

**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 Hesperia  
 9700 Seventh Ave.  
 Hesperia, CA 92345  
 Contact: Ryan Leonard  
 Phone: 760-947-1651

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

State Clearinghouse Number: 2004061025

Project Title: Tentative Tract Map 16767 (California Endangered Species Act Incidental Take Permit No. 2081-2021-056-06 (ITP))

Project Location (include county): The project is located on a 9.98-acre area (Assessor's Parcel Numbers 405-521-35, 36, and 37) within the City of Hesperia, San Bernardino County. The project is located approximately 0.48 miles west of the California Aqueduct at approximately 34.414482°, -117.367362°. The project site is bounded by Hollister St. to the north and Fuente Ave. to the east.

Project Description: This proposed project involves the development of the project area into a tentative tract map consisting of 52 single family residential units and a retention basin.

The Project will result in impacts to 7.10 acres of western Joshua tree (*Yucca brevifolia*) habitat; the Project will permanently remove 7.10 acres of western Joshua tree 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 **March 24, 2022** 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:

*Richard Burg*

6D63DA991A5245F...

SignatureRichard Burg, Acting Regional Manager

3/24/2022

Date:

**Notice of Determination**

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