

**Notice of Determination**

**To:**

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

**From:**

Department of Fish and Wildlife (CDFW)  
 Inland Deserts Region  
 3602 Inland Empire Blvd, Suite C-220  
 Ontario, CA 91764  
 Contact: Marlee Poff  
 Phone: (909) 544-2531  
 Email: [marlee.poff@wildlife.ca.gov](mailto:marlee.poff@wildlife.ca.gov)

Lead Agency (if different than CDFW)  
 County of San Bernardino  
 15900 Smoke Tree Street, Suite 131  
 Hesperia, CA 92345  
 Contact: Jon Braginton, Senior Planner  
 Phone: (909) 387-4110  
 Email: [Jon.Braginton@lus.sbcounty.gov](mailto:Jon.Braginton@lus.sbcounty.gov)

**SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108**  
 State Clearinghouse Number: 2022090622

**Project Title:** AutoZone Oak Hills (Western Joshua Tree Conservation Act (WJTCA) Incidental Take Permit No. 1927-ITP-2024-002- (ITP))

**Project Location (include county):** The Project is located within the Hesperia quadrangle of the USGS 7.5-minute map within the City of Oak Hills, San Bernardino County, California. The Project is located approximately 2.55 miles east of the I-15 at approximately 34.381804, -117.370946. The Project is bounded by Rancho Road to the North and Escondido Ave to the West.

**Project Description:** This proposed project involves the development of 1.06 acres of undeveloped land into a 6,797 square foot commercial retail building. Project activities include grubbing, grading of the entire Project site, trench digging, pile driving, onsite utility construction, off-site road improvements, tree removal, and landscaping.

The Project will result in incidental take of 11 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).
2. [ An environmental impact report /  A mitigated negative declaration] was prepared by the lead agency for the original project.

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- 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 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*  
CAEE4779B63E4A3

Signature \_\_\_\_\_ Date: 9/27/2024

Heidi Calvert, Regional Manager