

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: Dave Hacker
Phone: (805) 594-6152

Lead Agency

County of San Luis Obispo
Department of Planning and Building
San Luis Obispo, CA 93408
Contact: Kate Shea
Phone: (805) 781-4097

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108

State Clearinghouse Number: 2009021009

Project Title: California Valley Solar Ranch (California Endangered Species Act Incidental Take Permit No. 2081-2011-044-04 (ITP) Major Amendment No. 9)

Project Location: The Project is located on 4,691 acres on both sides of State Route 58 on the east side of the Carrizo Plains in San Luis Obispo County. The Project is bounded generally by Belmont Trail to the south, Baird Road to the east, Cambria Road to the west, and the Morro Bay-Midway transmission line to the north.

Project Description: The Project entails constructing, operating, and maintaining a 250-megawatt solar photovoltaic energy facility, including solar panel arrays, gathering power lines, a substation, access roads, buildings, two evaporation ponds, and an approximately three-mile long generation tie-line to convey electricity to the existing Morro Bay-Midway transmission line. The Project as originally permitted would result in permanent impacts to 1,782 acres and temporary impacts to 80 acres of San Joaquin kit fox (*Vulpes macrotis mutica*), giant kangaroo rat (*Dipodomys ingens*), and San Joaquin antelope squirrel (*Ammospermophilus nelsoni*) habitat. The Project is expected to result in incidental take of San Joaquin kit fox and San Joaquin antelope squirrel, which are designated as threatened species, and giant kangaroo rat, which is designated as an endangered species, under the California Endangered Species Act (CESA). The Incidental Take Permit and the previous eight Amendments (collectively referred to herein as "ITP") for this Project, as issued by CDFW, authorizes incidental take of species listed under CESA that may occur as a result of Project implementation. Major Amendment No. 9 adds Covered Activities to the Project Description: constructing and maintaining up to 2,000 linear feet of gravel fire breaks and managing fuel loading and vegetation height by mowing and crushing.

This is to advise that CDFW, acting as [☐ the lead agency / ☒ a responsible agency] approved the above-described project on 5/6/19 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.

Signature

Julie A. Vance, Regional Manager

Sacramento Office of Planning & Research

Date:

5/6/19

Date Received for filing at OPR:

MAY 06 2019

STATE CLEARINGHOUSE

Charissa Martinez

From: OPR State Clearinghouse
Sent: Monday, May 6, 2019 2:22 PM
To: Charissa Martinez
Subject: FW: NOD - California Valley Solar Ranch, SCH No. 2009021009
Attachments: NOD_2081-2011-044-04_Amendment9.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

From: Yoshioka, Janice@Wildlife <Janice.Yoshioka@wildlife.ca.gov>
Sent: Monday, May 6, 2019 2:13 PM
To: OPR State Clearinghouse <State.Clearinghouse@opr.ca.gov>
Cc: Hacker, David@Wildlife <David.Hacker@wildlife.ca.gov>; Ferranti, Annee@Wildlife <Annee.Ferranti@wildlife.ca.gov>; Vance, Julie@Wildlife <Julie.Vance@wildlife.ca.gov>
Subject: NOD - California Valley Solar Ranch, SCH No. 2009021009

Good afternoon—

Attached is the signed Notice of Determination for the California Valley Solar Ranch Project ITP Amendment No. 9.

Would you please email a stamped copy (confirmation)?

Thank you so much.

Janice Yoshioka
Staff Services Analyst
California Department of Fish and Wildlife
Region 4
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4014, extension 247

*mailed
CM*

Governor's Office of Planning & Research

MAY 06 2019

STATE CLEARINGHOUSE