

**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:**

California Department of Fish and Wildlife (CDFW)  
 Central Region)  
 1234 East Shaw Avenue  
 Fresno, CA 93710  
 Contact: Javier Mendez  
 Phone: 559-903-5026

Lead Agency  
 California High Speed Rail Authority  
 770 L Street, Suite 620  
 Sacramento, CA 95814  
 Contact: Stefan Galvez-Abadia

**SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108**  
 State Clearinghouse Number: 2009091126

**Project Title:** California High-Speed Train Project: Fresno to Bakersfield Major Amendment No. 33  
 (California Endangered Species Act Incidental Take Permit No. 2081-2015-024-04 (ITP))

**Project Location:** The Project includes the California High Speed Train (HST) alignment beginning on the south side of the G Street and San Benito Street intersection, north of Highway 41, in the City of Fresno, Fresno County, California. From this intersection, the Fresno to Bakersfield HST alignment extends south either along or adjacent to the Burlington Northern Santa Fe Railway (BNSF) for approximately 92 miles before reaching the section endpoint, at the intersection of Poplar Avenue and Madera Avenue, within the city limits of Shafter, in Kern County, California.

**Project Description:** The Project approved by CDFW consists of the ITP, Major Amendments Nos. 1, 2, and 3, Minor Amendment No. 4, Major Amendments Nos. 5-32 and this Major Amendment No. 33, as referenced above and as issued by CDFW, which addresses construction and operation of the Fresno to Bakersfield segment of the HST, as approved by the lead agency, affecting wildlife resources subject to the California Endangered Species Act (CESA). The ITP authorizes incidental take of the threatened California tiger salamander (*Ambystoma californiense*), San Joaquin antelope squirrel (*Ammospermophilus nelsoni*), Swainson's hawk (*Buteo swainsoni*), and San Joaquin kit fox (*Vulpes macrotis mutica*); and the endangered Tipton kangaroo rat (*Dipodomys nitratooides nitratooides*); and the candidate Western burrowing owl (*Athene cunicularia hypugaea*) (collectively, the Covered Species).

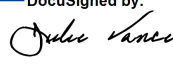
The Project is expected to result in incidental take of blunt-nosed leopard lizard (*Gambelia sila*, BNLL) which is designated as endangered and as a fully protected species under the California Endangered Species Act (CESA). This Major Amendment No. 33 adds BNLL as a Covered Species subject to take authorization which will be impacted by Covered Activities; updates multiple Conditions of Approval to include BNLL and adds species-specific Conditions of Approval for BNLL; updates Table 9 to include Project related impacts to 255.30 acres of BNLL habitat updates Table 11 to include required compensatory Habitat Mitigation lands for BNLL, mitigation completed, and mitigation still outstanding which requires Performance Security; deletes Table 12 "Proposed Mitigation Sites" and adds Table 12 "Mitigation sites with Conservation Easements and documented species presence"; updates the Performance Security amount based on the Covered Species impacts still outstanding, adds a new Exhibit 9 BNLL Potential Habitat, updates to the Mitigation and Monitoring Reduction Plan (MMRP), and updates to the CESA Findings specific to BNLL.

**Notice of Determination**

The Permittee has already permanently conserved 1,907.98 acres of high quality occupied BNLL habitat which has a monitoring program and an adaptive management plan, approved by CDFW to fully mitigate the impacts of the authorized take of BNLL.

This to advise that CDFW, acting as [ the lead agency /  a responsible agency] approved the above -described project on 8/21/2025 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 /  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:  
  
FA03F03FE00945A...

Signature

Date: 8/21/2025

*Julie A. Vance, Regional Manager*

Date Received for filing at OPR: \_\_\_\_\_