

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
Stanislaus County, Attn: Department of Planning and
Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354
Contact: Rachel Wyse, Senior Planner
Phone: (209) 525-6330

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

State Clearinghouse Number: 2015122003

Project Title: Sullivan Road Solar Project (California Endangered Species Act Incidental Take Permit No. 2081-2018-004-04 (ITP))

Project Location: The Project is located west of Interstate 5, south of Pete Miller Road and north of Sullivan Road, approximately 6 miles west of the community of Gustine in an unincorporated area of Stanislaus County, California.

Project Description: This proposed Project involves the construction, operation, and decommissioning of a 40-megawatt photovoltaic solar power generating facility. The Project is composed of an approximately 214-acre solar site, including access road improvements and construction of an overhead transmission line.

The Project will result in permanent and temporary impacts to 214 acres of California tiger salamander (*Ambystoma californiense*), San Joaquin kit fox (*Vulpes macrotis mutica*) and Swainson's hawk (*Buteo swainsoni*) habitat. The Project is expected to result in incidental take of California tiger salamander, San Joaquin kit fox and Swainson's hawk, which are designated as 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 5/28/19 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 / were not] made by CDFW pursuant to Public Resources Code § 21081(a). CDFW did, however, adopt findings to document its compliance with CEQA.
 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 mitigated negative declaration 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

Julie A. Vance, Regional Manager

Date:

5/28/19

Governor's Office of Planning & Research

Date Received for filing at OPR: _____

MAY 28 2019

STATE CLEARINGHOUSE