

**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: Julia Karo  
 Phone: (909) 278-2950

## Lead Agency (if different than CDFW)

City of Hesperia  
 9700 Seventh Ave.  
 Hesperia, CA 92345  
 Contact: Dave Reno  
 Phone: (760) 947-1224

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

State Clearinghouse Number: 2013111021

Project Title: Silverwood (Tapestry Phase I) Project (California Endangered Species Act Incidental Take Permit No. 2081-2021-026-06 Amendment No. 1(ITP))

Project Location (include county): The project is located east of Interstate 15 and north of State Route 173 within the City of Hesperia, San Bernardino County, approximately 8 miles east of I-15, north of SR-173, south of Ranchero Road, and west of Arrowhead Lake Road miles at approximately Latitude 34.367085°, Longitude -117.281207°. The Project site is bounded by City of Hesperia development to the north, the Mojave River to the east, the West Fork Mojave River to the south, and the California Aqueduct to the west.

Project Description: This proposed project is an amendment to the ITP 2081-2021-026-06 (ITP). This amendment will reduce the project area to 1014.9 acres and reduce impacts to western Joshua tree (*Yucca brevifolia*) habitat to 578.7 acres. 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 new Figure 1 (Project Location), Figure 2 (Project Boundary) and Figure 3 (Subphase Areas) replace Figure 1, 2 and 3 of the original ITP. 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. All conditions in the original ITP remain in effect.

This is to advise that CDFW, acting as [ the lead agency /  a responsible agency] approved the above-described project on February 21, 2023 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 EIR 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

Russell Black

Date:

2/21/2023

FOR

Heidi Calvert, Regional Manager

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