

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: Carrie Swanberg, 559-538-4110

Lead Agency
 Kern County Planning Department
 2700 "M" Street, Suite 100, Bakersfield, CA 93301
 Contact: Ronelle Candia, CandiaR@kerncounty.com
 Phone: 661-862-8997

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

State Clearinghouse Number: 2021010168

Project Title: Bellefield Solar Project by 50LW 8ME LLC (California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2021-037-04 (ITP)) Major Amendment No. 2.

Project Location: The Project is located partially within the limits of California City and partially within unincorporated areas in the southern Fremont Valley, Kern County, California, north and south of State Route 58 and east and west of State Route 14.

Project Description: The Project includes the construction, operation, maintenance, and ultimate decommissioning of a utility-scale solar farm that will include solar arrays, collector lines, energy storage systems, substation, ancillary facilities, associated electrical infrastructure, and a 14.5-mile generation tie-in (gen-tie) transmission line. Major Amendment No. 2 authorizes take of the CESA candidate species western burrowing owl (*Athene cunicularia hypugaea*) during the construction, operations and maintenance, and decommissioning of the Project.

The Project as authorized in Major Amendment No. 2 will result in permanent impacts to western burrowing owl and it's habitat over the same Project area previously identified in the original ITP for CESA threatened desert tortoise (*Gopherus agassizii*) and Mohave ground squirrel (*Xerospermophilus mohavensis*). 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 12/24/2024 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:

Bob Stafford

Signature

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12/24/2024

Date:

FOR Julie A. Vance, Regional Manager

Date Received for filing at OPR: _____