

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, Attn: 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: 2012111014

Project Title: Fremont Solar (Springbok 2 Solar Farm) Project (California Endangered Species Act Incidental Take Permit No. 2081-2015-026-04 (ITP)), Amendment No. 1, a major amendment.

Project Location: The Project is located east of State Highway 14, approximately 10 miles north of the City of California City in an unincorporated area of Kern County, California.

Project Description: The Project involves the construction, operation, and decommissioning of a 150-megawatt photovoltaic solar power-generating facility. The Project includes an approximately 1,323.84-acre solar site and an up to 45.45-acre gen-tie corridor in which a maximum of 6.7 acres will be disturbed.

The Project will result in permanent impacts to 611.80 acres of low to moderate desert tortoise (*Gopherus agassizii*) and Mojave ground squirrel (*Spermophilus mohavensis*) habitat. The Project is expected to result in incidental take of desert tortoise and Mojave ground squirrel, which are designated as threatened species under the California Endangered Species Act (CESA). 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. Amendment No. 1 was initiated by CDFW to eliminate a portion of the Project that is no longer under Permittee's control and for which a new separate ITP was issued. Amendment No. 1 updates the Permittee contact information, removes 677.42 acres of Covered Species habitat from the Project Description and Impacts of the Taking on the Covered Species sections of the ITP, adds language to the Habitat Management Lands Acquisition section of the ITP to document the mitigation obligation already completed for the Project also satisfied the mitigation obligation for the removed portion of the Project, and updates the Project figures by replacing Figures 1 through 3 with new Figures 1 and 2 that delineates the new smaller Project and eliminating Figure 4, which is no longer applicable.

This is to advise that CDFW, acting as [ the lead agency /  a responsible agency] approved the above-described project on 10/14/19 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 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.

**Notice of Determination**

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, as amended, is available to the public for review at CDFW's regional office.

Signature  Date: 6/14/19  
Julie A. Vance, Regional Manager **Governor's Office of Planning & Research**

Date Received for filing at OPR: **JUNE 18 2019**

**STATE CLEARINGHOUSE**