

**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 Deserts Region  
3602 Inland Empire Blvd Suite C-220  
Ontario, CA 91764  
Contact: Ashley Rosales  
Phone: 760-219-9452

**Lead Agency (if different than CDFW)**

City of Apple Valley  
14955 Dale Evans Parkway  
Apple Valley, CA 92307  
Contact: Lori Lamson  
Phone: (760) 240-7000 x 7200

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

State Clearinghouse Number: 2010021034

Project Title: Green Tree Boulevard Extension Project (California Endangered Species Act Incidental Take Permit No. 2081-2016-036-06 (ITP)) Amendment Number 2081-2016-036-06-A1 (Minor Amendment)

Project Location (include county): The proposed project is located in the City of Victorville, San Bernardino County, connecting the gap between the existing Green Tree Boulevard and the new bridge over the Mojave River and Yucca Loma Road in the Town of Apple Valley. The project occurs within Township 4 North and Range 4 West, Section 22 and 27 of the Victorville United States Geological Survey 7½ minute quadrangle.

Project Description: On May 5, 2017, the California Department of Fish and Wildlife (CDFW) issued an ITP authorizing take of Mohave ground squirrel (*Xerospermophilus mohavensis*) incidental to the Green Tree Boulevard Extension Project. Green Tree Boulevard Extension Project is part of a roadway gap closure project that would connect Yucca Loma Road in the Town of Apple Valley with Hesperia Road and Green Tree Boulevard in the City of Victorville. The project provides approximately 1.5 miles of new roadway and a 600-foot-long bridge over the Burlington Northern Santa Fe (BNSF) Railroad, where no crossing currently existing.

CDFW amended the ITP by reducing compliance monitoring during the Mohave ground squirrel inactive season when the project activities are within hardscaped and/or areas of previous vegetation removal or grubbing that are outside of the 100-foot buffer around suitable habitat, and no open holes or trenches are present within the project area. This Minor Amendment will not change the requirement of full-time monitoring of project activities taking place during the Mohave ground squirrel active season, within project areas containing suitable habitat, and project areas within 100-feet of suitable habitat. This Minor Amendment also allows for reduced frequency of inspections of open holes and trenches to twice daily during the Mohave ground squirrel inactive season when the project activities are within hardscaped and/or areas of previous vegetation removal or grubbing that are outside of the 100-foot buffer around suitable habitat. This Minor Amendment will not change the requirement of three daily inspections taking place during the Mohave ground squirrel active season, within project areas containing suitable habitat, and project areas within 100-feet of suitable habitat.

This is to advise that CDFW, acting as [ the lead agency /  a responsible agency] approved the above-described project on 10/29/2021 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.

**Notice of Determination**

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:  
*Leslie MacNair*  
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Signature

Date: 10/29/2021

Leslie MacNair  
Regional Manager

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