

**Notice of Determination****- 1 -****To:**Office of Planning and Research  
[CEQA Submit](#)Department of Fish and Wildlife (CDFW)  
Inland Deserts Region  
3602 Inland Empire Blvd., Suite C220  
Ontario, CA 91764  
Contact: Julia Karo  
Phone: 909-278-2950  
Email: Julia.karo@wildlife.ca.govLead Agency (if different than CDFW)  
City of Hesperia  
9700 Seventh Ave.  
Hesperia, CA 92345  
Contact: Ryan Leonard  
Phone: 760-947-1651**From:****SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108**  
State Clearinghouse Number: 2019110418**Project Title:** Hesperia Commerce Center II Project (Western Joshua Tree Conservation Act (WJTCA) Incidental Take Permit No. 1927-ITP-2023-033-06 (ITP))**Project Location (include county):** The project is located at the northwest quadrant of the intersection of U.S. Highway 395 and Phelan Road/Main Street within the City of Hesperia, San Bernardino County. Additional linear segments occur along Yucca Terrace Drive, U.S. Highway 395, Phelan Road, Los Banos Avenue and Sultana Street.**Project Description:** This proposed project involves the construction of three industrial/warehouse buildings with associated office spaces, surface parking, loading areas, and stormwater drainage. Off-site utilities (including a sewer line and water line) and roadway improvements to accommodate the project will also be constructed.The Project will result in incidental take of 2, 598 western Joshua tree (*Yucca brevifolia*), which is protected under the WJTCA and the California Endangered Species Act. The WJTCA ITP referenced above as issued by CDFW authorizes incidental take of western Joshua tree 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 signed 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 mitigated 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.

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- 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 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 Final 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:  
*Heidi Calvert*  
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Signature \_\_\_\_\_ Date: 8/22/2024

Heidi Calvert, *Regional Manager*