

**Notice of Determination****- 1 -****To:**Office of Planning and Research  
[CEQA Submit](#)**From:**California Department of Fish and Wildlife (CDFW)  
Inland Deserts Region  
3602 Inland Empire Blvd., Suite C220  
Ontario, CA 91764  
Contact: Julian Potier  
Phone: (909) 938-6112

Lead Agency (if different than CDFW)

City of Hesperia  
Development Services Department  
9700 Seventh Avenue  
Hesperia, CA 92345  
Contact: Ryan Leonard, Senior Planner  
Phone: (760) 947-1651**SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108**

State Clearinghouse Number: 2021050270

Project Title: Amargosa 55555 Distribution Center (Conditional Use Permit CUP20-00006) (California Endangered Species Act Incidental Take Permit No. 2081-2021-067-06 Amendment 1)

Project Location (include county): The Amargosa 55555 Distribution Center (Project) is located at Assessor's Parcel Number (APN) 0405-062-51-0000 within the City of Hesperia, San Bernardino County.

Project Description: The Project includes the development of 21.52 acres of undeveloped land, currently covered with desert scrub vegetation, into a commercial warehouse facility and associated infrastructure. This amendment changes the Project Name, Permittee Name, and the Permittee Address.

The Project will result in the permanent impact to 21 acres of western Joshua tree (*Yucca brevifolia*) habitat. The project is expected to result in incidental take of western Joshua tree, which is designated as a candidate species under the California Endangered Species Act. 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 December 20, 2022, 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). CDFW did, however, adopt findings to document its compliance with CEQA.
  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 Negative Declaration 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:



12/20/2022

Signature

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Date:

Heidi Calvert, *Regional Manager*

Date Received for filing at OPR: \_\_\_\_\_