



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region 5
3883 Ruffin Road
San Diego, CA 92123
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
VALERIE TERMINI, Acting Director



To:
Office of Land Use and Climate
Innovation
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From:
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South Coast Region
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NOTICE OF DETERMINATION

Subject: Filing of Notice of Determination pursuant to Section 21108 of the Public Resources Code

State Clearinghouse Number: 2007121054

Project Title: Leбата Big Rock Creek Surface Mining Project (Western Joshua Tree Conservation Act (WJTCA) Incidental Take Permit No. 1927-ITP-2025-047-05 (ITP))

Project Location (Los Angeles County): Within the Leбата braid of Big Rock Wash/Alluvial Floodplain in Antelope Valley, near the community of Pearblossom approximately 1.5 miles north of Highway 138.

Project Description: The California Department of Fish and Wildlife (CDFW) has issued an ITP (No. 1927-ITP-2025-047-05), pursuant to Section 1927.3 of the Fish and Game Code to Leбата Inc., represented by James F. McGee.

The Project is Phase 2 North of an overall 3-phase sand and gravel surface mining and excavation project. Phase 2 North consists of surface mining and excavation over 80 acres involving vegetation grubbing and clearing, fencing, excavating

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and surface mining, and processing excavated material.

The Project will result in incidental take of 107 western Joshua trees (*Yucca brevifolia*) which are 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 a Responsible Agency, approved the project described above on _____ and has made the following determinations regarding the above-described project:

1. The project **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 **was** prepared by the lead agency for the original project.
3. Additional mitigation measures **were** made a condition of CDFW's approval of the project.
4. A Mitigation Reporting or Monitoring Plan **was not** adopted by CDFW for this project.
5. A Statement of Overriding Considerations **was not** adopted by CDFW for this project.
6. Findings **were** 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:

A copy of a receipt showing prior payment was submitted to CDFW.

The environmental impact report prepared by Los Angeles County Regional Planning for the Project is available to the general public at the office location listed above for Los Angeles County Regional Planning. 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:  _____
 Erinn Wilson-Olgin, Regional Manager

Date: 2/13/2026