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To:
Office of Land Use and Climate Innovation
CEQA Submit

From:
Department of Fish and Wildlife (CDFW)
Inland Deserts Region
3602 Inland Empire Blvd Unit C-220
Ontario, CA 91764
Contact: Scott Jakubowski, Sr. Env Sci
Phone: 909-354-0919
Email: Scott.Jakubowski@wildlife.ca.gov

City of Victorville
Development Services Department
14343 Civic Drive
Victorville, CA 92392
Contact: Daisy Kawasaki
Phone: 760-955-5135
Email: dkawasaki@victorvilleca.gov

SUBJECT: ***Filing of Notice of Determination pursuant to Public Resources Code § 21108***
State Clearinghouse Number: 2024061344

Project Title: Luna Road and Highway 395 Project (Western Joshua Tree Conservation Act (WJTCA) Incidental Take Permit No. 1927-ITP-2025-019-06 (ITP))

Project Location (include county): The Project is located on vacant land to the west of Highway 395 at the southeast corner of Luna Road and Bella Pine Street within Section 28 of Township 5 North, Range 5 West within the USGS *Baldy Mesa, CA.* 7.5' series quadrangle map, in the City of Victorville, San Bernardino County.

Project Description: The Project is comprised of the development of 3.57 acres of undeveloped land into a new gas station with detached canopy on the eastern portion of the property for pumps and two retail structures on the western portion of the property, with related site improvements including landscaping, parking, drive aisles, and utility infrastructure.

The Project will result in incidental take of thirty-eight (38) western Joshua tree (*Yucca brevifolia*), 28 dead and 10 alive. 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:

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.

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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). 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 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 DocuSigned by: Heidi Calvert CAEE4779B63E4A3... *Date:* 8/18/2025

Heidi Calvert, *Regional Manager*