Focused Survey for Agassiz's Desert Tortoise,
Habitat Evaluation for Burrowing Owl, and
General Biological Resource Assessment for a
1.3-acre± Site (APN 585-062-65) in the Town of Yucca Valley
San Bernardino County, California

(U.S. Geological Survey 7.5' Yucca Valley South Quadrangle, Township 1 South, Range 5 East, a portion of the NW ¼ of SE ¼ of Section 12, S.B.B.&M.)

Job#: 25-001

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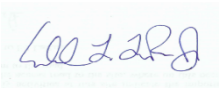
I hereby certify that the statements furnished herein, including attached exhibits, present the data and information required for this biological evaluation, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. Field work conducted for this assessment was performed by me or under my direct supervision. I certify that I have not signed a nondisclosure or consultant confidentiality agreement with the project applicant or applicant's representative and that I have no financial interest in the project.



Circle Mountain Biological Consultants, Inc.
Author and Field Investigator: Ed LaRue

January 2025

Figure 1. APN 585-062-65: Vicinity Map

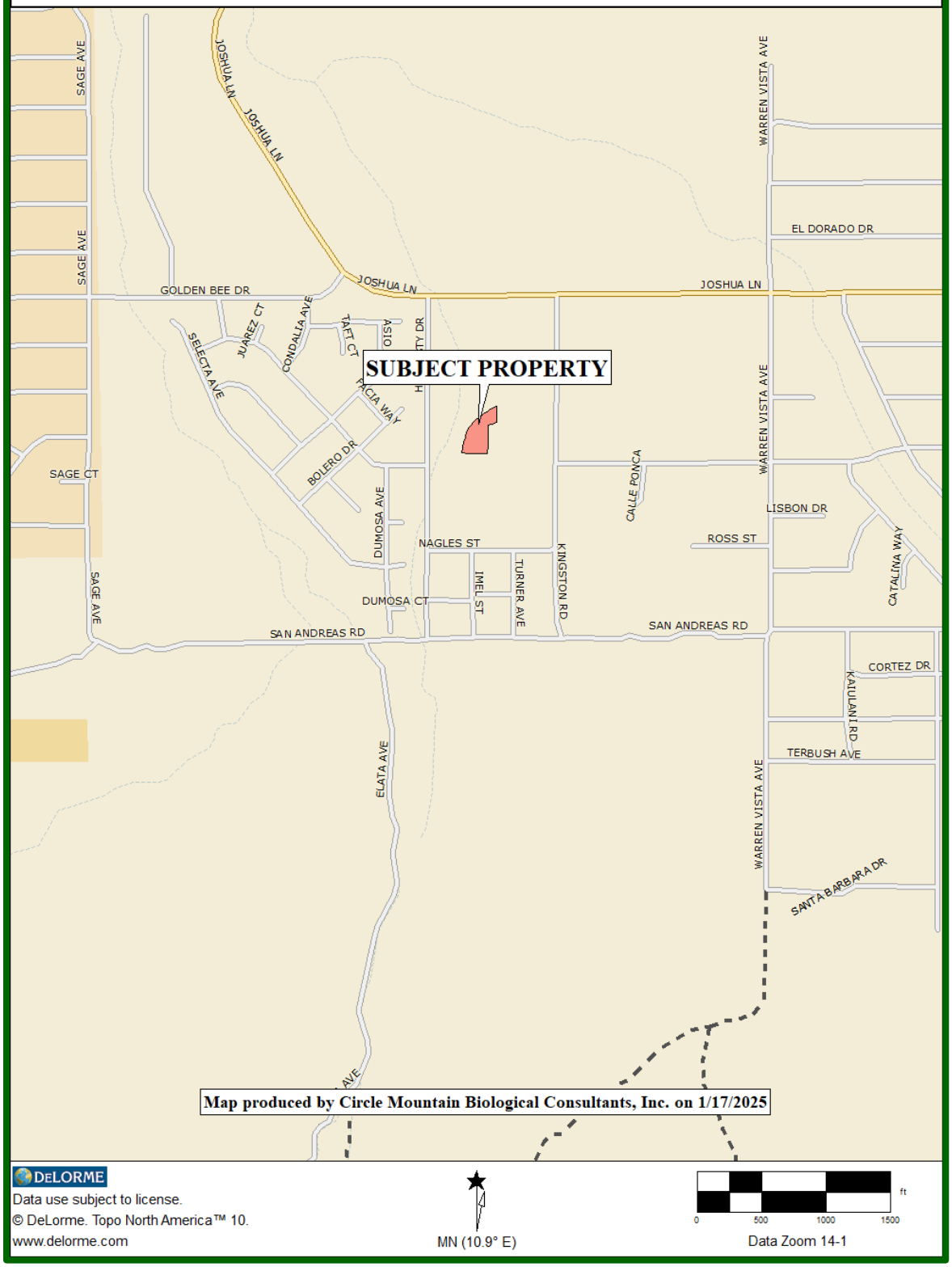
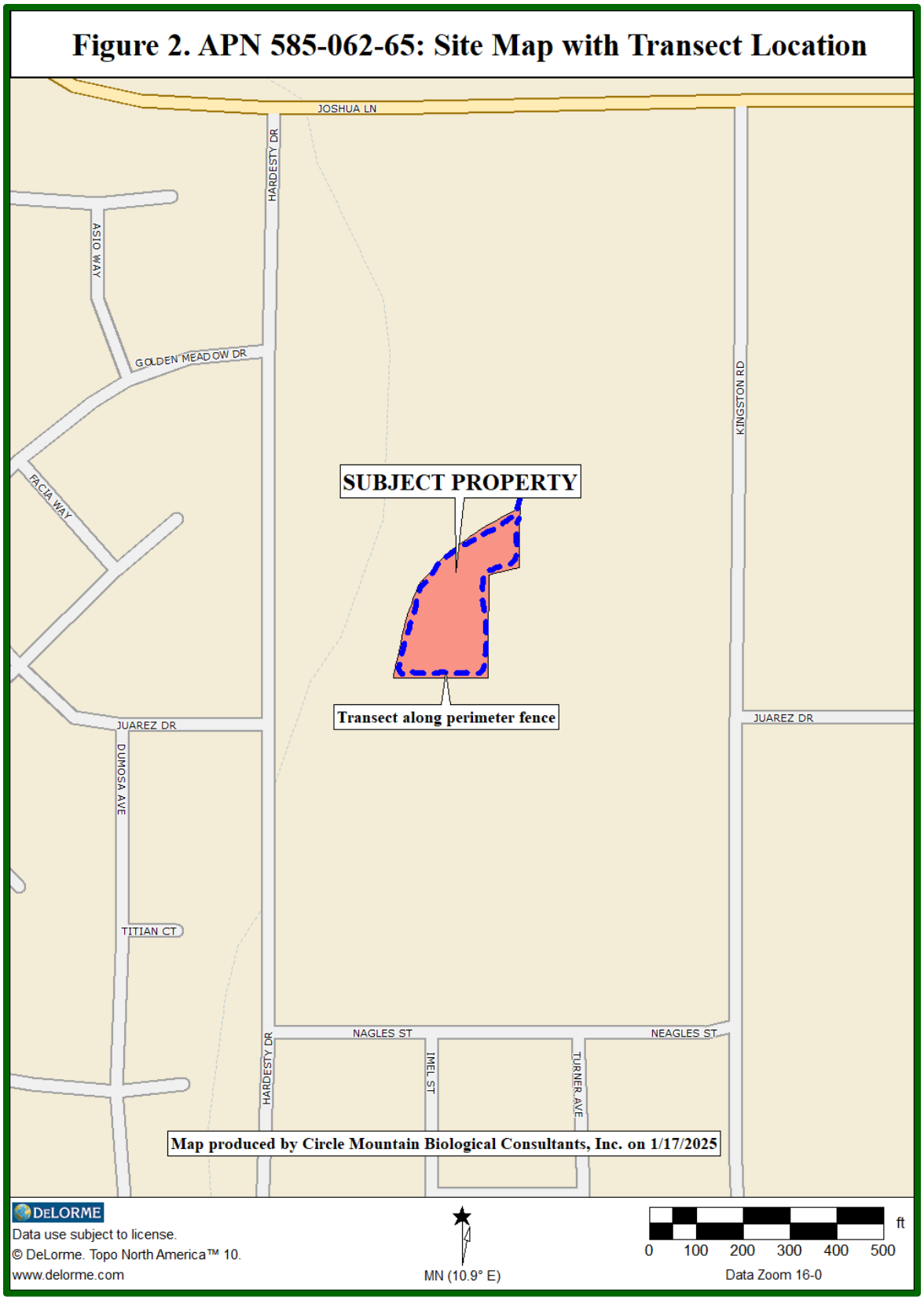


Figure 2. APN 585-062-65: Site Map with Transect Location



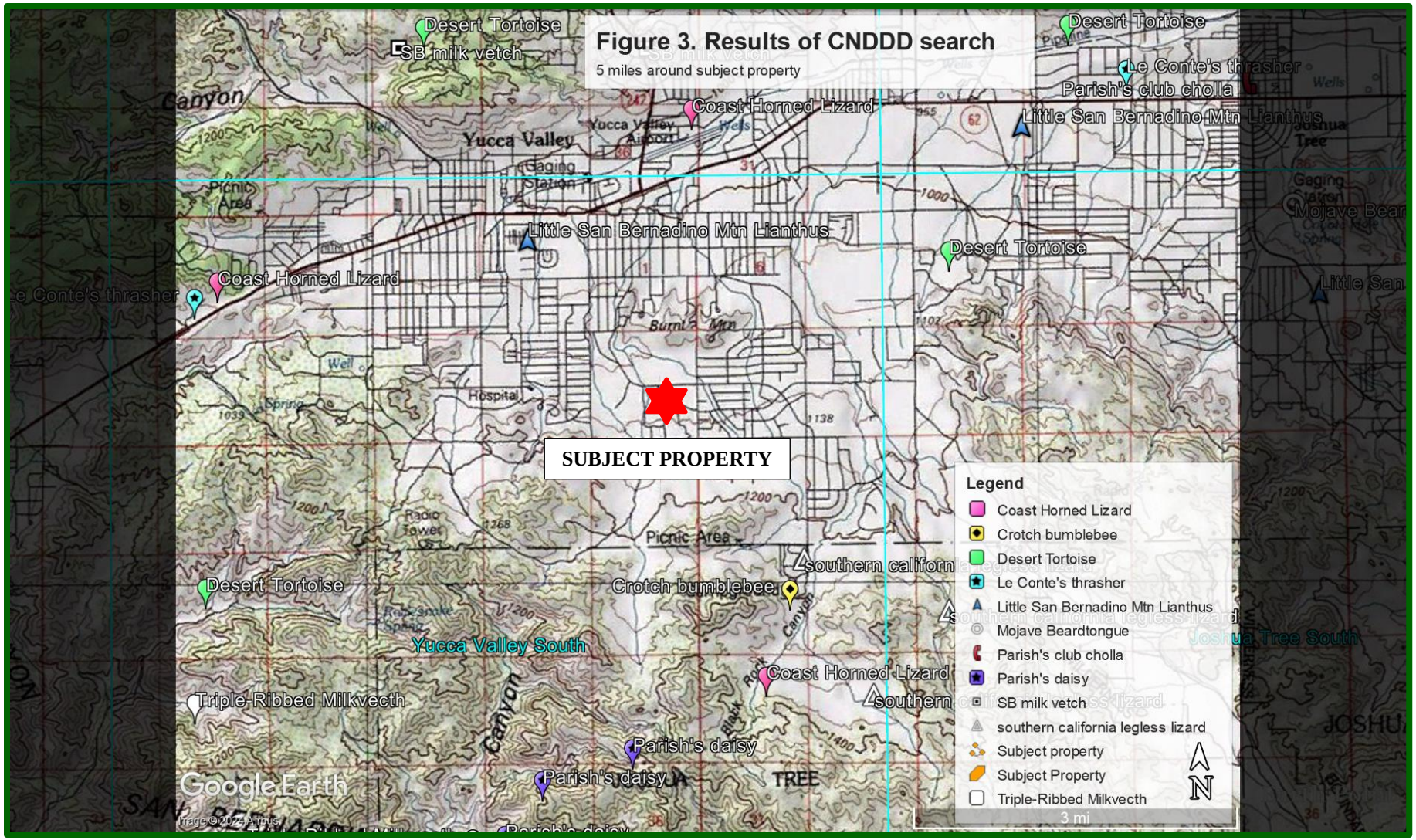


Figure 3. Results of CNDDD search
5 miles around subject property
SUBJECT PROPERTY
Legend
Coast Horned Lizard
Crotch bumblebee
Desert Tortoise
Le Conte's thrasher
Little San Bernadino Mtn Lianthus
Mojave Beardtongue
Parish's club cholla
Parish's daisy
SB milk vetch
southern california legless lizard
Subject property
Subject Property
Triple-Ribbed Milkvecth
Desert Tortoise
SB milk vetch
Coast Horned Lizard
Yucca Valley
Parish's club cholla
Little San Bernadino Mtn Lianthus
Le Conte's thrasher
Crotch bumblebee
Yucca Valley South
Triple-Ribbed Milkvecth
Parish's daisy
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Figure 4. Results of 15 Surveys in the Region from 1998 to 2025

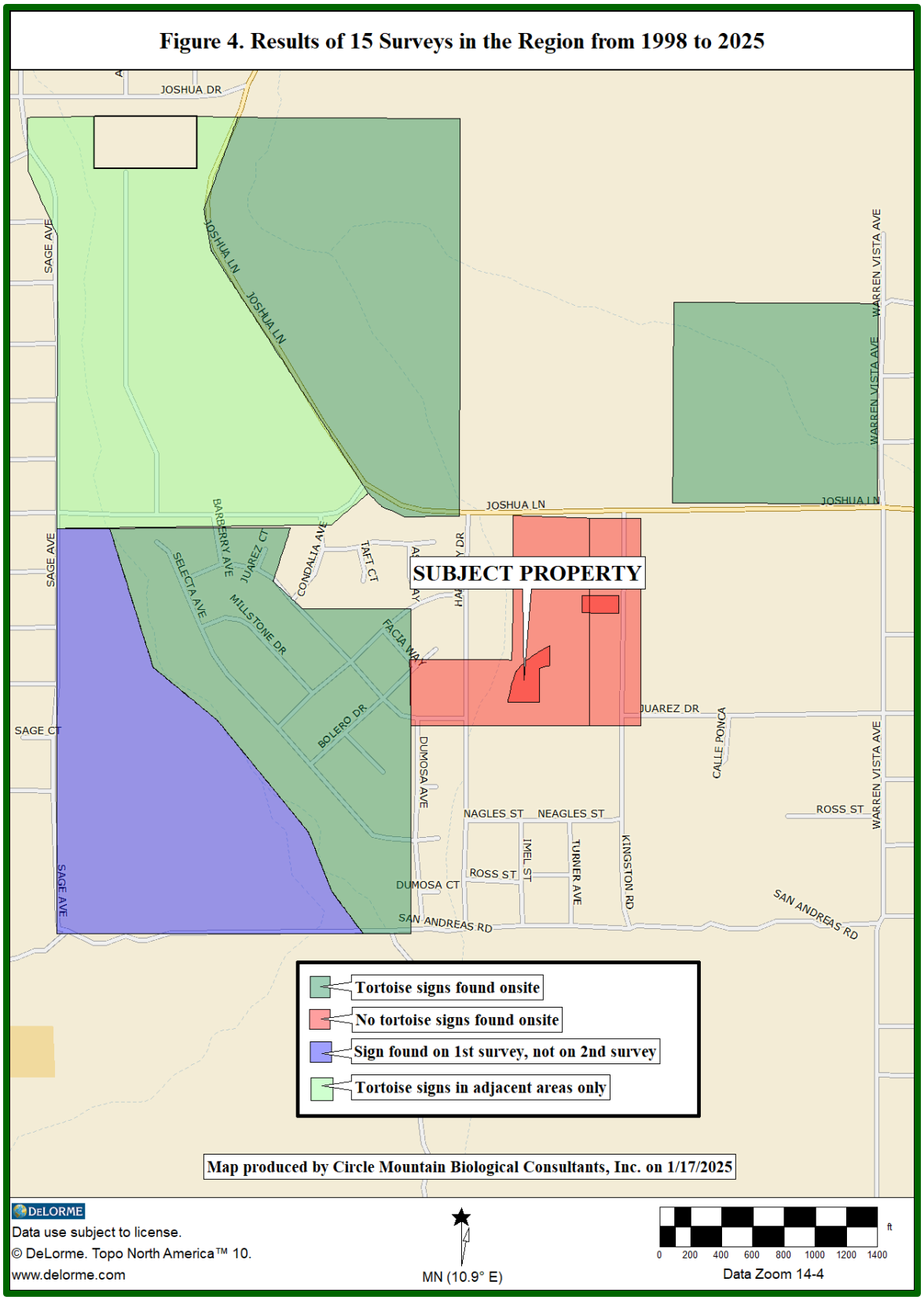
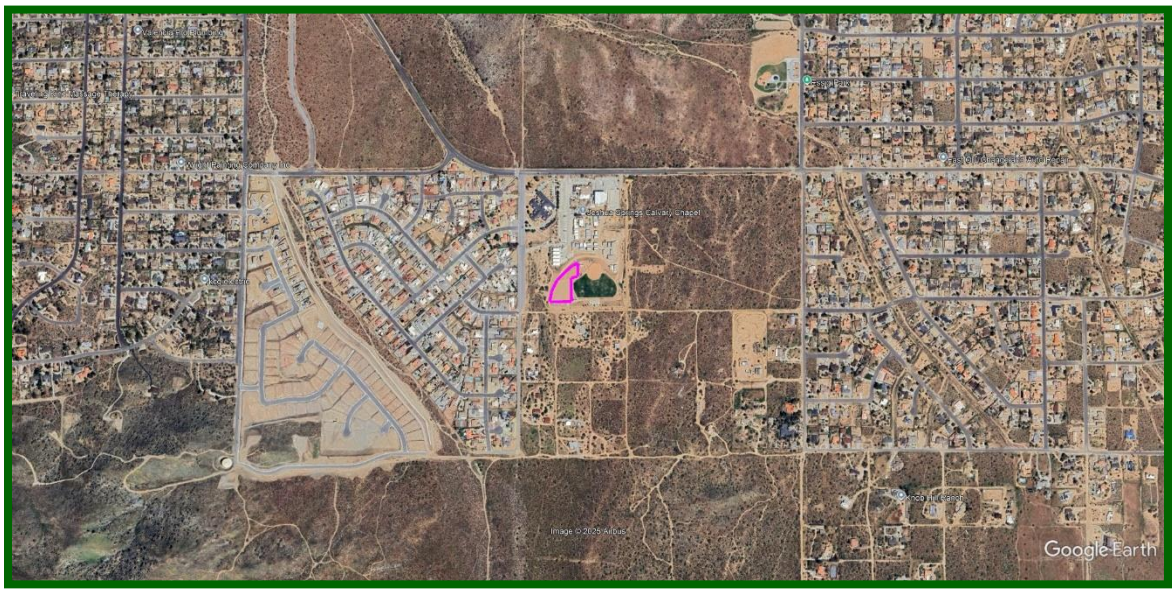


Figure 5. APN 0585-062-65:
Aerial Photograph (©2025Google Earth)

Enlarged aerial view from approximately 4,500 feet altitude (Image date: 4/13/2023)



Regional aerial view from approximately 13,000 feet altitude.

Executive Summary

Circle Mountain Biological Consultants, Inc. was contracted by NV5 on behalf of Joshua Springs Calvary Chapel (Proponent) to perform a focused survey for Agassiz's desert tortoise, habitat assessment for burrowing owl, and a general biological resource assessment on a parcel located in Yucca Valley, California (see Figures 1 and 2). The project area is a 1.3 acre± site within APN 585-062-65 and is located within the Town's limits. The legal description for the subject property is Township 1 South, Range 5 East, a portion of Section 12, S.B.B.&M.

For a total of 0.25 hours, between 12:45 a.m. and 13:00 p.m. on January 9, 2025, Ed LaRue of CMBC surveyed the site as described herein. This entailed the survey of a single transect walked along the perimeter fence surrounding the site (Figure 2), which is devoid of vegetation, comprised of graded, compacted soils, and used as an athletic field. Based on Topo USA 10.0, elevations on the subject property range from approximately 1,112 meters (3,650 feet) along the southern boundary down to 1,106 meters (3,630 feet) at the northeast corner. The terrain is flat, likely from mechanical grading, and soils are nearly impenetrable, compacted fill material. No USGS-designated blueline streams occur on-site. The 13 plant species identified during the survey are listed in Appendix A. The one bird and three mammal species identified during the survey are listed in Appendix B.

Based on the absence of tortoise sign on-site and in adjacent areas, and available information reviewed for this habitat assessment, CMBC concludes that tortoises are absent from the subject property. Similarly, there are no suitable habitats for rare plants and animals reported from the region. Given the developed nature of the site and contiguous areas, no impacts are anticipated, and no mitigation measures are recommended.

Table of Contents

Focused Survey for Agassiz's Desert Tortoise,
Habitat Evaluation for Burrowing Owl, and
General Biological Resource Assessment for a
1.3-acre± Site (APN 585-062-65) in the Town of Yucca Valley
San Bernardino County, California

1.0. Introduction

1.1. Purpose and Need for Study. Circle Mountain Biological Consultants, Inc. (CMBC) was contacted by Vickie Bridenstine of the engineering firm of NV5 on behalf of Joshua Springs Calvary Chapel (Proponent) to perform a focused survey for Agassiz's desert tortoise (*Gopherus agassizii*), habitat assessment for burrowing owl (*Athene cunicularia*), and a general biological resource assessment on a 1.3-acre± site located in the Town of Yucca Valley, San Bernardino County, California (see Figures 1 and 2). Given the location of the site within San Bernardino County and because the Town does not have specified guidelines for report preparation, this report has been prepared, in part, according to County of San Bernardino's *Report Protocol for Biological Assessment Reports* (County of San Bernardino 2006).

As the California Environmental Quality Act (CEQA) Lead Agency, the Town of Yucca Valley Planning Department (Town) is required to complete an initial study to determine if site development will result in any adverse impacts to rare biological resources. The information may also be useful to federal and State regulatory agencies, including U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW), respectively, if the Lead Agency asks them to assess impacts associated with proposed development. Results of CMBC's focused tortoise survey, burrowing owl habitat assessment, and general biological resource assessment are intended to provide sufficient baseline information to these agencies to determine if significant impacts will occur and to identify mitigation measures, if any, to offset those impacts.

1.2. Project Description. The portion of APN 585-062-65 to be developed measures approximately 1.3 acres. The legal description for the subject property is Township 1 South, Range 5 East, a portion of Section 12, S.B.B.&M. The Proponent plans to construct a 12,000 square-foot gymnasium and additional parking within the 1.3-acre± site, which is devoid of biological resources and historically developed to be used as an athletic field and baseball diamond.

2.0. Methods

2.1. In accordance with *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFG 2009), CMBC consulted the latest version of the California Natural Diversity Data Base (CDFW 2025a; CNDDB) for rare plant and animal records reported from the USGS 7.5' Yucca Valley South quadrangle, and the eight quadrangles surrounding the site including Joshua Tree North, Joshua Tree South, East Deception Canyon, Seven Palms Valley, Desert Hot Springs, Morongo Basin, Rim Rock, and Yucca Valley North.

2.2. Field Survey.

2.2.1. *Survey and Habitat Assessment Protocols*. A significant paper was published in June 2011 (Murphy et al. 2011) whereby the "desert tortoise" of the Mojave Desert was split into two species, including *Gopherus agassizii*, referred to as "Agassiz's desert tortoise," and a newly described species, *G. morafkai*, referred to as "Morafka's desert tortoise," which occurs in the Sonoran Desert. According to Murphy et al. (2011), "…this action reduces the distribution of *G. agassizii* to only 30% of its former range. This reduction has important implications for the conservation and protection of *G. agassizii*, which may deserve a higher level of protection." Then in 2016 (Edwards et al. 2016), a third species of tortoise was described, referred to as the "Goode's Thornscrub Tortoise" (*Gopherus evgoodei*), which further reduced the perceived range of Morafka's desert tortoise. Agassiz's desert tortoise is the threatened species that occurs in the region surrounding the subject property.

For **Agassiz's desert tortoise**, CMBC was prepared to conduct the most recent presence-absence tortoise survey protocol revised by the USFWS in 2019. USFWS (2019) protocol recommends surveying transects at 10-meter (30-foot) intervals throughout all portions of a given parcel and its associated action area. However, as shown in Figure 5 and Appendix D, the site is entirely devoid of vegetation, and is being used as an athletic field. So, in lieu of surveying transects at 10-meter intervals, a single transect was surveyed along the boundary that coincides with a chain link perimeter fence.

For **burrowing owl**, like for the tortoise, CMBC judged that the compact, barren soils comprising the site did not constitute burrowing owl habitat, which was based on observations during the survey around the perimeter of the site, so formal transects were not surveyed.

For **Joshua tree**, none occurred onsite or within 50 feet of the site, so this species is not further considered in this report.

2.2.2. *Field Survey Methods*. For a total of 0.25 hours, between 1345 and 1400 p.m. on January 9, 2025, LaRue walked a single transect coinciding with the fenced boundary of the athletic playing field. As depicted in Figure 5 and shown in the exhibits in Appendix D, except for a vacant lot to the west, which does not comprise suitable habitats for any rare species, there was no opportunity to survey transects adjacent to the subject property. A copy of CMBC's data sheet completed in the field is included in Appendix C of this report.

Weather conditions recorded at the beginning of the survey included a temperature of 56°F measured approximately 5 centimeters (2 inches) above the ground, 0 percent cloud cover, and wind speeds of 15 to 20 miles per hour out of the north as measured by a hand-held Kestrel® weather and wind speed meter.

All plant and animal species identified during the survey were recorded in field notes. Garmin® hand-held, global positioning system (GPS) units were used to record Universal Transverse Mercator (UTM) coordinates (North American Datum – NAD 83) for property boundaries and other pertinent information (Appendix C). A digital camera was used to take representative photographs (Appendix D), with locations and directions of exhibits shown in Figure 6. ©2025Google™ Earth was accessed via the internet to provide available aerial photographs of the subject property and surrounding areas (Figure 5).

3.0. Results

3.1. Common Biological Resources. The common plant and animal species identified during the survey are listed in Appendices A and B, respectively. Based on Topo USA 10.0, elevations on the subject property range from approximately 1,112 meters (3,650 feet) along the southern boundary down to 1,106 meters (3,630 feet) at the northeast corner. The terrain is flat. Soils are barren, compacted by heavy equipment, and used as a baseball diamond by Calvary Chapel, which owns the land. No blueline streams designated by the U.S. Geological Survey (USGS) occur on-site.

3.1.1. *Common Flora*. Given the barren nature of the site and compacted soils, all identified plants were restricted to the base of the chain link fences that surround the baseball diamond. The 9 annual and 4 perennial plant species identified during the survey are listed in Appendix A. One or two individual plants of the following species were found growing at the base of the perimeter chain link fence: creosote bush (*Larrea tridentata*), cheesebush (*Ambrosia salsola*), indigo bush (*Psorothamnus arborescens*), and desert milk-aster (*Stephanomeria pauciflora*). Six of the nine annual plant species, including four grass species, are not native to California, indicative of the urbanizing nature of the area surrounding the subject property. There is currently no plant community on the site. Vacant lands to the west are vegetated by a mixture of creosote bush scrub, with a few Joshua trees, and California juniper woodland.

3.1.2. *Common Fauna*. Given the lack of suitable habitat, no reptile species were identified during the survey. Rock dove (*Columba livia*) was the only bird species observed. Other bird species identified in October 2024 on an alternative gym site located approximately 300 feet northeast of the subject property (CMBC 2024) included cactus wren (*Campylorhynchus brunneicapillus*), mourning dove (*Zenaida macroura*), Eurasian collared-dove (*Streptopelia decaocto*), common raven (*Corvus corax*), house finch (*Carpodacus mexicanus*), and house sparrow (*Passer domesticus*). All of these species are highly tolerant of or are benefited by human development. Only three mammal species were detected, including black-tailed hare (*Lepus californicus*) and Audubon cottontail (*Sylvilagus audubonii*), which were identified by scat, and Botta pocket gophers (*Thomomys bottae*), which were identified by soil mounds just outside the western perimeter fence line.

3.2. Uncommon Biological Resources.

3.2.1. *Agassiz's Desert Tortoise*. The entire site has been graded in the past so that the soils are barren and compacted, resulting in the absence of any native habitats on the site. As such, there are no suitable habitats onsite to support desert tortoises, and adjacent areas are sufficiently developed that there is no chance of tortoises immigrating onto the site. Based on the lack of suitable habitats onsite and in adjacent areas, CMBC concludes that Agassiz's desert tortoise is absent from the subject property and adjacent areas.

3.2.2. *Other Special Status Species*. U.S. Fish and Wildlife Service (2008), California Department of Fish and Wildlife [CDFW 2025a for California Natural Diversity Data Base (CNDDB); 2025b for Special Plant Species list; 2025c for Special Animal Species list; and California Native Plant Society (CNPS 2025)] maintain lists of animals and/or plants considered rare, threatened, or endangered, which are herein collectively referred to as "special status species." Although numerous rare plant and animal species have been reported from scrub habitats in the region within five miles of the site (see Figure 3 for locations), the barren, compacted soils on the subject property do not provide suitable habitat for any of them, so all are considered to be absent from the subject property and adjacent developed lands.

3.3. Other Protected Biological Resources.

3.3.1. *Protected Plant Species*. At the Town level, the following information is taken from an undated brochure, entitled *Town of Yucca Valley, Before You Remove Native Vegetation, What You Need To Know About "Protected Native Plants."* This brochure reiterates regulations for protecting a variety of native plants identified in Town Ordinance No. 140 of 2003. Compliance with the Native Plant Protection and Management ordinance helps promote the continued health of the Town's abundant and diverse plant resources by not allowing the indiscriminate removal, and to further promote the protection of native plants and their relationship to the identity of the Town.

Regulated Desert Native Plants include:

- All species of genus *Prosopis* (mesquites): stems 2" & greater in diameter or 6' or greater in height.
- Creosote rings (10' or greater in diameter).
- All species of yuccas, including those commonly found in Yucca Valley:
  - Mojave yucca (*Yucca shidigeria*)
  - Chaparral yucca (*Yucca whipplei*)
  - Joshua trees (*Yucca brevifolia*)
- California juniper (*Juniperus californica*)
- Desert willow (*Chilopsis linearis*)
- Piñon pine (*Pinus monophylla*)
- Palo verde (*Cercidium* sp.) [excluding Mexican palo verde (*Parkinsonia aculeata*), which is not native to California]
- Manzanita (*Arcostaphylos* sp.)
- Additional plants protected or regulated by the California Desert Native Plants Act.

At the State level, the 1998 Food and Agricultural Code, Division 23: California Desert Native Plants, Chapter 3: Regulated Native Plants Act, Section 80073 states: The following native plants, or any parts thereof, may not be harvested except under a permit issued by the commissioner or the sheriff of the county in which the native plants are growing:

(a) All species of the family Agavaceae (century plants, nolinas, yuccas).

(b) All species of the family Cactaceae (cacti), except for the plants listed in subdivisions (b) and (c) of Section 80072 (i.e., saguaro and barrel cacti), which may be harvested under a permit obtained pursuant to that section.

(c) All species of the family Fouquieriaceae (ocotillo, candlewood).

(d) All species of the genus *Prosopis* (mesquites).

(e) All species of the genus *Cercidium* (palo verdes).

(f) *Senegalia (Acacia) greggii* (catclaw acacia).

(g) *Atriplex hymenelytra* (desert holly).

(h) *Dalea (Psorothamnus) spinosa* (smoke tree).

(i) *Olneya tesota* (desert ironwood), including both dead and live desert ironwood.

None of these plant species is found onsite and none would be directly impacted by site development.

4.0. Conclusions and Recommendations

4.1. Impacts to Agassiz's Desert Tortoise and Proposed Mitigation. Based on the absence of suitable tortoise habitat on-site and in adjacent areas, and available information reviewed for this habitat assessment, CMBC concludes that tortoises are absent from the subject property. As such, no impacts are anticipated, and no mitigation measures are recommended.

Although the 2019 USFWS pre-project survey protocol states, "*If the survey data are more than a year old, we encourage project proponents to contact us at the earliest possible time to allow us to assess the specific circumstances under which the data were collected (e.g., time of year, drought/rainfall conditions, size and location of the site, etc.) and to discuss whether additional surveys would be appropriate. Spatial information can be provided in pdf and GIS formats*," CMBC concludes that there is no need to resurvey this site given its developed nature.

It is our understanding that the Town routinely requires pre-disturbance clearance surveys within 30 days of mechanically removing vegetation. To be consistent with the above recommendation, we advise the Town that there is no need for additional surveys of the site prior to construction.

4.2. Impacts to Other Biological Resources and Proposed Mitigation.

4.2.1 *Other Special Status Species*. Based on the field survey and habitat assessment, CMBC concludes that none of the rare species reported from the region would be impacted by site development. As such, no adverse impacts have been identified and no mitigation measures are recommended.

4.2.2.b. Protected Plants. No protected plants occur onsite, so there is no need for doing any special studies or project design to avoid or mitigate impacts, which are not expected.

4.2.2.c. Bird Nests. Although birds may nest in adjacent structures and landscaped plants, there are no suitable nesting substrates on the subject property, so there is no need to perform preconstruction breeding bird surveys.

5.0. Literature References

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Appendix A. Plant Species Detected

The following plant species were identified on-site during the focused floral inventory described in this report.

ANGIOSPERMAE: DICOTYLEDONES	DICOT FLOWERING PLANTS
Asteraceae	**Sunflower family**
Ambrosia salsola	Cheesebush
Stephanomeria pauciflora	Desert milk aster
**Taraxacum officinale*	Common dandelion
Chenopodiaceae	**Goosefoot family**
**Salsola tragus*	Russian thistle
Euphorbiaceae	**Spurge family**
Euphorbia albomarginata	Rattlesnake weed
Fabaceae	**Pea family**
Psorothamnus arborescens	Indigo bush (seedling)
Polemoniaceae	**Phlox family**
Eriastrum c.f. *sapphirinum*	Woolly star
Polygonaceae	**Buckwheat family**
Eriogonum maculatum	Spotted buckwheat
Zygophyllaceae	**Caltrop family**
Larrea tridentata	Creosote bush (seedling)
ANGIOSPERMAE: MONOCOTYLEDONES	MONOCOT FLOWERING PLANTS
Poaceae	**Grass family**
**Bromus madritensis* ssp. *rubens*	Red brome
**Bromus tectorum*	Cheat grass
**Cynodon dactylon*	Bermuda grass
**Schismus* sp.	Split-grass

* - indicates a non-native (introduced) species.
c.f. - compares favorably to a given species when the actual species is unknown.

Some species may not have been detected because of the seasonal nature of their occurrence. Common names are taken from Beauchamp (1986), Hickman (1993), Jaeger (1969), and Munz (1974).

Appendix B. Animal Species Detected

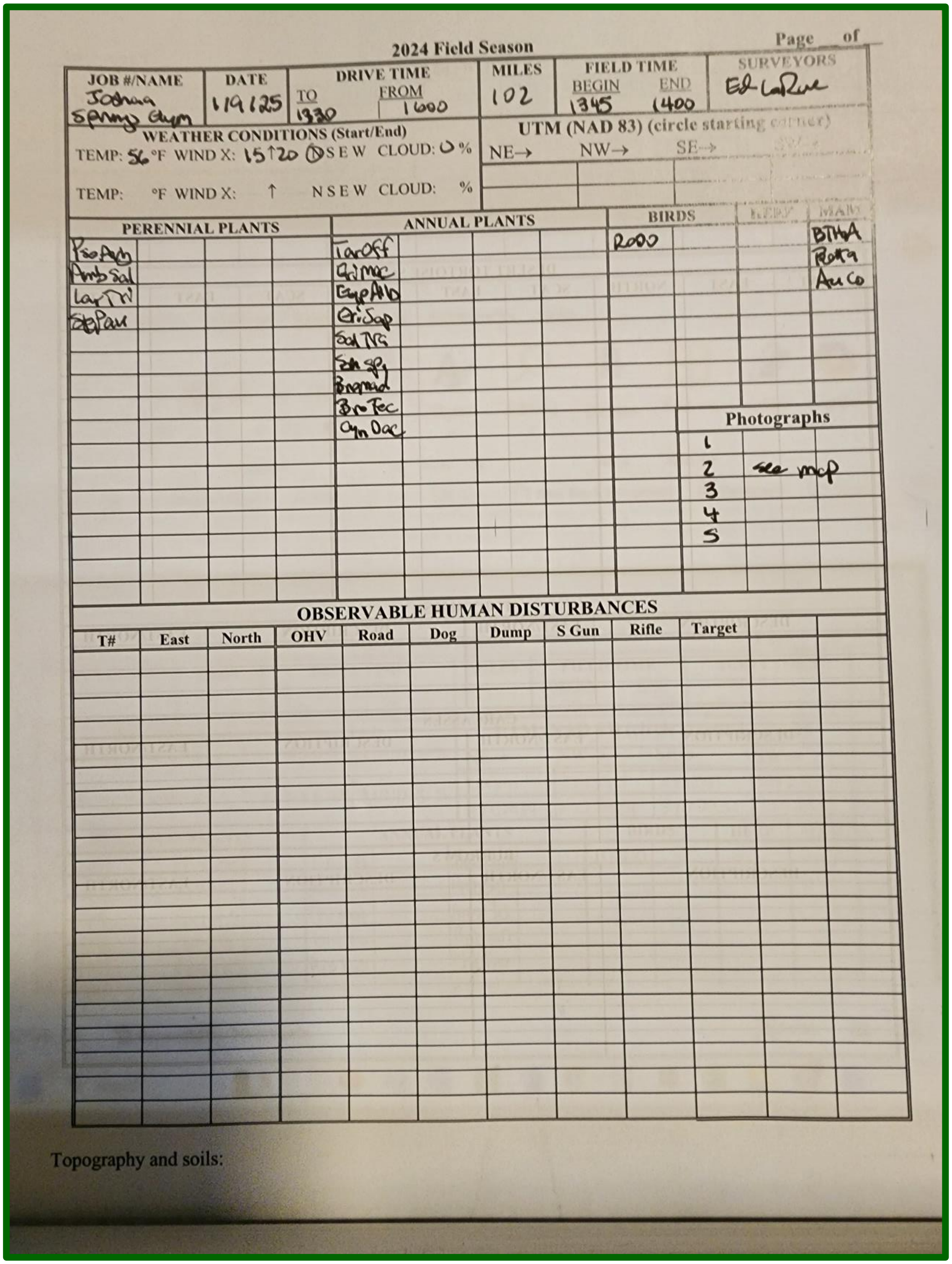
The following animal species were detected during the general biological inventory described in this report.

AVES	BIRDS
Columbidae	**Pigeons and doves**
Columba livia	Rock dove
MAMMALIA	MAMMALS
Leporidae	**Hares and rabbits**
Lepus californicus	Black-tailed hare
Sylvilagus audubonii	Audubon cottontail
Geomyidae	**Pocket gophers**
Thomomys bottae	Botta pocket gopher

Nomenclature follows Stebbins, *A Field Guide to Western Reptiles and Amphibians* (2003), third edition; Sibley, National Audubon Society, the Sibley Guide to Birds (2000), first edition; and Ingles, Mammals of the Pacific States (1965), second edition.

Appendix C. Field Data Sheets Completed on January 9, 2025

The USFWS and County recommend that consultants include copies of field data sheets from which the results and conclusions given in their reports are derived. As such, copies of the data sheet completed by Ed LaRue on January 9, 2025 follows.



2024 Field Season

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JOB #/NAME	DATE	DRIVE TIME TO	DRIVE TIME FROM	MILES	FIELD TIME BEGIN	FIELD TIME END	SURVEYORS
Joshua Springs Gym	1/9/25	1330	1600	102	1345	1400	Ed LaRue

WEATHER CONDITIONS (Start/End)

TEMP: 56 °F WIND X: 15↑20 N S E W CLOUD: 0 %

TEMP: °F WIND X: ↑ N S E W CLOUD: %

UTM (NAD 83) (circle starting corner)

NE→ NW→ SE→ SW→

PERENNIAL PLANTS	ANNUAL PLANTS	BIRDS	KEEY	MAN
PsoAry	TarOff	RODO		BTHA
AmbSal	GdMac			Rota
LarTri	EupAlb			AuCo
StePau	EriSap			
	SolTRG			
	Sch sp.			
	BroMad			
	BroTec			
	CynDac			

Photographs

1	
2	see map
3	
4	
5	

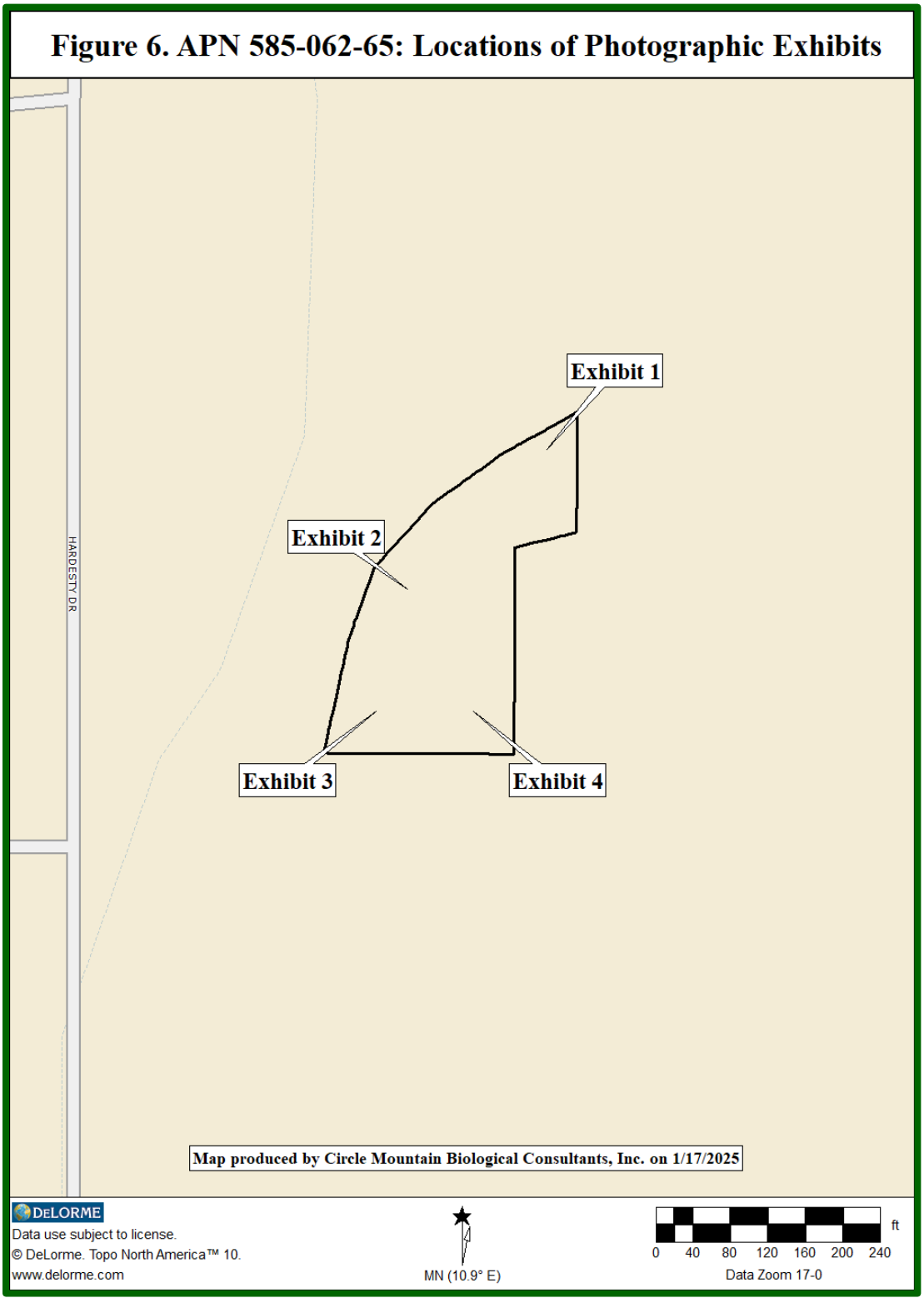
OBSERVABLE HUMAN DISTURBANCES

T#	East	North	OHV	Road	Dog	Dump	S Gun	Rifle	Target		

Topography and soils:

Appendix D. Photographic Exhibits

Figure 6. APN 585-062-65: Locations of Photographic Exhibits



Locations of the four photographic exhibits on the next two pages are depicted above.

Exhibit 1. Northern extent of the site, facing south
(see Figure 6 for locations and directions of photographs).

Exhibit 2. View from the west-central boundary, facing east.

Exhibit 3. View from the southwest corner of the parcel, facing northeast.

Exhibit 4. View from southeast corner of the parcel, facing northwest.