

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 C220
 Ontario, CA 91764
 Contact: Heather Brashear
 Phone: (909) 239-0755

Lead Agency (if different than CDFW)
 City of Adelanto
 Community Development Department
 11600 Air Expressway
 Adelanto, CA 92301
 Contact: Mary Blais, Contract Planner
 Phone: (760) 246-2300

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

State Clearinghouse Number: None

Project Title: Copart 61-Acre Project (California Endangered Species Act Incidental Take Permit No. 2081-2021-010-06 (ITP))

Project Location (include county): The Copart Adelanto 2 Project (Project) is located at Assessor's Parcel Number 3128-031-01-0000 within the City of Adelanto, San Bernardino County. The Project is located in Township 5 North, Range 5 West, Section 6 of the Adelanto, California US Geological Survey 7.5-minute quadrangle.

Project Description: This proposed project involves development of 61 acres of undeveloped land into a commercial business facility. Project activities include site preparation (ground clearing and removal of all vegetation); grading (grading of the entire Project site and installation of building footings, utility lines, and underground infrastructure); construction (construction of a new commercial building); paving, landscaping, and finishing (paving of parking lots and storage areas, installation of perimeter fencing, installation of landscaping, and finishing of the building); extension of two road as half-width (40 ft) streets within the boundaries of the Project site; and other activities.

The Project will result in impacts to 48.48 acres of western Joshua tree (*Yucca brevifolia*) habitat; the Project will permanently remove 48.48 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 March 1, 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.

Notice of Determination

Signature _____ DocuSigned by:
Heidi Calvert
CAEE4779B63E4A3... _____ *Date:* 3/1/2022
Heidi Calvert, *Acting Regional Manager*

Date Received for filing at OPR: _____