

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 Desert Region
 3602 Inland Empire Blvd., Suite C-220
 Ontario, CA 91764
 Contact: Julian Potier
 Phone: (909) 938-6112

Lead Agency (if different than CDFW)
 City of Hesperia
 9700 Seventh Ave.
 Hesperia, CA 92345
 Contact: Edgar Gonzalez
 Phone: (760) 947-1330

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

State Clearinghouse Number: 2022110480

Project Title: Pathways to College Charter K-8 School Hesperia (California Endangered Species Act Incidental Take Permit No. 2081-2022-029-06 (ITP))

Project Location (include county): (Project) is located north of Hercules St., west of Hesperia Road, south of Mojave Street, and directly east of Third Avenue within the City of Hesperia, San Bernardino County, California. The Project is located approximately 4 miles east of Interstate 15 at approximately (Latitude 34.434778, Longitude - 117.300778). The Project site is bounded by single family housing to the south and railroad tracks to the east.

Project Description: This proposed project involves the development of a new school campus would encompass the majority of the northern half of the 25.75 gross acres project site. The Project will consist of one main building, six relocatable classroom pods, parking lots, and a shallow infiltration basin for drainage. Project activities include grubbing and grading of the entire Project site, trench digging, pile driving, road construction, tree removal, and other activities..

The Project will result in impacts to 10.77 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 threatened 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 October 10, 2023 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.

DocuSigned by:



Signature

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Date:

10/10/2023

Heidi Calvert, Regional Manager

Notice of Determination

Date Received for filing at OPR: _____