

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: Lisa Gymer
Phone: (559) 243-4014, extension 238

Lead Agency
Kern County
Planning and Community Development Department
2700 M Street, Suite 100
Bakersfield, CA 93301
Contact: Lorelei H. Oviatt
Phone: (661)862-8621

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

State Clearinghouse Number: 2010031034

Project Title: Maricopa Sun Solar Complex Project (Project) (California Endangered Species Act Incidental Take Permit No. 2081-2014-060-04 (ITP), Major Amendment No. 5).

Project Location: The Project is located on 3,856.1 acres of land located on the north and south sides of South Lake Road, east of Gardner Field Road and northeast of Copus Road and Schallock Road, approximately 5 miles west of the City of Taft in an unincorporated area of southwestern Kern County, California.

Project Description: The Project, as permitted by CDFW, involves the construction, operation, and decommissioning of a 3,856.1-acre photovoltaic solar facility and associated on-site distribution lines, as well as the permanent conservation of 5,692.6 acres of on-site and nearby off-site lands.

The Project will result in permanent impacts to 3,798.2 acres of San Joaquin kit fox (*Vulpes macrotis mutica*), San Joaquin antelope squirrel (*Ammospermophilus nelsoni*), and Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*) (collectively, Covered Species) habitat and temporary impacts to 57.9 acres of utility and railroad easements. The Project is expected to result in incidental take of San Joaquin kit fox and San Joaquin antelope squirrel, which are designated as threatened species under the California Endangered Species Act (CESA) and Tipton kangaroo rat, which is designated as an endangered species under CESA. The ITP and Amendments No. 1, 2, and 3, as issued by CDFW, authorizes incidental take of the Covered Species that may occur as a result of Project implementation. Amendment No. 4 was issued by CDFW, but it was not executed and was subsequently rescinded by the Permittee. Major Amendment No. 5 clarifies the definition of the Bitterwater Switching Station, adds a total of 24 acres associated with the Bitterwater Switching Station and its facilities to the Easements acreage, modifies the Conditions of Approval to add protective measures resulting from the addition of construction of storm water retention ponds to the Project description, modifies the off-site HM lands requirement by adding 24 acres to the off-site mitigation obligation to be completed before starting work on the Bitterwater Switching Station, modifies the on-site HM lands requirement by subtracting 24 acres from the on-site springing conservation easement and decommissioning requirements, replaces Figure 2 with a new Figure 2 that shows the location of the Bitterwater Switching Station and the additional 24 acres of off-site HM lands and adds Figure 3 that shows the design of the Bitterwater Switching Station.

This is to advise that CDFW, acting as a responsible agency approved the above-described project on 12/9/19 and made the following determinations regarding the above described project:

1. The project 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 was prepared by the lead agency for the original project.
3. Additional mitigation measures were made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan was adopted by CDFW for this project.
5. A Statement of Overriding Considerations 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.

Notice of Determination

- 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.

Signature  Date: 12/9/19
Julie A. Vance, Regional Manager, Governor's Office of Planning & Research

Date Received for filing at OPR: DEC 09 2019

STATE CLEARINGHOUSE