Docusign Envelope ID: 9B2F1789-BDB0-44C0-831A-3D01718D7C0B

09

To:
Office of Land Use and Climate Innovation
CEQA Submit

From:
Department of Fish and Wildlife (CDFW)
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
Contact: Steven Recinos
Phone: (909) 731-5954
Email: Steven.Recinos@wildlife.ca.gov

Lead Agency
California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825
Contact: Alexandra Borack
Phone: (916) 574-2399
Email:DESPMAssistantChief.Public@slc.ca.gov

SUBJECT: ***Filing of Notice of Determination pursuant to Public Resources Code § 21108***
State Clearinghouse Number: 2001071035 (EIR)

Project Title: Kern River Gas Transmission Company Operation and Maintenance Project (California Endangered Species Act Incidental Take Permit No. 2081-2011-081-06-A2 Major Amendment No. 2 (ITP))

Project Location (San Bernardino County): The Project site is bounded by Primm, Nevada (Latitude 35.621731; Longitude -115.409669) on the northeast and Daggett California (Latitude 34.851100; Longitude -116.849600) on the southwest. The Project is also bounded from Freemont Peak near the Kramer Junction (Latitude 34.985443; Longitude -117.526104) on the northwest to the Kern River's meter station in Victorville (Latitude 34.595800; Longitude -117.362790) on the southwest, and the Mountain Pass Lateral from Ivanpah Valley (Latitude 35.592768; Longitude -115.507178) to Molycorp Minerals LLC property (Latitude 35.476920; Longitude -115.520265) on the northeast.

Project Description: This proposed Project is an Amendment (Major Amendment No. 2) to the original ITP that includes the continued operation and maintenance of the Kern River Gas Transmission Company's existing pipelines, meter stations, valve sites and compressor station. This Amendment will extend take coverage by adding two additional Covered Species, including western Joshua tree (Yucca brevifolia) and western burrowing owl (Athene cunicularia hypugaea), add associated avoidance and minimization conditions of approval, and extend the Project for ten years.

The Project is expected to result in incidental take of Mohave ground squirrel, desert tortoise, gilded northern flicker, western Joshua tree, and western burrowing owl, which are designated as a threatened, endangered or candidate, under the California Endangered Species Act (CESA). The ITP Amendment referenced above as issued by

Docusign Envelope ID: 9B2F1789-BDB0-44C0-831A-3D01718D7C0B

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 **09/30/2025** 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 and ☐ A negative declaration] was prepared by the lead agencies 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:
Signature Heidi Calvert CAEE4779B63E4A3... *Date:* 9/30/2025

Heidi Calvert, *Regional Manager*

Date Received for filing at OPR: _____