

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: Kari Kyler Daniska, 559-939-0280

Lead Agency

Kern County Planning and Natural Resources
 Department

2700 "M" Street, Suite 100

Bakersfield, California 93301

Contact: Terrance Smalls, Supervising Planner

Phone: 661-862-8607

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

State Clearinghouse Number: 2019090215

Project Title: Tumbleweed Energy Storage Project by Tumbleweed Solar, LLC (California Endangered Species Act Incidental Take Permit No. 2081-2021-099-04 (ITP)).

Project Location: The Tumbleweed Energy Storage Project (Project) is generally located within Antelope Valley, in the western Mojave Desert region of unincorporated eastern Kern County, approximately 7 miles southwest of the town of Rosamond, California. The proposed Project is located within an approximate 39-acre area, generally bounded by Holiday Avenue to the north, Gaskell Road to the south, 120th Street West to the west, and 110th Street West to the east (Assessor's Parcel Numbers 359-183-02, 359-031-53 (partial), and 359-031-55 (partial)).

Project Description: The Project includes the construction of a 125-megawatt (MW) battery energy storage system (BESS), a 2-MW photovoltaic (PV) electric generating system, and an approximate 1-mile long 230 kilovolt (kV) overhead generation intertie (gen-tie) line connecting the Project to the existing Desert Flower Substation, northeast of the Project. The Project will function to receive electric energy from adjacent PV generation facilities, store that energy, convert the energy, and transmit it to the Desert Flower Substation which is connected to the Southern California Edison-owned Whirlwind Substation via an existing overhead gen-tie line.


The Project is expected to result in incidental take of up to 289 western Joshua tree (*Yucca brevifolia*) individuals and permanent loss of western Joshua tree habitat and seedbank over 29.31 acres of the Project Area. Western Joshua tree is designated as a candidate 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 5/23/2023 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:

FA83F09FE08945A...

Signature

Date: 5/23/2023

Julie A. Vance, *Regional Manager*

Date Received for filing at OPR: _____