GENERAL BIOLOGICAL ASSESSMENT
FOR
ASSESSOR'S PARCEL NUMBERS
0496-011-75

LYNX CAT MOUNTAIN QUARRY
SAN BERNARDINO COUNTY
CALIFORNIA

Prepared for:

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1.0 Introduction

Hernandez Environmental Services (HES) was contracted to prepare a General Biological Assessment (GBA) for an approximately 32.75-acre project site in the unincorporated San Bernardino County, California. The project site consists of a portion of Assessor's Parcel Number (APN) 0496-011-75.

1.1 Project Site Location

The project site is located south of Roy Road and northwest of the intersection of Valley Wells Road and Santa Fe Avenue. The site is accessed via unnamed roads. The site is located within the unincorporated community of Hinkley, San Bernardino County, California. Specifically, the project site is located within section 1, township 10 north, range 4 west in the *Hinkley* United States Geological Survey (USGS) 7.5' topographic quadrangle. The center point latitude and longitude for the project site is 34.98697542, -117.24408321 (Figures 1 and 2).

1.2 Project Description

The proposed project is an expansion of the Lynx Cat Mountain Quarry.

2.0 Methodology

2.1 Literature Review

HES conducted a literature review and reviewed aerial photographs and topographic maps of the project site and surrounding areas. The *Hinkley* USGS topographic quad and surrounding eight quads were used to identify sensitive species with the California Natural Diversity Data Base (CNDDB), the U.S. Fish and Wildlife Service (USFWS) Endangered Species Lists, and the California Native Plant Society (CNPS) rare plant lists to obtain species information for the project area. The CNDDB and USFWS critical habitat databases were utilized, together with Geographic Information System (GIS) software, to locate the previously recorded locations of sensitive plant and wildlife occurrences and designated critical habitat and determine the distance from the project site.

2.2 Field Survey

On September 20, 2023, HES conducted a field survey of the project site. The ambient temperature at 10:00 A.M. was 56 degrees Fahrenheit, sunny, with winds ranging from zero to three miles per hour to the east. The purpose of the field survey was to document the existing habitat conditions, obtain plant and animal species information, view the surrounding land uses, assess the potential for state and federal waters, assess the potential for wildlife movement corridors, and assess the presence of constituent elements for critical habitat, if present.

Linear transects spaced approximately 50 to 100 feet apart were walked across the project site for 100 percent coverage. All species observed were recorded. Global Positioning System (GPS) waypoints were taken to delineate specific habitat types, species locations, state or federal waters, and any other information that would be useful for the assessment of the project site. A comprehensive list of all plant and wildlife species that were detected during the field survey within the project site is included in Appendix A. Sensitive plant and wildlife species with the potential to occur within the project area are listed in Appendix B. Representative site photographs were taken and are included within Appendix D.

3.0 Existing Conditions and Results

3.1 Environmental Setting

The project site consists of mostly vacant land directly north of an active mining quarry. There is a water tank and disturbed area on the southwest corner of the site. The site is predominantly vegetated with creosote bush scrub habitat. Rocky mountains occur east of the project site and open desert occurs to the north and west of the site. The site is relatively flat with onsite elevations ranging from 2,116 feet above mean sea-level (AMSL) to 2,221 feet AMSL.

3.2 Soils

According to the USDA Web Soil Survey, one soil type occurs on the project site. The onsite soils are composed of Cajon sand (113), 2 to 9 percent slopes (Appendix E).

3.3 Plant and Habitat Communities

The project site consists of two habitat types, including approximately 30.71 acres of creosote bush scrub and 2.04 acres of disturbed habitat (Figure 3).

Creosote Bush Scrub
The project site contains approximately 30.71 acres of creosote bush scrub. This habitat on site is dominated by creosote (*Larrea tridentata*) and rabbit thorn (*Lycium pallidum var. oligospermum*). Creosote bush is denser on the eastern portion of the site and becomes codominant with rabbit thorn on the eastern portion of the site. Other plant species observed in this habitat include white bursage (*Ambrosia dumosa*), cheesbush (*Ambrosia salsola*), bristly fiddleneck (*Amsinckia tessellate*), big galleta (*Hilaria rigida*), Mediterranean grass (*Schismus* sp.), and manybristle chinchweed (*Pectis papposa*).

Disturbed
The project site contains 2.04 acres of disturbed areas. This habitat includes areas that are mostly if not entirely devoid of vegetation. Vegetation in these areas is mostly non-native and includes Russian thistle (*Salsola tragus*). The disturbed areas on site consist of graded areas and roads. There is a water tank within rock outcrops on the southwest corner of the site.

3.4 Wildlife

The general wildlife species documented on the project site or within the vicinity of the site include desert iguana (*Dipsosaurus dorsalis*), rock wren (*Salpinctes obsoletus*), desert tortoise (*Gopherus agassizii*), and say's phoebe (*Sayornis saya*).

3.5 Regional Connectivity/Wildlife Movement

Wildlife movement corridors can be local or regional in scale; their functions may vary temporally and spatially based on conditions and species present. Wildlife corridors represent areas where wildlife movement is concentrated due to natural or anthropogenic constraints. Local corridors provide access to resources such as food, water, and shelter. Animals use these corridors, which are often hillsides or riparian areas, to move between different habitats. Regional corridors provide these functions and link two or more large habitat areas. They provide avenues for wildlife dispersal, migration, and contact between otherwise distinct populations.

The project site is not located within a designated wildlife corridor or linkage. The project site is located directly north of active mining activities. There are rocky mountains located east of the project site and vacant open desert to the north and west. There are no topographic features on the site that would function as a wildlife corridor. The project site does not serve a function in local wildlife movement.

3.6 Sensitive Biological Resources

According to the CNDDB and the CNPS, a total of 11 sensitive species of plants and one sensitive habitat have the potential to occur on or within the vicinity of the project area. According to CNDDB a total of 16 sensitive species of wildlife have the potential to occur on or within the vicinity of the project area. These include those species listed or candidates for listing by the U. S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW) and California Native Plant Society (CNPS). All habitats with the potential to be used by sensitive species were evaluated during the site visit and a determination has been made for the presence or probability of presence within this report. All sensitive species within the *Hinkley* USGS topographic quad and eight surrounding quads of project area were reviewed in CNDDB, and a complete list of those species are discussed within Appendix B. All sensitive plant species within the *Hinkley* USGS topographic quad were reviewed in the CNPS Rare Plant Inventory, a complete list of those species are discussed within Appendix C. This section will address those species listed as Candidate, Rare, Threatened, or Endangered under the state and federal endangered species laws, and any species found to occur on site. All other special status species are addressed within Appendix B and C.

3.6.1 Sensitive Plant Resources

Below are descriptions of the special status plant species found to occur or have a potential to occur on site:

Chaparral sand-verbena
Chaparral sand-verbena (*Abronia villosa var. aurita*) is ranked 1B.1 in the CNPS Rare Plant Inventory. It is found in sandy areas of chaparral, coastal scrub, and desert dunes habitats. No habitat for this species is present on the project site. **This species is not present.**

Lane Mountain milk-vetch
Lane Mountain milk-vetch (*Astragalus jaegerianus*) is a federally listed Endangered species and is ranked 1B.1 in the CNPS Rare Plant Inventory. This species habitats include Joshua tree woodland and Mojavean desert scrub. This species prefers dry, stony hillsides and desert mesas, in granite sand and gravel. Commonly with Joshua trees, usually under shrubs. The project site is below the elevation range for this species. **This species is not present.**

Parish's Phacelia
Parish's phacelia (*Phacelia parishii*) is ranked 1B.1 in the CNPS Rare Plant Inventory. This species habitats include alkali playa and Mojavean desert scrub. It prefers alkaline flats and slopes and clay soils. No suitable habitat for this species is present on site. **This species is not present.**

3.6.2 Sensitive Wildlife Resources

According to CNDDB a total of four wildlife species listed as state and/or federal Threatened, Endangered, Candidate have a potential to occur on site. Below are descriptions of these species and other special status species found to have a potential to occur on site:

Arroyo Toad
Arroyo Toad (*Anaxyrus californicus*) is a federally listed Endangered Species and a CDFW Species of Special Concern. The most favorable breeding habitat for this species consists of slow-moving shallow pools, nearby sandbars, and adjacent stream terraces. Its habitat includes desert wash, riparian scrub, riparian woodland, south coast flowing waters, and south coast standing waters. There is no habitat for this species on the project site. **This species is not present.**

Burrowing owl
Burrowing owl (*Athene cunicularia*) is a CDFW Species of Special Concern. This species is a subterranean nester, dependent upon burrowing mammals such as the California ground squirrel. It inhabits open, dry annual or perennial grasslands and scrublands characterized by low-growing

vegetation. No burrowing owl or burrowing owl sign was observed on site during the general biological survey or focused desert tortoise surveys. No burrowing mammals were observed on site. **This species is not present.**

Western snowy plover
Western snowy plover (*Charadrius alexandrinus nivosus*) is federally listed Threatened Species and a CDFW Species of Special Concern. It is found in great basin standing waters, sand shore, and wetland. This species needs sandy, gravelly, or friable soils for nesting. The project site does not contain suitable habitat for this species. **This species is not present.**

Western yellow-billed cuckoo
Western yellow-billed cuckoo (*Coccyzus americanus occidentalis*) is a federally listed Threatened and state listed Endangered Species. This species typically nests in riparian jungles of willows, often mixed with cottonwoods, with a lower story of blackberry, nettles, or wild grape. It is found in riparian forest habitat. The project site does not contain suitable habitat for this species. **This species is not present.**

Desert tortoise
The desert tortoise (*Gopherus agassizii*) is a federally and state listed Threatened Species. This species is most common in desert scrub, desert wash, and Joshua tree habitats; occurs in almost every desert habitat. It prefers Creosote bush habitat with large annual wildflower blooms. Focused desert tortoise surveys were performed on the site in 2023. Suitable desert tortoise burrows, desert tortoise sign, and live desert tortoise were found during focused surveys. **This species is present**.

Loggerhead shrike
Loggerhead shrike (*Lanius ludovicianus*) is a CDFW Species of Special Concern. This species habitats include broadleaved upland forest, desert was, Joshua tree woodland, Mojavean desert scrub, pinon and juniper woodlands, riparian woodland, and Sonoran desert scrub. There is suitable habitat present on site for this species. **This species has the potential to occur on site**.

Yuma Ridgway's Rail
The Yuma Ridgway's rail (*Rallus obsoletus yumanensis*) is a federal listed Endangered and state listed Threatened Species. This species is found in freshwater marsh, swamp, and wetland habitats. This species is known to nest in freshwater marshes along the Colorado River and along the south and east ends of the Salton Sea. It prefers stands of cattails and tules dissected by narrow channels of flowing water. The project site does not contain suitable habitat for this species. **This species is not present.**

Mohave Tui Chub
The Mohave tui chub (*Siphateles bicolor mohavensis*) is a federal and state listed Endangered Species. It is found in aquatic, and artificial standing and flowing waters. This species is endemic to the Mojave River basin, adapted to alkline mineralized water. It needs deep pools, ponds, or slough-like areas and vegetation for spawning. There is no habitat for this species on the project site. **This species is not present.**

American badger
American badger is a CDFW Species of Special Concern. This species habitats include alkali marsh, alkali playa, alpine, alpine dwarf scrub, brackish marsh, broadleaved upland forest, chaparral, chenopod scrub, cismontane woodland, closed-cone coniferous forest, coastal bluff scrub, coastal dunes, and coastal prairie. It is most abundant in drier open stages of most shrub, forest, and herbaceous habitats, with friable soils. **This species has the potential to be present**.

Le Conte's thrasher
Le Conte's thrasher (*Toxostoma lecontei*) is a CDFW Species of Special Concern. This species is a desert resident; primarily of open desert wash, desert scrub, alkali desert scrub, and desert succulent scrub habitats. Suitable habitat occurs on site. **This species has the potential to be present**.

Mohave ground squirrel
Mohave ground squirrel (*Xerospermophilus mohavensis*) is a state listed Threatened species. This species habitats include chenopod scrub, Joshua tree woodland, and Mojavean desert scrub. The project site is directly adjacent to active mining activities. This species is known to avoid rocky areas and the site is directly west of rocky hills and there are rock outcrops on site. The project site does not provide suitable habitat for this species. **This species is not present**.

3.7 Critical Habitat

Critical habitat is designated by USFWS for endangered and threatened species per the federal ESA (16 U.S.C. § 1533 (a)(3)), and to the extent prudent and determinable. Special management of critical habitat, including measures for water quality and quantity, host animals and plants, food availability, pollinators, sunlight, and specific soil types is required to ensure the long-term survival and recovery of the identified species. Critical habitat designation delineates all suitable habitat for the species. The project site is not located within federally designated critical habitat.

3.8 Nesting Birds

Migratory non-game native bird species are protected under the federal Migratory Bird Treaty Act. Additionally, Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests. The project site contains shrubs that can be

utilized by nesting birds and raptors during the nesting bird season of February 1 through September 15.

3.9 Jurisdictional Waters

No drainage features with a definable bed, bank, and channel were found on site. No hydrophytic vegetation or hydric soils occur on site. The project site does not contain CDFW, United States Army Corps of Engineers (USACE), and Regional Water Quality Control Board (RWQCB) jurisdictional waters. Furthermore, no wetlands or vernal pools occur on site.

4.0 Project Impacts

4.1 Impacts to Habitats

The proposed mine expansion would impact the entire approximately 32.75-acre project site. The project site includes 30.71 acres of creosote bush scrub and 2.04 acres of disturbed habitat

4.2 Impacts to Sensitive Species

The following sensitive species were found on the project site or have the potential to occur on the project site:

4.2.1 Impacts to Sensitive Plant Resources

No sensitive plant species have the potential to occur on site. The proposed mine expansion is not expected to result in impacts to sensitive plant species.

4.2.2 Sensitive Wildlife Resources

The following sensitive wildlife species have a potential to occur on site:

Desert tortoise
Desert tortoise burrows and sign and one live desert tortoise were found on site during focused desert tortoise surveys performed in 2023. The proposed mine expansion may result in impacts to this species.

Loggerhead shrike
There is potential habitat for the Loggerhead shrike in the scrub on site. This species has the potential to be present. Implementation of the measures identified for nesting birds in the Recommendations section of this report will ensure that potential impacts to this species are less than significant.

American badger
American badger is a CDFW Species of Special Concern. This species has the potential to occur on site. Implementation of the measures outlined in the Recommendations section will ensure impacts to this species remain less than significant.

Le Conte's thrasher
There is potential habitat for Le Conte's thrasher in the scrub on site. This species has the potential to be present. Implementation of the measures identified for nesting birds in the Recommendations section of this report will ensure that potential impacts to this species are less than significant.

4.3 Impacts to Nesting Birds

Potential impacts to nesting birds may occur if vegetation removal occurs during the bird nesting season of February 1 through September 15. Implementation of the measures identified in the Recommendations section of this report will ensure that potential impacts to nesting birds are less than significant.

4.4 Impacts to Critical Habitat

The project site is not located within designated federal critical habitat. Therefore, no impacts to critical habitat are expected.

4.5 Impacts to Wildlife Movement Corridors

No wildlife movement corridors were found to be present on the project site. No impacts are expected.

4.6 Conflict with Local Policies or Ordinances Protecting Biological Resources

The San Bernardino County Development Code Section 88.01.060 provides regulations for the removal or harvesting of specified desert native plants in order to preserve and protect the plants and to provide for the conservation and wise use of desert resources. Per Section 88.01.060 of the San Bernardino County Development Code the following desert native plants or any part of them, except the fruit shall not be removed except under a Tree or Plant Removal Permit:

(1) The following desert native plants with stems two inches or greater in diameter or six feet or greater in height:

(A) Dalea spinosa (smoketree).

(B) All species of the genus Prosopis (mesquites).

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

(3) Creosote Rings, ten feet or greater in diameter.

(4) All Joshua trees.

(5) Any part of any of the following species, whether living or dead:

(A) Olneya tesota (desert ironwood).

(B) All species of the genus Prosopis (mesquites).

(C) All species of the genus Cercidium (palos verdes).

Section 88.01 requires the issuance of a permit prior to the removal of regulated trees and plants. No desert native plants regulated under Section 88.01.060 of the San Bernardino Development Code are present on the site. No conflicts with local policies or ordinances are expected.

4.7 Conflict with the Provisions of an Adopted Habitat Conservation Plan, Natural Community Conservation Plan, or Other Approved Local, Regional, or State Habitat Conservation Plan

The project site is located within the Desert Renewable Energy Conservation Plan (DRECP). The project is located within the BLM Superior-Cronese Area of Critical Environmental Concern (ACEC). However the proposed project occurs within private lands and according to the DRECP BLM Land Use Plan Amendment (LUPA) "Nonfederal lands within the boundaries of BLM LUPA land use allocations are not affected by the LUPA" (LUPA-LANDS-4). Therefore, the proposed project would not be anticipated to conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

4.8 State and Federal Drainages

No state or federal jurisdictional drainages occur on site. The proposed project would not result in impacts to jurisdictional drainages.

5.0 Recommendations

Based upon the findings of this report, it is recommended that the following studies or surveys be performed as part of the project.

<u>Nesting Birds</u>

- It is recommended that vegetation removal be conducted outside of the nesting season for migratory birds to avoid direct impacts.

- If vegetation removal will occur during the migratory bird nesting season, between February 1 and September 15, pre-construction nesting bird surveys shall be performed within three days prior to vegetation removal.

- If active nests are found during nesting bird surveys, they shall be flagged. A 250-foot buffer shall be fenced around songbird nests and a 500-foot buffer shall be fenced around raptor nests.

Sensitive Wildlife

- The mitigation measures for nesting birds outlined above will ensure no impacts to loggerhead shrike and Le Conte's thrasher occur.

- A biological monitor should be present on site during all initial ground disturbing activities to ensure no impacts to American badger, occur. If American badger is found on site the biological monitor will have the authorization to stop all work and allow the sensitive wildlife to leave the site.

- In order to establish appropriate avoidance and minimization measures and/or mitigation measures for desert tortoise HES recommends that consultation should be initiated with the Bureau of Land Management, USFWS, and the CDFW prior to commencing any ground disturbing activities in the project area.

6.0 Certification

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.

Date 2/21/2023 Signed _____

PROJECT MANAGER

Fieldwork Performed By:

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_____

Principal Biologist

Elizabeth Gonzalez

_____

Senior Biologist

Sarah Vasquez

_____

Associate Biologist

Hallie Hernandez

_____

Associate Biologist

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FIGURES

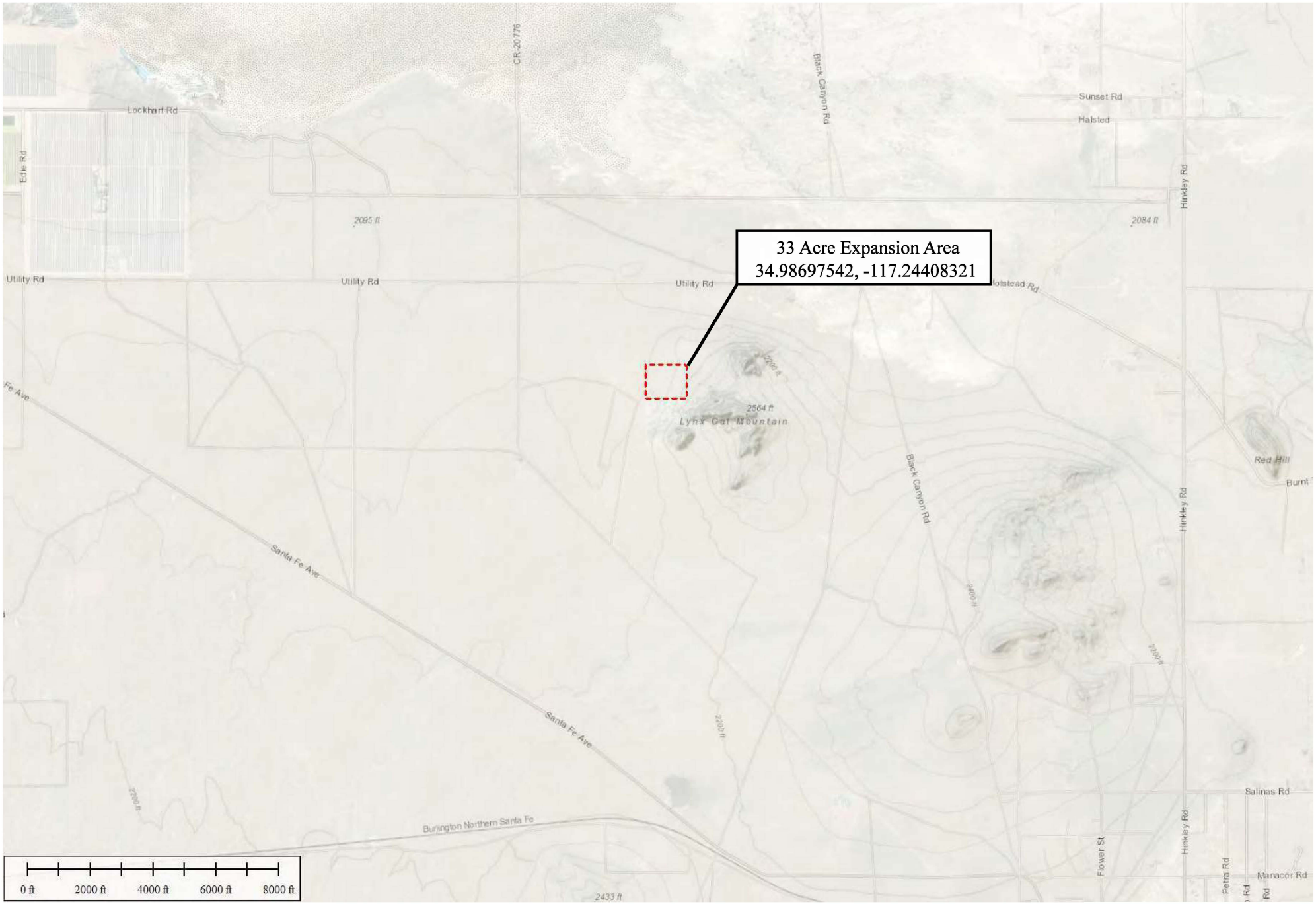

Figure 1

Location Map
33 Acre Lynx Cat Mine Expansion Area
Hinkley, San Bernardino County, California

Legend

Project Site Boundary

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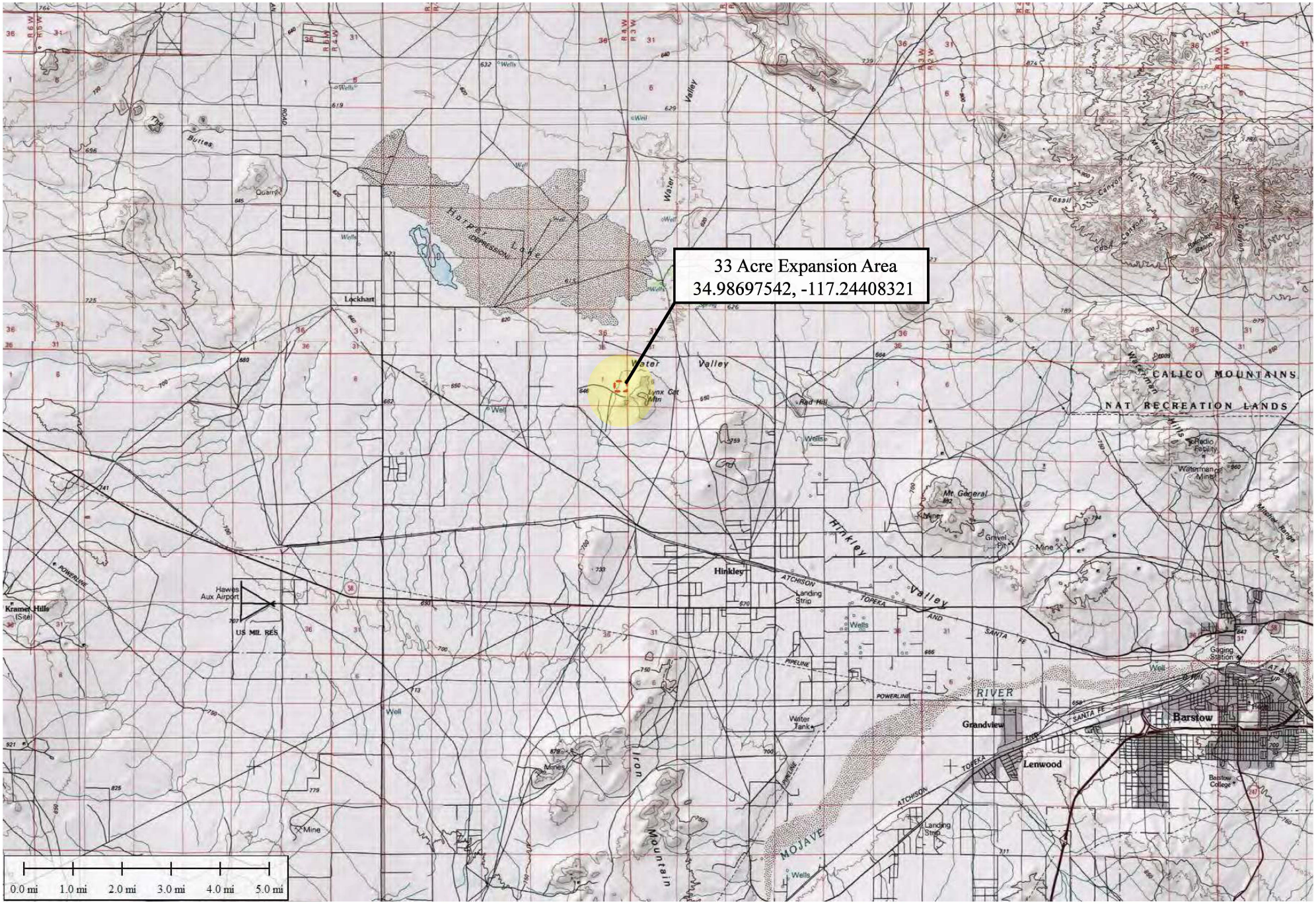

Figure 2

Vicinity Map
33 Acre Lynx Cat Mine Expansion Area
Hinkley, San Bernardino County, California

Legend

Project Site Boundary

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Hernandez Environmental Services

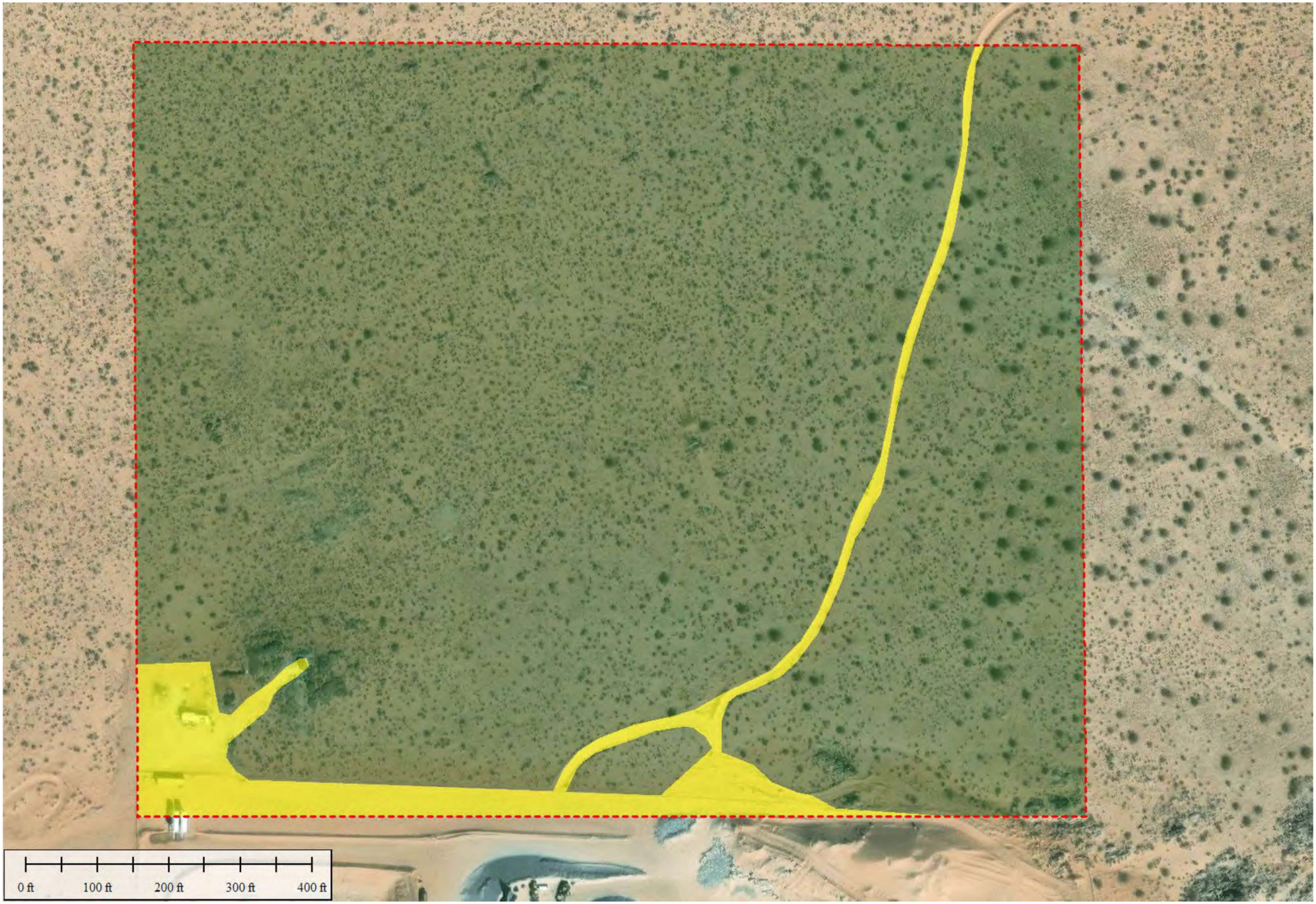

Figure 3

Habitat Map
33 Acre Lynx Cat Mine Expansion Area
Hinkley, San Bernardino County, California

Legend

- Project Site Boundary
- Disturbed Areas (2.04 acres)
- Creosote bush scrub (30.71 acres)

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APPENDIX A

Observed Species List

Plant List

Scientific Name	Common Name
Ambrosia dumosa	White bursage
Ambrosia salsola	Cheesebush
Amsinckia tessellate	Bristly fiddleneck
Eriogonum fasciculatum	Califonria buckwheat
Hilaria rigida	Big galleta
Larrea tridentata	Creosote
Lycium pallidum var. oligospermum	Rabbit thornbush
Pectis papposa	Manybristle chinchweed
Salsola tragus	Russian thistle
Schismus sp.	Mediterranean grass

Wildlife List

Scientific Name	Common Name
Dipsosaurus dorsalis	Desert iguana
Gopherus agassizii	Desert tortoise
Salpinctes obsoletus	Rock wren
Sayornis saya	Say's phoebe
Zenaida macroura	Mourning dove

APPENDIX B

Scientific Name	Common Name	Taxon Group	Federal List	State List	Rare Plant Rank	Other Status	Habitats	General Habitats	Micro Habitat	Presence/ Absence
Abronia villosa var. aurita	chaparral sand-verbena	Dicots	None	None	1B.1	BLM_S-Sensitive | SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden | USFS_S-Sensitive	Chaparral | Coastal scrub | Desert dunes	Chaparral, coastal scrub, desert dunes.	Sandy areas. - 60-1570 m.	No suitable habitat occurs on site. **This species is not present.**
Astragalus jaegerianus	Lane Mountain milk-vetch	Dicots	Endangered	None	1B.1	SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	Joshua tree woodland | Mojavean desert scrub	Joshua tree woodland, Mojavean desert scrub.	Dry, stony hillsides and desert mesas, in granite sand and gravel. Commonly with Joshua trees, usually under shrubs. 975-1250 m.	The project site is below the elevation range for this species. **This species is not present.**

Scientific Name	Common Name	Taxon Group	Federal List	State List	Rare Plant Rank	Other Status	Habitats	General Habitats	Micro Habitat	Presence/ Absence
Cymopterus deserticola	desert cymopterus	Dicots	None	None	1B.2	BLM_S-Sensitive | SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	Joshua tree woodland | Mojavean desert scrub	Joshua tree woodland, Mojavean desert scrub.	On fine to coarse, loose, sandy soil of flats in old dune areas with well-drained sand. 625-1220 m.	No Joshua tree woodland habitat occurs on site. No dunes. No remnants of this species were found on site during the desert tortoist or general bio surveys. **This species is not present.**
Diplacus mohavensis	Mojave monkeyflower	Dicots	None	None	1B.2	BLM_S-Sensitive | SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	Desert wash | Joshua tree woodland | Mojavean desert scrub	Joshua tree woodland, Mojavean desert scrub.	Dry sandy or rocky washes along the Mojave River. 660-1270 m.	No suitable habitat occurs on site. **This species is not present.**

Scientific Name	Common Name	Taxon Group	Federal List	State List	Rare Plant Rank	Other Status	Habitats	General Habitats	Micro Habitat	Presence/ Absence
Eriophyllum mohavense	Barstow woolly sunflower	Dicots	None	None	1B.2	BLM_S-Sensitive | SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden | SB_USDA-US Dept of Agriculture	Alkali playa | Chenopod scrub | Mojavean desert scrub	Chenopod scrub, Mojavean desert scrub, desert playas.	Mostly in open, silty or sandy areas w/saltbush scrub, or creosote bush scrub. Barren ridges or margins of playas. 605-1290 m.	No barren ridges or playa areas occur on site. No saltbush scrub occurs on site. **This species is not present.**
Menodora spinescens var. mohavensis	Mojave menodora	Dicots	None	None	1B.2	BLM_S-Sensitive | SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	Mojavean desert scrub	Mojavean desert scrub.	Rocky hillsides, canyons. Andesite gravel. 700-1405 m.	The project site is below the elevation range for this species. **This species is not present.**

Scientific Name	Common Name	Taxon Group	Federal List	State List	Rare Plant Rank	Other Status	Habitats	General Habitats	Micro Habitat	Presence/ Absence
Mentzelia tricuspis	spiny-hair blazing star	Dicots	None	None	2B.1		Mojavean desert scrub	Mojavean desert scrub.	Sandy or gravelly slopes and washes.150-1280 m.	No washes occur on site. The nearest recorded occurrence for this species is over 14 miles away. The general bio surveys were performed just after the blooming period for these species and no remnants of this plant were found. **This species is not present.**

Scientific Name	Common Name	Taxon Group	Federal List	State List	Rare Plant Rank	Other Status	Habitats	General Habitats	Micro Habitat	Presence/ Absence
Mentzelia tridentata	creamy blazing star	Dicots	None	None	1B.3	SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	Mojavean desert scrub	Mojavean desert scrub.	545-1100 m.	The nearest recorded occurrence for this species is over 10 miles away. The general bio surveys were performed just after the blooming period for these species and no remnants of this plant were found. **This species is not present.**
Pediomelum castoreum	Beaver Dam breadroot	Dicots	None	None	1B.2	BLM_S-Sensitive | SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	Desert wash | Joshua tree woodland | Mojavean desert scrub	Joshua tree woodland, Mojavean desert scrub.	Sandy soils; washes and roadcuts. 605-1485 m.	No washes or road cuts occur on site. **This species is not present.**

Scientific Name	Common Name	Taxon Group	Federal List	State List	Rare Plant Rank	Other Status	Habitats	General Habitats	Micro Habitat	Presence/ Absence
Phacelia parishii	Parish's phacelia	Dicots	None	None	1B.1	BLM_S-Sensitive | SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	Alkali playa | Mojavean desert scrub	Mojavean desert scrub, playas.	Alkaline flats and slopes or on clay soils. 540-875 m.	No alkaline or clay soils occur on site. **This species is not present on site.**
Puccinellia simplex	California alkali grass	Monocots	None	None	1B.2	BLM_S-Sensitive	Chenopod scrub | Meadow & seep | Valley & foothill grassland | Vernal pool	Meadows and seeps, chenopod scrub, valley and foothill grasslands, vernal pools.	Alkaline, vernally mesic. Sinks, flats, and lake margins. 1-915 m.	No alkaline soils occur on site. **This species is not present on site**.
Transmontane Alkali Marsh	Transmontane Alkali Marsh	Marsh	None	None			Marsh & swamp | Wetland			**Not present.**

Scientific Name	Common Name	Taxon Group	Federal List	State List	Other Status	Habitats	General Habitats	Micro Habitat	Presence/ Absence
Anaxyrus californicus	arroyo toad	Amphibians	Endangered	None	CDFW_SSC-Species of Special Concern | IUCN_EN-Endangered	Desert wash | Riparian scrub | Riparian woodland | South coast flowing waters | South coast standing waters	Semi-arid regions near washes or intermittent streams, including valley-foothill and desert riparian, desert wash, etc.	Rivers with sandy banks, willows, cottonwoods, and sycamores; loose, gravelly areas of streams in drier parts of range.	No suitable habitat occurs on site. **This species is not present on site**.
Athene cunicularia	burrowing owl	Birds	None	None	BLM_S-Sensitive | CDFW_SSC-Species of Special Concern | IUCN_LC-Least Concern | USFWS_BCC-Birds of Conservation Concern	Coastal prairie | Coastal scrub | Great Basin grassland | Great Basin scrub | Mojavean desert scrub | Sonoran desert scrub | Valley & foothill grassland	Open, dry annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation.	Subterranean nester, dependent upon burrowing mammals, most notably, the California ground squirrel.	No suitable habitat occurs on site. **This species is not present**.
Charadrius montanus	mountain plover	Birds	None	None	BLM_S-Sensitive | CDFW_SSC-Species of Special Concern | IUCN_NT-Near Threatened | USFWS_BCC-Birds of Conservation Concern	Chenopod scrub | Valley & foothill grassland	Short grasslands, freshly plowed fields, newly sprouting grain fields, and sometimes sod farms.	Short vegetation, bare ground, and flat topography. Prefers grazed areas and areas with burrowing rodents.	No suitable habitat occurs on site. **This species is not present on site.**

Scientific Name	Common Name	Taxon Group	Federal List	State List	Other Status	Habitats	General Habitats	Micro Habitat	Presence/ Absence
Charadrius nivosus nivosus	western snowy plover	Birds	Threatened	None	CDFW_SSC-Species of Special Concern	Great Basin standing waters | Sand shore | Wetland	Sandy beaches, salt pond levees and shores of large alkali lakes.	Needs sandy, gravelly or friable soils for nesting.	No suitable habitat occurs on site. **This species is not present on site**.
Coccyzus americanus occidentalis	western yellow-billed cuckoo	Birds	Threatened	Endangered	BLM_S-Sensitive | USFS_S-Sensitive	Riparian forest	Riparian forest nester, along the broad, lower flood-bottoms of larger river systems.	Nests in riparian jungles of willow, often mixed with cottonwoods, with lower story of blackberry, nettles, or wild grape.	No suitable habitat occurs on site. **This species is not present on site**.
Falco mexicanus	prairie falcon	Birds	None	None	CDFW_WL-Watch List | IUCN_LC-Least Concern	Great Basin grassland | Great Basin scrub | Mojavean desert scrub | Sonoran desert scrub | Valley & foothill grassland	Inhabits dry, open terrain, either level or hilly.	Breeding sites located on cliffs. Forages far afield, even to marshlands and ocean shores.	No suitable nesting habitat occurs on site. **This species is not present.**

Scientific Name	Common Name	Taxon Group	Federal List	State List	Other Status	Habitats	General Habitats	Micro Habitat	Presence/ Absence
Gopherus agassizii	desert tortoise	Reptiles	Threatened	Threatened	IUCN_CR-Critically Endangered	Joshua tree woodland | Mojavean desert scrub | Sonoran desert scrub	Most common in desert scrub, desert wash, and Joshua tree habitats; occurs in almost every desert habitat.	Require friable soil for burrow and nest construction. Creosote bush habitat with large annual wildflower blooms preferred.	Suitable habitat occurs on site. **This species is present on site**.
Lanius ludovicianus	loggerhead shrike	Birds	None	None	CDFW_SSC-Species of Special Concern | IUCN_NT-Near Threatened	Broadleaved upland forest | Desert wash | Joshua tree woodland | Mojavean desert scrub | Pinon & juniper woodlands | Riparian woodland | Sonoran desert scrub	Broken woodlands, savannah, pinyon-juniper, Joshua tree, and riparian woodlands, desert oases, scrub and washes.	Prefers open country for hunting, with perches for scanning, and fairly dense shrubs and brush for nesting.	Suitable habitat occurs on site. **This species has the potential to be present on site.**

Scientific Name	Common Name	Taxon Group	Federal List	State List	Other Status	Habitats	General Habitats	Micro Habitat	Presence/ Absence
Lasionycteris noctivagans	silver-haired bat	Mammals	None	None	IUCN_LC-Least Concern	Lower montane coniferous forest | Oldgrowth | Riparian forest	Primarily a coastal and montane forest dweller, feeding over streams, ponds and open brushy areas.	Roosts in hollow trees, beneath exfoliating bark, abandoned woodpecker holes, and rarely under rocks. Needs drinking water.	No suitable habitat occurs on site. **This species is not present on site.**
Microtus californicus mohavensis	Mohave river vole	Mammals	None	None	CDFW_SSC-Species of Special Concern	Riparian scrub	Occurs only in weedy herbaceous growth in wet areas along the Mojave River. May be found in some irrigated pastures.	Burrows into soft soil. Feeds on leafy parts of grasses, sedges and herbs. Clips grasses to form runways from burrow.	No suitable habitat occurs on site. **This species is not present on site.**
Rallus obsoletus yumanensis	Yuma Ridgway's rail	Birds	Endangered	Threatened	CDFW_FP-Fully Protected	Freshwater marsh | Marsh & swamp | Wetland	Nests in freshwater marshes along the Colorado River and along the south and east ends of the Salton Sea.	Prefers stands of cattails and tules dissected by narrow channels of flowing water; principle food is crayfish.	No suitable habitat occurs on site. **This species is not present on site.**

Scientific Name	Common Name	Taxon Group	Federal List	State List	Other Status	Habitats	General Habitats	Micro Habitat	Presence/ Absence
Siphateles bicolor mohavensis	Mohave tui chub	Fish	Endangered	Endangered	AFS_EN-Endangered | CDFW_FP-Fully Protected	Aquatic | Artificial flowing waters | Artificial standing waters	Endemic to the Mojave River basin, adapted to alkaline, mineralized waters.	Needs deep pools, ponds, or slough-like areas. Needs vegetation for spawning.	No suitable habitat occurs on site. **This species is not present on site**.
Taxidea taxus	American badger	Mammals	None	None	CDFW_SSC-Species of Special Concern | IUCN_LC-Least Concern	Alkali marsh | Alkali playa | Alpine | Alpine dwarf scrub | Bog & fen | Brackish marsh | Broadleaved upland forest | Chaparral | Chenopod scrub | Cismontane woodland | Closed-cone coniferous forest | Coastal bluff scrub | Coastal dunes | Coastal prairie |	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats, with friable soils.	Needs sufficient food, friable soils and open, uncultivated ground. Preys on burrowing rodents. Digs burrows.	Suitable haitat occurs on site. This species has the potential to be present.

Scientific Name	Common Name	Taxon Group	Federal List	State List	Other Status	Habitats	General Habitats	Micro Habitat	Presence/ Absence
Toxostoma lecontei	Le Conte's thrasher	Birds	None	None	BLM_S-Sensitive | CDFW_SSC-Species of Special Concern | IUCN_LC-Least Concern | USFWS_BCC-Birds of Conservation Concern	Desert wash | Mojavean desert scrub | Sonoran desert scrub	Desert resident; primarily of open desert wash, desert scrub, alkali desert scrub, and desert succulent scrub habitats.	Commonly nests in a dense, spiny shrub or densely branched cactus in desert wash habitat, usually 2-8 feet above ground.	Suitable habitat occurs on site. **This species has the potential to occur on site.**
Uma scoparia	Mojave fringe-toed lizard	Reptiles	None	None	BLM_S-Sensitive | CDFW_SSC-Species of Special Concern | IUCN_LC-Least Concern	Desert dunes | Desert wash | Mojavean desert scrub	Fine, loose, wind-blown sand in sand dunes, dry lakebeds, riverbanks, desert washes, sparse alkali scrub and desert scrub.	Shrubs or annual plants may be necessary for arthropods found in the diet.	No suitable habitat occurs on site. **This species is not present.**
Xerospermophilus mohavensis	Mohave ground squirrel	Mammals	None	Threatened	BLM_S-Sensitive | IUCN_NT-Near Threatened	Chenopod scrub | Joshua tree woodland | Mojavean desert scrub	Open desert scrub, alkali scrub and Joshua tree woodland. Also feeds in annual grasslands. Restricted to Mojave Desert.	Prefers sandy to gravelly soils, avoids rocky areas. Uses burrows at base of shrubs for cover. Nests are in burrows.	No suitable habitat occurs on site. **This species is not present.**

APPENDIX C

Scientific Name	Common Name	Lifeform	CRPR	CESA	FESA	BloomingPeriod	Habitat	Microhabitat	Elevation Low_m	Elevation High_m	Presnce/ Absence
Chorizanthe spinosa	Mojave spineflower	annual herb	4.2	None	None	Mar-Jul	Chenopod scrub, Joshua tree "woodland", Mojavean desert scrub, Playas	Alkaline (sometimes)	6	1300	No alkaline soils occur on site. No playas occur on site.No suitbale habitat for this species occurs on site. **This species is not present**.
Muilla coronata	crowned muilla	perennial bulbiferous herb	4.2	None	None	Mar-Apr(May)	Chenopod scrub, Joshua tree "woodland", Mojavean desert scrub, Pinyon and juniper woodland		670	1960	The project site is below the elevation range for this species. **This species is not present.**
Sclerocactus polyancistrus	Mojave fish-hook cactus	perennial stem	4.2	None	None	Apr-Jul	Great Basin scrub, Joshua tree "woodland", Mojavean desert scrub	Carbonate (usually)	640	2320	This species was not observed during the general bio surveys or the focused desert tortoise surveys. **This species is not present.**
Yucca brevifolia			CBR	CC							This species was not observed during the general bio surveys or the focused desert tortoise surveys. **This species is not present.**

APPENDIX D

View from the southeast corner of the site facing west. View of creosote bush scrub habitat on site.

View from the southwest corner of the site facing east. View of disturbed areas on site and adjacent active mine.

View of rocky mountains north of the project site.

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View from the southeast corner of the site facing north with dry Harper Lake in the distance.

View from the northwest corner of the site facing east. View of creosote bush scrub habitat on site.

View of desert tortoise found on site.

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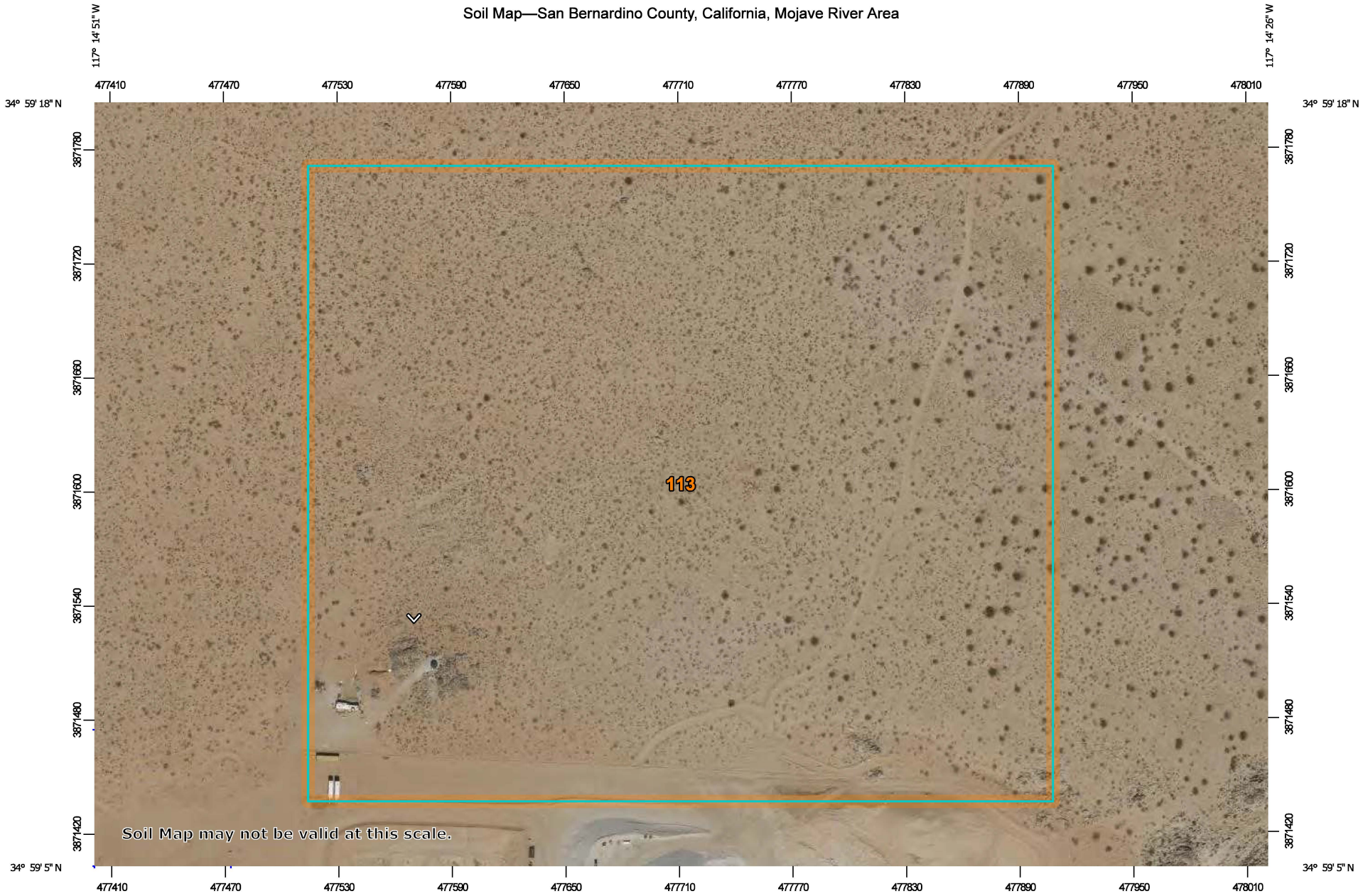
APPENDIX E



Map Scale: 1:2,840 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 40 80 160 240

Feet: 0 100 200 400 600

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 11N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: San Bernardino County, California, Mojave River Area
Survey Area Data: Version 15, Aug 30, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 17, 2022—Jun 12, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
113	CAJON SAND, 2 TO 9 PERCENT SLOPES	32.7	100.0%
Totals for Area of Interest		**32.7**	**100.0%**

APPENDIX F

DESERT TORTOISE PRESENCE/ABSENCE SURVEYS FOR ASSESSOR'S PARCEL NUMBER 0496-011-75

LYNX CAT MOUNTAIN QUARRY SAN BERNARDINO COUNTY CALIFORNIA

Prepared for:
Webber and Webber
101 E Redlands Blvd, Suite 240
Redlands, CA 92373

Prepared by:
Hernandez Environmental Services
17037 Lakeshore Drive
Lake Elsinore, CA. 92530

JANUARY 2024

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Executive Summary

Hernandez Environmental Services (HES) was contracted by Webber and Webber to conduct desert tortoise (*Gopherus agassizii*) presence/absence surveys for the proposed Lynx Cat Mountain Quarry Project north of State Highway 58.

HES conducted a presence/absence survey following the guidelines in the October 26, 2018 *Preparing For Any Action That May Occur Within The Range Of The Mojave Desert Tortoise* guidelines. The proposed expansion area is approximately 32.75 acres in size.

On June 6 , 2023, four HES biologists surveyed the entire 32.75-acre action area. A total of seven burrows, two areas with scattered tortoise scutes, 1 live tortoise and 1 scat were found during the field survey. All desert tortoise sign and the desert tortoise were found within the action area.

HES recommends that informal consultation should be initiated with the Bureau of Land Management, USFWS, and the CDFW prior to commencing any mining activities in the action area.

1.0 Introduction

Hernandez Environmental Services (HES) was contracted by Webber and Webber to conduct desert tortoise (*Gopherus agassizii*) presence/absence surveys for the Lynx Cat Mountain Mine proposed expansion area directly north of the existing active quarry.

HES conducted a presence/absence survey following the guidelines in the October 26, 2018 *Preparing For Any Action That May Occur Within The Range Of The Mojave Desert Tortoise* guidelines. The proposed expansion area is approximately 32.75 acres in size. The size of the action area would be considered a small project under the 2018 guidelines, so a *Small Project Survey* was conducted.

1.1 Project Site Location

The project site is located south of Roy Road and northwest of the intersection of Valley Wells Road and Santa Fe Avenue. The site is accessed via unnamed roads. The site is located within the unincorporated community of Hinkley, San Bernardino County, California. The project site consists of a portion of Assessor's Parcel Number (APN) 0496-011-76. Specifically, the project site is located within section 1, township 10 north, range 4 west in the *Hinkley* United States Geological Survey (USGS) 7.5' topographic quadrangle. The center point latitude and longitude for the project site is 34.98697542, -117.24408321 (Figures 1 and 2).

2.0 Methodology

2.1 Literature Review

HES conducted a literature search and reviewed aerial photographs and topographic maps of the project location and surrounding areas. The *Hinkley* USGS topographic quad and surrounding eight quads were used to identify sensitive species with the California Natural Diversity Data Base (CNDDB). The CNDDB and USFWS critical habitat databases were utilized, together with Geographic Information System (GIS) software, to locate the previously recorded locations of desert tortoise and designated critical habitat and determine the distance from the project site. HES followed the protocol for site assessment and presence/absence surveys described in the USFWS October 26, 2018 *Preparing For Any Action That May Occur Within The Range Of The Mojave Desert Tortoise* (*Gopherus agassizii*).

2.2 Field Survey

On June 6, 2023, four HES biologists surveyed the entire 32.75-acre action area. Survey conditions were as follows:

Date	Start Time	End Time	Temperature (Fahrenheit)	Weather Conditions
June 6, 2023	10:00 a.m.	1 p.m.	66-76 degrees	Clear skies

HES biologist Juan Hernandez led the surveys. Linear transects spaced approximately 10 meters apart were walked using UTM as guidelines for 100 percent coverage. Tortoise, tortoise sign, and areas of interest observed were recorded and Global Positioning System (GPS) way points were recorded.

3.0 Existing Conditions and Results

3.1 Environmental Setting

The project site consists of mostly vacant land directly north of an active mining quarry. There is a water tank and disturbed area on the southwest corner of the site. The site is predominantly vegetated with creosote bush scrub habitat. Rocky mountains occur east of the project site and open desert occurs to the north and west of the site. The site is slightly sloped with onsite elevations ranging from 2,116 feet above mean sea-level (AMSL) in the northwest corner to 2,221 feet AMSL in the southeast corner.

The creosote bush scrub habitat on site is considered desert tortoise habitat. There are CNDDB recorded occurrences within 5 miles.

3.2 Desert Tortoise Survey Results

The entire 32.75-acre action area was surveyed for 100 percent coverage (Figure 3). A total of seven burrows, two areas with scattered tortoise scutes, one live tortoise, and six scats were found during the field survey. The desert tortoise and all desert tortoise sign were found within the survey area (Figure 4).

4.0 Discussion

Based on the October 26, 2018 *Preparing For Any Action That May Occur Within The Range Of The Mojave Desert Tortoise* guidelines, the action area is considered a "smaller project." A smaller project is one that is smaller than 500 acres. For smaller projects, the number of tortoises affected is likely to be too small for statistical treatment; the goal with surveying these areas is to determine whether desert tortoise is likely to be present and to determine any areas of concentrated use (October 26, 2018 Guidelines). Based on our results, we have determined that the action area has desert tortoise present in the 32.75 acre proposed mine expansion area.

HES recommends that consultation should be initiated with the Bureau of Land Management, USFWS, and the CDFW prior to commencing any mining activities in the action area.

5.0 Certification

CERTIFICATION: 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."

DATE 01/12/2024 SIGNED _____

PROJECT MANAGER

Fieldwork Performed By:

Juan J. Hernandez

PRINCIPAL BIOLOGIST

Elizabeth Gonzalez

SENIOR BIOLOGIST

Sarah Vasquez

ASSOCIATE BIOLOGIST

Hallie Hernandez

ASSOCIATE BIOLOGIST

6.0 References

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U.S Fish and Wildlife Service, October 26, 2018 *Preparing For Any Action That May Occur Within The Range Of The Mojave Desert Tortoise* guidelines.

FIGURES

Figure 1

Location Map
33 Acre Lynx Cat Mine Expansion Area
Hinkley, San Bernardino County, California

Legend

Project Site Boundary

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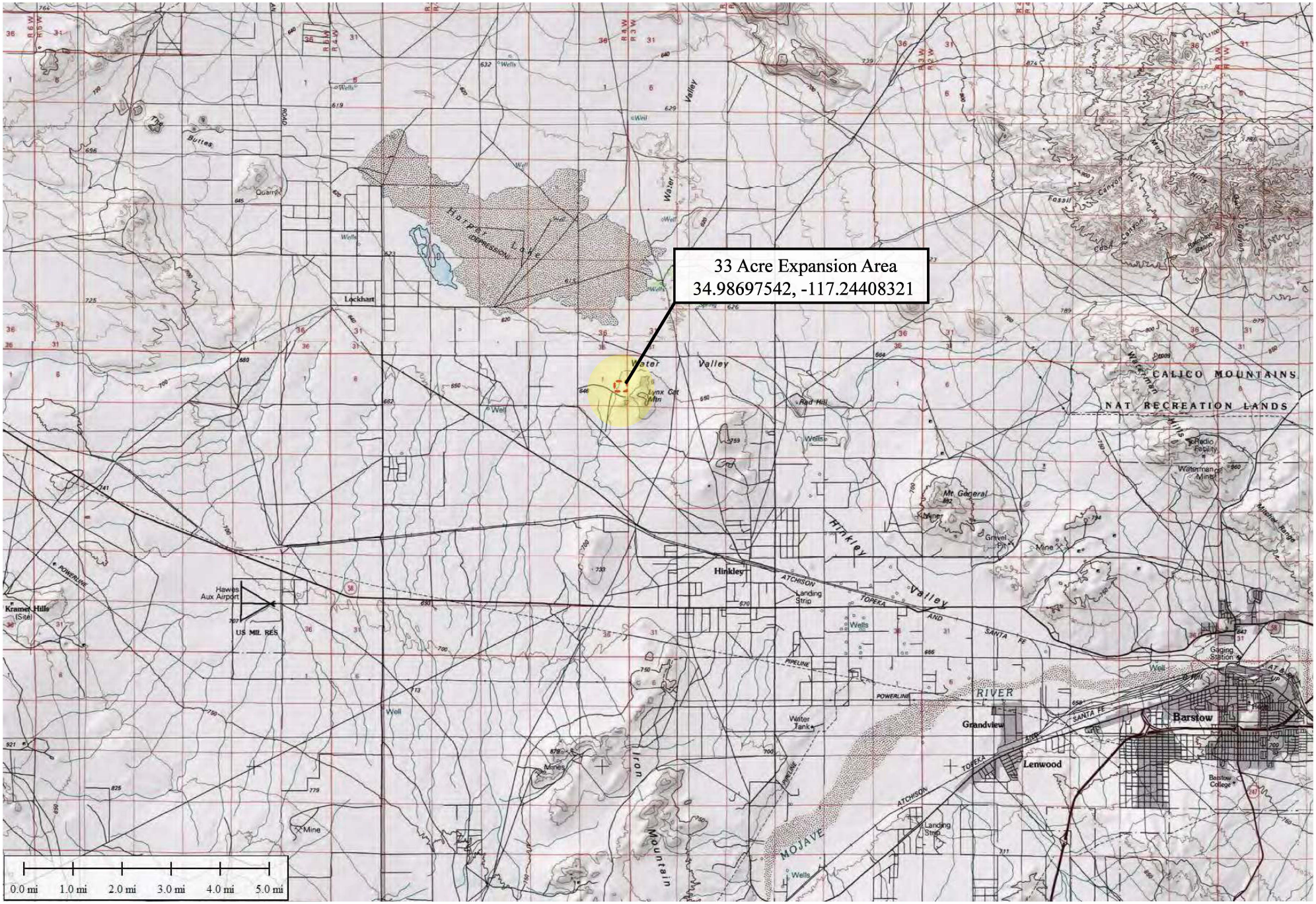

Figure 2

Vicinity Map
33 Acre Lynx Cat Mine Expansion Area
Hinkley, San Bernardino County, California

Legend

Project Site Boundary

N

Hernandez Environmental Services

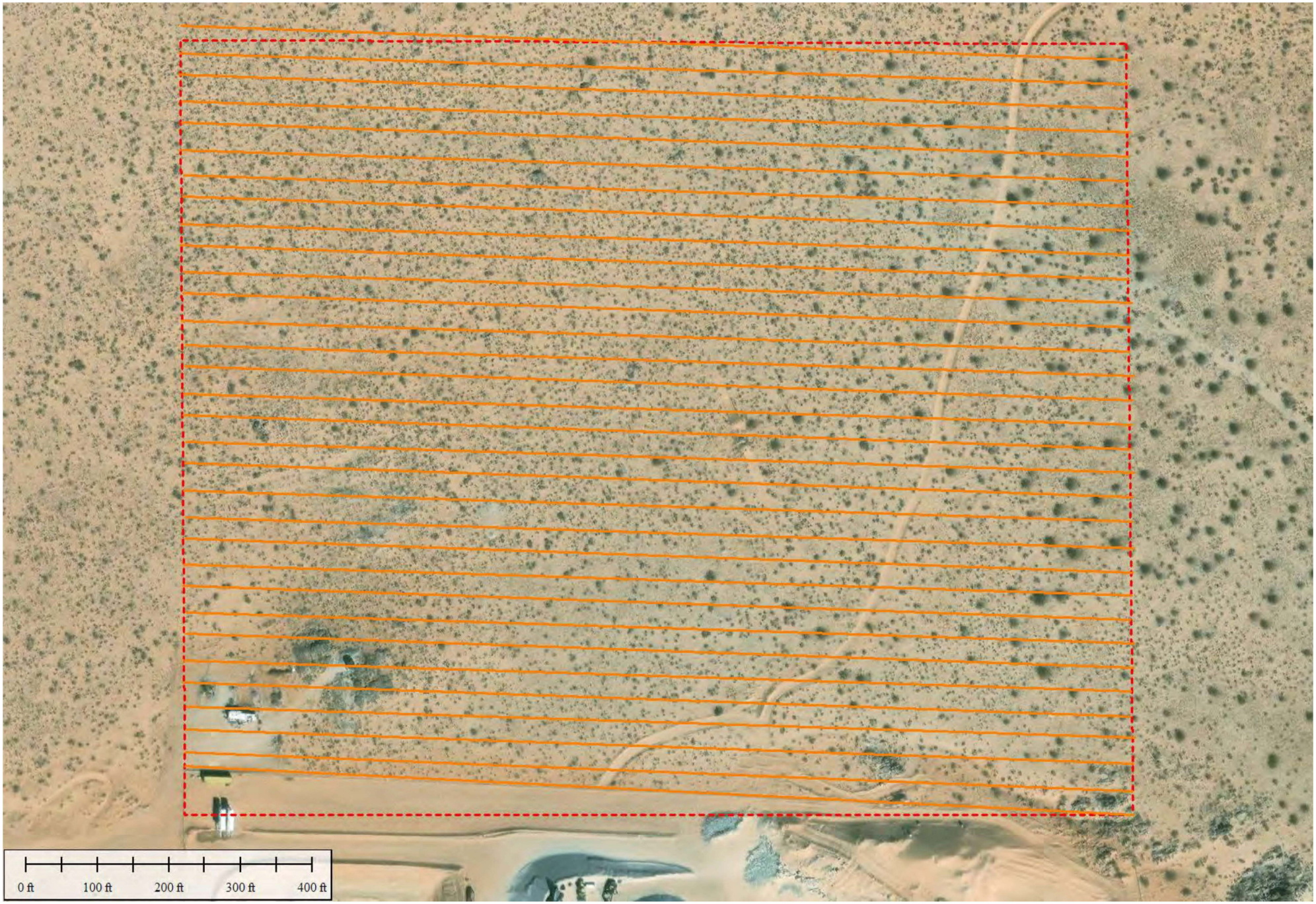

Figure 3

Desert Tortoise Survey Area Map
33 Acre Lynx Cat Mine Expansion Area
Hinkley, San Bernardino County, California

Legend

Project Site Boundary

Transect

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Hernandez Environmental Services

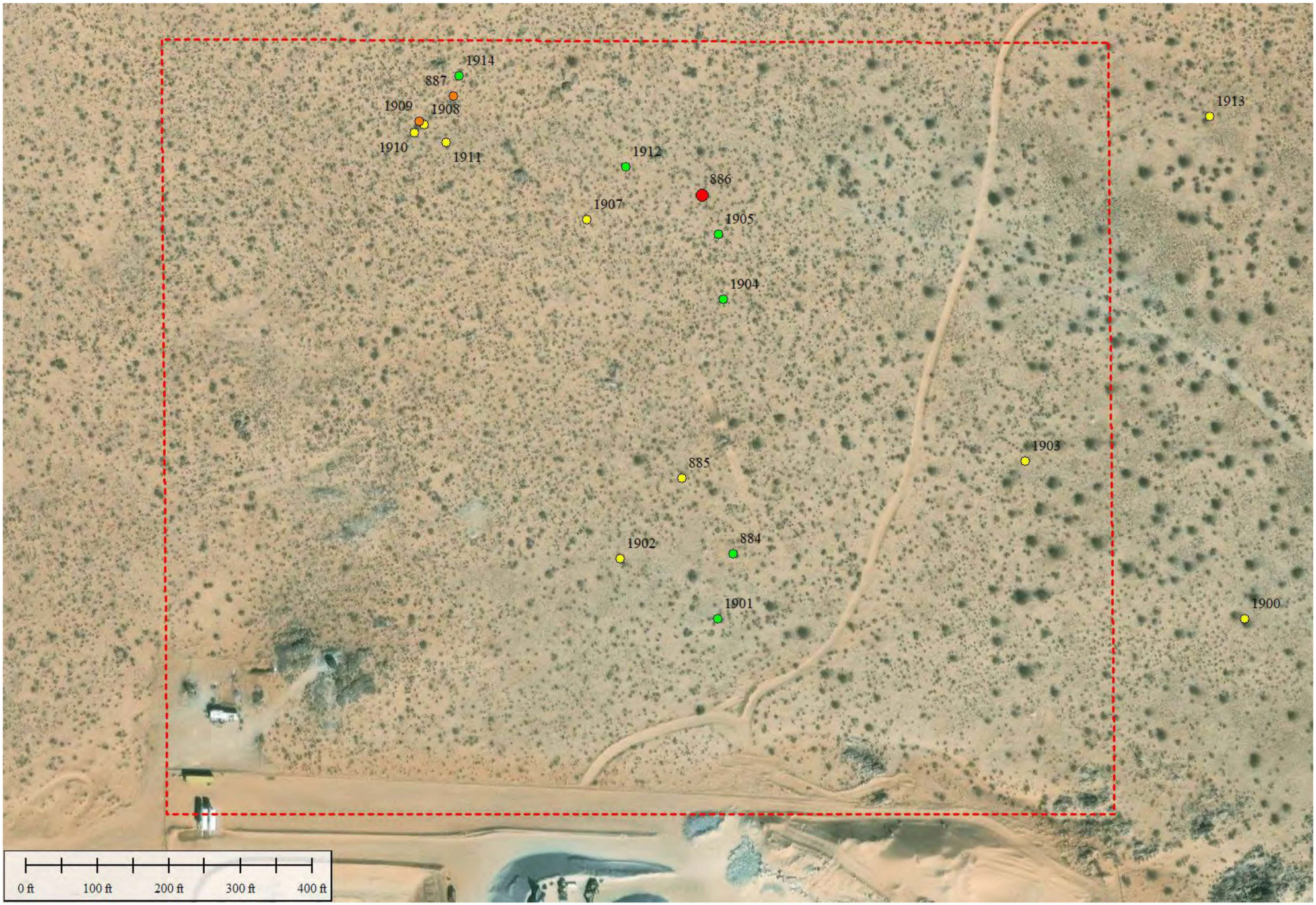

Figure 4

Desert Tortoise Survey Results Map
33 Acre Lynx Cat Mine Expansion Area
Hinkley, San Bernardino County, California

Legend

- Project Site Boundary
- Burrow (7)
- Scat (6)
- Scutes (2)
- Desert Tortoise (1)

N

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APPENDIX A

View of desert tortoise burrow found on site.

View of desert tortoise burrow found on site.

View of desert tortoise found on site.

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View of desert tortoise scats found on site.

View of desert tortoise scutes found on site.

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