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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: Marlee Poff
Phone: (909) 544-2531
Email: Marlee.Poff@wildlife.ca.gov

Lead Agency (if different than CDFW)
San Bernardino County
385 N. Arrowhead Ave, 1st Floor
San Bernardino, CA 92415
Contact: Jon Braginton, Contract Planner
Phone: (909) 387-4142
Email: Jon.Braginton@lus.sbcounty.gov

SUBJECT: ***Filing of Notice of Determination pursuant to Public Resources Code § 21108***
State Clearinghouse Number: 2024010434

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

Project Location (include county): 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: This proposed project involves the construction and operation of a photovoltaic (PV) solar facility and battery energy storage system (BESS), and construction of a 1.1-mile generation-tie(gen-tie) line. The Project will consist of the following components: perimeter and exclusion fencing; solar PV generating facilities and solar modules; inverters; an on-site substation and associated fencing; a one-story control building; an operations and maintenance building; aboveground power lines to transport electricity to the on-site substation; individual lithium-ion cells and BESS controller housed within the BESS enclosure; direct current (DC)/DC converter, power conversion system inverter, and medium-voltage transformer associated with the BESS; gen-tie line and interconnection; on-site access roads; storm water facilities; and telecommunications equipment, such as fiber-optic lines, a supervisory control and data acquisition system, and auxiliary power.

The Project will result in permanent impacts to 595.4 acres of Covered Species (Mojave desert tortoise (*Gopherus agassizii*), Mohave ground squirrel (*Xerospermophilus mohavensis*), and western burrowing owl (*Athene cunicularia hypugaea*)) habitat, as well as impacts to 17.2 acres of a developed area within the Mojave Solar facility footprint, totaling in 612.6 acres of impact. The project is expected to result in incidental take of Mojave desert tortoise, which is designated as an endangered species, Mohave

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ground squirrel, which is designated as a threatened species, and western burrowing owl, which is designated as a candidate 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.

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.
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:

Signature Heidi Calvert CAEE4779B03E4A3... *Date:* 9/26/2025

Heidi Calvert, Regional Manager

Date Received for filing at OPR: _____