Docusign Envelope ID: 1629503D-4E44-446F-BBF8-D586FA795A34

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: Lily Mu, Senior Environmental Scientist (Specialist)
Phone: (909) 544-2521
Email: Lily.Mu@wildlife.ca.gov

Lead Agency (if different than CDFW)
Imperial County
801 Main Street, El Centro, CA 92243
Contact: David Black, Planner IV
Phone: (442) 265-1746
Email: davidblack@co.imperial.ca.us

SUBJECT: ***Filing of Notice of Determination pursuant to Public Resources Code § 21108***
State Clearinghouse Number: 2021050013

Project Title: Vega 5 Solar Energy System Project (California Endangered Species Act Incidental Take Permit No. 2081-2025-025-06 (ITP))

Project Location (include county): The project is located at approximately latitude 33.206792 and longitude -115.438061 and is approximately 5.67 miles southeast of the census-designated place of Niland, between the unincorporated communities of Iris and Slab City, in Imperial County.

Project Description: This proposed project involves the construction, operations and maintenance of a 50-megawatt (MW) solar photovoltaic facility, 50-MW battery energy storage system, substation, medium-voltage collection lines, high-voltage generation tie transmission line, access roads, and retention basins.

The Project will result in impacts to 276.7 acres of western burrowing owl (*Athene cunicularia hypugaea*) habitat. The Project is expected to result in incidental take of western burrow owl, which is designated as a candidate species for potential listing 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 the date below 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.

Docusign Envelope ID: 1629503D-4E44-446F-BBF8-D586FA795A34

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.

Signature DocuSigned by: Heidi Calvert CAEE4779B63E4A3... *Date:* 1/5/2026

Heidi Calvert, Regional Manager

Date Received for filing at OPR: _____