment No. 6 extends the expiration date of the ITP by five years, clarifies that battery energy storage systems will be constructed within the original Project footprint, identifies existing HM lands as mitigation to be applied to the construction of the Bitterwater Switching Station, and adds the option to provide a performance security. Major Amendment No. 6 was reissued to correct administrative errors.

This is to advise that CDFW, acting as a responsible agency approved the above-described project on 12/15/2022 and made the following determinations regarding the above-described project:

1. The project 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 was prepared by the lead agency for the original project.
3. Additional mitigation measures were made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan was adopted by CDFW for this project.
5. A Statement of Overriding Considerations was not adopted by CDFW for this project.
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.

## Notice of Determination

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Signature \_\_\_\_\_ Date: 12/15/2022  
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Julie A. Vance, *Regional Manager*

Date Received for filing at OPR: \_\_\_\_\_