

**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:**

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)

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

State Clearinghouse Number: 2024020746

Project Title: Ash Hill Communication Site Project (California Endangered Species Act Incidental Take Permit No. 2081-2019-037-06 (ITP))

Project Location: The Project is located within federal land administered by the Bureau of Land Management within the Mojave Desert, San Bernardino County. The Project is located approximately 8 miles east of the community of Ludlow and the communication facility site is approximately 300 feet south of I-40. The Project includes a rectangular 0.23-acre lease area; an access road measuring approximately 5.77 miles in length and averaging 14 feet in width, predominantly on 8.52 acres of previously disturbed unpaved road; and an additional 0.18 acres of new disturbance relating to access road improvements off BLM Route NS0003 leading to the proposed communications facility.

Project Description: This proposed project involves the development of 0.41 acre of Mojave creosote scrub habitat, 0.17 acre of Mojave desert wash scrub/waters of the state, and 8.35 acres of developed or disturbed areas to construct, operate and maintain, and decommission a multi-carrier communication site and ancillary components, including an access road.

The Project will result in impacts to 0.41 acre of desert tortoise (*Gopherus agassizii*) habitat. The project is expected to result in incidental take of desert tortoise which is/are designated as a threatened/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 April 10, 2024, 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

DocuSigned by:  
*Heidi Calvert*  
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Signature \_\_\_\_\_ Date: 4/10/2024

Heidi Calvert, *Regional Manager*

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