

Notice of Determination**- 1 -**

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

From:
Department of Fish and Wildlife (CDFW)
North Central Region
1701 Nimbus Rd., Suite A
Contact: Michael Shun
Phone: (916) 358-2900

Lead Agency
Sacramento County
827 7th Street, Room 225
Sacramento, CA 95814
Contact: Kimber Gutierrez
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SUBJECT: *Filing of Notice of Determination pursuant to Public Resources Code § 21108*

State Clearinghouse Number: 2017092042

Project Title: Dry Creek Energy Storage (California Endangered Species Act Incidental Take Permit No. 2081-2025-043-02 (ITP))

Project Location: The Dry Creek Energy Storage (Project) is located at 14440 Twin Cities Road, Herald, CA 95638, in the County of Sacramento, State of California; the approximate geographic center of the project site is at Latitude 38.346017, Longitude -121.120465 (WGS 84 datum, decimal degrees); Assessor Parcel Number (APN) 140-0050-008-0000.

Project Description: The Project is limited to the construction and operation of a battery energy storage system (BESS). The total area that is associated with the BESS is 30.1 acres, 20.8 acres of which has been previously developed. Project activities include grubbing and grading of the entire Project Area, graveling, the installation of approximately 100 BESS units, an on-site maintenance area, stormwater infrastructure, trenching underground and aboveground collection lines (approximately 0.5-mile and will connect to an existing collector substation), and a 7-foot tall security fence surrounding the BESS facility and ancillary infrastructure. The incidental take permit for the Project covers California Tiger Salamander (CTS) and burrowing owl (BUOW). Incidental take of CTS and BUOW may occur during project buildout, operation and maintenance activities, and vehicle or worker traffic moving through the Project Area. The Project will permanently impact 7.9 acres of CTS upland dispersal habitat and 7.9 acres of suitable burrowing owl foraging habitat. Additionally, overwintering BUOW individuals may be passively excluded during project buildout if they move onto the site during construction implementation.

This is to advise that CDFW, acting as a responsible agency issued the above-described Incidental Take Permit for the project on the date signed below 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 and addendum were prepared by the lead agency for the original project.

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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.

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:
Morgan Kilgour
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Signature:

Date: 4/14/2026

Morgan Kilgour, *Regional Manager*