

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, 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: 2021020513

Project Title: Aratina Solar Farm Project by 64NB 8me LLC; 91MC, 8me LLC; 45MG 8me LLC; 104KB 8me LLC; 156KA 8me LLC (California Endangered Species Act Incidental Take Permit No. 2081-2020-022-04 (ITP))

Project Location: The Project is generally located within an unincorporated area in the southeastern corner of Kern County and a portion of San Bernadino County, south and west of the unincorporated community of Boron.

Project Description: The Project includes the construction, operation, and maintenance of a photovoltaic (PV) solar facility that will include service roads, photovoltaic panels supported on solar trackers, a power collection system, communication cables, overhead and underground gen-tie transmission lines, electrical switchyards, substations, energy storage system(s), weather stations, and operations and maintenance facilities.

The Project will result in permanent impacts throughout the 2,435-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 (*Gopherus agassizii*) and Mohave ground squirrel (*Xerospermophilus mohavensis*), which are designated as a 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 10/17/2023 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.

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 _____
 FA83F09FE08945A...

Julie A. Vance, *Regional Manager*Date: 10/17/2023

Date Received for filing at OPR: _____