



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Boulevard, Suite C-220
Ontario, CA 91764
(909) 484-0167
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
VALERIE TERMINI, Acting Director



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

From:
Department of Fish and Wildlife
Inland Deserts Region
3602 Inland Empire Blvd., C-220
Ontario, CA, 91764
Contact: Emily Leon, Environmental
Scientist
Email: Emily.Leon@wildlife.ca.gov
Phone: (760) 644-5976

Lead Agency (if different than CDFW)
City of Victorville
14343 Civic Drive
Victorville, CA, 92393
Contact: Travis Clark, Senior Planner
Email: Tclark@victorville.gov
Phone: (760) 955-5135

NOTICE OF DETERMINATION

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

State Clearinghouse Number: 2011041090

Project Title: Desert Sky Plaza(Western Joshua Tree Conservation Act (WJTCA) Incidental Take Permit No. 1927-ITP-2025-008-06 (ITP))

Project Location (San Bernardino): The Desert Sky Plaza Project (Project) is located west of Interstate 15 at the southeastern corner of Roy Rodgers Drive and Amargosa Road within the City of Victorville, San Bernardino County at Assessor's Parcel Numbers 3106-261-06 and 3106-261-07.

Project Description: The California Department of Fish and Wildlife (CDFW) has issued an ITP (No. 1927-ITP-2025-008-06), pursuant to Section 1927.3 of the Fish and Game Code to NewMark Merrill Companies.

The Project consists of the development of 29.9 acres of undeveloped land for the construction of a commercial shopping center with a gross floor area of 271,005 square feet.

NOTICE OF DETERMINATION

1927-ITP-2025-008-06

February 19, 2026

The Project will result in incidental take of 50 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 February 19, 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. An environmental impact report **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** made by CDFW pursuant to Public Resources Code § 21081(a).
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 environmental impact report 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: 2/19/2026
CAEE4779B63E4A3...

Heidi Calvert, Regional Manager