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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Boulevard, Suite C-220
Ontario, CA 91764
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

To:
Office of Land Use and Climate Innovation
CEQA Submit

From:
Department of Fish and Wildlife
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
Contact: Rose Banks
Email: Rose.Banks@wildlife.ca.gov
Phone: (760) 218-0022

Lead Agency (if different than CDFW)
City of Hesperia
9700 Seventh Avenue
Hesperia, CA 92345
Contact: Edgar Gonzalez
Email:
egonzalez@cityofhesperia.com
Phone: (760) 947-1330

NOTICE OF DETERMINATION

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

State Clearinghouse Number: 2025050601

Project Title: Topaz Residential (Western Joshua Tree Conservation Act Incidental Take Permit No. 1927-ITP-2024-071-06 (ITP))

Project Location: The proposed Project is located northwest of the intersection of Topaz Avenue and Courtney Street in Hesperia, San Bernardino County on APNs 0405-556-01, 0405-556-02, 0405-556-03, 0405-556-04, 0405-556-05, 0405-556-06, 0405-556-07, 0405-556-08 at 34.4363 N, -117.356 W

Project Description: The California Department of Fish and Wildlife (CDFW) has issued an ITP (No. 1927-ITP-2024-071-06), pursuant to 1927.3 of the Fish and Game Code to San Luis Concrete Corp.

The proposed project consists of the construction of seven single-family residential lots, with a new cul-de-sac and street improvements including sewer, domestic water, storm drain, street lighting, sidewalk, curbs, and asphalt patch on a 2.51-acre property.

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The Project will result in incidental take of 31 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 a Responsible Agency, approved the project described above on December 17, 2025 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. A mitigated negative declaration 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** adopted by CDFW for this project.
5. A Statement of Overriding Considerations **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: **A copy of a receipt showing prior payment was submitted to CDFW.**

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: Heidi Calvert *Date:* 12/17/2025
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Heidi Calvert, Regional Manager