

**Notice of Determination****- 1 -****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: Kelly Connor  
 Phone: (760) 644-8214  
 Email: [Kelly.Connor@wildlife.ca.gov](mailto:Kelly.Connor@wildlife.ca.gov)

Lead Agency  
 The City of Hesperia  
 9700 Seventh Avenue  
 City of Hesperia, CA 92345  
 Contact: Ryan Leonard  
 Phone: (760) 947-1651  
 Email: [leonard@cityofhesperia.us](mailto:leonard@cityofhesperia.us)

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

State Clearinghouse Number: 2022110097

**Project Title:** Kiss Logistics Center Project (Western Joshua Tree Conservation Act (WJTCA) Incidental Take Permit No. 1927-ITP-2024-047-06 (ITP))

**Project Location (include county):** The Project site is located within the western portion of the City of Hesperia in San Bernardino County at Assessor's Parcel Number 3064-401-12-0000. The Project site is located northwest of the intersection of Interstate 395 (I-395) and Main Street.

**Project Description:** This proposed project involves the development of a single-story, 655,468 square foot industrial building on approximately 29.61-acres of undeveloped land with an additional 3.2-acres of off-site improvements. Off-site improvements include the construction of a new roadway and utility facilities.

The Project will result in incidental take of 265 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 /  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 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:  
*Alisa Ellsworth* For \_\_\_\_\_ Date: 4/22/2025  
 Signature \_\_\_\_\_  
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Heidi Calvert, Regional Manager