

**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 Hesperia  
 9700 Seventh Avenue  
 Contact: Daniel S. Alcayaga, Principal Planner  
 Phone: (760) 947-1330

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

State Clearinghouse Number: N/A

Project Title: Tentative Tract Map 17916 (California Endangered Species Act Incidental Take Permit No. 2081-2021-025-06 (ITP))

Project Location (include county): The Project is located on the Southwest corner of Mojave Street and Topaz Avenue, within the City of Hesperia, San Bernadino County. The Project site is approximately 40 acres, located on Assessor Parcel Numbers 0405-261-15, 16, 17, 18, 27, 28, 29 & 30.

**IV. Project Description:**

Project Description: The Project includes the development of 40 acres of undeveloped land into a single-family residential subdivision consisting of 177 single-family homes and paved streets. The Project involves road construction of 2 arterial roadways. In addition, the Project will include the construction of sidewalks, landscaping, underground utilities (water, gas, electric, sewer, CATV), street lighting, and a temporary western Joshua tree stockpiling area.

The Project will result in impacts to 28 acres of western Joshua tree (*Yucca brevifolia*) habitat. The Project will permanently remove 28 acres of western Joshua tree habitat. The project is expected to result in incidental take of western Joshua tree 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 5/24/2022 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).
  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*  
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5/24/2022

Date: \_\_\_\_\_

Heidi Calvert, *Regional Manager*

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