

Notice of Determination**- 1 -****To:**

Office of Planning and Research
[CEQA Submit](#)

From:

California Department of Fish and Wildlife (CDFW)
Region 4; Central Region
1234 East Shaw Avenue
Fresno, California 93710
Contact: Ren Cotter
Phone: 559-767-0956
Email: Ren.Cotter@wildlife.ca.gov

Lead Agency

Kern County
c/o Natural Resources Department
2700 M Street, Suite 100
Bakersfield, CA 93301
Contact: Lorelei H. Oviatt
Phone: 661-862-8600
Email: planning@kerncounty.com

SUBJECT: *Filing of Notice of Determination pursuant to Public Resources Code § 21108*
State Clearinghouse Number: 2023050214

Project Title: Enterprise Solar Storage Project Amendment No. 1 to the Western Joshua Tree Conservation Act (WJTCA) Incidental Take Permit (ITP) No. 1927-ITP-2024-037-04.

Project Location: The Project is located in an unincorporated area in southeastern Kern County, California, at the western edge of the Antelope Valley and south of the community of Mojave. The Project consists of five non-contiguous sites that are located south of the unincorporated community of Mojave, approximately 2 miles southwest of California City, 8 miles north of the unincorporated community of Rosamond, approximately 8 miles northwest of Edwards Air Force Base, and 16 miles southeast of the City of Tehachapi.

Project Description: The Project includes the construction and operation of a photovoltaic (PV) solar facility and associated infrastructure necessary to generate 600 megawatts (MW) of renewable electric energy with up to 4,000 megawatt hours (MWh) of energy storage capacity (approximately 1,000 MW), on approximately 2,320 acres of privately owned land.

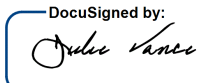
The Project will result in incidental take of 6,277 western Joshua tree (*Yucca brevifolia*), a species which is protected under the WJTCA and the California Endangered Species Act. The WJTCA ITP referenced above as issued by CDFW authorizes incidental take of western Joshua tree that may occur as a result of Project implementation. Amendment No.1 increases the total number of WJT for which take is authorized to 6,277, as determined by CDFW; this total includes 568 additional WJT that will be impacted due to a shift in the Project boundary and minor adjustments to the Project layout of internal facilities. Amendment No. 1 also updates the total number of WJT for which take is authorized to exclude 173 trees that will no longer be impacted, requires preparation of a WJT Relocation Plan, establishes a process for authorizing additional take coverage for any new WJT that emerge onsite, and makes other minor changes.

CDFW has prepared an Addendum to update the Environmental Impact Report (EIR) adopted by Kern County for the Project on March 19, 2024, to analyze changes and impacts related to Amendment No. 1. The addition of these changes would not have any significant environmental impacts beyond those already addressed in the EIR or cause a substantial increase in the severity of previously identified significant effects.

Notice of Determination

This is to advise that CDFW, acting as a responsible agency] approved the above-described project on the date signed below 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 mitigated 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 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 _____ Date: 1/24/2025
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Julie A. Vance, *Regional Manager*