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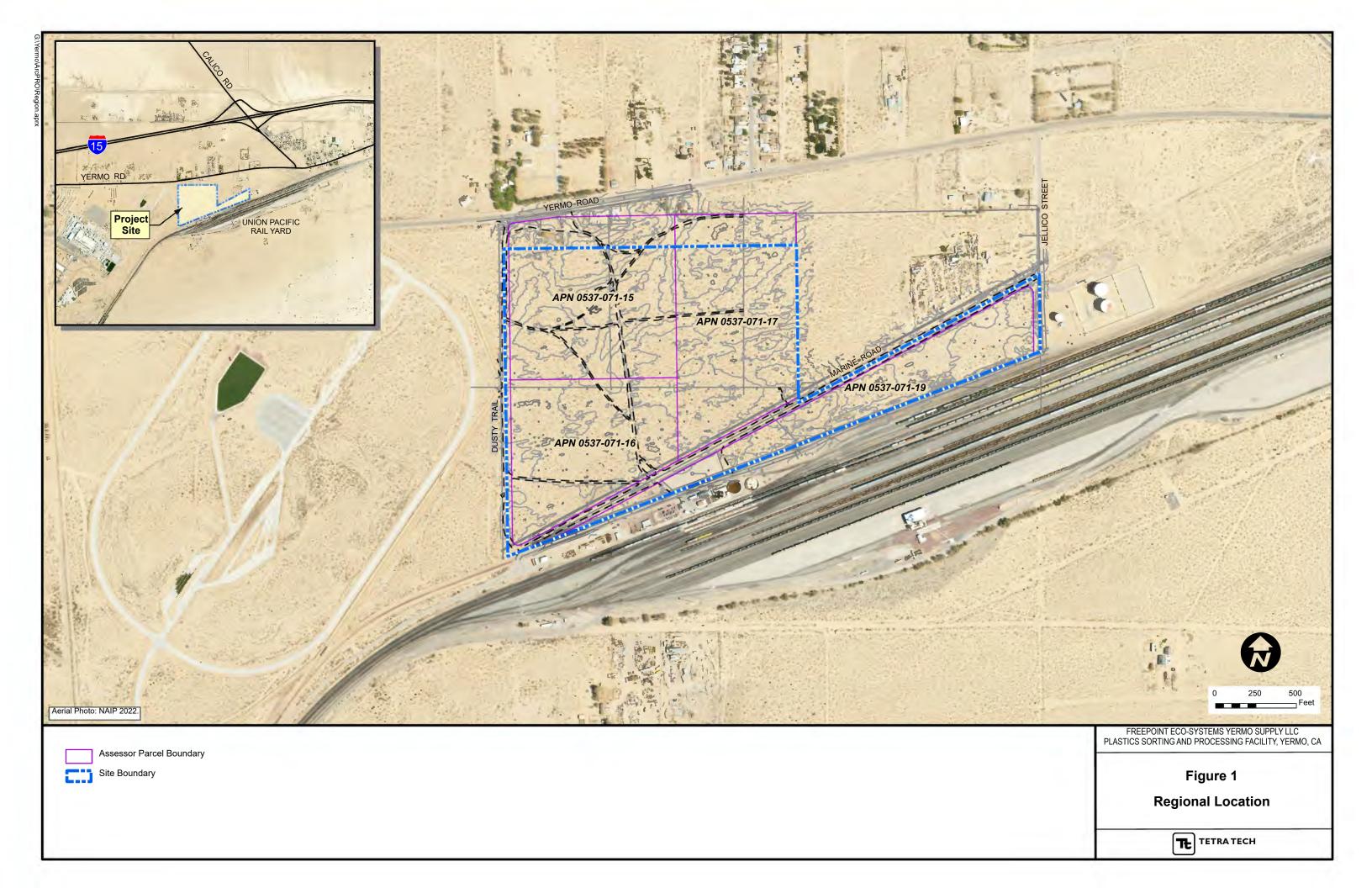
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SECTION 1 PROJECT LOCATION AND SETTING

Tetra Tech was contracted to conduct a biological reconnaissance and habitat assessment of four contiguous parcels identified as Assessor Parcel Numbers (APNs) 0537-071-15, -16, -17 and -19 herein identified as the study area (Figure 1). The study area is located at 37265 Yermo Road in the community of Yermo, San Bernardino County, California. The study area is associated with four (4) existing parcels (APNs 0537-071-15, -16, -17 and -19). These existing parcels are being reconfigured and a new parcel of approximately 77.57 acres (5.47 acres in existing right-of-way easements and 72.10 acres of developable lot) will be created following purchase of the land by Freepoint Eco-Systems Yermo Supply, LLC and prior to finalization of the Conditional Use Permit (CUP) to be issued by San Bernardino County. This 72.10 acre study area is undeveloped desert scrub habitat. The study area is located in Township 09N, Range 01E, Section 02 of the Yermo U.S. Geological Survey quadrangle (U.S. Geological Survey 2021).



SECTION 2 REGULATORY SETTING

2.1 PROTECTED BIOLOGICAL RESOURCES

2.1.1 Federal-Sensitive Biological Resources

Federal Regulatory Status. The Federal Endangered Species Act (FESA) of 1973 describes two categories for declining species as Endangered and Threatened. The United States Fish and Wildlife Service (USFWS) is the government agency that enforces FESA. "Endangered" describes any species that is in danger of extinction throughout all or a significant portion of its range. "Threatened" is assigned to any species that is likely to become an Endangered species within the foreseeable future throughout all or a significant portion of its range. "Candidate" describes species that have been studied and the USFWS has concluded that they should be proposed for addition to the Federal Endangered and Threatened species list.

Designated Critical Habitat. The USFWS has designated critical habitat within San Bernardino County for 19 listed species under the FESA. Critical habitat is designated when a geographical area is considered crucial to the survival of a Threatened or Endangered species. Once critical habitat is designated, to ensure that their actions will not destroy or adversely modify the constituent elements of critical habitat for that species, federal agencies must consult USFWS on activities they plan to undertake, fund, or authorize. Special limitations on projects in critical habitat are limited to federal actions; however, the general protections of the FESA protect listed species from take regardless of where they are located.

Migratory Bird Treaty Act (MBTA). The MBTA implements international treaties between the United States and other nations that protect migratory birds (including their parts, eggs, and nests) from being killed, hunted, pursued, captured, sold, and shipped unless expressly authorized or permitted.

Bald and Golden Eagle Protection Act (BGEPA). The BGEPA (16 U.S.C. 668 et seq.), enacted in 1940 and amended several times since then, prohibits anyone without a permit issued by the Secretary of the Interior from "taking" bald eagles (Haliaeetus leucocephalus), including their parts, nests, or eggs. BGEPA provides criminal penalties for persons who "take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any

bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof." BGEPA defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." On September 11, 2009, the USFWS set in place rules (50 CFR Parts 13 and 22) establishing two new permit types: (1) take of bald eagles and golden eagles (*Aquila chrysaetos*) that is associated with, but is not the purpose of, the activity; and (2) purposeful take of eagle nests that pose a threat to human or eagle safety.

2.1.2 State of California-Sensitive Biological Resources

California Regulatory Status. The California Endangered Species Act (CESA) states that all native species of fishes, amphibians, reptiles, birds, mammals, invertebrates, and plants, and their habitats, threatened with extinction and those experiencing a significant decline which, if not halted, would lead to a Threatened or Endangered designation, will be protected or preserved.

Endangered and Threatened Species. Under CESA, the term "Endangered species" is defined as a species of plant, fish, or wildlife which is "in serious danger of becoming extinct throughout all, or a significant portion of its range" and is limited to species or subspecies native to California. "Threatened species" means a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an Endangered species in the foreseeable future in the absence of the special protection and management efforts.

Candidate Species/Western Joshua Trees (Yucca brevifolia). On September 22, 2020, the California Fish and Game Commission (Commission) listed the western Joshua tree (Joshua tree) as a Candidate, which protects the species under CESA. In addition, the Western Joshua Tree Conservation Act (WJTCA) was enacted in 2023 and prohibits importation, export, take, possession, purchase, or sale of any Joshua tree in California unless authorized by the California Department of Fish and Wildlife (CDFW) (California Code of Regulations 2023). From the WJTCA, "...The act authorizes CDFW to issue permits for the incidental take of one or more western Joshua trees if the permittee meets certain conditions." Permittees may pay specified fees in lieu of conducting mitigation activities. The act also authorizes CDFW to issue permits for the removal of dead western Joshua trees and the trimming of live Joshua trees under certain circumstances. Pursuant to the WJTCA, CDFW may enter into an agreement with any county or city to delegate limited authority to permit the taking of a Joshua tree associated with developing single-family residences,

multifamily residences, accessory structures, and public works projects. CDFW may similarly enter into an agreement with any county or city to delegate limited authority to permit the removal of dead Joshua trees and the trimming of live Joshua trees. (California Department of Fish and Wildlife 2024b).

Candidate Species/Western Burrowing Owl (Athene cunicularia hypugaea). On October 9, 2024, the Commission listed western burrowing owl as a Candidate for Threatened or Endangered species status under CESA. The Commission will undertake a one-year review of the species' status before a final decision on listing. During the interim, the owl will be considered fully listed as a Threatened species.

Fully Protected Species. The classification of Fully Protected was California's initial effort in the 1960's to identify and provide additional protection to those animals that were rare or faced possible extinction prior to implementation of CESA. Fully Protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock.

Species of Special Concern. Species of Special Concern (SSC) is a species, subspecies, or distinct population of an animal native to California that currently satisfies one or more of the following (not necessarily mutually exclusive) criteria as defined by the CDFW:

- Is extirpated from the State or, in the case of birds, in its primary seasonal or breeding role;
- Is listed as Federally-, but not State-, Threatened or Endangered;
- Meets the State definition of Threatened or Endangered but has not formally been listed;
- Is experiencing, or formerly experienced, serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for State Threatened or Endangered status; and/or
- Has naturally small populations exhibiting high susceptibility to risk from any factor(s) that if realized, could lead to declines that would qualify it for State Threatened or Endangered status.

Sensitive Plants Identified by the California Native Plant Society (CNPS). The following provides a general definition of the CNPS listings.

- List 1A: Plants believed to be extinct;
- List 1B: Plants that are rare, Threatened, or Endangered in California and elsewhere;
- List 2: Plants that are rare, Threatened, or Endangered in California, but are more numerous elsewhere;
- List 3: Plants about which we need more information (a review list); and
- List 4: Plants of limited distribution (a watch list), as defined by CNPS.

2.1.3 Natural Community Conservation Planning

The Natural Community Conservation Planning Act (1991) provides the statutory framework for the creation of Natural Community Conservation Plans (NCCPs), which provide long-term, landscape-scale protection for natural vegetation communities and wildlife diversity while allowing for continued permissible use and expansion of compatible land uses. The NCCP program supports collaborative planning and approval by involving local governments, state and federal agencies, environmental organizations, landowners, and members of the public. The NCCP framework is meant to support the provision of regional and subregional protection for species that inhabit designated natural communities.

2.1.4 San Bernardino County Regulations

San Bernardino County Plant Protection and Management Code. Chapter 88.01 of the San Bernardino County Development Code provides regulatory and management guidance for plant resources within unincorporated areas of San Bernardino County, as well as within mixed public and private lands within the County. The goal is to promote both healthy plant community growth and the preservation of native species. In turn, the standardization of these practices helps with the conservation of natural waterways within the County and provide sustainable habitat for many local plant and wildlife species. This code primarily pertains to the removal of native trees and vegetation on public and private lands located within unincorporated areas of the County.

Chapter 88.01.060 of the San Bernardino County Development Code is a subset of the Plant Protection and Management Code that is focused on the conservation of specified desert plant species. The following desert native plants or any part of them with stems two-inches or greater in diameter or six feet or greater in height, except the fruit, shall not be removed except under a Tree or Plant Removal Permit in compliance with § 88.01.050 (Tree or Plant Removal Permits):

- Smoke tree (*Psorothamnus spinosa*).
- All species of the genus *Prosopis* (mesquites).
- All species of the family Agavaceae (century plants, nolinas, yuccas).
- Creosote (*Larrea tridentata*) rings, ten feet or greater in diameter.
- All Joshua trees.
- Any part of any of the following species, whether living or dead:
 - o Desert ironwood (Olneya tesota).
 - o All species of the genus *Prosopis* (mesquites).
 - o All species of the genus Cercidium (palo verde).

SECTION 3 METHODOLOGY

3.1 SENSITIVE RESOURCES DATABASE REVIEWS

Prior to mobilizing to the field, the available literature on natural resources with reference to plants and wildlife in and near the study area was consulted including information from the CDFW California Natural Diversity Data Base (CNDDB) (California Department of Fish and Wildlife 2025) and the California Native Plant Society (CNPS) (California Native Plant Society 2024). In addition, the Information for Planning and Consultation (IPaC) database of federally-listed species and habitat that is maintained by the United States Fish and Wildlife Service for the study area was accessed in August 2025 (United States Fish and Wildlife Service 2025). The National Wetland Inventory (NWI) Mapper on-line access tool was used to map aquatic resources within the study area (United States Fish and Wildlife Service 2024).

The search radius used in the CNDDB and CNPS search for past observations of sensitive biological resources included the Yermo 7.5-minute quadrangle plus the adjacent Lane Mountain, Coyote Lake, Alvord Mountain West, Nebo, Harvard Hill, Daggett, Minneola and Newberry Springs 7.5-minute quadrangles. No sensitive natural communities were identified in the CNDDB search radius that includes the study area. The IPaC database results included desert tortoise (*Gopherus agassizii*) and western pond turtle (*Emys marmorata*), both of which had been identified in the CNDDB. Monarch butterfly (*Danaus plexippus*), a Federal Candidate species, was also identified in the IPaC within the search radius. The project study area has no habitat to include roosting trees likely to support this insect. No host milkweed plants (*Asclepias* sp.) were observed within the study area. Finally, the IPaC database identified one migratory bird of concern, Costa's hummingbird (*Calypte costae*). Sensitive biological resources identified from the databases and literature reviewed for this survey that have the potential for presence in the survey area are found in Appendix A. The following criteria have been applied to those previously recorded sensitive biological resources or those resources determined potentially present at the study area due to habitat requirements from either the databases reviewed or the results of the reconnaissance survey:

• *Present:* Species was observed in or immediately adjacent to the study area within the past 5 years.

- *High:* Habitat (including vegetation, soils and elevation factors) and known historical range for the species occurs in the study area and a known occurrence has been recorded within 5 miles and within the past 30 years.
- *Moderate:* Habitat for the species occurs in the study area and a known occurrence has been recorded between 5 and 10 miles away within the past 30 years; or historical range for the species occurs in the site and a known occurrence has been recorded within 5 miles and within the past 30 years with only two of three habitat parameters present (appropriate vegetation, soils and elevation).
- Low: Limited habitat for the species occurs in the study area and known occurrences are greater than 10 miles from the study area or over 30 years old; or habitat quality is poor with only one parameter present (appropriate vegetation, soils and elevation).
- Absent: Beyond those factors listed for Low potential, the species is easily identifiable throughout the year and was not observed (i.e., most tree species).

The habitat assessment of the project study area was conducted to record general ecological characteristics of the study area and to determine suitability of the habitat for the presence of sensitive biological resources. General guidelines published by the California Department of Fish and Game (CDFG) for conducting habitat assessments for burrowing owl (*Athene cunicularia*) were followed (CDFG, 2012). Consistent with these standards, transects of the study area were systematically walked generally from north to south with separation between surveyors of approximately 20 to 30 meters (65 to 98 feet) to accommodate topographic features and plants. Periodic stops were made to listen for bird calls/songs. Binoculars were used to review areas immediately adjacent to the project with no access for potential resources located immediately beyond the study area. Observations of plants and wildlife observed during the survey were recorded.

SECTION 4 RESULTS

A biological reconnaissance and habitat assessment of the study area was conducted and concluded on June 1, 2024. No rain had occurred within five days of the reconnaissance survey. Weather conditions at the start and conclusion of the survey are summarized in the table below.

	Time	Temperature (F°)	Cloud Cover (percent)	Wind Speed (miles per hour)
Start of the Reconnaissance Survey (06/01/24)	0620	73	Clear	6
Conclusion of the Reconnaissance Survey (06/01/24)	1030	90	Clear	10

The study area was accessed on foot and with a vehicle using existing dirt roads. Transects were walked within the study area except for the area associated with the residential development located in the northwestern corner of the study area. Plants and any wildlife observed in the study area were recorded and are found as Appendix B. Photographs of the study area were taken at various locations within and adjacent to the study area (Figure 2). The photograph log can be found as Appendix C.

4.1 RESULTS OF SENSITIVE RESOURCES DATABASE REVIEWS

Based on current conditions and observations made of the study area during the reconnaissance survey, sensitive biological resources previously recorded in the search radius are absent or have a low potential to occur with the study area (Appendix B). For sensitive plants determined to have a low potential to be present due to habitat preference, plant-specific blooming periods would have allowed the plants to be detected at the time of the survey if present. For previously observed wildlife resources determined to have a low potential to be present within the study area, surrounding land uses preclude the presence of sensitive biological resources identified in the databases identified in Section 3.1.

Adjacent land uses are summarized as follows.

 North: Vacant land with rural residential dwellings and local infrastructure (Yermo Road) beyond.

• East: Vacant land.

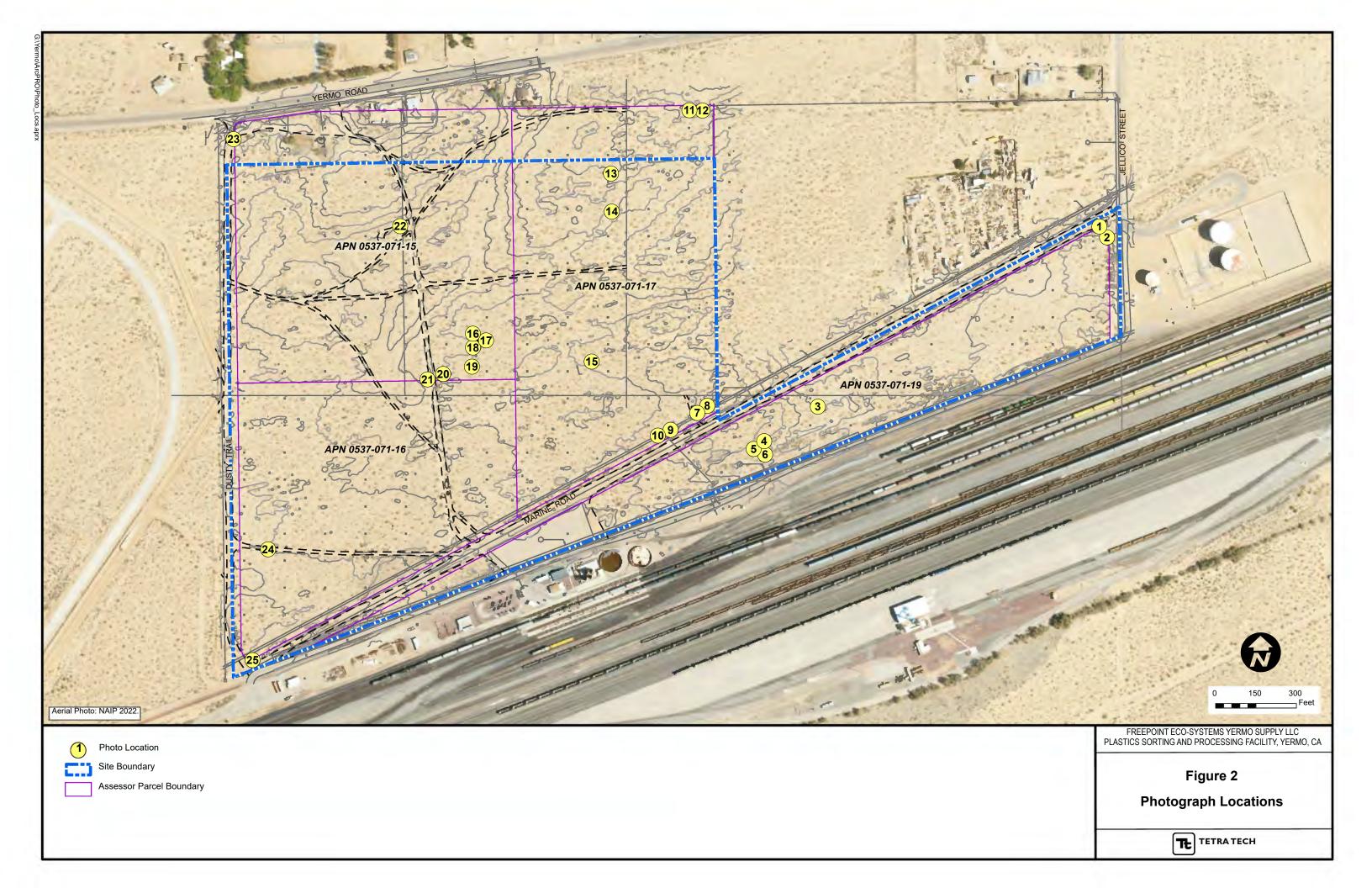
• South: A Union Pacific railroad switching yard.

• West: Marine Corps Logistic Base Barstow – Yermo Annex.

Loose dogs were observed during the survey in part of the study area.

4.2 SOILS

Soils. The Cajon sand, 2 to 9 percent slopes series has been mapped as the dominate soil type within the study area (United States Department of Agriculture 2024). The field reconnaissance confirmed mapping conducted by the United States Department of Agriculture. The soils within the study area were noted as having a fine sandy texture. The Cajon sand are soils associated with alluvial fans and have been classified as being associated with Farmland of Statewide Importance. A review of lands classified as farmlands in the Yermo region of San Bernardino county confirmed that the study area has been classified as Other Lands or land that is not included in other mapping categories and not a Farmland of Statewide Importance (California Department of Conservation 2020). In addition, based on the soil present, the study area has not been classified as Prime Farmland, Unique Farmland or Grazing Land (California Department of Conservation 2020).



4.3 HABITAT

Vegetation. The vegetation community within the majority of the 77.57-acre study area is creosote bush-white bursage (Ambrosia dumosa)-four-wing salt bush (Atriplex canescens) alliance, which makes up 73.54 acres of the study area, with an additional 1.04 acres of disturbed-unvegetated area and 2.99 acres of unvegetated dirt road (California Department of Fish and Wildlife 2024a) (Figure 3). While the survey was conducted at a time of the year when annuals would not typically be present, distinctive vestiges of some of the annuals that bloomed in the spring were still visible and recognizable. A compendium of plants observed during the survey are found as Appendix B. No sensitive plants were observed during the reconnaissance survey of the study area. No western Joshua tree plants are present within the study area.

Special status plants are species of conservation concern due to their rarity, limited distribution, and declining populations. Six special status plant species have been identified in the CNDDB and CNPS databases as having a low potential to occur within the study area and are not expected to be present.

Two of the special status plant species with potential to occur within the study area are identified by the CNPS as 1B.2 plants (plants rare, threatened, or endangered in California and elsewhere; fairly threatened in California):

- Clokey's cryptantha (*Cryptantha clokeyi*). This plant has been observed more than 15 miles north of the study area within granitic gravelly soils associated with the Calico Peaks within the Rainbow Basin Natural Area. Blooming period is April. Because the study area is dominated by sandy soils with no granitic gravelly based soils, this species is not expected to be present at the study area.
- Beaver Dam breadroot (*Pediomelum castoreum*) is found in sandy soils, washes and roadcuts. The closest identified location to Yermo was last observed in 1943, approximately two and a half miles south of the study area. While the reconnaissance survey was completed just outside its blooming period of April through May, no remnants of this perennial herbaceous plant were observed during the study area reconnaissance. This species is not expected to be present at the study area.

One special status plant species was identified by the CNPS as a 2B plant (plants rare, threatened, or endangered in California, but more common elsewhere; fairly threatened in California):

• 2B.2 Jackass-clover (*Wislizenia refracta* ssp. *refracta*) was most recently observed in 2004 approximately nine miles to the northeast of the study area in Coyote Dry Lake. The reconnaissance survey was completed during this plant's blooming period of April through November and was not observed at the study area. This species is not expected to be present at the study area.

The following three special status plant species were identified by the CNPS as 4.2 plants (plants with limited distribution or infrequent throughout a broader area in California; moderately threatened in California):

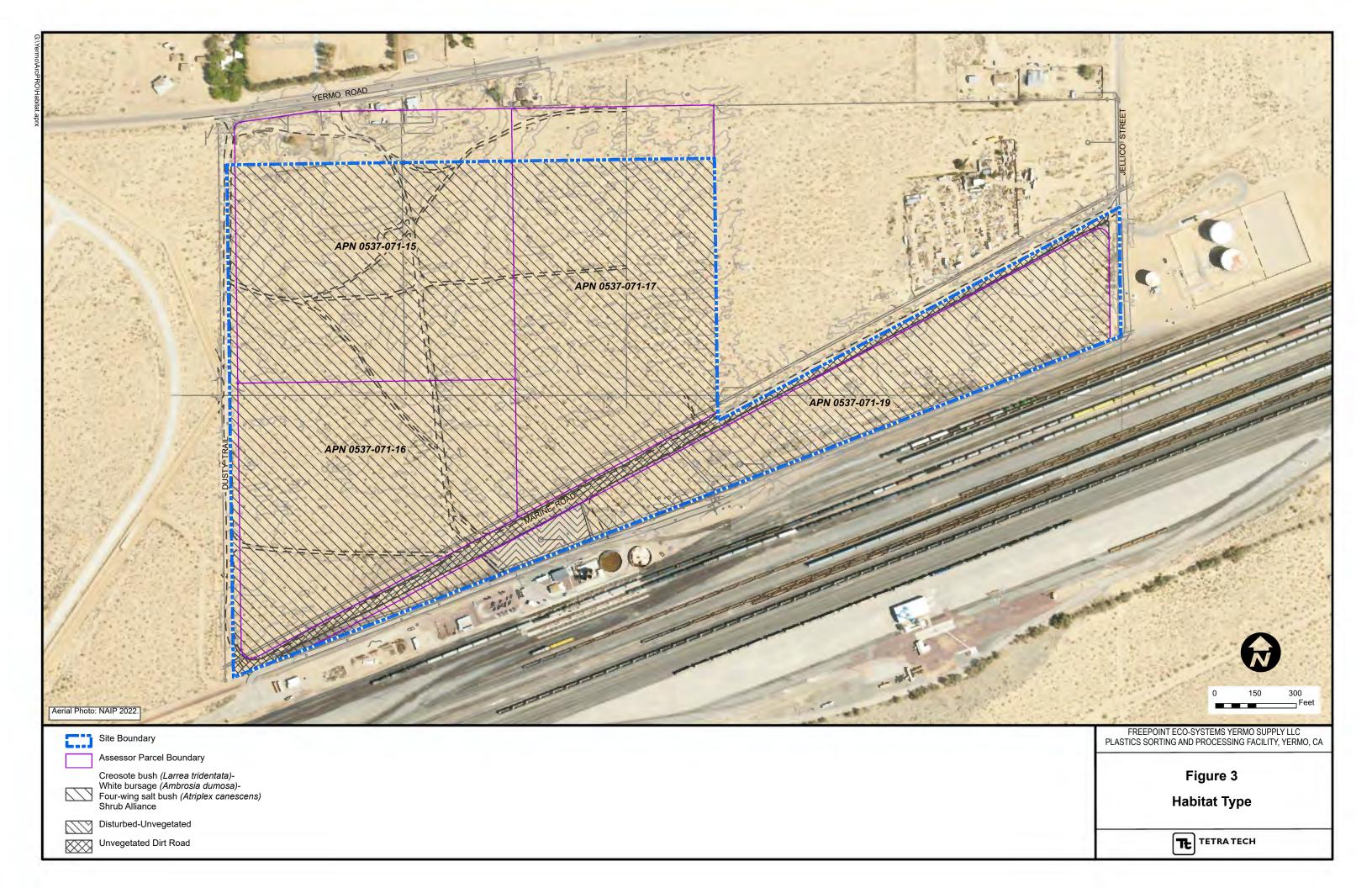
- Mojave spineflower (*Chorizanthe spinosa*) was noted in the CNPS database. The reconnaissance survey was completed during this plant's blooming period of March through July and was not observed during the study area reconnaissance. This species is not expected to be present at the study area.
- Death Valley sandmat (*Euphorbia vallis-mortae*) was noted in the CNPS database. The reconnaissance survey was completed during this plant's blooming period of May through October and was not observed during the study area reconnaissance. This species is not expected to be present at the study area.
- Utah vine milkweed (*Funastrum utahense*) was noted in the CNPS database. The reconnaissance survey was completed during this plant's blooming period of April through June and was not observed during the study area reconnaissance. This species is not expected to be present at the study area.

Designated Critical Habitat. Superior-Cronese Desert Wildlife Management Areas (DWMAs) is a 2,136 square kilometer recovery unit for the federally listed as Threatened desert tortoise (Gopherus agassizii). A portion of the DWMA is located 0.75 miles to the northeast of the Study Area (United States Fish and Wildlife 2024). The study area is not located within or adjacent to Designated Critical Habitat.

Riparian/Wetland Habitat. The objective of the NWI is to produce reconnaissance level information about the location, area, and type of the riparian/wetlands in a given location. Wetlands are ecosystems that were flooded, or saturated conditions that have created habitats with aquatic and semi-aquatic plants. Riparian habitat is typically located on banks of rivers and may be composed of plants and trees suited for areas that are transitions between wetland and upland habitats. No mapped riparian or wetlands waters have been recorded by the NWI for the study area (United States Fish and Wildlife Service 2024). No riparian or wetlands were observed during the reconnaissance survey within the study area. No streambed features or features with bed and bank that may convey storm flow were noted within the study area.

Natural Community Conservation Plan. The study area and adjacent areas to the study area are not part of an NCCP. The town of Apple Valley MSHCP is the only NCCP currently being planned in San Bernardino County. Apple Valley is located more than 30 miles to the southwest from the study area.

San Bernardino County Plant Protection and Management Code. No plants are present within the study area that would require a Tree or Plant Removal Permit from San Bernardino County. There is one non-native Chilean mesquite (*Prosopis chilensis*) located in the western portion of the study area. As this plant is a non-native landscaping plant, no permit for removing it during site preparation is anticipated.



4.4 WILDLIFE

A compendium of wildlife observed during the survey is found in Appendix B. No sensitive wildlife species were observed during the habitat assessment. While the study area was observed to have suitable habitat for occupation by burrowing owl, no burrows large enough such as those created by California ground squirrel (*Otospermophilus californicus*) were observed. Where present, abandoned burrows created by California ground squirrels can be used by burrowing owl. In addition, loose dogs from adjacent residences would preclude occupation of the study area by burrowing owl. The study area has limited habitat for roosting and arboreal nesting birds such as Le Conte's thrasher (*Toxostoma lecontei*) and limited habitat for roosting bats such as Townsend's bigeared bat (*Corynorhinus townsendii*). The IPaC database identified that Costa's hummingbird may migrate through the study area. It is possible that this bird may temporarily stop at the study area during migration, but it is unlikely that the study area would have suitable habitat for nesting by this bird.

While there is suitable habitat present at the study area for desert tortoise (*Gopherus agassizii*), there are no CNDDB records of this species within five miles of the study area. As stated earlier, the southwestern edge of the Superior-Cronese DWMA is located within one mile to the northeast of the study area. The study area is developed on all sides including a rail switching yard and active rail line, Marine Corps Logistic Base Barstow – Yermo Annex, and nearby Yermo Road and rural residential developments. Lands to the north and east of the study area have been developed in the past and are now vacant. No desert tortoise or sign of desert tortoise (scat, carcasses, burrows) were observed during the survey. Based on this, the presence of desert tortoise at the study area is unlikely.

SECTION 5 RECOMMENDATIONS

The following recommendations are provided for project-related work that would directly or indirectly impact the study area.

- It is recommended that within 30 days and again within 72 hours of ground-disturbing activities, a nesting bird survey should be conducted by a qualified biologist to determine if burrowing owl or other nesting birds are present if work is proposed during the nesting season (typically March 1 through August 31 for passerine (songbirds) and January 1 through September 15 for raptors). If present, buffer zones based on the sensitivity of the nesting bird should be established to avoid direct and indirect impacts. The buffer zone for nesting passerine (songbirds) and/or raptor birds may be species-specific based on available information including a relevant literature review and avian biology. The buffer zone may also depend on the level of project-related disturbance.
- Prior to ground disturbance, a focused survey for desert tortoise at the study area should be conducted. For a desert tortoise survey, use 10-meter/32-feet-wide transects with 100 percent coverage of the study area during active tortoise periods (April through May, September through October) to find tortoises and their sign (United States Fish and Wildlife Service 2019). Depending on project schedule, the focused survey for desert tortoise could be timed to coincide with the nesting bird survey.
- It is recommended that a preconstruction survey of the study area for burrowing owls should be completed within 30 days before ground-disturbing activities to prevent direct harm to the owls. This survey could coincide with the recommended nesting bird survey. If burrowing owls are observed within the study area, no work can occur within buffer areas detailed in the 2012 guidelines (California Department of Fish Game 2012) and CDFW must be contacted to develop a mitigation plan.

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Appendix A Sensitive Biological Resources Freepoint Eco-Systems Yermo Supply LLC - Plastics Sorting and Processing Facility Yermo, San Bernardino County, California

Resource	Habitat and	Status	Occurrence Probability	
	Distribution	Designation		
Plants				
Emory's crucifixion-thorn (Castela emoryi) ^{1,2} Mojavean desert scrub, Sonoran desert scrub, playas; gravelly soils, sometimes in alkali playas or washes; perennial deciduous woody shrub.		Federal: ND State: ND CNPS: 2B.2	Absent; no suitable habitat for this plant is present in the study area. This woody shrub was not observed in the study area.	
Lane Mountain milk-vetch (Astragalus jaegerianus) ^{1,2}	Joshua tree woodland, Mojavean desert scrub; dry, stony hillsides and desert mesas in sands and gravel derived from granite. Common with Joshua trees, usually under shrubs. Perennial herbaceous, April through June blooming period.	Federal: ND State: ND CNPS: 1B.1	Absent; no suitable habitat is present in the study area. Evidence of this plant was not observed in the study area.	
Mojave spineflower (Chorizanthe spinosa) ²	Chenopod scrub, Joshua tree woodland, Mojavean desert scrub, playas, alkaline soils. Annual herbaceous, March through July blooming period.	Federal: ND State: ND CNPS: 4.2	Low; suitable habitat is present in the study area. Evidence of this plant was not observed in the study area and is not expected to be present in the study area.	
Clokey's cryptantha (<i>Cryptantha</i> clokeyi) ^{1,2}	Mojavean desert scrub, sandy or gravelly soils. Annual herbaceous, April blooming period.	Federal: ND State: ND CNPS: 1B.2	Low; suitable habitat is present in the study area. Evidence of this plant was not observed in the study area and is not expected to be present in the study area.	
Mojave monkeyflower (<i>Diplacus</i> mohavensis) ^{1,2}	Joshua tree woodland, Mojavean desert scrub; dry sandy or rocky washes along the Mojave River. Annual herbaceous, April through June blooming period.	Federal: ND State: ND CNPS: 1B.2	Absent; no suitable habitat is present in the study area. Evidence of this plant was not observed in the study area.	
Barstow woolly sunflower (<i>Eriophyllum mohavense</i>) ^{1,2}	Chenopod scrub, Mojavean desert scrub, desert playas; mostly in open, silty or sandy areas with saltbush scrub or creosote scrub, barren ridges or margins of playas. Annual herbaceous, March through May blooming period.	Federal: ND State: ND CNPS: 1B.2	Absent; marginally suitable habitat is present in the study area. No playa habitat present in the study area. Evidence of this plant was not observed in the study area.	

Resource	Habitat and	Status	Occurrence Probability
	Distribution	Designation	
Plants (continued)			
Death Valley sandmat (Euphorbia vallis- mortae) ²	Mojavean desert scrub; sandy or gravelly sites. Perennial herbaceous, May through October blooming period.	Federal: ND State: ND CNPS: 4.2	Low; suitable habitat is present in the study area. Evidence of this plant was not observed in the study area and is not expected to be present in the study area.
Utah vine milkweed (Funastrum utahense) ²	Mojavean desert scrub, Sonoran desert scrub; sandy or gravelly sites. Perennial herbaceous, April through June blooming period.	Federal: ND State: ND CNPS: 4.2	Low; suitable habitat is present in the study area. Evidence of this plant was not observed in the study area and is not expected to be present in the study area.
Torrey's box-thorn (Lycium torreyi) ²	Mojavean desert scrub, Sonoran desert scrub; sandy, rocky washes, streambeds, desert valleys. Perennial woody shrub, March through June blooming period.	Federal: ND State: ND CNPS: 4.2	Absent; no suitable habitat is present for this plant. This woody shrub was not observed in the study area.
Mojave menodora (Menodora spinescens var. mohavensis) ^{1,2}	Mojavean desert scrub; rocky hillsides, canyons, andesite gravel. Perennial deciduous woody shrub.	Federal: ND State: ND CNPS: 1B.2	Absent; no suitable habitat is present for this plant. This woody shrub was not observed in the study area.
Darlington's blazing star (Mentzelia puberula) ^{1,2}	Mojavean desert scrub, Sonoran desert scrub; sandy crevices in cliffs or on rocky slopes. Perennial herbaceous, March through May blooming period.	Federal: ND State: ND CNPS: 2B.2	Absent; no suitable habitat is present for this plant. Evidence of this plant was not observed in the study area.
Creamy blazing star (<i>Mentzelia</i> tridentata) ^{1,2}	Mojavean desert scrub; found in wash banks. Annual herbaceous with an April-May blooming period.	Federal: ND State: ND CNPS: 1B.3	Absent; no suitable habitat is present for this plant. Evidence of this plant was not observed in the study area.
Graceful nemacladus (Nemacladus gracilis) ²	Cismontane woodland, valley and foothill grasslands; sandy or gravelly places. Annual herbaceous, March through May blooming period.	Federal: ND State: ND CNPS: 4.3	Absent; no suitable habitat is present for this plant. Evidence of this plant was not observed in the study area.
Beaver Dam breadroot (Pediomelum castoreum) ^{1.2}	Joshua tree woodland, Mojavean desert scrub; sandy soils, washes and roadcuts. Perennial herbaceous with an April- May blooming period.	Federal: ND State: ND CNPS: 1B.2	Low; marginally suitable habitat is present in the study area. Evidence of this plant was not observed in the study area and is not expected to be present in the study area.

Resource	Habitat and	Status	Occurrence Probability	
	Distribution	Designation		
Plants (continued)				
Parish's phacelia (<i>Phacelia</i> parishii) ^{1,2}	Mojavean desert scrub, playas, alkaline flats and slopes or on clay soils. Annual herbaceous with an April through May blooming period that can extend to July.	Federal: ND State: ND CNPS: 1B.1	Absent; no suitable habitat is present in the study area. Soils in the study area are sandy and not suitable for growth of this plant.	
Mojave fish-hook cactus (Sclerocactus polyancistrus) ²	Joshua tree woodland, Mojavean desert scrub, Great Basin scrub; well- drained soil, on rocky gravelly mesas, slopes and outcrops, sometimes on limestone. Perennial plant with an April through July blooming period.	Federal: ND State: ND CNPS: 4.2	Absent; no suitable habitat is present in the study area. Soils in the study area are sandy with no gravel to allow adequate drainage for this for growth of this plant.	
Jackass-clover (Wislizenia refracta ssp. refracta) ^{1,2}	Joshua tree woodlands and juniper woodlands. Annual herbaceous with a blooming period of April through November.	Federal: ND State: ND CNPS: 2B.2	Low; suitable habitat is present in the study area. Evidence of this plant was not observed in the study area and is not expected to be present in the study area.	
Joshua tree (Yucca brevifolia) ²	An endemic plant found associated with Sonoran and Mojavean Desert scrub, montane chaparral, pinyon and juniper woodlands.	Federal: ND State: C CNPS: CBR ³	Absent; suitable habitat is present in the study area. Evidence of this plant was not observed in the study area.	
Birds				
Tricolor blackbird (Agelaius tricolor) ¹	Highly colonial species most numerous in central California; requires open water, protected nesting substrate and foraging areas with insect prey within a few kilometers from the colony.	Federal: ND State: ST	Absent; no suitable habitat is present in the study area or in adjacent areas to the study area.	
Golden eagle (Aquila chrysaetos) ¹	Rolling foothills, mountain areas, sage-juniper flats and desert.	Federal: ND State: FP	Absent; no suitable habitat is present in the study area or in adjacent areas to the study area. Migrating birds could use the study area as forage.	

Resource	Habitat and	Status	Occurrence Probability
	Distribution	Designation	
Birds (continued)			
Burrowing owl (Athene cunicularia) ¹	Open, dry annual or perennial grasslands, deserts and scrublands characterized by low- growing vegetation.	Federal: ND State: Candidate	Low; no California ground squirrel or larger mammal burrows noted in the study area that could be occupied by burrowing owl. No California ground squirrels noted in the area. Presence of loose dogs from adjacent neighbors likely precludes the presence of this ground dweller in the study area.
Prairie falcon (Falco mexicanus) ¹	Inhabits dry, open terrain either level or hilly; breeding sites located on cliffs; forages far afield.	Federal: ND State: ND	Absent; no suitable habitat is present in the study area or in adjacent areas to the study area. Migrating birds could use the study area as forage.
Yellow-breasted chat (<i>Icteria</i> virens) ¹	Summer resident; inhabits riparian thickets of willow and other brushy tangles near watercourses	Federal: ND State: California Species of Special Concern	Absent; no suitable habitat to support this bird is present in the study area.
Vermillion flycatcher (<i>Pyrocephalus</i> rubinus) ¹	During nesting, inhabits desert riparian adjacent to irrigated fields, irrigation ditches, pastures and other open mesic areas.	Federal: ND State: California Species of Special Concern	Absent; no suitable habitat is present in the study area or in adjacent areas to the study area.
Le Conte's thrasher (<i>Toxostoma</i> <i>lecontei</i>) ¹	Desert resident; primarily of open desert wash, desert scrub, alkali desert scrub and desert succulent scrub habitats	Federal: ND State: California Species of Special Concern	Low; the study area has limited habitat available for roosting and nesting but can be used for foraging
Fish Mohave tui chub (Siphateles bicolor mohavensis) ¹	Endemic to the Mohave River basis; adapted to alkaline mineralized water. Needs deep pools, ponds or slough-like areas, vegetation for spawning.	Federal: FE State: SE	Absent; no suitable habitat is present in the study area.
Reptiles			
Southwestern pond turtle (Actinemys marmorata) ^{1,4}	A thoroughly aquatic turtle of ponds, marshes, rivers, streams and irrigation ditches.	Federal: PT State: California Species of Special Concern	Absent; no suitable habitat is present in the study area or in adjacent areas to the study area.

Resource	Habitat and	Status	Occurrence Probability
	Distribution	Designation	
Reptiles (continued)			
Desert tortoise (Gopherus agassizii) ^{1,4}	Most common in desert scrub, desert washes, Joshua tree habitat. Requires friable soils for burrow and nest construction.	Federal: FT State: ST	Low; suitable habitat for this listed reptile is found in the study area. No sign of the presence of this reptile observed in the study area. Presence of development on all sides of the study area including an active rail line to the south and Yermo Road to the north and loose dogs from the neighbors likely preclude the presence of this reptile in the study area.
Mojave fringe- toed lizard (<i>Uma</i> scoparia) ¹	Fine, loose, wind-blown sand in sand dune, dry lakebeds, riverbanks, desert washes, sparse alkali scrub and desert scrub.	Federal: ND State: California Species of Special Concern	Absent; no suitable habitat is present in the study area or in adjacent areas to the study area.
Mammals			
Townsend's bigeared bat (Corynorhinus townsendii) ¹	Found throughout California in a variety of habitats; most common in mesic sites; roosts in open, hanging from walls and ceilings. Extremely sensitive to human disturbance.	Federal: ND State: California Species of Special Concern	Low; the study area has no habitat available for roosting but can be used for foraging. Large trees in adjacent neighbors may be suitable for roosting.
North American porcupine (Erethizon dorsatum) ¹	Forested habitats in the Sierra Nevada, Cascade and Coast Ranges; wide variety of coniferous and mixed woodland habitat.	Federal: ND State: ND	Absent; no suitable habitat is present in the study area or in adjacent areas to the study area.
Desert bighorn sheep (Ovis canadensis nelsoni) ¹	Widely distributed from White Mountains in Mono County to Chocolate Mountains in Imperial County; open, rocky, steep areas with available water and herbaceous forage.	Federal: ND State: FP	Absent; no suitable habitat is present in the study area or in adjacent areas to the study area.

Appendix A Sensitive Biological Resources Freepoint Eco-Systems Yermo Supply LLC - Plastics Sorting and Processing Facility Yermo, San Bernardino County, California

Resource	Habitat and Distribution		Status Designation	Occurrence Probability
Mammals (continue	d)			
Mohave ground squirrel (Xerospermophilus mohavensis) ¹	Open desert, alkali scrub and Joshua tree woodland;		Federal: ND State: ST	Absent; no suitable habitat present in the study area for this sensitive mammal. Presence of development on all sides of the study area including an active rail line to the south and Yermo Road to the north and loose dogs from the neighbors likely preclude the presence of this mammal in the study area.
Insects				in the sound area.
Monarch butterfly (Danaus America. Mill host plant for		kweed is the	Federal: FC State: ND	Absent; no suitable habitat to support this insect is found in the study area or in adjacent areas to the study area.
Notes: ND No Designation Federal Status: FE Federally listed Endangered FT Federally listed Threatened PTProposed Threatened BG EPA Bald and Golden Eagle Protection Act		FP California De	reatened	California Rare Plant Ranking System: 1B.1 Plants rare, threatened, or endangered in California and elsewhere; seriously threatened in California and elsewhere; fairly threatened in California and elsewhere; fairly threatened in California and elsewhere; fairly threatened in California and elsewhere; not very threatened in California and elsewhere; not very threatened in California and elsewhere; not very threatened in California but comment elsewhere 2B.1 Plants rare, threatened, or endangered in California, but more common elsewhere; seriously threatened in California 2B.2 Plants rare, threatened, or endangered in California, but more common elsewhere; fairly threatened in California 2B.3 Plants rare, threatened, or endangered in California, but more common elsewhere; not very threatened in California 4.1 Plants with limited distribution or infrequent throughout a broader area in California; seriously threatened in California 4.2 Plants with limited distribution or infrequent throughout a broader area in California; moderately threatened in California 4.3 Plants with limited distribution or infrequent throughout a broader area in California; moderately threatened in California

Freepoint Eco-Systems Yermo Supply LLC - Plastics Sorting and Processing Facility Yermo, San Bernardino County, California

Sources:

¹California Department of Fish and Wildlife, Natural Diversity Data Base, Yermo, Lane Mountain, Coyote Lake, Alvord Mountain West, Nebo, Harvard Hill, Dagget, Minneola, Newberry Springs USGS 7.5' Quadrangle, August, 2025

²California Native Plant Society, Rare Plant Program, 2024. Rare Plant Inventory (online edition v9.5), https://www.rareplants.cnps.org. Yermo, Lane Mountain, Coyote Lake, Alvord Mountain West, Nebo, Harvard Hill, Dagget, Minneola, Newberry Springs USGS 7.5' Quadrangles, Accessed June 4, 2024

³Considered but rejected (California Native Plant Society 2024)

⁴United States Fish and Wildlife Service, Information for Planning and Consultation (IPaC), https://www.fws.gov/ipac/index.html, 14 August 2024.

Criteria:

Present: Species was observed in or immediately adjacent to the survey/study area within the past 5 years.

High: Habitat (including vegetation, soils and elevation factors) and known historical range for the species occurs in the survey/study area and a known occurrence has been recorded within 5 miles and within the past 30 years.

Moderate: Habitat for the species occurs in the survey/study area and a known occurrence has been recorded between 5 and 10 miles away within the past 30 years. Or historical range for the species occurs in the survey/study area and a known occurrence has been recorded within 5 miles and within the past 30 years with only two of three habitat parameters present (appropriate vegetation, soils and elevation)

Low: Limited habitat for the species occurs in the survey/study area and known occurrences are greater than 10 miles from the survey/study area or over 30 years old. Or habitat quality is poor with only one parameter present (appropriate vegetation, soils and elevation).

Absent: Beyond those factors listed for Low potential, the species is easily identifiable throughout the year and was not observed (i.e., most tree species).

Appendix B Flora and Fauna Compendium Freepoint Eco-Systems Yermo Supply LLC – Plastics Sorting and Processing Facility Yermo, San Bernardino County, California

Flora	Flowering Plants	
Gymnospermae	Pollen Producing Woody Gymnosperms	
Ephedraceae	Ephedra Family	
Ephedra californica	Desert tea	
Angiospermae: Monocotyledonae	Monocot Flowering Plants	
Agavaceae	Century Plant Family	
Hesperocallis undulata	Desert lily	
Poaceae	Grass Family	
Bromus madritensis	Foxtail chess*	
Schismus barbatus	Common Mediterranean grass*	
Angiospermae: Dicotyledonae	Dicot Flowering Plants	
Asteraceae	Aster Family	
Ambrosia dumosa	Burro bush	
Chaenactis fremontii	Fremont pincushion	
Geraea canescens	Desert dandelion	
Stephanomeria pauciflora	Wire lettuce	
Boraginaceae	Borage Family	
Phacelia crenulata	Notch-leaved phacelia	
Fabaceae	Legume Family	
Prosopis chilensis	Chilean mesquite*	
Brassicaceae	Mustard Family	
Sisymbrium irio	London rocket*	
Cactaceae	Cactus Family	
Opuntia echinocarpa	Silver cholla	
Chenopodiaceae	Goosefoot Family	
Atriplex canescens	Four-winged saltbush	
Salsola kali	Russian thistle*	
Geraniaceae	Geranium Family	
Erodium cicutarium	Redstem filaree*	
Erodium texanum	Desert heron's bill	
Polygonaceae	Buckwheat Family	
Eriogonum inflatum	Desert trumpets	
Tamaricaceae	Tamarik Family	
Tamarix ramosissima	Salt cedar*	
Zygophyllaceae	Caltrop Family	
Larea tridentata	Creosote	

Appendix B

Flora and Fauna Compendium

Fauna	Birds, Reptiles and Mammals
Aves	Birds
Columbidae	Pigeons and Doves
Columba livia	Feral pigeon**
Zenaida macroura	Mourning dove
Corvidae	Crows and Jays
Corvus corvax	Raven
Passeriformes	Passerines
Artemisiospiza nevadensis	Sagebrush sparrow
Haemorhous mexicanus	House finch
Mammalia	Mammals
Sciuridae	Squirrels
Ammospermophilus leucurus	Antelope ground squirrel
Reptilia	Reptiles
Colubridae	Colubrid Snakes
Masticophis flagellum	Coachwhip snake
Crotaphytidae	Collared Lizards
Gambelia wislizenii	Long-nosed leopard lizard
Iguanidae	Iguana and Chuckwalla Lizards
Diposaurus dorsalis	Desert iguana
Teiidae	Whiptail Lizards
Aspidoscelis tigris	Western whiptail

^{*} Denotes non-native plant

- Baldwin, B.G., D. H. Goldman, D. J. Keil, R, Patterson, T. J. Rosatti, and D.H. Wilkin, editors.
 - 2012 The Jepson manual: Vascular plants of California, second edition. University of California Press.
- Sibley, D.A.
 - 2003 The Sibley Field Guide to Birds of Western North America. Andrew Stewart Publishing,
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 - 1998 Western Reptiles and Amphibians. Houghton Mifflin Company.
- Whitson, T. D., ed., L. C. Burrill, S. A. Dewey, D. W. Cudney, B. E. Nelson, R. D. Lee, and R. Parker
 - Weeds of the West. Western Society of Weed Science in cooperation with the Western United States Land Grant Universities Cooperative Extension Services.

^{**} Denotes non-native wildlife

Appendix C Site Photographs



Biological Reconnaissance and Habitat Assessment Freepoint Eco-Systems Yermo Supply LLC – Plastics Sorting and Processing Facility Yermo, San Bernardino County, California

Photograph 1:

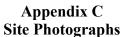
View of the site from the northeastern corner of APN 0537-071-19.



Photograph 2:

View of the site from the northeastern corner of APN 0537-071-19.

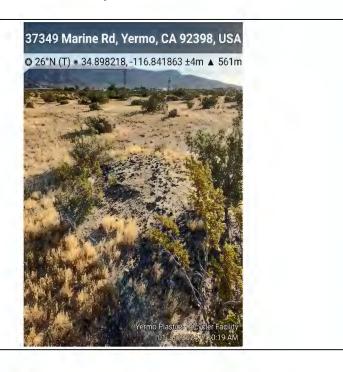






Photograph 3:

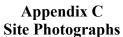
View of the site from the center of APN 0537-071-19.



Photograph 4:

View of the site from the center of APN 0537-071-19.







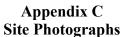
Photograph 5: View of the site from the center of APN 0537-071-19.



Photograph 6:

View of the site from the center of APN 0537-071-19.

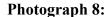






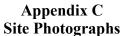
Photograph 7: View of the site from the southeast corner of APN 0537-071-17.





View of the site from the southeast corner of APN 0537-071-17.







Photograph 9:

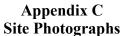
View of the site from southern boundary of APN 0527-071-17



Photograph 10:

View of the site from southern boundary of APN 0527-071-17







Photograph 11:

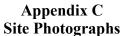
View of the site from northeastern corner of APN 0527-071-17



Photograph 12:

View of the site from northeastern corner of APN 0527-071-17

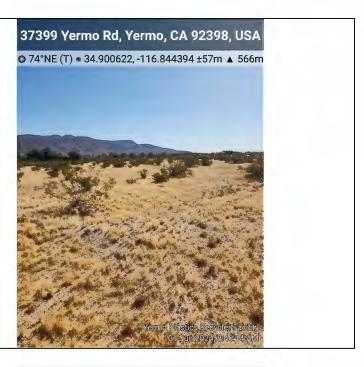






Photograph 13:

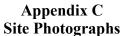
View of the site from center of APN 0527-071-17



Photograph 14:

View of the site from center of APN 0527-071-17.







Photograph 15:

View of the site from center of APN 0527-071-17.



Photograph 16:

View of the site from center of APN 0527-071-15







Photograph 17: View of the site from center of APN 0527-071-15.



Photograph 18:

View of the site from center of APN 0527-071-15.







Photograph 19

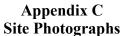
View of the site from center near southern boundary of APN 0527-071-15.



Photograph 20:

View of the site from center near southern boundary of APN 0527-071-15.







Photograph 21:

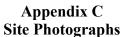
View of the site from center near southern border of APN 0527-071-15.



Photograph 22:

View of the site from center of APN 0527-071-15







Photograph 23:

View of the site from northeastern corner of APN 0527-071-15.



Photograph 24:

View of the site from western border of APN 0527-071-16.





Appendix C Site Photographs

Biological Reconnaissance and Habitat Assessment Freepoint Eco-Systems Yermo Supply LLC – Plastics Sorting and Processing Facility Yermo, San Bernardino County, California

Photograph 25: View of the site from southwestern corner of APN 0527-071-16. 37237 Union Pacific Dr, Yermo, CA 92398, USA © 333°NW (T) © 34.895696, -116.848907 ±12m ▲ 564m Vagning Placifica, Bactrajar Pelantistical States and States and