

Notice of Determination**- 1 -****To:**

Office of Land Use and Climate
Innovation
[CEQA Submit](#)

Department of Fish and Wildlife (CDFW)
Inland Deserts Region
3602 Inland Empire Boulevard, Suite C-220
Ontario, CA 91764
Contact: Nicholas Barton, Env Sci
Phone: (760) 644-5711
Email: Nicholas.barton@wildlife.ca.gov

From:

Lead Agency
City of Hesperia
9700 Seventh Avenue
Contact: Edgar Gonzalez
Phone: (760) 947-1330
Email: egonzalez@cityofhesperia.us

SUBJECT: *Filing of Notice of Determination pursuant to Public Resources Code § 21108*
State Clearinghouse Number: 2024080805

Project Title: Ouhnar LL 92 Apartment Unit Development (Western Joshua Tree Conservation Act (WJTCA) Incidental Take Permit No. 1927-ITP-2023-009-06 (ITP))

Project Location (include county): The Project is located on the northeast corner of the intersection of Willow Street and 3rd Avenue, within the City of Hesperia, San Bernadino County at Assessor's Parcel Number 0407-052-03. The Project is bounded by Willow Street to the south, 3rd Avenue to the west, and residential properties to the north and east.

Project Description: The proposed project involves the development of the 5.26-acre lot with a new multiple-family residential development that would consist of 92-units. Of the total number of units, 40 units would be one-bedroom units and 52 units would be two-bedroom units. The residential units would be located within 10 new, two-level buildings. In addition, a community center would be located in the site's southeast corner.

The Project will result in incidental take of 16 western Joshua tree (*Yucca brevifolia*), 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).

Notice of Determination

- 2 -

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 / ☐ 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.

DocuSigned by:

 Signature CAEE4779B63E4A3...

Date: 9/17/2025

Heidi Calvert, Regional Manager