

Notice of Determination**- 1 -****To:**

Office of Land Use and Climate
Innovation
[CEQA Submit](#)

From:

California Department of Fish and Wildlife (CDFW)
Central Region
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Fresno, California 93710
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Lead Agency

Allensworth Community Services District
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Allensworth, California 93219
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SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108

State Clearinghouse Number: 2020069009

Project Title: California Endangered Species Act (CESA) Amended Incidental Take Permit (ITP) No. 2081-2022-044-04 (Major Amendment No. 1) for the Allensworth Water Well Project (Project)

Project Location: The Project is located near the town of Allensworth in Tulare County, California.

Project Description: CDFW has issued a CESA (Fish & G. Code, § 2050 et seq.) ITP and this Amended ITP (Major Amendment No. 1) to authorize the Allensworth Community Services District to incidentally take blunt-nosed leopard lizard (*Gambelia sila*) which is listed as fully protected pursuant to Fish and Game Code section 5050 and endangered under CESA (Cal. Code Regs. tit. 14 § 670.5, subd. (a)(4)(B)), Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*) listed as endangered under CESA (Cal. Code Regs. tit. 14 § 670.5, subd. (a)(6)(D)), and San Joaquin antelope squirrel (*Ammospermophilus nelsoni*), San Joaquin kit fox (*Vulpes macrotis mutica*), and Swainson's hawk (*Buteo swainsoni*) which are listed as threatened under CESA (Cal. Code Regs. tit. 14 § 670.5, subd. (b)(6)(B), (b)(6)(E), and (b)(5)(A), respectively), collectively the Covered Species.

This Amended ITP (Major Amendment No. 1) amends the original ITP issued on October 27, 2023, to include revisions of the Project Location and Project Description as follows: revising the location of the temporary discharge pipe associated with Pipeline Tie-In 1 for accuracy; removing construction of the permanent discharge pipe associated with Pipeline Tie-In 1; removing the new Water Storage Facility Site; adding a temporary water tank and booster pumping station that will be constructed prior to demolition of the existing Water Storage Facility and all other infrastructure located at that Site; adding that once demolition is complete, the new Water Storage Facility will be constructed at that same location; and updating relevant sections, Conditions of Approval, Figures, and Attachments for consistency with, and to reflect updates to, the Project Location and Project Description. The resulting impacts of the Project to the Covered Species have decreased with these changes.

The Project is to supply critical drinking water and fire protection to the community of Allensworth. The Project involves the drilling, construction, and development of new water well infrastructure at a new site and connection to the existing water pipeline infrastructure; eventual decommissioning of the existing Water Well Sites and potential decommissioning of the new Water Well Site; construction of a temporary water system, demolition of the existing Water Storage Facility and associated infrastructure, and construction of a new Water Storage Facility at the same site; and maintenance, repair, and improvement activities of the Water Well Sites and Water Storage Facility. The Project is now expected to cause the permanent loss of 0.58 acre and temporary loss of 0.50 acre of non-native grassland which provides suitable habitat for the Covered Species and permanent loss of 0.26 acre and temporary loss of 0.023 acre of ruderal/low quality habitat features suitable for the Covered Species.

The Amended ITP referenced above as issued by CDFW authorizes incidental take of species listed under CESA that may occur as a result of Project implementation. Incidental take of blunt-nosed leopard lizard may be authorized pursuant to Fish and Game Code section 2081.12. Additionally, Senate Bill 147 was enacted to add section 2081.15 to the Fish and Game Code to allow CDFW to authorize the take of a fully protected species in subdivision (b) of section 5050 resulting from impacts attributable to the implementation of a maintenance, repair, or improvement

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project to critical regional or local water agency infrastructure if the conditions set forth in Fish and Game Code section 2081.15, subdivisions (a-f) are met (See Cal. Code Regs., tit. 14, § 783.4, and Senate Bill No. 147, stats. 2023).

The Permittee will purchase one (1) Covered Species credit equaling one acre from the Kern Water Bank Authority Conservation Bank and deed 0.46-acres of Habitat Management land to CDFW for management in perpetuity that will include a monitoring program and an adaptive management plan, approved by CDFW for monitoring the effectiveness of, and adjusting as necessary, the measures to minimize and fully mitigate the impacts of the authorized take of the species.

This is to advise that CDFW, acting as [the lead agency / a responsible agency] approved the above-described project on 8/26/2025 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 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.

DocuSigned by:

 Signature _____ Date: 8/26/2025
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 Julie A. Vance, *Regional Manager*

Date Received for filing at OPR: _____