

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
Contact: Shankar Sharma
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Lead Agency
City of Hesperia
9700 Seventh Avenue,
Hesperia, CA 92345
Contact: Dave Reno
Phone: (760) 947-1951

From:

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108
State Clearinghouse Number: 2008051110

Project Title: Tract 17915 Project (Western Joshua Tree Conservation Act (WJTCA)
Incidental Take Permit No. 1927-ITP-2023-013-06 (ITP))

Project Location (include county): The Tract 17915 Project (Project) is located within the City of Hesperia, California, San Bernardino County. The proposed Project is bordered on the south by Mojave Street with vacant lands to the north, east and west. The Project site is within the Hesperia, California U.S. Geological Survey (USGS) 7.5-minute topographical map. The Assessor Parcel Numbers (APN) are: 0405-543-01 through 62 and 0405-052-37.

Project Description: The Project proposes to construct 266 single-family units on 45.75 acres along Mojave Street in the City of Hesperia. The building height would be a maximum of 40 feet. Street improvements along the Project frontages include sidewalks, curbs and gutters along Mojave Street and Valencia Street. No widening is proposed for Mojave Street although Datura Road and Valencia Street will be paved as part of the proposed development. Proposed improvements include construction of curb/gutter, sidewalk, planting strips, and pavement along the Project's frontage per City standards, and construction of ingress/egress of Mojave Street and Valencia Street at locations specified on the site plan as per the City's driveway standards.

The Project will result in incidental take of 305 western Joshua trees (*Yucca brevifolia*), a species which is protected under the WJTCA and the California Endangered Species Act. 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:

Notice of Determination

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 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.

Signature DocuSigned by:
Heidi Calvert
CAEE4779B63E4A3... _____ Date: 9/9/2024

Heidi Calvert, Regional Manager