

Notice of Determination

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: Jaime Marquez (559) 243-4005

Lead Agency
 Kern County Planning Department
 2700 "M" Street, Suite 100, Bakersfield, CA 93301
 Contact: Mark Tolentino
TolentinoM@kerncounty.com
 Phone: (661) 862-5041

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

State Clearinghouse Number: 2020099017

Project Title: Kudu Solar Project by 69SV 8ME LLC (California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2022-001-04 (ITP)); Minor Amendment No.1.

Project Location: The Project is located on 62 parcels within Fremont Valley, in the Mojave Desert region of unincorporated eastern Kern County, 5 miles north, northwest of the City of California City, California.

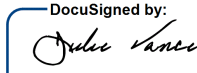
Project Description: The Project includes the construction, operation, and maintenance of a utility-scale solar farm that will include solar arrays, collector lines, energy storage systems, substation, ancillary facilities, and associated electrical infrastructure.

The Project will result in permanent impacts throughout the 1,550.53-acre Project area to desert tortoise (*Gopherus agassizii*) and Mohave ground squirrel (*Xerospermophilus mohavensis*) habitat. The project is expected to result in incidental take of desert tortoise and Mohave ground squirrel, which are designated as a threatened species under the 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. Minor Amendment No.1 modifies compensatory mitigation language related to the Co-Management Agreement between BLM and CDFW and removing all references to the Enhancement and Monitoring Plan requirements and the Robbers Roost enhancement actions.

This is to advise that CDFW, acting as [the lead agency / a responsible agency] approved the above-described project on 12/16/2024 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:

 Signature _____
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Date: 12/16/2024

Julie A. Vance, Regional Manager

Date Received for filing at OPR: _____