FOCUSED DESERT TORTOISE SURVEY

APN 3068-231-38 and 3068-231-39

SAN BERNARDINO COUNTY, CALIFORNIA

(USGS Mescal Creek, CA Quad.; Township 4 North, Range 7 West, Section 7)

Owner/Applicant

Simon-CRE
5111 N. Scottsdale Rd., Suite 200
Scottsdale, AZ. 85250
(480) 745-2484

Prepared by:

RCA Associates, LLC
15555 Main Street, #D4-235
Hesperia, California 92345
Principal Investigator
Randall C. Arnold, Jr.
(760) 956-9212

Report prepared by: Randall Arnold
(760) 956-9212

Project No: RCA#2015-46

July 16, 2015

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EXECUTIVE SUMMARY

The project proponent is proposing to develop a commercial development in Pinion Hills, San Bernardino County, California on a 1.7-acre parcel (gross). The property is located on the south side of state route 138 just east of Mountain Rd. in Section 7, Township 4 North, Range 7 West in San Bernardino County. The currently undisturbed lot is bordered by single family dwellings to the west, State Route 138 to the north, a commercial development to the east, and Smoke Tree Road to the south. The site is relatively undisturbed, showing only a few signs of past human disturbance (i.e., OHV trails), and native vegetation is present throughout the site. The site currently supports an undisturbed mixed desert scrub community common to this area of the Mojave Desert. Andersons thornbush (*Lycium sp.*), ephedra (*Ephedra nevadensis*), cholla (*Opuntia echinocarpa*), sage brush (*Salvia sp.*), Joshua tree (*Yucca brevifolia*), buckwheat (*Eriogonum fasciculatum*) were the dominant perennials

The property is located within the known distribution of the desert tortoise; therefore, focused surveys were performed for the species on July 16, 2015 from approximately 0800 to 1100 hours. No ZOI surveys were conducted due to the presence of existing houses and private property in the surrounding area. All of the surveys were performed using the standard survey protocol for the species (i.e., 10-meter belt transects) as required by California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS).

No desert tortoises or tortoise sign (e.g., burrows, scats, etc.) were observed on the site during the July 6, 2015 surveys. The species has been documented in the general region and populations have been documented about 8 miles northeast of the site (CNDDB, 2015). However, the species is not expected to move on to the site in the future based on the results of the focused surveys.

1.0 PROJECT AND PROPERTY DESCRIPTION

The site currently supports an undisturbed mixed desert scrub plant community which shows little sign of past human disturbance. The project proponent is proposing to construct a commercial development on the 1.7-acre property (Figures 1, 2, and 3). The parcel is located south of state route 138 and east of Mountain Rd. in Pinion Hills, California. It is located in San Bernardino County (Township 4 North, Range 7 west, Section 7) at an elevation of about 4000 feet (MSL). Soils appear to be primarily sandy loam with some gravels present. No water resources were observed on the site, however a small desert wash runs along the western boundary of the site south to north. The USGS Mescal Creek Quadrangle (1956; revised 1988) does not show any blueline channels on the site or in the immediate surrounding area. No sensitive wildlife habitats, sensitive wildlife species, or wildlife corridors were associated with the site. Weather conditions during the July 16, 2015 survey consisted of winds of 0 to 5 mph, temperatures in the mid 80's to low 90's's (AM, °F) with 0 percent cloud coverage.

Existing single-family dwellings are located in the surrounding area to the south and west, with a commercial development directly east of the site. Dominant species included buckwheat (*Eriogonum fasciculatum*), ephedra (*Ephedra nevadensis*), cholla (*Opuntia echinocarpa*), Andersons thornbush (*Lycium sp.*), Joshua tree (*Yucca brevifolia*), and sage brush (*Salvia Sp.*) (Figure 3). Section 4.0 provides a more detailed discussion of the biological resources. The project map is provided below (Figure 1), and the USGS quadrangle map is provided in Figure 2. Figure 3 provides photographs of the site.

EASEMENTS PER SCHEDULE B:

(4) AN EASEMENT FOR POLE LINES AND THE CENTER LINE AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AS BOOK 1947, PAGE 76 OF OFFICIAL RECORDS.

(6) THE EFFECT OF A MAP PURPORTING TO SHOW THE LAND AND OTHER PROPERTY, FILED IN BOOK 86, PAGE 54 OF RECORD OF SURVEYS.

LEGEND

—ss2—	EXISTING SEWER MAIN & SIZE
—SW—	EXISTING SANITARY SEWER PIPE & SIZE
—W2—	EXISTING WATER MAIN & SIZE
	EXISTING POWER POLE
—T—	EXISTING TELEPHONE LINE
—OH—	EXISTING OVERHEAD ELECTRICAL LINE
—E—	EXISTING BURIED GAS PIPE
—TV—	EXISTING BURIED CABLE TV
	EXISTING UTILITY VAULT
—o—	EXISTING TELEPHONE POLE w/GUY WIRE
—x—x—	EXISTING FENCE LINE
	EXISTING SITE SIGN
	EXISTING FIRE HYDRANT
	EXISTING VALVE BOX
	EXISTING TOPO POINT
	EXISTING WATER METER
	EXISTING GAS VALVE
	EXISTING CONTOUR W/ELEVATION
	SITE BOUNDARY
	PROPOSED FUTURE RIGHT OF WAY
L.S.	LAND SURVEY MARKER
EP	EDGE OF PAVEMENT
PPH	POWER POLE HEIGHT
OLH	OVERHEAD LINE HEIGHT
ø	IRON PIPE
( )	PER RECORD OF SURVEY BK 86, PG 54
	RECORD PER DEED
●	FOR MONUMENT – SEE DESCRIPTION
▲	SET 1/2" IR REBAR LS 7999
	EXISTING JOSHUA TREE

LEGAL DESCRIPTION

THE LAND REFERRED TO IN THIS COMMITMENT IS SITUATED IN THE UNINCORPORATED AREA OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTHEAST 1/4 OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SOUTH 1/4 WHICH IS 990 FEET WEST OF THE SOUTHEAST CORNER OF SAID SOUTHEAST 1/4; THENCE NORTH 158 FEET; THENCE EAST 8 FEET; THENCE NORTH 1650 FEET, MORE OR LESS TO THE SOUTHWESTERLY LINE OF THE STATE HIGHWAY AS DEDICATED TO STELLA MINING, TO THE STATE OF CALIFORNIA BY DEED RECORDED JANUARY 24, 1924, IN BOOK 832, PAGE 388, OFFICIAL RECORDS; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF THE STATE HIGHWAY 2064.19 FEET MORE OR LESS TO THE SOUTH LINE OF SAID SOUTHEAST 1/4; THENCE WEST ALONG THE SOUTH LINE 1810.25 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

EXCEPT THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 7 AND THE SOUTHWEST LINE OF THE STATE HIGHWAY AS CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED JANUARY 24, 1924 IN BOOK 832, PAGE 388, OFFICIAL RECORDS; THENCE NORTHWEST ALONG THE SOUTHWEST LINE OF SAID STATE HIGHWAY 2015.97 FEET; THENCE SOUTH AND PARALLEL TO THE EAST LINE OF SAID SECTION TO THE SOUTH LINE OF SAID SECTION THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION TO THE POINT OF BEGINNING.

ALSO EXCEPT THEREFROM THE SOUTH 30 FEET LYING WITHIN BARKER ROAD.

APN: 3089-231-19-0-000 AND 3089-231-18-0-000

SURVEYOR'S NOTES

1. THE POSITIONS AND DETAILS OF UTILITY FEATURES SHOWN HEREON ARE ESTABLISHED BY A PREPONDERANCE OF EVIDENCE PROVIDED FROM SURVEY DATA AND FIELD OBSERVATIONS. UTILITIES MAY EXIST THAT ARE NOT SHOWN HEREON. NO DOWNHOLE WORK WAS IN PROGRESS OR UNDERGROUND UTILITIES.
2. THE FIELD SURVEY SHOWN HEREON WAS COMPLETED ON 08/16/13, AND MAY NOT SHOW SITE CHANGES WHICH HAVE OCCURRED SINCE THAT DATE.
3. THERE WAS NO OBSERVED EVIDENCE ON THE SITE THAT IT IS BEING USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
4. THERE WAS NO OBSERVED EVIDENCE ON THE SITE OF EXISTING WETLANDS IN THE AREA.

BASIS OF BEARINGS:

THE BEARING OF S89°54'W'E FOR THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 7 WEST, S.B.B.&M., PER RECORD OF SURVEY RECORDED MAY 13, 1987 IN BOOK 86, PAGE 54 OF RECORDS SURVEY, SAN BERNARDINO COUNTY RECORDER, WAS USED AS BASIS OF BEARING SHOWN HEREON.

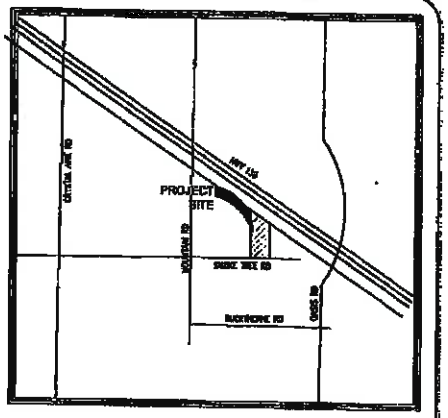
UTILITY COMPANIES INFO

WATER	PHELAN PINON HILLS SCHARMACH SERVICES DISTRICT 4176 WARRIOR ROAD, PHELAN, CA 92371 PHONE: (760) 868-1212
SEWER	SEPTIC SYSTEM
ELECTRIC	SOUTHERN CALIFORNIA EDISON 22353 VICTORIA ROAD, VICTORVILLE, CA 92395 PHONE: (800) 655-4555 PACIFIC GAS & ELECTRIC 1130 N MOUNT VERNON DRIVE 300, CA 92411 PHONE: (800) 427-2200
PHONE	VERIZON WIRELESS 18001 MAIN ST, HESPERIA, CA 92345 PHONE: (760) 883-5917 PHELAN PINON HILLS COMMUNITY SERVICES DISTRICT 4176 WARRIOR ROAD, PHELAN, CA 92371 PHONE: (760) 868-1212
WASH	

UNDERGROUND UTILITIES NOTE

UNDERGROUND UTILITIES SHOWN ON THIS MAP WERE PLOTTED BASED ON INFORMATION OBTAINED FROM FIELD INSPECTION AND UTILITY PLANS ONLY.

WHERE UNDERGROUND AND SURFACE SUBSTRUCTURES ARE SHOWN ON THE PLANS, THE LOCATIONS, DEPTH AND DIMENSIONS OF SUBSTRUCTURES ARE BELIEVED TO BE REASONABLY CORRECT, BUT ARE NOT GUARANTEED. SUCH SUBSTRUCTURES ARE SHOWN FOR INFORMATION PURPOSES ONLY. THE INFORMATION SO SHOWN, IS NOT TO BE CONSTRUED AS A REPRESENTATION THAT SUCH STRUCTURES WILL, IN ALL CASES, BE FOUND EXACTLY AS SHOWN OR THAT THEY REPRESENT ALL OF THE STRUCTURES WHICH MAY EXIST.



VICINITY MAP
NO SCALE

PARKING REQUIREMENTS:

(USED) GENERAL RETAIL REQUIREMENTS FROM TABLE 83-13 OF THE SAN BERNARDINO COUNTY ZONING ORDINANCE) 1 SPACE PER 250 SQ. FT. OF GROSS LEASABLE AREA. 4 SPACES REQUIRED.

ZONING/SETBACK DISTANCES:

THE ZONING DESIGNATION FOR THIS PROPERTY IS: GENERAL COMMERCIAL (CG). THE CG DESIGNATION IS DEFINED IN CHAPTER 82.06 OF THE SAN BERNARDINO COUNTY ZONING ORDINANCE. BUILDING HEIGHTS AND SETBACKS FOR CG ARE AS FOLLOWS:

MAXIMUM BUILDING HEIGHT:	90 FEET
MINIMUM FRONT BUILDING SETBACK:	25 FEET
MINIMUM INTERIOR SIDE:	10 FEET
MINIMUM STREET SIDE:	25 FEET
MINIMUM REAR YARD:	10 FEET

FEMA FLOOD ZONE DESIGNATION

ZONE DESIGNATION: ZONE D "AREA IN WHICH FLOOD HAZARDS IS UNDETERMINED, BUT POSSIBLE"
COMMUNITY PANEL NUMBER OF MAP
FEMA FLOOD RATE MAP NO.06071C0510H
EFFECTIVE DATE: AUGUST 28, 2008

LAND AREA:

TOTAL AREA: 72,920 SF. (1.70 ACRES)

BENCHMARK – BASIS OF ELEVATIONS

4"X4" CONCRETE STATE HWY R/W MONUMENT, SET SHOULD SHOWED ON TOP OF MONUMENT 5 FEET NORTH OF POLE #2540906, 830 FEET EAST OF MOUNTAIN ROAD, 865 FEET WEST OF GOSS ROAD, & 150 FEET SOUTH OF STATE HWY 138. ELEV.: 4000.82'

ALTA/ACSM LAND TITLE SURVEY

FOR

SIMONCRE VIA SOLERI II, LLC, AN ARIZONA LLC AND DOLLAR GENERAL CORP.

BASED UPON PRELIMINARY TITLE REPORT/COMMITMENT NO. 0855-708152-PHOA OF FIRST AMERICAN TITLE COMPANY BEARING AN EFFECTIVE DATE OF MAY 9, 2013

LOCATED IN UNINCORPORATED COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

SURVEYOR'S CERTIFICATION

TO STEVENS BANK, NA, FIRST AMERICAN TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-4, 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 10(a), 11, 13, 14, 16-19, 20(d), 20(e), 21 and 23, OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 08/16/2013.

DATE: 9/27/2013 SIGNED: _____

RUSSELL C. METTEN JR. CA LICENSE NO. 7999

FIGURE 1

CORNERSTONE ENGINEERING, INC
CIVIL ENGINEERS AND LAND SURVEYORS

FOR: SIMON-CRE VIA SOLERI II, LLC
8111 N. SCOTTSDALE RD., STE. 200
SCOTTSDALE, AZ 85250
PHONE: (480) 745-2484
FAX: (480) 558-4150

ALTA/ACSM LAND TITLE SURVEY
PINON HILLS
SAN BERNARDINO COUNTY, CA

REVISED:	
CHECKED BY:	
DATE:	9-27-13
DRAWN:	MS
JOB NO.	08-6-09
DATE:	08-6-09

SHEET 1 OF 1

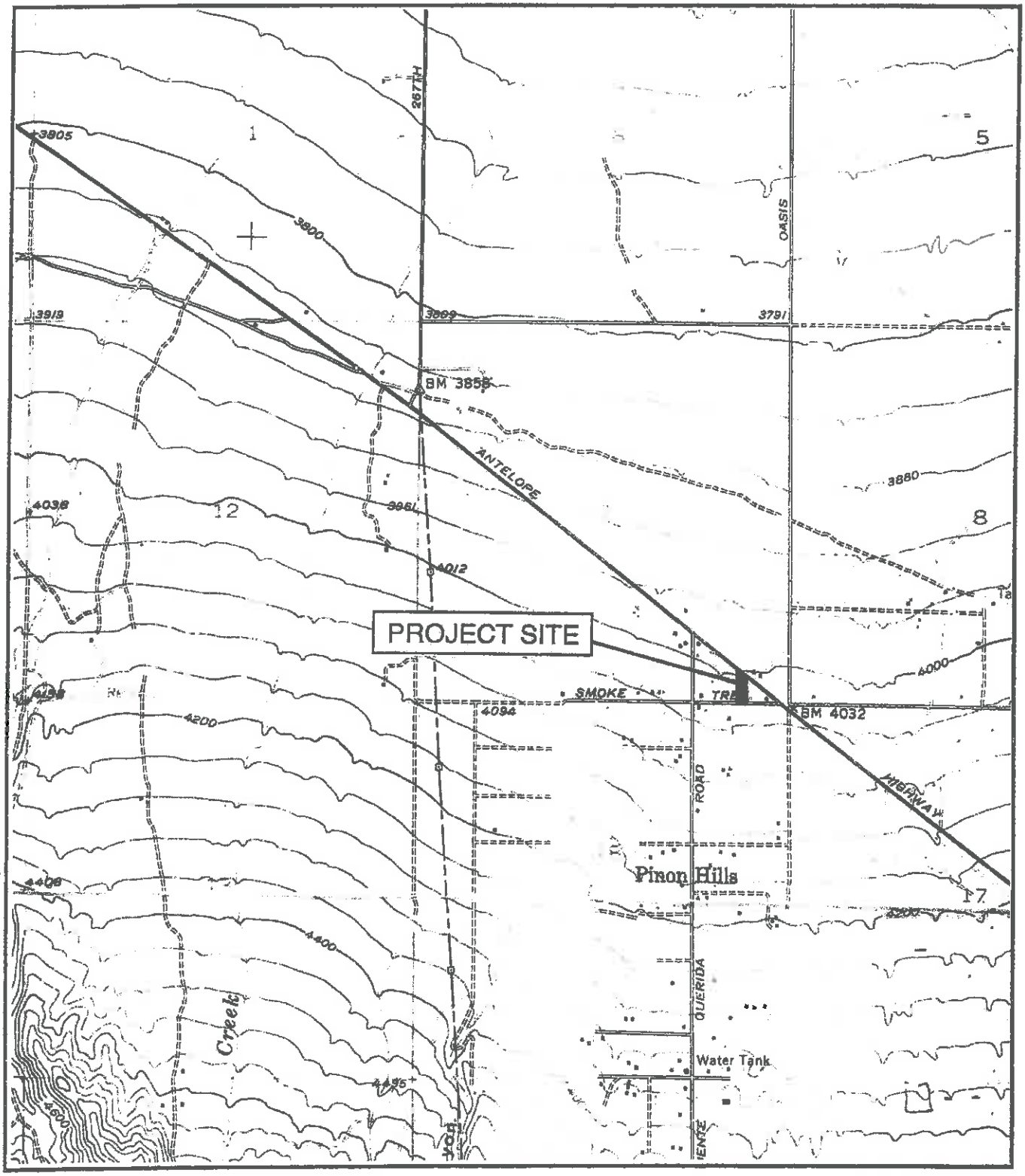
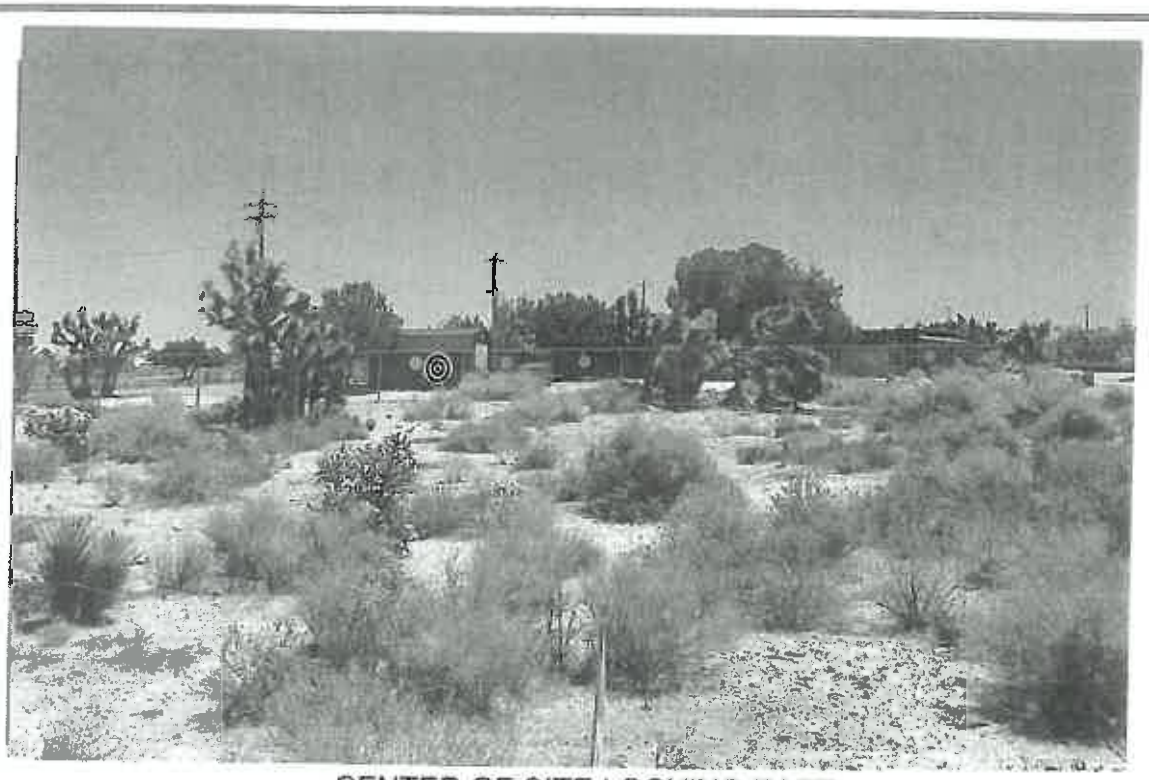
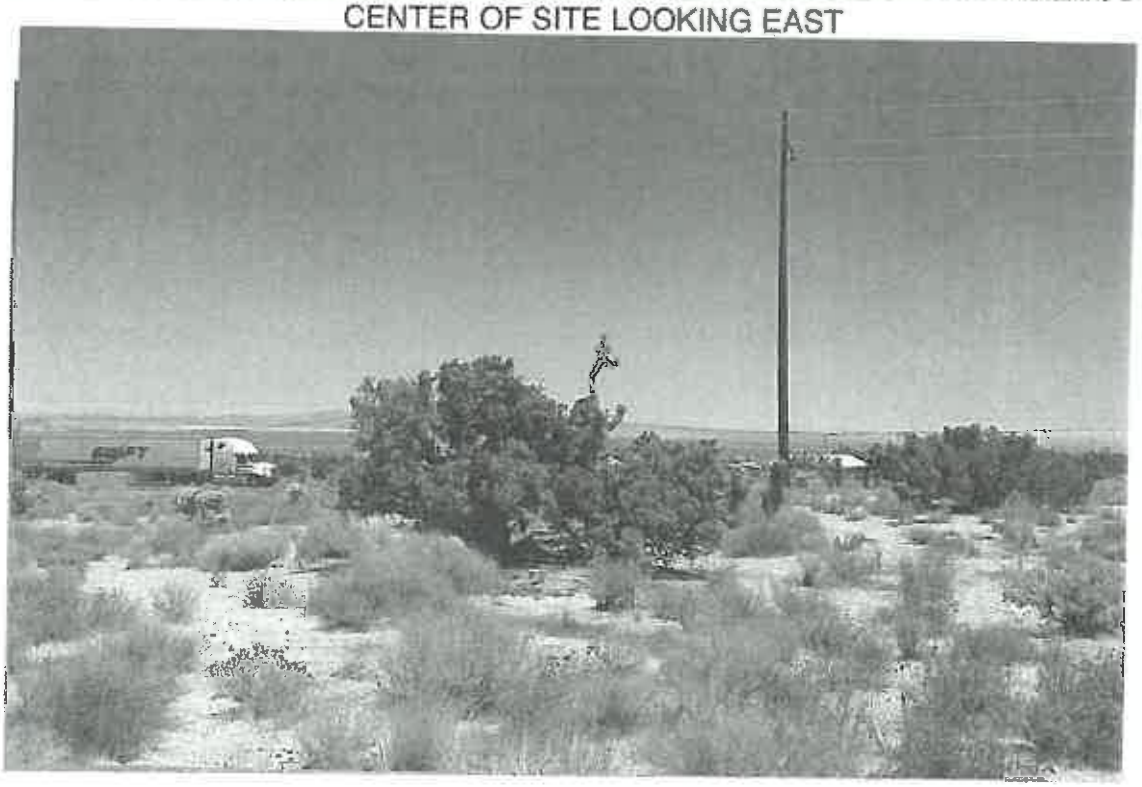


FIGURE 2
PROJECT SITE
N.T.S.
(Source: USGS Mescal Creek, CA Quad., 1988)



CENTER OF SITE LOOKING EAST



CENTER OF SITE LOOKING NORTH

FIGURE 3
PHOTOGRAPHS OF SITE

2.0 LITERATURE AND RECORDS REVIEW - DESERT TORTOISE

As part of the environmental process, California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) data sources were reviewed prior to initiation of field surveys to determine if the tortoises have been documented on the site or in the area surrounding the property. Based on the literature review and evaluation of the CNDDB database for the Mescal Creek quadrangle, it was determined that the site is located within the general distribution of the desert tortoise. In addition, populations of desert tortoises have been identified in the general region according to CNDDB (2013). The nearest documented tortoise populations are about eight miles northeast of the site according to CNDDB (2015). Tortoise population levels in the immediate area surrounding the site are expected to be very low based on data from CNDDB (2015) and BLM. (1990).

There are no USFWS designated critical habitats for the tortoise in the immediate area nor is there any proposed critical habitat in the area. The protocol survey results outlined in this report are valid for one year as per CDFW and USFWS requirements, and an additional survey may be required if the 12-month time limit is exceeded before development activities are completed. However, regardless of the results of the tortoise survey, desert tortoises cannot be taken under State and Federal law. The survey report and any mitigation included do not constitute authorization for incidental take of the desert tortoise. If tortoises are observed during future site activities, all on-site activities should cease immediately and CDFW and USFWS should be contacted.

The desert tortoise is the largest reptile in the arid southwest United States, and it historically occupied a range that included a variety of desert communities in southeastern California, southern Nevada, western and southern Arizona, southwestern Utah, and through Sonora and northern Sinoloa, Mexico (Luckenbach, 1982). Today populations are largely fragmented and studies indicate a steady and dramatic decline over most of its former range (BLM, 1988). A highly contagious respiratory disease has infected tortoise populations over the last 20+ years, primarily in the western Mojave Desert region, which has had a very detrimental impact on population levels. Given the continued habitat loss and the rapid decline in numbers of tortoises brought about by the disease, the U.S. Fish and Wildlife Service exercised its emergency authority and determined tortoise populations north and west of the Colorado River to be an endangered species under the Endangered Species Act of 1973, as amended (USFES, 1989). The emergency rule was published in the Federal Register on August 4, 1989, and remained in effect until April 1, 1990. On April 2, 1990, the U.S. Fish and Wildlife Service officially listed the desert tortoise as a threatened species under the Endangered Species Act of 1973, as amended.

3.0 METHODOLOGY

The site was surveyed for desert tortoises by Randall Arnold and Parker Smith on July 16, 2015 and as required by the CDFW and USFWS survey protocol, 10 meter, parallel belt transects were walked in an north-south direction until the entire property had been checked for tortoises and/or tortoise sign (burrows, tracks, scats, etc.). No zone of influence (ZOI) surveys were conducted in the surrounding areas due to the presence of existing houses and private property surrounding the site. All transects were walked at a pace that allowed careful observations along the transect routes and in the immediate vicinity. Field notes were recorded regarding native plant assemblages, wildlife sign, and human affects in order to determine the presence or absence of suitable tortoise foraging habitat. Surveys were performed on the site and in the surrounding area from about 0800 to about 1000 hours. Temperatures during the July survey were in the mid 80's to low 90's (AM, °F) with wind speeds of about 0 to 5 mph (mainly from the south), and cloud coverage of 0 percent. No precipitation was recorded during the survey.

Limitations:

(1) This report is valid for 12 months from the date of the survey as per CDFW and USFWS requirements. An updated report will be required if project activities do not occur within the next 12-month period as per CDFW and USFWS requirements.

(2) The results of this report do not constitute authorization for the "take" of the desert tortoise or any other listed or sensitive wildlife species. The authorization to impact the tortoise can only be granted by CDFW and USFWS. If desert tortoises are observed during future project activities, project activities should cease immediately and CDFW and USFWS should be contacted to discuss mitigation measures which may be required for the desert tortoise.

4.0 GENERAL BIOLOGICAL SURVEY RESULTS

The approximately 1.7-acre site supports a relatively undisturbed mixed desert scrub community common to this area of the Mojave Desert. The dominant perennials included ephedra (*Ephedra nevadensis*), cholla (*Opuntia echinocarpa*), Joshua tree (*Yucca brevifolia*), buckwheat (*Eriogonum fasciculatum*), Andersons thornbush (*Lycium sp.*), and sage brush (*Salvia Sp.*) Annuals present included schismus (*Schismus barbatus*), erodium (Erodium texanum), ricegrass (*Oryzopsis hymenoides*), and bromus grass (*Bromus* sp.). Table 1 provides a compendium of plants observed on the property (Appendix A).

The Joshua trees present on the site were also evaluated to determine which trees may b suitable for transplanting. The results are shown in Table 3 (Appendix A). Joshua trees are evaluated for transplanting based on many factors including size, health, number of branches, and how close the trees grow together. In areas of the Mojave Desert that receive more annual precipitation, Joshua trees will often clone. Cloning occurs when more than one Joshua tree are developing off the same route system. Joshua trees which are clonal are typically not suitable for transplanting.

Only a few wildlife species were identified during the field investigations conducted on July 16, 2015. Birds observed were limited to ravens (*Corvus corax*), sage sparrows (*Amphispiza belli*), and Gambel's quail (*Callipepla gambelii*). No reptiles were observed; although, side-blotched lizards (*Uta stansburiana*) and western whiptail lizards (*Cnemidophorus tigris*) are relatively common in the area and may occur on the property. Mammals identified consisted of antelope ground squirrels (*Ammospermophilus leucurus*), and desert cottontail rabbits (*Sylvilagus auduboni*); however, Merriam's kangaroo rats (*Dipodomys merriami*), may occur on the site as well. No wildlife corridors were identified on the site or in the immediate surrounding area, and no breeding activities were observed among any of the wildlife species. Table 2 (Appendix A) provides a compendium of wildlife species observed on the site and other species known to occur in the region.

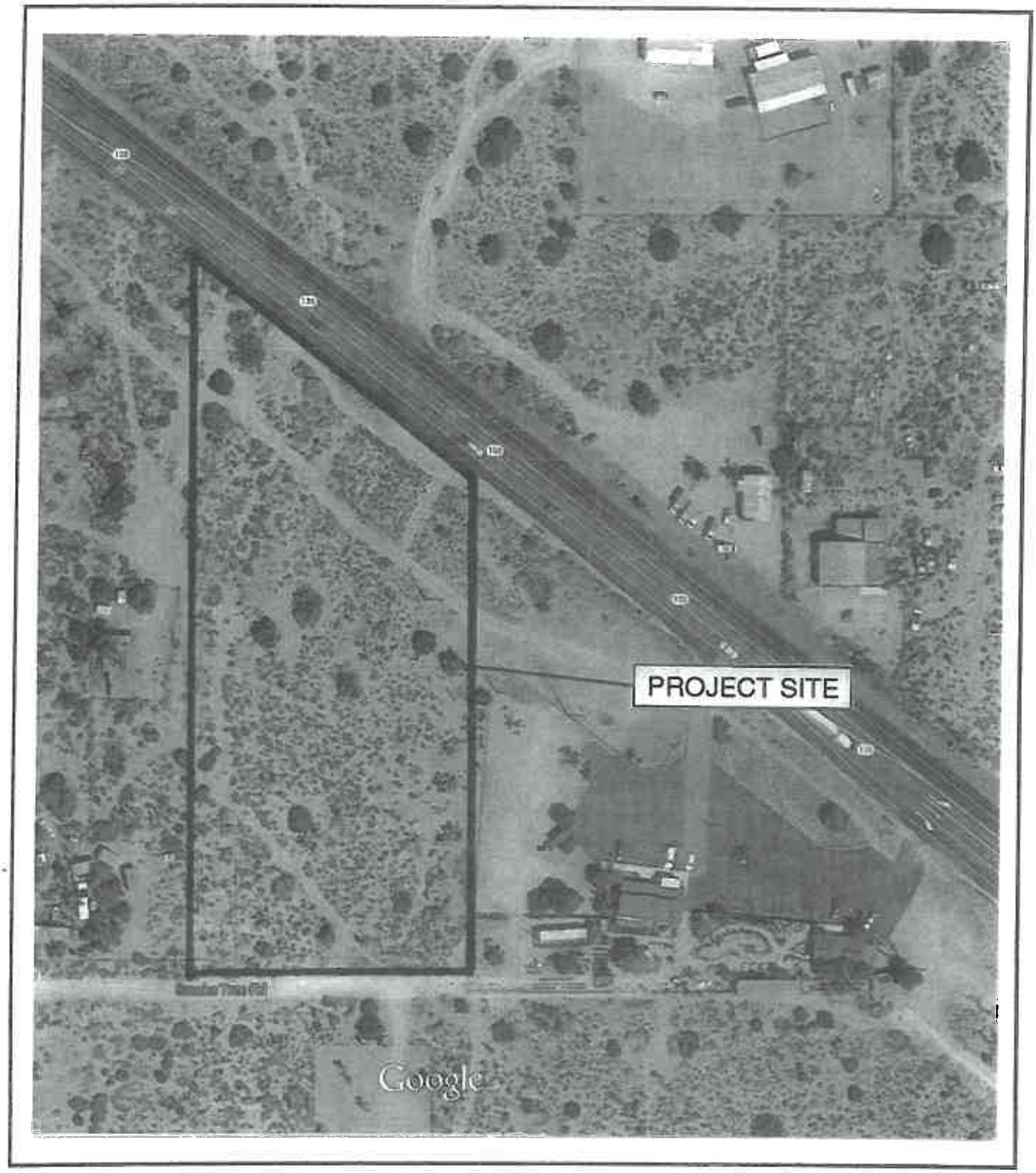


FIGURE 4
BIOLOGICAL RESOURCES
N.T.S.
(Source: Google Maps, 2015)

5.0 RESULTS – DESERT TORTOISE

Desert tortoises were not observed during the focused surveys conducted on July 16, 2015 nor were any tortoise burrows or other sign (scats, etc.) noted. The absence of tortoises and tortoise sign is primarily a function of the very low population levels in the region. As previously indicated, the nearest documented population is about eight miles northeast of the property according to the CNDDB (2015). Tortoises are not expected to migrate onto the site in the near future based on the results of the field investigations, and the low population levels in the overall region.

6.0 IMPACTS AND RECOMMENDATIONS

The proposed development is unlikely to have an impact on any tortoises or any other sensitive wildlife species based on the results of the field investigations and the absence of any documented population in the immediate region. In addition, the proposed project is not expected to cause a disruption of any continuity of any important wildlife habitat or habitat/wildlife corridors. No additional investigations are recommended at this time; however, the survey results are only valid for 12-months, and CDFW, USFWS, and the County may require the site be re-surveyed for desert tortoise if the development activities occur after July 16, 2016.

7.0 PROPOSED MITIGATION MEASURES

The site does not support tortoises and the proposed development is not expected to have an impact any sensitive species. Therefore, no mitigation measures are proposed at the present time; however, if tortoises are observed on the property during future activities all construction activities should cease immediately, and CDFW and USFWS should be contacted to initiate consultations and to discuss mitigations which may be required prior to continuation of any future on-site activities. CDFW and USFWS are the only agencies which can grant authorization for the "take" of the desert tortoise.

8.0 REFERENCES

California Department of Fish and Game
1990 California's Wildlife, Volumes 1, 2, and 3. Sacramento.

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2015 Natural Diversity Data Base. Sacramento

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1998 California Wild Lands. Chronical Books. San Francisco, CA. 211 pp.

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1986 Preliminary Description of the Terrestrial Natural Communities of California.Prepared for the California Natural Diversity Data Base. California Department of Fish and Game. Sacramento, California. 160 pp.

Johnson, H.
1976 vegetation and Plant Communities of Southern California Deserts- a functional view. In Symposium proceedings: Plant communities of Southern California. June Latting, editor. California Native Plant Society, Spec. No. 2 Berkeley, CA.

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1982 Ecology and Management of the Desert Tortoise (*Gopherus agassizii*) in California. In North American Tortoises: Conservation and Ecology. U.S. Department of Interior, Fish and Wildlife Service. Wildlife Research Report No. 12. pp. 1-36.

U.S. Department of the Interior, Bureau of Land Management
1988 Desert Tortoise Habitat Management on the Public Lands: A Rangewide Plan. BLM, Washington, D.C.

1988 Recommendations for Management of the Desert Tortoise in the California Desert Conservation Area. BLM, Riverside, CA.

U.S. Department of the Interior, Fish and Wildlife Service.
1989 The Desert Tortoise Emergency and Proposed Listing. Portland , OR.

1989 Endangered and Threatened Wildlife and Plants; Desert Tortoise; Proposed Rule. Federal Register 50 CFR Part 17:42270-42278.

1990 Desert Tortoise Density Category Designation Maps. Maps obtained from Ray Bransfield, U.S.F.W.S. biologist, Laguna Niguel office, Laguna Niguel, CA.

TABLES

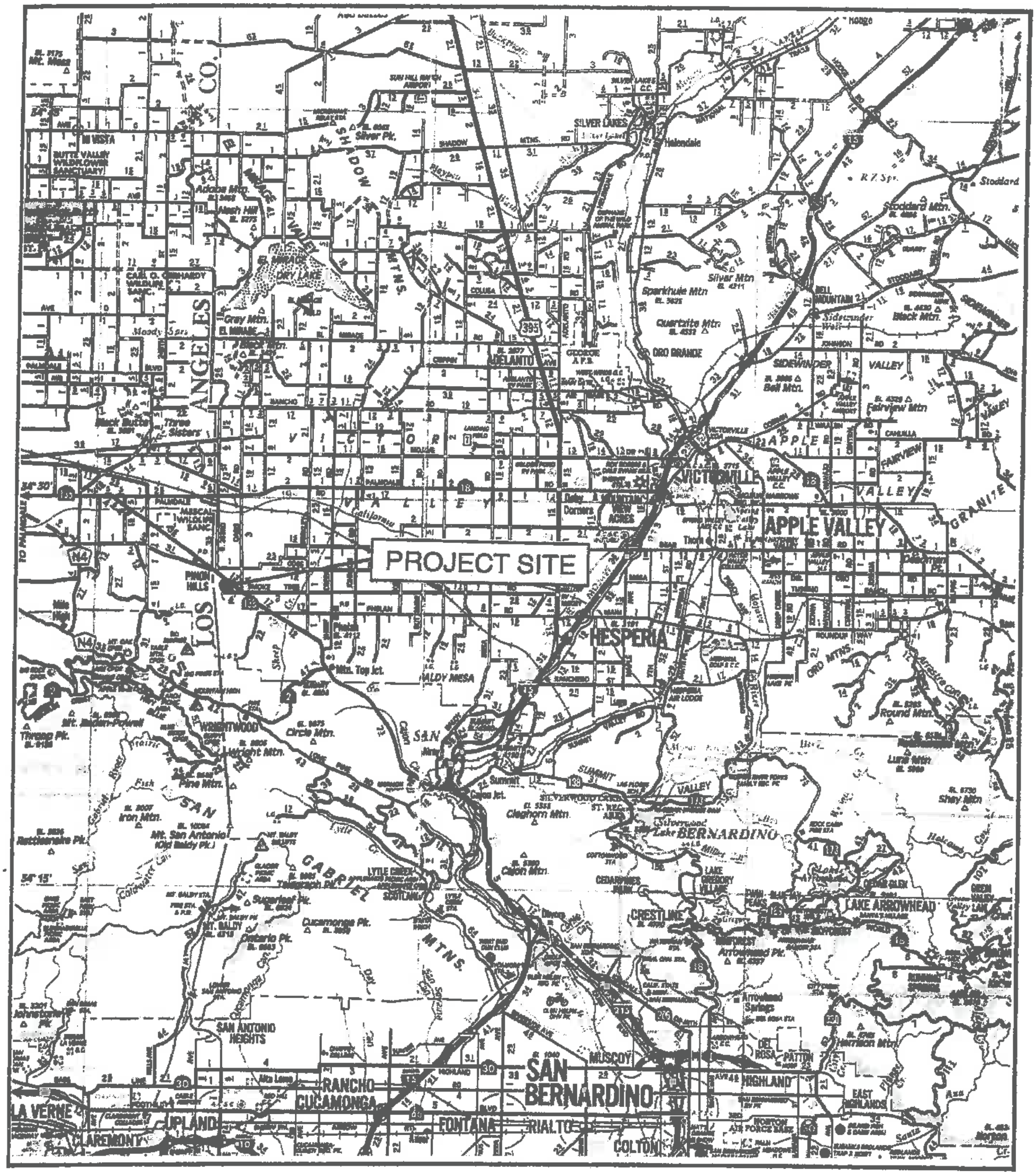
Desert Tortoise Occurrences

Desert tortoise occurrences in surrounding area based on California Natural Diversity Data Base (CNDDB; 2013). (T = Threatened).

Name	Listing Status	Habitat Requirements	Presence/Absences	Comments
Desert tortoise (*Gopherus agassizii*)	Federal: T State: T	Desert scrub communities.	Site does not support any tortoises.	Nearest occurrence ~8-miles northeast of site(Occ. #19, CNDDB, 2015)

FIGURES

Vicinity Map



VICINITY MAP

(APN 3068-231-38 & 39)

SITE PHOTOGRAPHS

CENTER OF PROJECT AREA LOOKING SOUTH

CENTER OF PROJECT AREA LOOKING WEST

PHOTOGRAPHS OF PROPERTY

(APN 3068-231-38 & 39)

APPENDIX A

Flora and Fauna Compendia

Table 1 - Plants observed during the field investigations.

Common Name	Scientific Name	Location
Buckwheat	*Eriogonum fasciculatum*	On-site & ZOI
Schismus	*Schismus barbatus*	"
Ricegrass	*Oryzopsis sp.*	"
Brome grass	*Bromus sp.*	"
Fiddleneck	*Amsinckia tessellata*	"
Sage	*Salvia sp.*	"
Cholla	*Opuntia echinocarpa*	"
Joshua tree	*Yucca brevifolia*	"
Ephedra	*Ephedra nevadensis*	"
Beavertail cactus	*Opunita basilaris*	"
Anderson's thornbush	*Lycium sp.*	"
Paper-bag plant	*Salazaria mexicana*	"
Erodium	*Erodium texanum*	"
		"

ZOI = Zone of Influence

Table 2 - Wildlife observed on the site and those species expected to occur in surrounding area.

Common Name	Scientific Name	Location
Common raven	*Corvus corax*	Observed on-site
Sage sparrow	*Amphispiza belli*	"
Morning dove	*Zenaida macroura*	Occurs in area
Western kingbird	*Tyrannus verticalis*	"
Western whiptail lizard	*Cnemidophorus tigris*	"
Side-blotched lizard	*Uta stansburiana*	"
Antelope ground squirrel	*Ammospermophilus leucurus*	Observed on-site
Gambel's Quail	*Callipepla gambelii*	"
California ground squirrel	*Spermophilus beecheyi*	Occurs in area
Coyote	*Canis latrans*	"
Merriam's kangaroo rat	*Dipodomys mohavensis*	"
Desert cottontail rabbit	*Sylvilagus auduboni*	Observed on-site

Note: The above Tables are not comprehensive lists of every plant or animal species which may occur in the area, but are a list of those common species which have been identified on the site or in the region by biologists from RCA Associates, LLC, or which are common species in the region.

Table 3 – Joshua tree survey results. (Trees suitable for transplanting are highlighted in red.)

Total Number of Joshua Trees On-site	Joshua Trees Suitable for Transplanted	Number of Clonal Trees	Number of Non-clonal Trees
63	27	28	33

Tag Number	Height (ft.)	Latitude	Longitude	Health	Clonal	Transplantable
20	12'	N34 26.480	W117 38.735	Diseased	Yes	No
21	4'	N34 26.469	W117 38.742	Good	No	Yes
22	4.5'	N34 26.471	W117 38.744	Good	No	Yes
23	14'	N34 26.472	W117 38.743	Good	Yes	No
24	3'	N34 26.475	W177 38.741	Good	No	Yes
25	1'	N34 26.475	W117 38.742	Diseased	No	No
26	3'	N34 26.475	W117 38.739	Good	Yes	Yes
27	4.5'	N34 26.483	W117 38.743	Good	Yes	Yes
28	4.5'	N34 26.484	W117 38.741	Good	No	Yes
29	4'	N34 26.452	W117 38.737	Good	Yes	No
30	16'	N34 26.463	W117 38.736	Diseased	Yes	No
31	14'	N34 26.456	W117 38.734	Diseased	No	No
32	15'	N34 26.465	W117 38.733	Diseased	No	No
33	12'	N34 26.468	W117 38.731	Diseased	Yes	No
34	2.5'	N34 26.470	W117 38.737	Good	Yes	Yes
35	1.5'	N34 26.470	W117 38.733	Good	No	No
36	4'	N34 26.476	W117 38.732	Good	No	Yes
37	1.5'	N34 26.477	W117 38.732	Good	No	No
38	3'	N34 26.476	W117 38.727	Good	Yes	Yes
39	2'	N34 26.479	W117 38.728	Good	No	No
40	1'	N34 26.479	W117 38.729	Good	No	No
41	3'	N34 26.484	W117 38.729	Good	No	Yes
42	3'	N34 26.504	W117 38.730	Good	Yes	Yes
43	1'	N34 26.508	W117 38.730	Diseased	Yes	No
44	2'	N34 26.513	W117 38.727	Good	Yes	No
45	3'	N34 26.512	W117 38.723	Good	No	Yes
46	9'	N34 26.512	W117 38.710	Good	No	Yes
47	8'	N34 26.511	W117 38.704	Good	Yes	No
48	9'	N34 26.511	W117 38.701	Good	Yes	No
49	4'	N34 26.511	W117 38.700	Good	No	Yes
50	2'	N34 26.506	W117 38.710	Good	No	Yes
51	3'	N34 26.506	W117 38.724	Good	No	Yes
52	1'	N34 26.504	W117 38.726	Good	No	No
53	2'	N34 26.502	W117 38.726	Good	No	Yes
54	4'	N34 26.500	W117 38.728	Good	No	Yes
55	6'	N34 26.497	W117 38.724	Good	Yes	No
56	12'	N34 26.495	W117 38.725	Diseased	Yes	No
57	3'	N34 26.495	W117 38.725	Good	Yes	No
58	1'	N34 26.495	W117 38.722	Good	No	No
59	7'	N34 26.488	W117 38.725	Good	No	Yes

60	4`	N34 26.492	W117 38.723	Good	No	Yes
61	4`	N34 26.492	W117 38.724	Good	No	Yes
62	6`	N34 26.490	W117 38.723	Good	No	Yes
63	1'	N34 26.490	W117 38.724	Good	No	No
64	17'	N34 26.492	W117 38.725	Diseased	Yes	No
65	1'	N34 26.452	W117 38.727	Good	No	No
66	16'	N34 26.450	W117 38.726	Diseased	Yes	No
67	4'	N34 26.462	W117 38.722	Good	No	Yes
68	1.5'	N34 26.467	W117 38.723	Good	No	No
69	11'	N34 26.486	W117 38.721	Good	No	Yes
70	1'	N34 26.489	W117 38.722	Good	No	No
71	4`	N34 26.499	W117 38.717	Good	No	Yes
72	12'	N34 26.490	W117 38.708	Diseased	Yes	No
73	12'	N34 26.490	W117 38.711	Diseased	Yes	No
74	7`	N34 26.482	W117 38.708	Good	No	Yes
75	8'	N34 26.483	W117 38.706	Diseased	Yes	No
76	12'	N34 26.478	W117 38.714	Good	Yes	No
77	14'	N34 26.474	W117 38.711	Good	Yes	No
78	18'	N34 26.466	W117 38.710	Diseased	Yes	No
79	10`	N34 26.459	W117 38.712	Good	No	Yes
80	14'	N34 26.452	W117 38.712	Good	Yes	No
81	5'	N34 26.452	W117 38.711	Diseased	Yes	No
82	2'	N34 26.445	W117 38.716	Good	No	No
83	1.5'	N34 26.450	W117 38.717	Diseased	Yes	No

CERTIFICATION FOR DESERT TORTOISE SURVEY

I hereby certify that the statements furnished above and in the attached exhibits, present the data and information required for this biological evaluation, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. Fieldwork conducted for this assessment was performed by myself and biologists under my direction. I certify that I have not signed a non-disclosure or consultant confidentiality agreement with the project applicant or applicant's representative and that I have no financial interest in the project.

Date: 7-16-2015 Signed: Randall Arnold
Report Author

Field Work Performed By: Randall Arnold
Senior Biologist

Field Work Performed By: Parker Smith
Biological Field Technician