

**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:**

California Department of Fish and Wildlife (CDFW)  
 Inland Deserts Region  
 3602 Inland Empire Blvd, Suite C-220  
 Ontario, CA 91764  
 Contact: Julia Karo  
 Phone: (909) 278-2950

**Lead Agency (if different than CDFW)**

City of Victorville  
 14343 Civic Dr, Victorville, CA 92392  
 Contact: Alex Jauregui, Senior Planner  
 Phone: (760) 955-5135

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

State Clearinghouse Number: 2021060704

Project Title: Lake View Apartments (California Endangered Species Act Incidental Take Permit No. 2081-2021-030-06 (ITP))

Project Location: The Project is located approximately 2 miles north of Bear Valley Road and directly west of Ridgecrest Road located within the City of Victorville, San Bernardino County. The Project site is approximately 22 acres, located on Assessor Parcel Number 3090-501-03.

Project Description: This Project involves the construction and maintenance of a multi-family residential complex. The complex is comprised of 26 residential units, two clubhouses and related components, which, will be constructed in approximately 22 acres of undeveloped land adjacent Ridgecrest Road. The Project will also include the installation of underground utilities, associated parking lots, and landscaping.

The Project will result in impacts to and permanent loss of 16 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 17, 2021 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.
    - 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.

## Notice of Determination

Signature

DocuSigned by:

Scott Wilson

For

Date: 12/17/2021

Leslie MacNair, *Regional Manager*

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