



STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE

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

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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: 2009081105

Project Title: US 395 Widening of Existing US 395 Project, Contract 2 (Western Joshua Tree Conservation Act (WJTCA) Incidental Take Permit (ITP) (No. 1927-ITP-2025-004-06-A1)

Project Location (San Bernardino County): The US 395 Widening of Existing US 395 Project, Contract 2 is located along approximately seven miles of US-395 from post mile (PM) R4.0 to PM 11.2 within San Bernardino County, from 0.4 mile north of Interstate 15 to State Route 18 / Palmdale Road.

Project Description: The California Department of Fish and Wildlife (CDFW) has issued an amendment to ITP No. 1927-ITP-2025-004-06-A1, pursuant to Section 1927.3 of the Fish and Game Code to the San Bernardino County Transportation Authority.

The project includes an amendment to the ITP (No. 1927-ITP-2025-004-06-A1). The

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amendment includes removal of an additional 12 western Joshua trees, relocation of 2 additional western Joshua tree, and avoidance of an additional 9 western Joshua tree.

The amendment will result in incidental take of 12 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 07/6/2026 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:  Date: 7/6/2026
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Heidi Calvert, Regional Manager