

GENERAL BIOLOGICAL ASSESSMENT FOR EXPANSION AREA 3 ASSESSOR'S PARCEL NUMBER 0496-011-76

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 81.92-acre project site in the unincorporated San Bernardino County, California. The project site consists of a portion of Assessor's Parcel Number (APN) 0496-011-76.

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 *Twelve Gauge Lake* United States Geological Survey (USGS) 7.5' topographic quadrangle. The center point latitude and longitude for the project site is 34.98486711, -117.25296931 (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 *Twelve Gauge Lake* 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 12, 2024, HES conducted a field survey of the project site. The ambient temperature at 8:45 A.M. was 68 degrees Fahrenheit, sunny, with winds ranging from zero to six miles per hour from the wesst. 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 C.

3.0 Existing Conditions and Results

3.1 Environmental Setting

The project site consists of vacant land with desert scrub habitat. The site is directly bordered by vacant land. The site is approximately 0.25 miles west of an active mining quarry. There is a dirt road that goes along the eastern border of the site and a dirt road that crosses the northern portion of the site from east to west. The site is predominantly vegetated with white bursage scrub habitat. The Lynx Cat Mountain Quarry access road and office is located east of the southeast corner of the site. The site is relatively flat with onsite elevations ranging from 2,099 feet above mean sea-level (AMSL) to 2,122 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 D).

3.3 Plant and Habitat Communities

The project site consists of approximately 81.20 acres of white bursage scrub habitat and 0.72 acre of disturbed areas (Figure 3).

White bursage Scrub

The project site contains approximately 81.20 acres of white bursage scrub. This habitat on site is dominated by white bursage (*Ambrosia dumosa*). Other plant species in this habitat include rabbit thorn (*Lycium pallidum var. oligospermum*), cheesbush (*Ambrosia salsola*), and big galleta (*Hilaria rigida*), The herbaceous layer was dominated by Mediterranean grass (*Schismus* sp.).

Disturbed areas

There is approximately 0.72 acre of disturbed areas on site. These areas are devoid of vegetation and include dirt roads that cross the site.

3.4 Wildlife

The general wildlife species documented on the project site or within the vicinity of the site include Mojave green rattlesnake (*Crotalus scutulatus*), western whiptail (*Cnemidophorus tigris*), and Mohave patch nosed snake (*Salvatora hexalepis mojavensis*).

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 south of active mining activities. There is vacant open desert to the north and west of the project site. 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 5 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 18 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 *Twelve Gauge Lake* 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. 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.

3.6.1 Sensitive Plant Resources

According to the literature review no plant species listed as Candidate, Rare, Threatened, or Endangered under the state and federal endangered species laws have the potential to occur on

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

White pygmy-poppy

White pygmy poppy (*Canbya candida*) is ranked 4.2 in the CNPS Rare Plant Inventory. Its habitats include Joshua tree woodland, Mojavean desert scrub, and pinyon and juniper woodland. There is suitable habitat present on the project site. **This species has the potential to be present.**

3.6.2 Sensitive Wildlife Resources

According to CNDDB a total of nine 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. **This species is not present.**

Crotch's bumble bee

Crotch's bumble bee (*Bombus crotchii*) is a state listed Candidate Endangered Species. Its food plant genera include *Antirrhinum*, *Phacelia*, *Clarkia*, *Dendromecon*, *Eschscholzia*, and *Eriogonum*. The site does not contain a density of flowering plants suitable for supporting this species. There is no suitable habitat for this species on site. **This species is not present**.

Western bumble bee

Western bumble bee (*Bombus occidentalis*) is a state listed Candidate Endangered Species. The site does not contain a density of flowering plants suitable for supporting this species. There is no suitable habitat for this species 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 2024. Suitable desert tortoise burrows and desert tortoise sign 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**.

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. **This species has the potential to be 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

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 81.92-acre project site consisting of 81.20 acres of white bursage scrub habitat and 0.72 acre of disturbed areas.

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

The following sensitive plant species have the potential to occur on site:

White pygmy-poppy

White pygmy poppy 4.2 in the CNPS Rare Plant Inventory. Its habitats include Joshua tree woodland, Mojavean desert scrub, and pinyon and juniper woodland. There is suitable habitat present on the project site. This species has the potential to be present. However, this species is not a federal or state listed species and is therefore not regulated under the federal or state Endangered Species Acts. Furthermore, white pygmy-poppy is not a BLM Sensitive species. The nearest recorded occurrence on CNDDB is over 15 miles from the site. This species is only listed as a 4.2 ranked species on the CNPS Rare Plant List. A California Rare Plant Rank of 4 is for species of limited distribution that do not meet the criteria of rare, threatened, or endangered under CEQA Guidelines§15380. The white bursage scrub habitat on site that has the potential to support this species is not sensitive or rare. Therefore, potential impacts to this species with a Rare Plant Rank of 4 would not be considered substantial impacts under CEQA and no mitigation would be required.

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 were found on site during focused desert tortoise surveys performed in 2024. The proposed mine expansion may result in impacts to this species. This species is protected by the Federal Endangered Species Act of 1973 and the California Endangered Species Act (CESA). Incidental Take Permits (ITP) for desert tortoise would need to be obtained prior to any project activities.

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.

Mohave ground squirrel

Mohave ground squirrel is a state listed Threatened species. This species habitat include chenopod scrub, Joshua tree woodland, and Mojavean desert scrub. A focused survey would need to be performed by an approved biologist to determine the presence or absence of this species on site. The proposed mine expansion may result in impacts to this species If Mohave ground squirrel are found, a CESA (ITP) from CDFW for Mohave ground squirrel would need to be obtained prior to any project activities.

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 or directly adjacent to 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.

Nesting Birds

• 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.

Loggerhead shrike

• The mitigation measures for nesting birds outlined above will ensure no impacts to loggerhead shrike occur.

American badger

• 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.

Desert tortoise

- In order to establish appropriate avoidance and minimization measures and/or mitigation measures for desert tortoise 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. Any impacts to desert tortoise would require a Federal Endangered Species Act Section 10 ITP and CESA 2081 ITP.
- To obtain a Section 7 Biological Opinion from the USFWS, the project would have to establish a federal nexus such as a discretionary permit issued from a federal agency or show the project will receive federal funding.

Mohave ground squirrel

- In order to establish appropriate avoidance and minimization measures and/or mitigation measures for Mohave ground squirrel focused surveys should be performed by a qualified biologist during the appropriate season to determine presence or absence on site.
- If this species is determined to be present on site consultation should be initiated with the CDFW prior to commencing any ground disturbing activities in the project area. Any impacts to Mohave ground squirrel would require a CESA 2081 ITP

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	9/16/2024	Signed	June Harrison
			PROJECT MANAGER
Fieldw	ork Performed By:		
Juan E	Iernandez		
Princip	ole Biologist		
Elizab	eth Gonzalez		
Senior	Biologist		
Sarah	Vasquez		
Assoc	iate Biologist		
Cariss	a Gomez		
Associ	iate Biologist		

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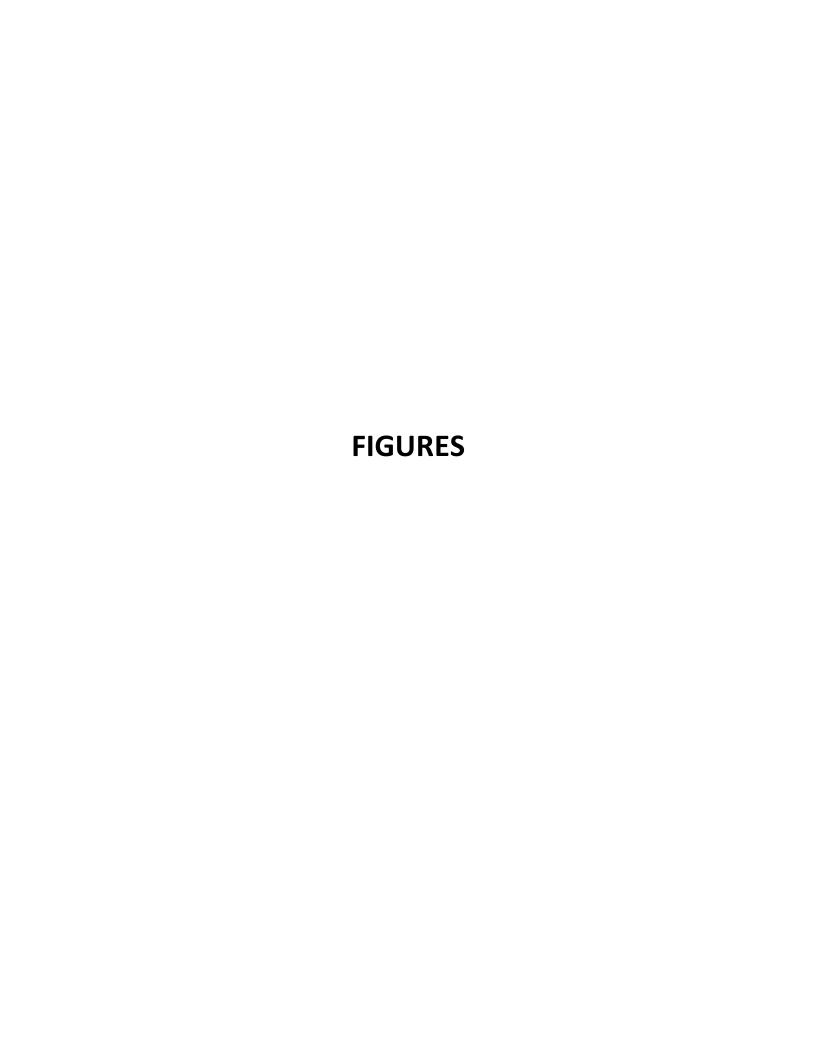
U.S. Bureau of Land Management. 2016. Desert Renewable Energy Conservation Plan Land Use Plan Ammendment to the California Desert Conservation Area Plan, Bishop Resource Management Plan, and Bakersfield resource Management Plan. U.S. Bureau of Land Management.

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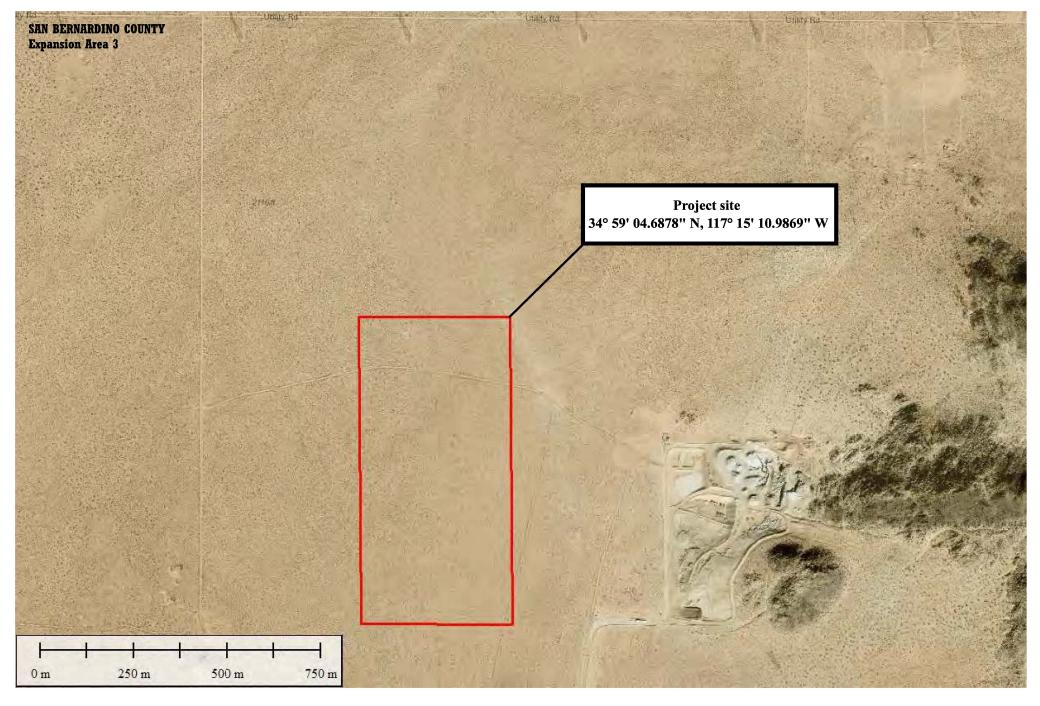
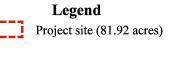
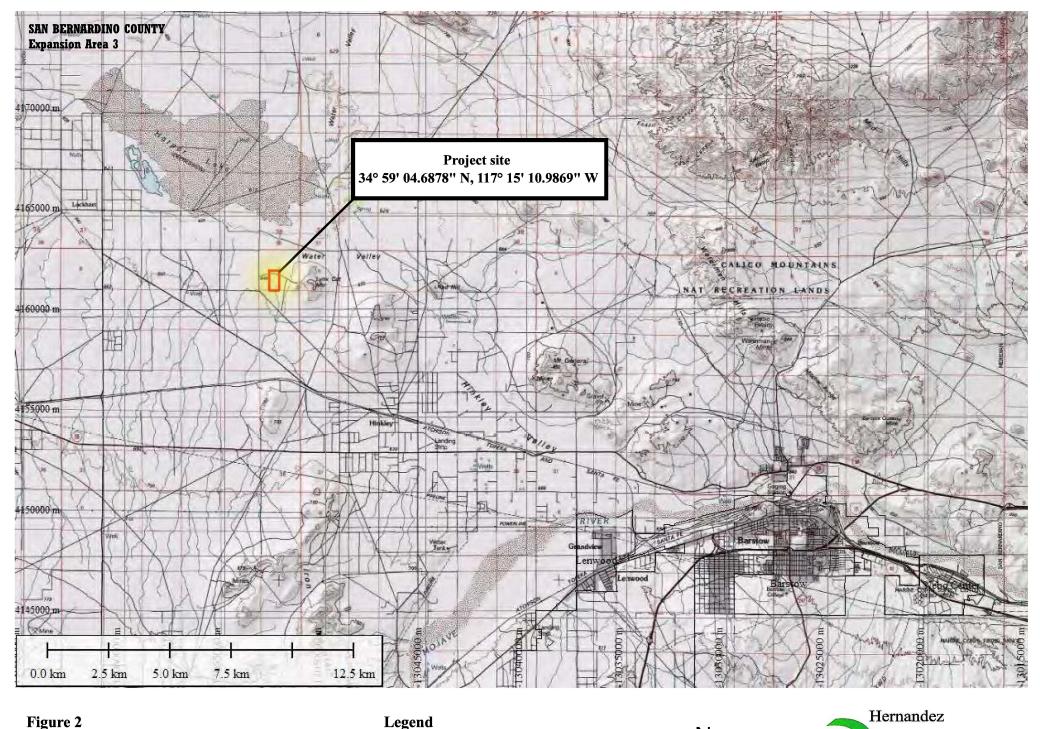


Figure 1
Location Map
Lynx Cat Mtn., along Utility Road
0496-011-70
Unincorporated area, San Bernardino County, California





Hernandez
Environmental
Services



Project site (81.92 acres)

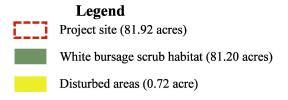
Vicinity Map
Lynx Cat Mtn., along Utility Road
0496-011-70
Unincorporated area, San Bernardino County, California



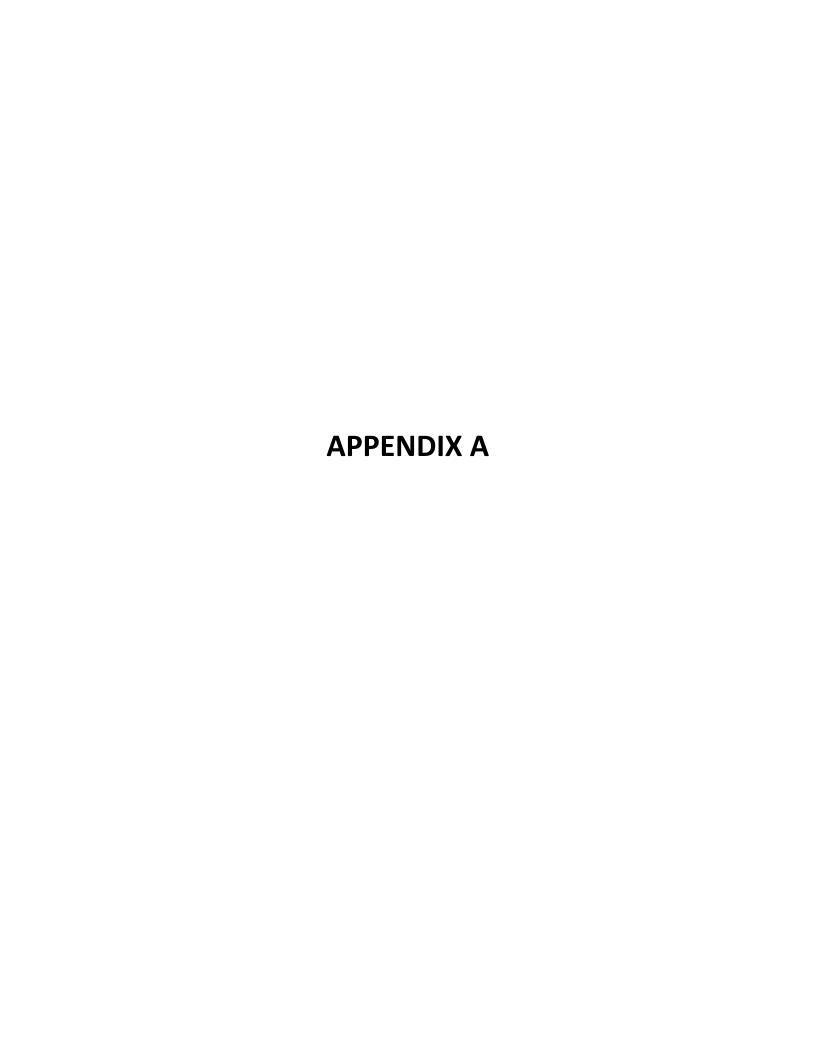
Hernandez
Environmental
Services



Figure 3Habitat Map
Lynx Cat Mtn., along Utility Road
0496-011-70
Unincorporated area, San Bernardino County, California







Observed Species List

Plant List

Scientific Name Common Name

Ambrosia dumosa White bursage

Ambrosia salsola Cheesebush

Amsinckia tessellate Bristly fiddleneck

Baileya multiradiata Desert marigold

Larrea tridentata Creosote

Hilaria rigida Big galleta

Lycium pallidum var. oligospermum Rabbit thornbush

Pectis papposa Manybristle chinchweed

Salsola tragus Russian thistle

Schismus sp. Mediterranean grass

Tiquilia plicata Fanleaf crinklemat

Wildlife List

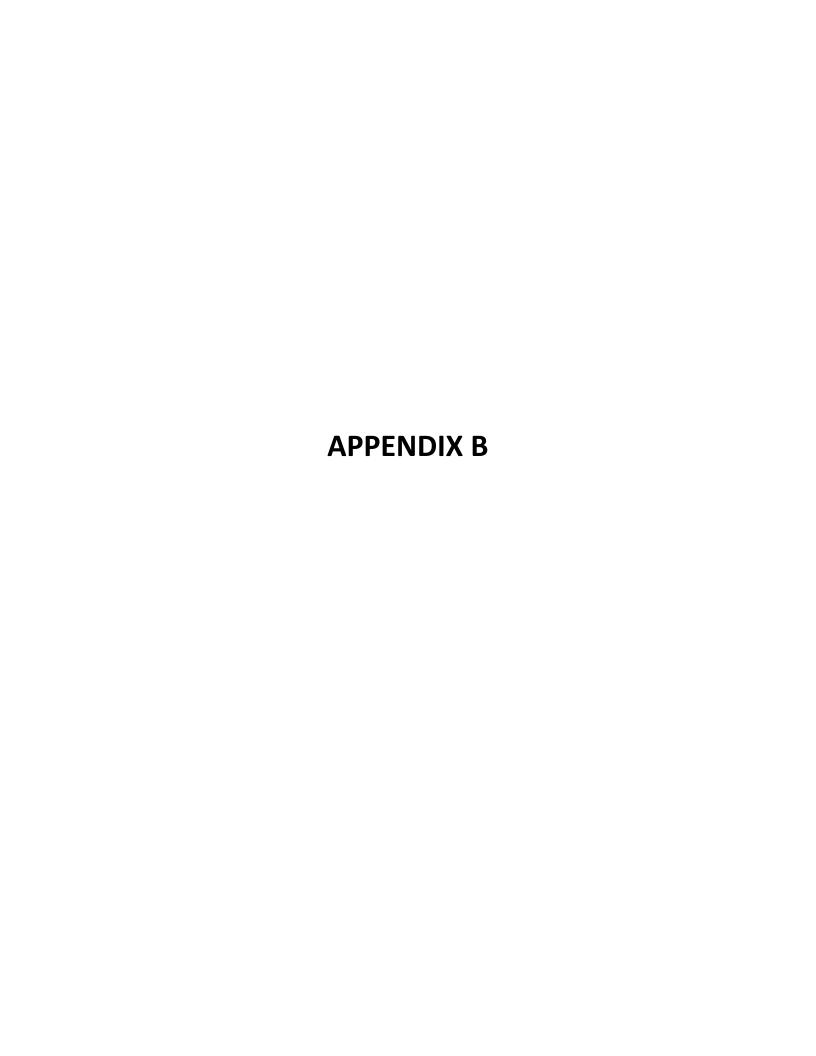
Scientific Name Common Name

Cnemidophorus tigris Western whiptail

Crotalus scutulatus Mojave green rattlesnake

Polioptila melanura Black-tailed gnatcatcher

Salvatora hexalepis mojavensis Mohave patch-nosed snake



Scientific Name	Common Name	Taxon Group	Federal List	State List	Rare Plant Rank	Other Status	Habitats	General Habitat	Micro Habitat	Presence/ Absence
Canbya candida	white pygmy- poppy	Dicots	None	None	4.2	SB_CalBG/RSA BG- California/Ranc ho Santa Ana Botanic Garden USFS_S- Sensitive	Joshua tree woodland Mojavean desert scrub Pinon & juniper woodlands	Joshua tree woodland, Mojavean desert scrub, pinyon and juniper woodland.	Gravelly, sandy, granitic places. 600-1460 m.	Suitable habitat occurs on site. This species has the potential to be present.
Cymopterus deserticola	desert cymopterus	Dicots	None	None	1B.2	BLM_S- Sensitive SB_CalBG/RSA BG- California/Ranc ho 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 dunes occur on site. No suitable habitat is present on site. This species is not present.
Diplacus mohavensis	Mojave monkeyflowe r	Dicots	None	None	1B.2	BLM_S- Sensitive SB_CalBG/RSA BG- California/Ranc ho 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 washes occur on site. 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 Habitat	Micro Habitat	Presence/ Absence
Eriophyllum mohavense	Barstow woolly sunflower	Dicots	None	None	1B.2	BLM_S- Sensitive SB_CalBG/RSA BG- California/Ranc ho 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 creosote bush scrub or saltbush scrub occurs on site. No suitable habitat occurs on site. This species is not present.
Pediomelum castoreum	Beaver Dam breadroot	Dicots	None	None	1B.2	BLM_S- Sensitive SB_CalBG/RSA BG- California/Ranc ho 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 roadcuts occur on site. No suitable habitat occurs on site. This species is not present.
Transmontane Alkali Marsh	Transmontan e Alkali Marsh	Marsh	None	None			Marsh & swamp Wetland			Not present.

Scientific Name	Common Name	Taxon Group	Federal List	State List	Other Status	Habitats	General Habitat	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.
Aquila chrysaetos	golden eagle	Birds	None	None	BLM_S-Sensitive CDF_S- Sensitive CDFW_FP-Fully Protected CDFW_WL- Watch List IUCN_LC-Least Concern	Broadleaved upland forest Cismontane woodland Coastal prairie Great Basin grassland Great Basin scrub Lower montane coniferous forest Pinon & juniper woodlands Upper montane coniferous forest Valley & foothill grassland	Rolling foothills, mountain areas, sage-juniper flats, and desert.	Cliff-walled canyons provide nesting habitat in most parts of range; also, large trees in open areas.	No suitable habitat occurs on site. This species is not present.

Scientific Name	Common Name	Taxon Group	Federal List	State List	Other Status	Habitats	General Habitat	Micro Habitat	Presence/ Absence
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 burrowing owl or burrowing owl sign was observed on site during the general biological survey or focused desert tortoise surveys. No suitable habitat occurs on site. This species is not present.
Bombus crotchii	Crotch's bumble bee	Insects	None	Candidate Endangered	IUCN_EN- Endangered		Coastal California east to the Sierra- Cascade crest and south into Mexico.	Food plant genera include Antirrhinum, Phacelia, Clarkia, Dendromecon, Eschscholzia, and Eriogonum.	No suitable habitat occurs on site. This species is not present.
Bombus occidentalis	western bumble bee	Insects	None	Candidate Endangered	IUCN_VU- Vulnerable USFS_S- Sensitive		Once common and widespread, species has declined precipitously from central CA to southern B.C., perhaps from disease.		No suitable habitat occurs on site. This species is not present.

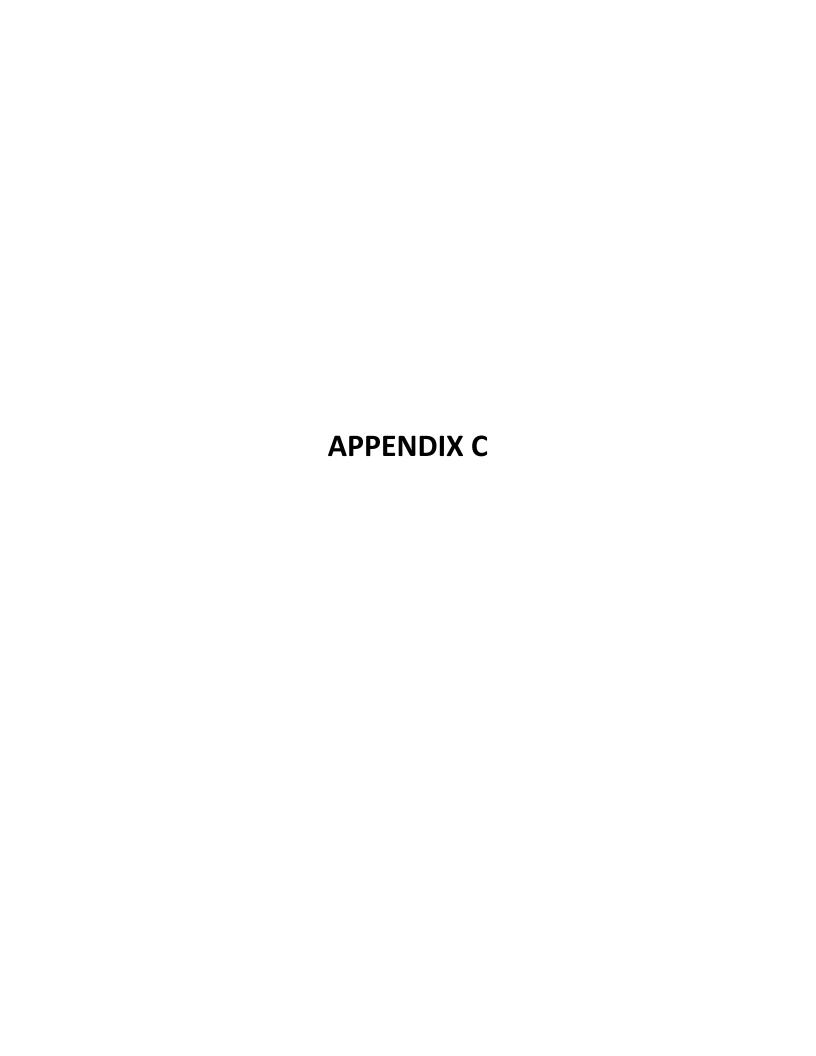
Scientific Name	Common Name	Taxon Group	Federal List	State List	Other Status	Habitats	General Habitat	Micro Habitat	Presence/ Absence
Charadrius montanus	mountain plover	Birds	None	None	BLM_S-Sensitive CDFW_SSC- Species of Special Concern IUCN_NT-Near Threatened USFWS_BCC- Birds of Conservation Concern	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.
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.
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.

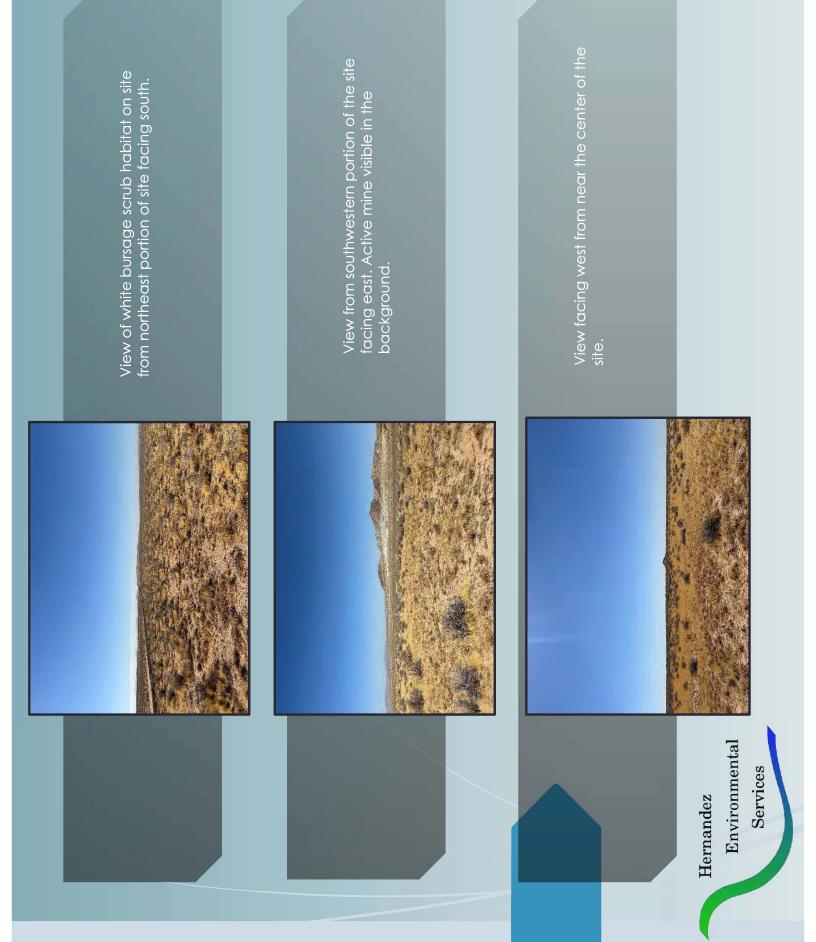
Scientific Name	Common Name	Taxon Group	Federal List	State List	Other Status	Habitats	General Habitat	Micro Habitat	Presence/ Absence
Falco mexicanus	prairie falcon	Birds	None	None	CDFW_WL- Watch List IUCN_LC-Least Concern	Great Basin grassland Great Basin scrub Mojavean desert scrub Sonoran desert scrub 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 cliffs occur on site. No suitable breeding habitat occurs on or near the site. This species is not present.
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.	found on site during the focused desert tortoise

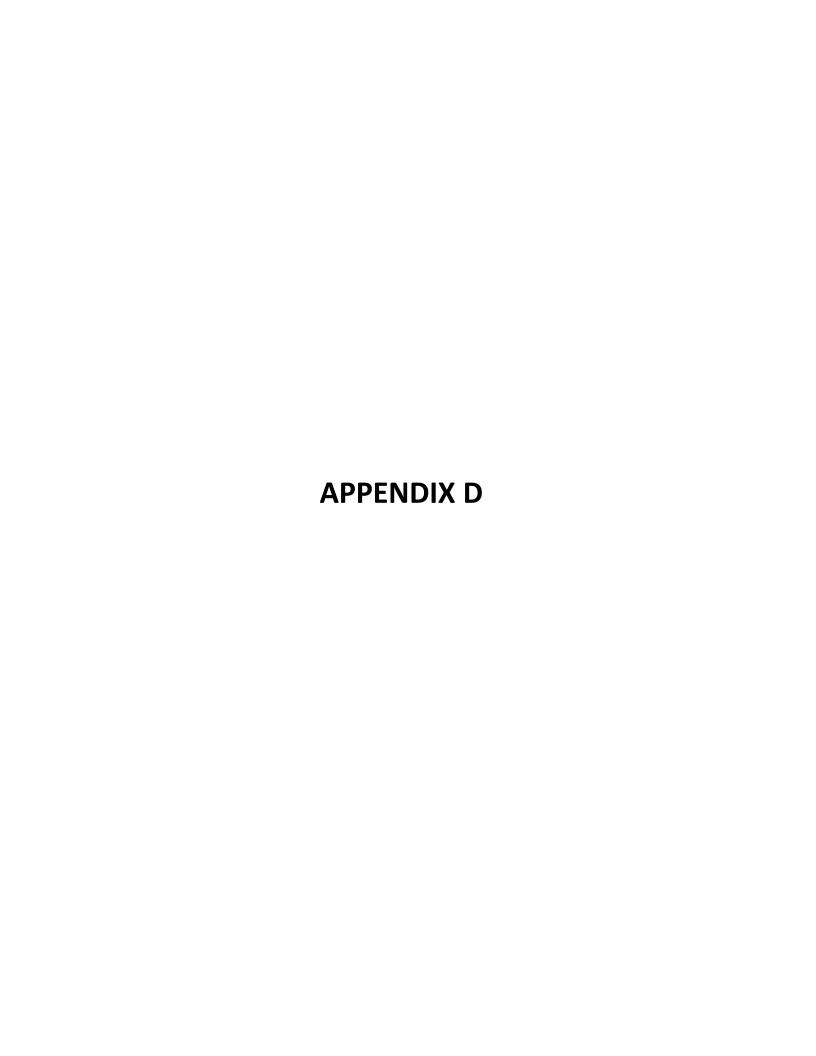
Scientific Name	Common Name	Taxon Group	Federal List	State List	Other Status	Habitats	General Habitat	Micro Habitat	Presence/ Absence
Lanius ludovicianus	loggerhead shrike	Birds	None	None	CDFW_SSC- Species of Special Concern IUCN_NT-Near Threatened	Broadleaved upland forest Desert wash Joshua tree woodland Mojavean desert scrub Pinon & juniper woodlands Riparian woodland Sonoran desert	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 is present on site. This species has the potential to be present.
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.
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.

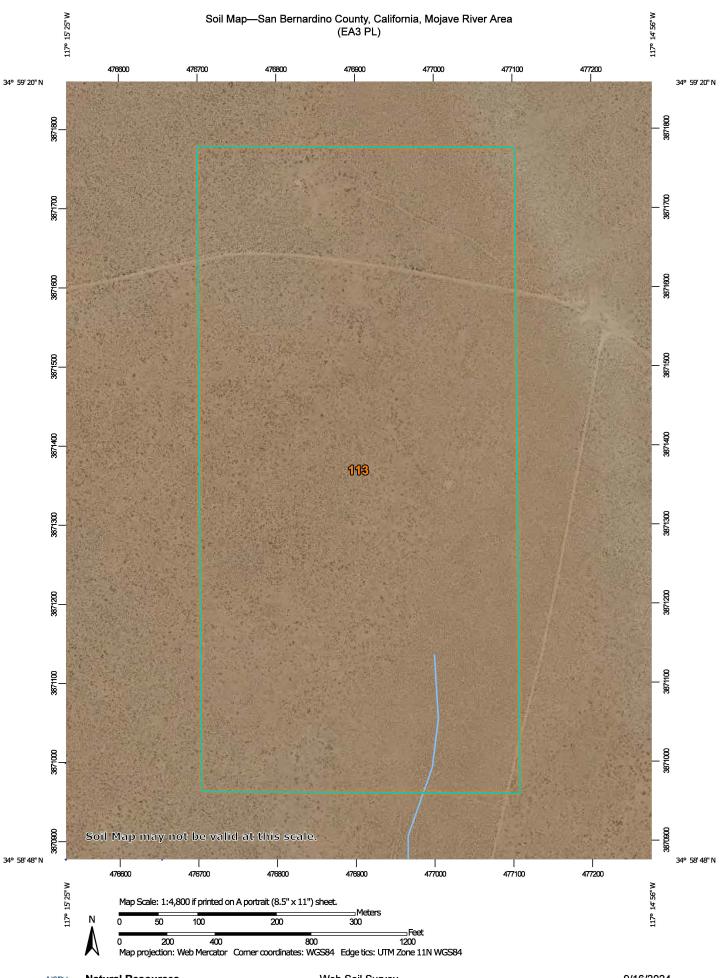
Scientific Name	Common Name	Taxon Group	Federal List	State List	Other Status	Habitats	General Habitat	Micro Habitat	Presence/ Absence
Rallus obsoletus yumanensis	Yuma Ridgway's rail	Birds	Endangered	Threatened	CDFW_FP-Fully Protected	Freshwater marsh Marsh & swamp Wetland	Nests in freshwater marshes 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.
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.
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 habitat is present on site. This species has the potential to be present.

Scientific Name	Common Name	Taxon Group	Federal List	State List	Other Status	Habitats	General Habitat	Micro Habitat	Presence/ Absence
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 sand dunes occur on site. No suitable habitat occurs on site. This species is not present.
Xerospermoph ilus mohavensis	Mohave ground squirrel	Mammals	None	Threatened	BLM_S-Sensitive IUCN_NT-Near Threatened		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.	Suitable habitat is present on site. This species has the potential to be present.







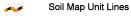


MAP LEGEND

Area of Interest (AOI)

Soils

Soil Map Unit Polygons



Area of Interest (AOI)

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

Sandy Spot

Severely Eroded Spot

Sinkhole

Slide or Slip

Sodic Spot

Stony Spot

Very Stony Spot

Spoil Area

Wet Spot
Other

Special Line Features

Water Features

Δ

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

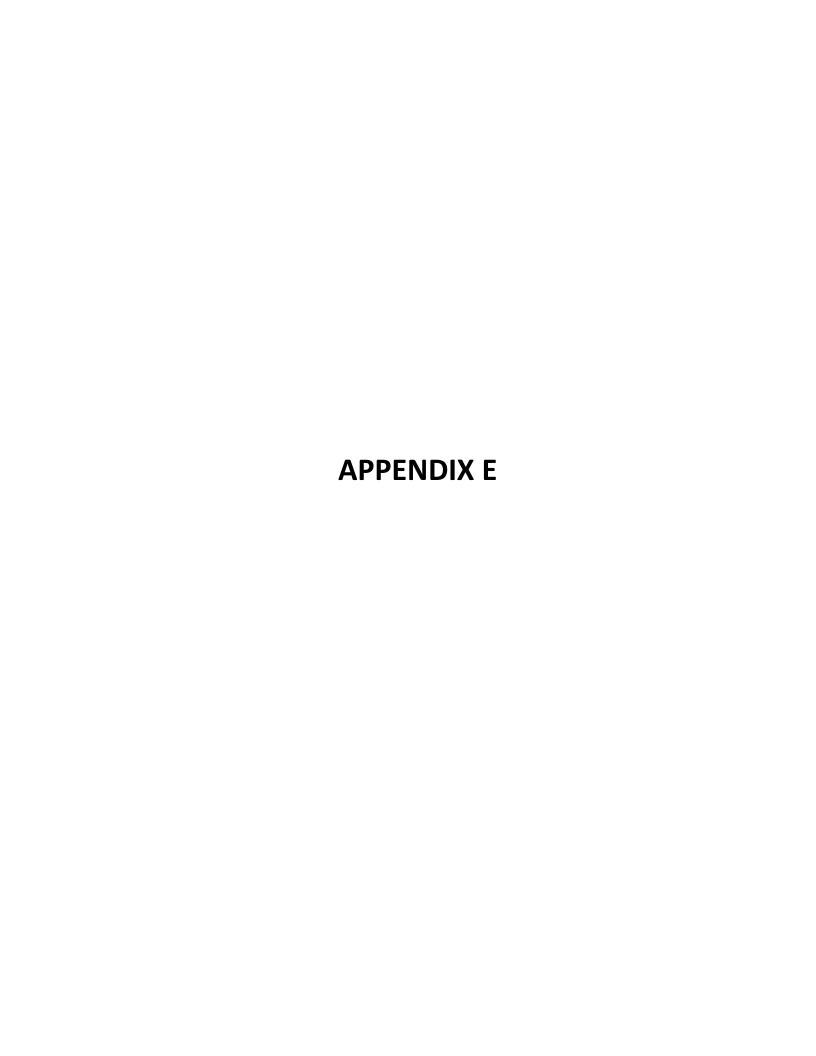
Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

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	81.7	100.0%			
Totals for Area of Interest		81.7	100.0%			





DESERT TORTOISE PRESENCE/ABSENCE SURVEYS FOR EXPANSION AREA 3 ASSESSOR'S PARCEL NUMBER 0496-011-76

LYNX CAT MOUNTAIN QUARRY SAN BERNARDINO COUNTY CALIFORNIA

Prepared for:

Mr. Joe Mathewson Lynx Cat Mountain Quarry Operations, LLC Hinkley, CA

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

> > **SEPTEMBER 2024**

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FIGURES

Figure 1 – Location Map

Figure 2 – Vicinity Map

Figure 3 – Desert Tortoise Survey Area Map

Figure 4 – Desert Tortoise Survey Results Map

APPENDICES

Appendix A – Site Photographs

Executive Summary

Hernandez Environmental Services (HES) was contracted by Lynx Cat Mountain Quarry Operations, LLC 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 81.92 acres in size.

On September 12, 2024, four HES biologists surveyed the entire 81.92-acre action area. A total of sixteen burrows and thirty-three scat were found during the field survey. All desert tortoise sign 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 Lynx Cat Mountain Quarry Operations, LLC to conduct desert tortoise (*Gopherus agassizii*) presence/absence surveys for the Lynx Cat Mountain Mine proposed Expansion Area 3 located east 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 81.92 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. Specifically, the project site is located within section 1, township 10 north, range 4 west in the *Twelve Gauge Lake* United States Geological Survey (USGS) 7.5' topographic quadrangle. The center point latitude and longitude for the project site is 34.98486711, -117.25296931 (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 *Twelve Gauge Lake* 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 September 12, 2024, four HES biologists surveyed the entire 81.92-acre action area. Survey conditions were as follows:

Date	Start Time	End Time	Temperature (Fahrenheit)	Weather Conditions
September 12, 2024	8:45 a.m.	3:25 p.m.	68-91 degrees	Clear skies

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

3.0 Existing Conditions and Results

3.1 Environmental Setting

The project site consists of vacant land with desert scrub habitat. The site is directly bordered by vacant land. The site is approximately 0.25 miles west of an active mining quarry. There is a dirt road that goes along the eastern border of the site and a dirt road that crosses the northern portion of the site from east to west. The site is predominantly vegetated with white bursage scrub habitat. The Lynx Cat Mountain Quarry access road and office is located east of the southeast corner of the site. The site is relatively flat with onsite elevations ranging from 2,099 feet above mean sealevel (AMSL) to 2,122 feet AMSL.

The white bursage 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 81.92-acre action area was surveyed for 100 percent coverage (Figure 3). A total of sixteen burrows and thirty-three scats were found during the field survey. All desert tortoise sign were found within the survey area (Figure 4). The scats found on site ranged from white and deteriorating to very dark brown and well intact.

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 81.92 acre proposed mine expansion area.

In order to establish appropriate avoidance and minimization measures and/or mitigation measures for desert tortoise 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. Any impacts to desert tortoise would require a Federal Endangered Species Act Section 10 ITP and CESA 2081 ITP.

To obtain a Section 7 Biological Opinion from the USFWS, the project would have to establish a federal nexus such as a discretionary permit issued from a federal agency or show the project will receive federal funding.

5.0 Certification

ASSOCIATE BIOLOGIST

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."

LIMA.

DATE <u>09/13/2024</u>	SIGNED	Jung Harris	
		PROJECT MANAGER	
Fieldwork Performed By	:		
Juan J. Hernandez			
PRINCIPAL BIOLOGIS	T		
Elizabeth Gonzalez			_
SENIOR BIOLOGIST			
Sarah Vasquez			
ASSOCIATE BIOLOGIS	Т		
Carissa Gomez			
Cai issa Guillez			-

6.0 References

California Department of Fish and Wildlife (CDFW), Natural Diversity Database (CNDDB). Accessed September 2024 California Department of Fish and Wildlife, Sacramento, California.

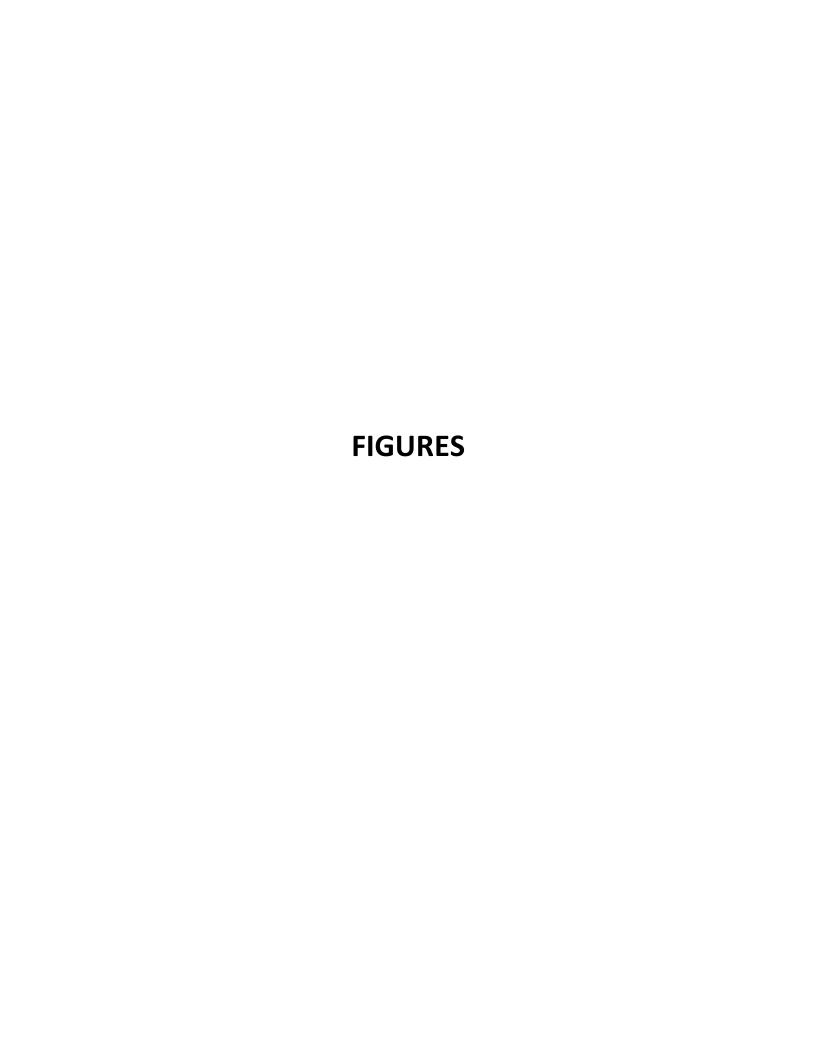
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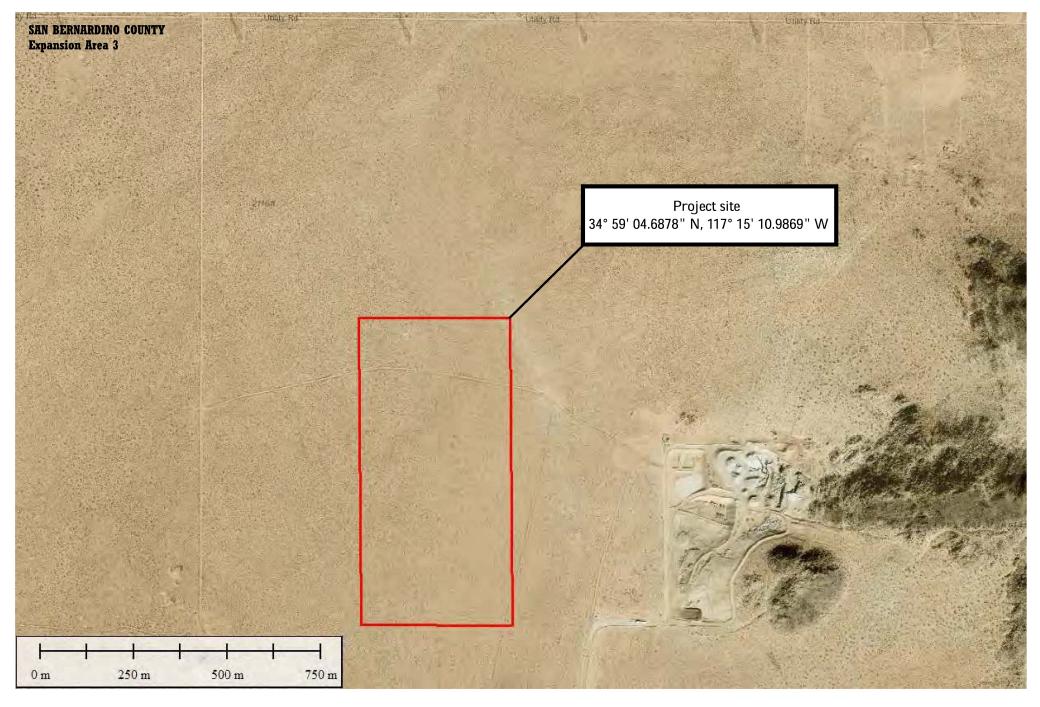
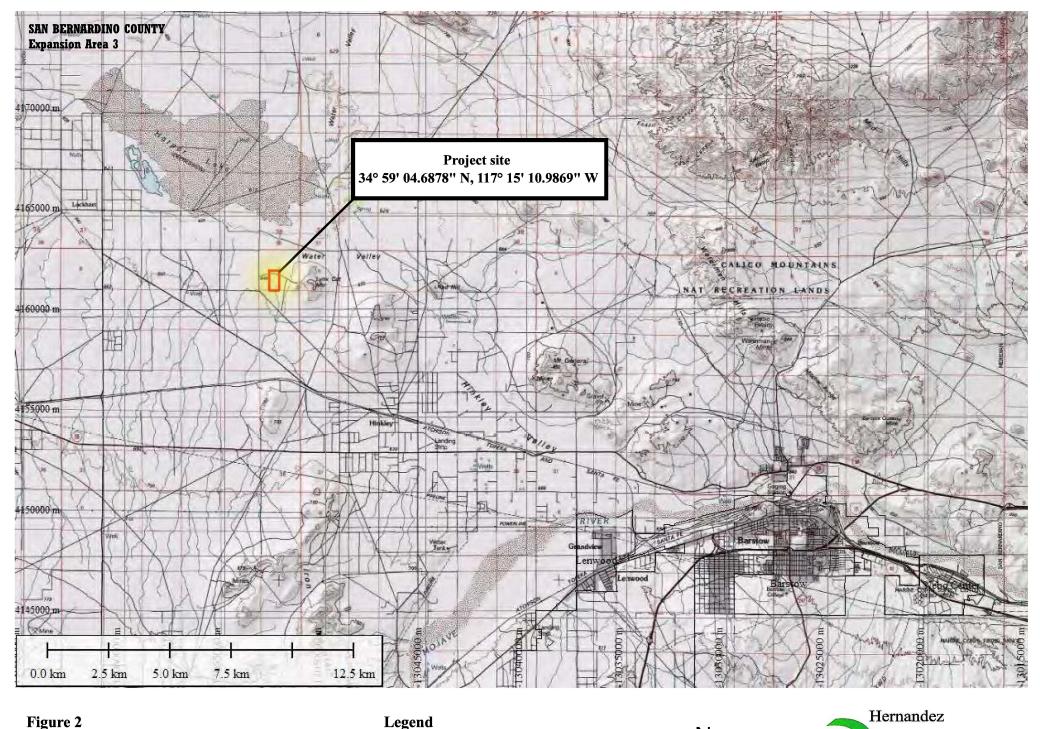


Figure 1 Location Map Lynx Cat Mtn., along Utility Road 0496-011-70 Unincorporated area, San Bernardino County, California

Legend
Project site (81.92 acres)

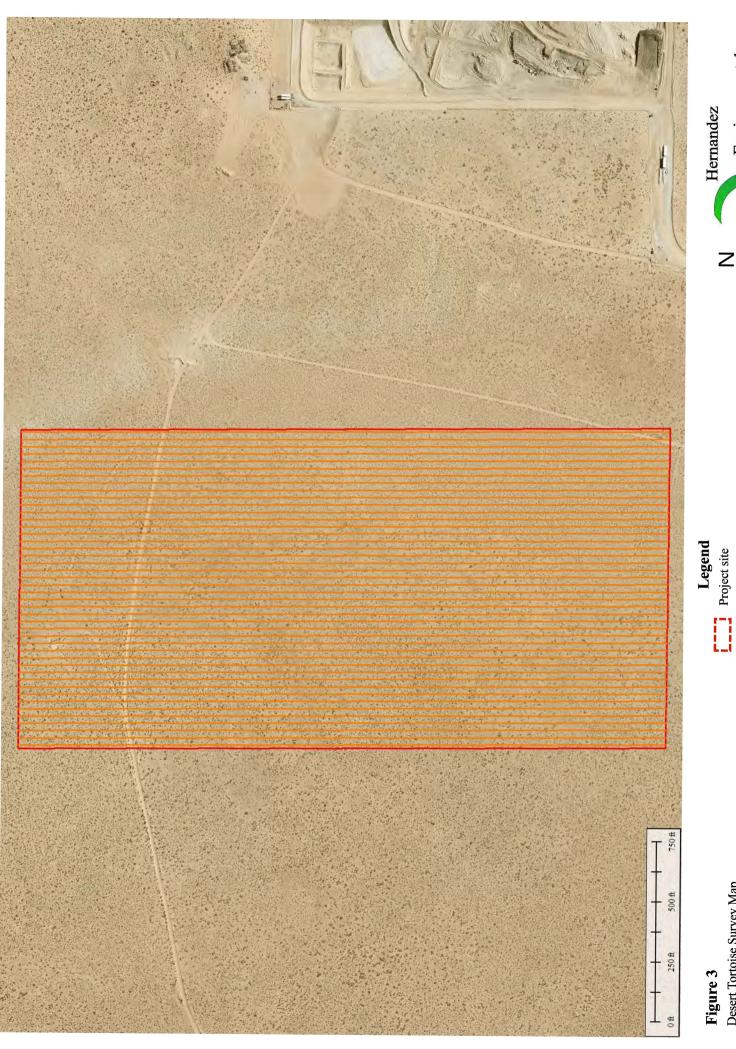




Project site (81.92 acres)

Vicinity Map
Lynx Cat Mtn., along Utility Road
0496-011-70
Unincorporated area, San Bernardino County, California





Transect

Environmental Services

> Unincorporated area, San Bernardino County, California 0496-011-70

Lynx Cat Mtn., along Utility Road Desert Tortoise Survey Map

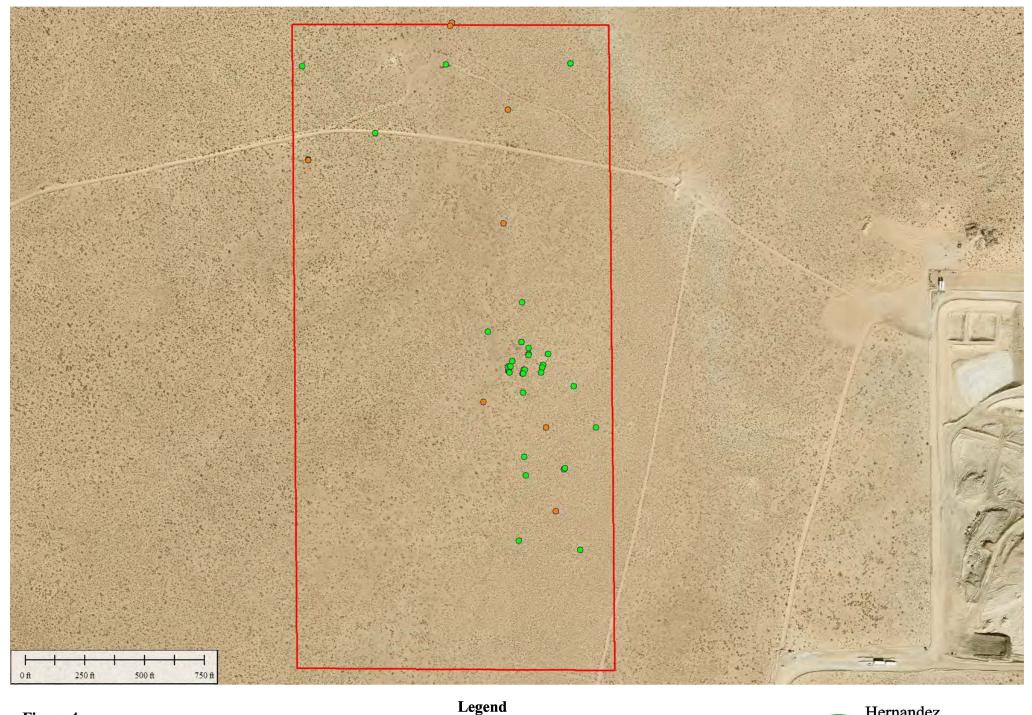
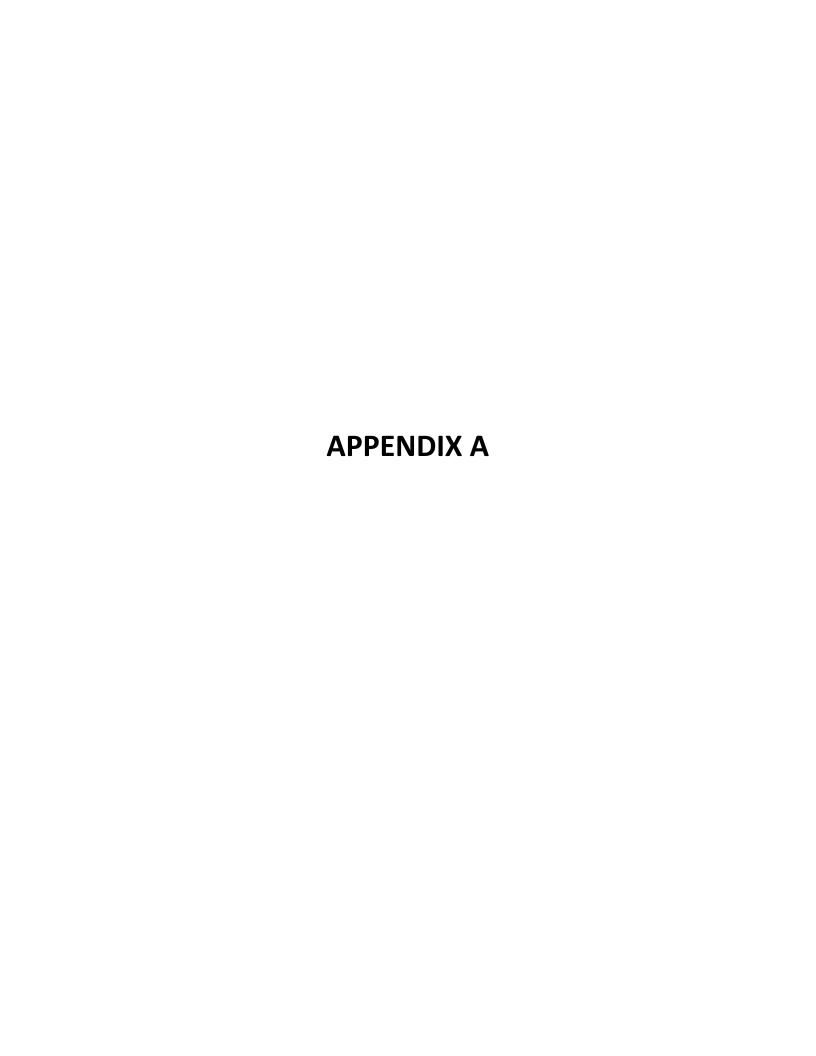
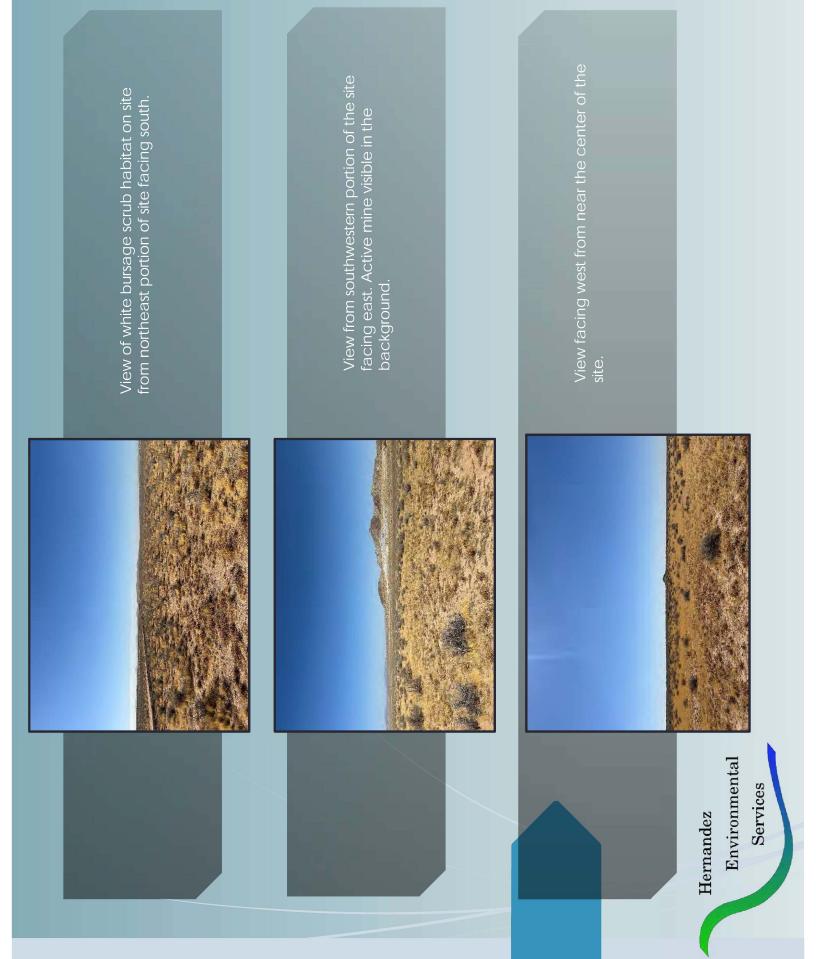


Figure 4
Desert Tortoise Survey Results Map
Lynx Cat Mtn., along Utility Road
0496-011-70
Unincorporated area, San Bernardino County, California











View of scat next to handheld GPS.



View of scat



View of class 4 burrow found on site. The burrow is the appropriate size and shape of a desert tortoise burrow but had a pile of kit fox scat adjacent to it.



iew of class 5 burrow found on sit