



STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE

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MEGHAN HERTEL, Director

Inland Deserts Region
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To:
Office of Land Use and Climate Innovation
[CEQA Submit](#)

From:
Department of Fish and Wildlife (CDFW)
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Lead Agency (if different than CDFW)
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NOTICE OF DETERMINATION

Subject: Filing of Notice of Determination pursuant to Section 21108 of the Public Resources Code

State Clearinghouse Number: 2024010434

Project Title: Overnight Solar Project (California Endangered Species Act Incidental Take Permit Amendment No. 1 2081-2024-032-06-A1 (ITP))

Project Location (San Bernardino): The Overnight Solar Project (Project) is located within the unincorporated town of Lockhart, San Bernardino County. The Project is located approximately 10.5 miles west of Kramer Junction at approximately 35.01837, -117.35758. The Project site is bounded by Mojave Solar to the west and Lockhart Solar to the north.

Project Description: The California Department of Fish and Wildlife (CDFW) has issued an ITP amendment (No. 2081-2024-032-06-A1), pursuant to Section 2081(b) of the Fish and Game Code to Overnight Solar, LLC.

This ITP amendment authorizes the Permittee to construct the Project into two phases to reduce impacts on Covered Species. Phase 1 includes the southern portion of the Project

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site, where Covered Activities are expected to have less impact on desert tortoise; Phase 2 includes the northern portion of the Project site, where the desert tortoise hatchlings were found and impacts to desert tortoise are anticipated to be greater. The ITP amendment 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 a Responsible Agency, approved the project described above on March 26, 2026, and has made the following determinations regarding the above-described project:

1. The project **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 **was** prepared by the lead agency for the original project.
3. Additional mitigation measures **were** made a condition of CDFW's approval of the project.
4. A Mitigation Reporting or Monitoring Plan **was** adopted by CDFW for this project.
5. A Statement of Overriding Considerations **was not** adopted by CDFW for this project.
6. Findings **were** 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:

A copy of a receipt showing prior payment was submitted to CDFW.

The environmental impact report 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 Date: 3/26/2026
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Heidi Calvert, Regional Manager