

**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  
 Stanislaus County, Attn: Planning and  
 Community Development Department  
 1010 10<sup>th</sup> Street, Suite 3400  
 Modesto, CA 95354  
 Contact: Rachel Wyse  
 Phone: (209) 525-6330

**SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108**  
 State Clearinghouse Number: 2015122003

Project Title: Sullivan Road Solar Project; Minor Amendment No. 1 to the California Endangered Species Act Incidental Take Permit No. 2081-2018-004-04 (ITP) (Amendment No. 1)

Project Location: The Project is located west of Interstate 5, south of Pete Miller Road and north of Sullivan Road, approximately 6 miles west of the community of Gustine in an unincorporated area of Stanislaus County, California.

Project Description: This proposed Project involves the construction, operation and maintenance, and decommissioning of a 40-megawatt photovoltaic solar power-generating facility. The Project is composed of a 214-acre solar site, including access road improvements and construction of an overhead transmission line. Amendment No. 1 extends the deadline in which to complete the compensatory mitigation obligations.

The Project will result in permanent and temporary impacts to 214 acres San Joaquin kit fox (*Vulpes macrotis mutica*), Swainson's hawk (*Buteo swainsoni*), and California tiger salamander (*Ambystoma californiense*) habitat. As authorized in the ITP, Amendment No. 1 is not expected to result in an increase in incidental take of San Joaquin kit fox, Swainson's hawk, or California tiger salamander, which are designated as threatened species under the California Endangered Species Act.

This is to advise that CDFW, acting as [ the lead agency /  a responsible agency] approved the above-described project on 11/4/2022 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.
  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 as amended is available to the public for review at CDFW's regional office.

DocuSigned by:  
  
 Signature \_\_\_\_\_

11/4/2022

Date: \_\_\_\_\_

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 Julie A. Vance, Regional Manager

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