

**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)  
 Inland Deserts Region  
 3602 Inland Empire Blvd Suite C-220  
 Contact: Rose Banks  
 Rose.Banks@wildlife.ca.gov

Lead Agency (if different than CDFW)  
 San Bernardino County  
 385 N. Arrowhead Avenue, First Floor  
 San Bernardino, CA 92414  
 Contact: Anthony Deluca  
 Phone: (909) 387-3067

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

State Clearinghouse Number: 2021070070

**Project Title:** Lockhart Solar PV II Project (California Endangered Species Act Incidental Take Permit No. 2081-2021-091-06 (ITP))

**Project Location:** The Project is located in unincorporated Hinkley, California in San Bernardino County, approximately seven miles north of the intersection of Harper Lake Road and Mojave-Barstow Highway 58, east of Hoffman Road and west of Harper Lake Road. The Project site comprises Assessor Parcel Numbers (APNs) 0490-101-54, 0490-101-56, and 0490-223-33, located in the Lockhart U.S. Geological Survey 7.5-minute quadrangle in Township 11 North, Range 4 West, portions of Sections 18 and 19, and Township 11 North, Range 5 West, portions of Sections 13 and 24, San Bernardino Mountain Meridian.

**Project Description:** This proposed project involves the development of a utility-scale, solar photovoltaic (PV) electricity generation and energy storage facility that would produce up to 150 megawatts (MW) of solar power and include up to four gigawatt hours (GWh) of energy storage capacity rate in a battery energy storage system (BESS).

The Project will result in impacts to 308 acres of Mohave ground squirrel (*Xerospermophilus mohavensis*) habitat. The project is expected to result in incidental take of Mohave ground squirrel, which is 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 September 7, 2022 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.

## Notice of Determination

- 2 -

*Signature*  *Date:* 9/7/2022  
Heidi Calvert, *Regional Manager*

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