

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 Land Use Services
 Department
 385 N. Arrowhead Avenue, First Floor
 San Bernardino, CA 92415
 Contact: Jon Braginton
 Phone: (909) 387-8311

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

State Clearinghouse Number: 2022090646

Project Title: Desert Breeze Solar Project (California Endangered Species Act Incidental Take Permit No. 2081-2023-026-06 (ITP) Major Amendment No. 1)

Project Location: The Project is located in an unincorporated portion of the western part of San Bernardino County in the community of Hinkley, approximately seven miles northwest of the intersection of Harper Lake Road and Mojave-Barstow Highway 58. The Project is located within County Assessor's Parcel number 0490-223-33 and is bordered by existing and approved solar facilities to the south, Harper Lake Road to the east, Maltice Drive to the north, and Hoffman Road to the west.

Project Description: This proposed project involves the construction and operation of a photovoltaic (PV) solar facility and associated infrastructure to generate up to 130 megawatts (MW) of alternating current (AC) power within an approximately 677-acre solar array development area.

The Project as authorized in Major Amendment No. 1 will result in permanent impacts to western burrowing owl (*Athene cunicularia hypugaea*) and its habitat over the same Project area previously identified in the original ITP for CESA threatened Mohave ground squirrel (*Xerospermophilus mohavensis*) and Agassiz's desert tortoise (*Gopherus agassizii*). 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 02/03/25 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):
 A copy of a receipt showing prior payment was submitted to CDFW.

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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 Heidi Calvert Date: 2/3/2025

Heidi Calvert, *Regional Manager*

Date Received for filing at OPR: _____