

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:

Department of Fish and Wildlife (CDFW)
 Inland Deserts Region
 3602 Inland Empire Boulevard, Suite C-220
 Ontario, CA 91764
 Contact: Marina Barton
 Phone: (909) 484-0523

Lead Agency (if different than CDFW)

City of Chino Hills
 14000 City Center Drive
 Chino Hills, CA 91709
 Contact: Ryan Gackstetter
 Phone: (909) 364-2749

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

State Clearinghouse Number: 2021060576

Project Title: Shady View Project (California Endangered Species Act Incidental Take Permit No. 2081-2023-035-06 (ITP))

Project Location: The Shady View Project (Project) is located on 130.66 acres south of Shady View Drive and Wrangler Road within the City of Chino Hills, County of San Bernardino (see Figure 1: Map of Project). The Project is located approximately 2.5 miles north of the intersection between State Route 71 (SR-71) and State Route 91 (SR-91) at approximately 33.920992, -117.659548. The Project site is bounded by SR-71 to the east and Wrangler Road to the north.

Project Description: The Project includes the development of 85.73 acres of undeveloped land into a residential development. The Project includes the construction of 159 single-family homes on 32.29 acres, a community recreation center on 0.94 acres, private interior streets on 14.46 acres, debris basins on 1.02 acres, utility infrastructures, and other associated improvements. The Project also includes a 15.15-acre fuel modification zone, including a wet zone, dry zone and special maintenance area, around the residential development. Additional elements of the Project include 10.79-acres of graded and landscaped slopes, 1.89-acre oil tank relocation site, 8.08-acres of open space, 0.26-acre easement access, and 0.85-acre of off-site improvements adjacent to the Project boundary that will be impacted to accommodate road improvements and cleanup from past oil production-related contamination (see Figure 2: Project Development Plan). Of the 130.66-acre site, 44.93 acres will not be developed or impacted by Covered Activities and have been proposed to be on-site mitigation, subject to review and approval by CDFW.

The Project will result in permanent impacts to 26.82 acres of coastal sage scrub habitat and 58.91 acres of disturbed habitat dominated by invasive species including black mustard (*Brassica nigra*) for Crotch's bumble bee (*Bombus crotchii*). The project is expected to result in incidental take of Crotch's bumble bee, which is/are 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 19, 2023, 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.

Notice of Determination

- 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:
Heidi Calvert
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Signature _____ *Date:* 12/19/2023 _____
Heidi Calvert, Regional Manager

Date Received for filing at OPR: _____