

Notice of Determination

To:
Office of Planning and Research
[CEQA Submit](#)

Department of Fish and Wildlife (CDFW)
Inland Deserts Region
3602 Inland Empire Blvd. Suite C-220
Ontario, CA 91764
Contact: Austin Gutierrez
Phone: (909) 544-2525
Email: Austin.Gutierrez@wildlife.ca.gov

Lead Agency (if different than CDFW)
City of Hesperia
9700 Seventh Avenue
Hesperia, CA 92345
Contact: Ryan Leonard
Phone: (760) 947-1651
Email: planning@cityofhesperia.us

From:

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108
State Clearinghouse Number: 2021050270

Project Title: 55555 Amargosa, LLC Project (Western Joshua Tree Conservation Act (WJTCA) Incidental Take Permit No. 1927-ITP-2023-036-06 (ITP))

Project Location (include county): The 55555 Amargosa, LLC Project is located at APN 0405-062-51 within the City of Hesperia, San Bernardino County at approximately 34.433000, -117.378611. The Project is bounded by the California Aqueduct to the south and Amargosa Road to the east.

Project Description: This proposed Project involves the development of 24.49 acres of undeveloped land into a commercial warehouse approximately 439,000 sq. ft. in size. The Project will also include construction of sidewalks, underground utilities (water, sewer, electric, and gas), street lighting, a water detention basin, and installation of landscaping. Project Activities include grubbing and grading of the entire Project Site, trenching, construction of roads and parking areas, and removal of western Joshua trees on-site.

The Project will result in incidental take of 230 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).

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- 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.
- 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 Mitigated 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:
Heidi Calvert
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Signature _____ Date: 11/18/2024

Heidi Calvert, Regional Manager