



STATE OF CALIFORNIA  
DEPARTMENT OF FISH AND WILDLIFE

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MEGHAN HERTEL, Director

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

**From:**  
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## NOTICE OF DETERMINATION

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

**State Clearinghouse Number:** 2006121089

**Project Title:** West Fontana Channel Flood Control Improvement Project (Banana to Hickory) (California Endangered Species Act Incidental Take Permit No. 2081(b)-2025-036-06 (ITP))

**Project Location (San Bernardino County):** The Project is located approximately 0.6 miles west of Cherry Avenue and approximately 2.0 miles east of Interstate 15; Latitude 34.09436 N, Longitude -117.50198 W. The Project site lies immediately south of Whittram Avenue and is bounded by commercial and industrial land to the north and the Metrolink railroad corridor to the South, which crosses the western portion of the Project site on two railway bridges.

**Project Description:** The California Department of Fish and Wildlife (CDFW) has issued an ITP (No. 2081(b)-2025-036-06), pursuant to Section 2081(b) of the Fish and Game Code to San Bernardino County Department of Public Works.

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The project is limited to modifications to the earthen West Fontana Channel and associated culverts. Modifications include construction of non-grouted rock slope protection, sections of concrete rectangular channel, sections of non-grouted rock leading to culverts, and replacement of three concrete box culverts. Project activities also include construction of junction structures, replacement of an existing concrete weir in the outflow of Banana Basin, construction of two access ramps and service roads, replacement of an access ramp, utility potholing and geotechnical testing, and minor grading in Banana Basin. The Project will result in impacts to 12.78 acres of potential Western burrowing owl (*Athene cunicularia*) habitat including temporary impacts to 8.7 acres; the Project will permanently remove 4.08 acres of potential Western burrowing owl habitat. The project may result in incidental take of Western burrowing owl, which is/are designated as a candidate species under the California Endangered Species Act (CESA). The ITP referenced above as issued by CDFW authorizes incidental take of species listed under CESA 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 5/12/2026 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.

Signature: Heidi Calvert Date: 5/12/2026  
Heidi Calvert, Regional Manager