

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:

Department of Fish and Wildlife (CDFW)
 Inland Deserts Region
 3602 Inland Empire Blvd Suite C-220
 Ontario, CA 91764
 Contact: Ashley Rosales
 Ashley.Rosales@wildlife.ca.gov

Lead Agency:
 Same as above

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

State Clearinghouse Number: 2018031027

Project Title: Crimson Solar Project (California Endangered Species Act Amended Incidental Take Permit No. 2081-2021-015-06 Amendment No. 2 (ITP))

Project Location (include county): County of Riverside, west of the City of Blythe, south of Interstate 10

Project Description: This proposed project involves a minor amendment to several conditions of approval within the ITP to clarify and differentiate the levels of monitoring and take minimization requirements during construction, operation and maintenance, and decommissioning (should the project cease operation prior to its service life) due to the varied potential for take during Covered Activities associated with each period. Additionally, a modification to the desert tortoise exclusionary fence design surrounding the battery energy storage system and substation required amendment to the language for monitoring and maintenance for this section of fence in the ITP.

The amendments to the ITP will not increase the impacts or mitigation as stated in the original ITP. The Project will result in impacts to 1,984 acres of desert tortoise (*Gopherus agassizii*). The project is expected to result in incidental take of desert tortoise, which is designated as a threatened/ candidate endangered 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 11/29/2023 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:

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Signature

Heidi Calvert, Regional Manager

Date: 11/29/2023

Notice of Determination

Date Received for filing at OPR: _____