

**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: Heather Rodriguez  
 Phone: (559) 578-0836

Lead Agency  
 Allensworth Community Services District  
 3336 Road 84  
 Allensworth, California, 93219  
 Contact: Sherri Hunter  
 Phone: 661-849-3894

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

State Clearinghouse Number: 2020069009

**Project Title:** Allensworth Water Well Project (California Endangered Species Act Incidental Take Permit No. 2081-2022-044-04 (ITP))

**Project Location:** The Allensworth Water Well Project is located near the town of Allensworth in Tulare County, California.

**Project Description:** The Project is to supply critical drinking water and fire protection to the community of Allensworth. The Project involves the drilling, construction, and development of new water well infrastructure and involves construction of a new Water Well Site and connection to existing water well laterals; development of a new Water Storage Facility Site; eventual decommissioning of the existing Water Well Sites and potential decommissioning of the new Water Well Site; demolition of the Existing Water Storage Facility Site; and maintenance, repair, and improvement activities of the Water Well Sites and Water Storage Facility Site that will include general maintenance and housekeeping activities.

The Project is expected to result in incidental take of blunt-nosed leopard lizard (*Gambelia sila*), Tipton kangaroo rat (*Dipodomys nitratooides nitratooides*), San Joaquin antelope squirrel (*Ammospermophilus nelsoni*), San Joaquin kit fox (*Vulpes macrotis mutica*), and Swainson's hawk (*Buteo swainsoni*) (collectively the Covered Species), which is/are designated as a threatened, endangered, and/or fully protected species under the California Endangered Species Act. The Project is expected to cause the permanent loss of 0.58 acres and temporary loss of 0.52 acres of non-native grassland which provides suitable habitat for the Covered Species and permanent loss of 0.54 acres and temporary loss of 0.42 acres of ruderal/low quality habitat features suitable for the Covered Species.

The ITP referenced above as issued by CDFW authorizes incidental take of species listed under California Endangered Species Act that may occur as a result of Project implementation. Incidental take of blunt-nosed leopard lizard may be authorized pursuant to Fish and Game Code section 2081.12. Additionally, Senate Bill 147 has been enacted to add section 2081.15 to the Fish and Game Code to allow CDFW to authorize the take of a fully protected species in subdivision (b) of section 5050 resulting from impacts attributable to the implementation of a maintenance, repair, or improvement project to critical regional or local water agency infrastructure if the conditions set forth in Fish and Game Code section 2081.15, subdivisions (a-f) are met (See Cal. Code Regs., tit. 14, § 783.4, and Senate Bill No. 147, stats. 2023).


The Permittee will purchase one (1) Covered Species credit equaling one acre from the Kern Water Bank Authority Conservation Bank and deed 0.46-acres of Habitat Management land to CDFW for management in perpetuity that will include a monitoring program and an adaptive management plan, approved by CDFW for monitoring the effectiveness of, and adjusting as necessary, the measures to minimize and fully mitigate the impacts of the authorized take of the species.

This is to advise that CDFW, acting as [ the lead agency /  a responsible agency] approved the above-described project on 10/27/2023 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).

**Notice of Determination**

- 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). CDFW did, however, adopt findings to document its compliance with CEQA.
- 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 Mitigated Negative Declaration 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.

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Signature

Date: 10/27/2023

Julie A. Vance, *Regional Manager*

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