

Notice of Determination**- 1 -****To:**Office of Planning and Research
[CEQA Submit](#)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**From:**Lead Agency (if different than CDFW)
County of San Bernardino
385 N. Arrowhead Ave, 1st Floor
San Bernardino, CA 92415-0182
Contact: Jon Braginton, Senior Planner
Phone: (909) 387-3223
Email: Jon.Braginton@lus.sbcounty.gov**SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108**
State Clearinghouse Number: 2024050304**Project Title:** Sara Kassab Blue Mist LLC (Western Joshua Tree Conservation Act (WJTCA)
Incidental Take Permit No. 1927-ITP-2023-027-06 (ITP))**Project Location (include county):** Project is located in Hesperia quadrant USGS 7.5-minute quadrangle map, Section 2, Township 3 North, Range 5 West within the unincorporated community of Oak Hills, San Bernardino County. The Project is located approximately 2.45 miles east of Interstate-15 at approximately 34.382564, -117.371804. The Project is bounded by Ranchoero Road to the north, and Escondido Avenue to the west.**Project Description:** This proposed Project involves the development of 2.29 acres of undeveloped land into a 7,839 square foot convenience store/retail outlet, an eight-fuel dispenser gas station with a 6,720 square foot canopy and a 500-gallon propane tank.The Project will result in incidental take of 17 western Joshua tree (*Yucca brevifolia*) which is protected under the WJTCA and the California Endangered Species Act. 14 western Joshua tree individuals will be removed, and 3 western Joshua tree individuals will be encroached upon through Project activities. 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).

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- 2. [An environmental impact report / A mitigated 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 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.

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9/18/2024

Signature

Date:

Heidi Calvert, Regional Manager