APPENDIX B: Biological Resources Assessment Report

Available on the City of Twentynine Palms Website:

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Yonder Glamping Resort Project

BIOLOGICAL RESOURCES ASSESSMENT REPORT

CITY OF TWENTYNINE PALMS, SAN BERNARDINO COUNTY, CALIFORNIA

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1.0 INTRODUCTION

WSP USA (WSP) was contracted by Terra Nova Planning and Research to conduct a biological resources assessment for the proposed Yonder Glamping Resort Project (project) in Twentynine Palms, San Bernardino County, California. This Biological Resources Assessment Report (BRAR) provides methods, results, and discussion of the assessment. All report figures are provided in Appendix A of this report.

1.1 Project Location and Topography

The project is situated entirely within the City of Twentynine Palms, San Bernardino County, California (Figure 1, Regional Map). The project site is positioned between State Route (SR) 62 and Sullivan Road to the north and south, respectively, and is bordered by Shoshone Valley Road to the east and Monte Vista Drive to the west (Figure 2, Vicinity Map). It occupies the southeast corner of the 7.5-minute Sun Fair United States Geological Survey (USGS) quadrangle, located in Township 1 North, Range 8 East, within Section 33 (Figure 3, USGS Map). The project is specifically located on Assessor's Parcel Number (APN): 061-412-115.

The project topography is roughly level overall, with a slight decline to the north. Elevations range from approximately 2,615 feet (796 meters) above mean sea level (AMSL) in the south, to 2,509 feet (764 meters) AMSL in the north.

1.2 Project Description

The proposed project consists of the development of a 150-acre glamping resort with a total of 130 units. Additional amenities include food & beverage space, and a main lodge that could host special events. Vehicular access will be provided via the one driveway connection to the extension of Lear Avenue at Cactus Drive, with a secondary access driveway connecting to the easterly extension of Sullivan Road.

2.0 REGULATORY FRAMEWORK

2.1 Federal

Endangered Species Act (ESA) – The United States Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service are the designated federal agencies accountable for administering the ESA. The ESA defines species as "endangered" or "threatened" and provides regulatory protection at the federal level.

- Section 9 of the ESA prohibits the "take" of listed (i.e., endangered or threatened) species. The ESA definition of take is "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in such conduct." Recognizing that take cannot always be avoided, Section 10(a) includes provisions for take that is incidental to, but not the purpose of, otherwise lawful activities. Specifically, Section 10(a) (1) (A) permits (authorized take permits) are issued for scientific purposes. Section 10(a) (1) (B) permits (incidental take permits) are issued for the incidental take of listed species that does not jeopardize the species.

- Section 7 (a) (2) requires federal agencies to evaluate the proposed project with respect to listed or proposed listed, species and their respective critical habitats (if applicable). Federal agencies must employ programs for the conservation of listed species and are prohibited from authorizing, funding, or carrying out any action that would jeopardize a listed species or destroy or modify its "critical habitat."

As defined by the ESA, "individuals, organizations, states, local governments, and other non-federal entities are affected by the designation of critical habitat only if their actions occur on federal lands, require a federal permit, license, or other authorization, or involve federal funding.

Migratory Bird Treaty Act (MBTA) – Treaties signed by the U.S., Great Britain, Mexico, Japan, and the republics of the former Soviet Union make it unlawful to pursue, capture, kill, and/or possess, or attempt to engage in any such conduct to any migratory bird, nest, egg or parts thereof listed in this document. As with the ESA, the MBTA also allows the Secretary of the Interior to grant permits for the incidental take of these protected migratory bird species. Impacts include direct disturbance to/destruction of nests, eggs, and birds as well as indirect effects such as loud construction noises (e.g., drilling, operation of heavy equipment, etc. in excess of 60 dB at the nest site) and increased site activities (e.g., moving vehicles, use of guard dogs, presence of personnel) in close proximity to active nests.

National Environmental Policy Act (NEPA) – Portions of the proposed project could fall under the jurisdiction of a federal agency (i.e., U.S. Army Corps of Engineers). The NEPA establishes certain criteria that must be adhered to for any project that is "financed, assisted, conducted or approved by a federal agency. The federal lead agency is required to "determine whether the proposed action will significantly affect the quality of the human environment."

Section 404 of the Clean Water Act (CWA) – This section of the CWA, administered by the U.S. Army Corps of Engineers (USACE), regulates the discharge of dredged and fill material into "waters of the United States (WUS)." The USACE has created a series of nationwide permits that authorize certain activities within waters of the U.S. provided that the proposed activity does not exceed the impact threshold for each of the permits, takes steps to avoid impacts to wetlands where practicable, minimize potential impacts to wetlands, and provide compensation for any remaining, unavoidable impacts through activities to restore or create wetlands. For projects that exceed the threshold for nationwide permits, individual permits under Section 404 can be issued.

2.2 State of California

Regional Water Quality Control Board – The Regional Water Quality Control Board (RWQCB) regulates activities pursuant to Section 401(a)(1) of the CWA. Section 401 of the CWA specifies that certification from the State is required for any applicant requesting a federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities that may result in any discharge into navigable waters. Through the Porter Cologne Water Quality Control Act, the RWQCB asserts jurisdiction over Waters of the State of California (WSC) which is generally the same as WUS, but may also

include isolated waterbodies. The Porter Cologne Act defines WSC as "surface water or ground water, including saline waters, within the boundaries of the State".

Sections 1600-1603 of the State Fish and Game Code – The California Fish and Game Code, pursuant to Sections 1600 through 1603, regulates all diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake that supports fish or wildlife resources. Under State code, a stream is defined as a body of water that flows at least periodically, or intermittently, through a bed or channel with hydro geomorphology distinct top-of-embankment to top-of-embankment limits, that may or may not support fish or other aquatic biota. Included in this definition are watercourses with surface or subsurface flows that support, or have supported in the past, riparian vegetation. Specifically, Section 1601 governs public projects, while Section 1603 governs private discretionary actions. The California Department of Fish and Wildlife (CDFW) requires that public and private interests apply for a "Streambed Alteration Agreement" for any project that may impact a streambed or wetland. The CDFW has maintained a "no net loss" policy regarding impacts to streams and waterways and requires replacement of lost habitats of at least a 1:1 ratio.

California Endangered Species Act (CESA) – This legislation is similar to the federal ESA, however it is administered by the CDFW. The CDFW is authorized to enter into "memoranda of understanding" with individuals, public agencies, and other institutions to import, export, take, or possess State-listed species for scientific, educational, or management purposes. The CESA prohibits the take of State-listed species except as otherwise provided in state law. Unlike the federal ESA, the CESA applies the take prohibitions to species currently petitioned for State-listing status (candidate species). State lead agencies are required to consult with the CDFW to ensure that actions are not likely to jeopardize the continued existence of any State-listed species or result in the destruction or degradation of occupied habitat.

Section 2081 of the State Fish and Game Code – Under Section 2081 of the California Fish and Game Code, the CDFW authorizes individuals or public agencies to import, export, take, or possess State endangered, threatened, or candidate species in California through permits or memoranda of understanding. These acts, which are otherwise prohibited, may be authorized through permits or "memoranda of understanding" if (1) the take is incidental to otherwise lawful activities, (2) impacts of the take are minimized and fully mitigated, (3) the permit is consistent with regulations adopted in accordance with any recovery plan for the species in question, and (4) the applicant ensures suitable funding to implement the measures required by the CDFW. The CDFW shall make this determination based on the best scientific information available and shall include consideration of the species' capability to survive and reproduce.

California Environmental Quality Act (CEQA) – The basic goal of the CEQA is to retain a high-quality environment now and in the future. The specific goals are for California's public agencies to:

- Identify the significant environmental effects of their actions; and, either
- Avoid those significant environmental effects, where feasible; or
- Mitigate those significant environmental effects, where feasible.

The CEQA applies to "projects" proposed to be undertaken or requiring approval by State and/or local governmental agencies. projects are activities which have the potential to have a physical impact on the environment and may include the enactment of zoning ordinances, the issuance of conditional use permits and the approval of tentative subdivision maps. Where a project requires approvals from more than one public agency, the CEQA requires one of these public agencies to serve as the "lead agency."

A "lead agency" must complete the environmental review process required by the CEQA. The most basic steps of the environmental review process are:

- Determine if the activity is a "project" subject to the CEQA;
- Determine if the "project" is exempt from the CEQA;
- Perform an Initial Study to identify the environmental impacts of the project and determine whether the identified impacts are "significant". Based on its findings of "significance", the lead agency prepares one of the following environmental review documents:
    - Negative Declaration if it finds no "significant" impacts;
    - Mitigated Negative Declaration if it finds "significant" impacts but revises the project to avoid or mitigate those significant impacts;
    - Environmental Impact Report (EIR) if it finds "significant" impacts.

While there is no ironclad definition of "significance", Article 5 of the CEQA Guidelines provides criteria to lead agencies in determining whether a project may have significant effects.

The purpose of an EIR is to provide State and local agencies and the public with detailed information on the potentially significant environmental effects which a proposed project is likely to have and to provide ways in which those effects may be minimized and indicate alternatives to the project.

Sections of the State Fish and Game Code pertaining to the protection of birds – Section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. Section 3505.5 makes it unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds-of-prey, i.e.: owls, hawks, eagles, etc.) or to take, possess, or destroy the nest or eggs of any bird-of-prey. Section 3513 makes it unlawful to take or possess any migratory nongame bird as designated in the MBTA.

The Native Plant Protection Act (NPPA) – The NPPA includes measures to preserve, protect, and enhance rare and endangered native plant species. Definitions for "rare and endangered" are different from those contained in the CESA. However, the list of species afforded protection in accordance with the NPPA includes those listed as rare and endangered under the CESA. The NPPA provides limitations on take as follows: "no person will import into this State, or take, possess, or sell within this state" any rare or endangered native plants, except in accordance with the provisions outlined in the act. If a landowner is notified by the CDFW, pursuant to section 1903.5 that a rare or endangered plant species is growing on their property, the landowner shall notify the CDFW at least 10 days prior to the changing of land uses to allow the CDFW to salvage the plants.

3.0 METHODS

3.1 Literature Review and Records Search

A literature review and record search were conducted to identify occurrences of special status biological resources in the project vicinity. The review included:

- A report from the CDFW's California Natural Diversity Data Base (CNDDB) including records from the following California USGS 7.5-minute topographic quadrangles within five miles of the project: Twentynine Palms, Queen Mountain, Sunfair, and Indian Cove (CDFW 2023);
- The California Native Plant Society (CNPS) including records from the following California USGS 7.5-minute topographic quadrangles within five miles of the project: Twentynine Palms, Queen Mountain, Sunfair, and Indian Cove (CNPS 2023);
- The USFWS Environmental Conservation Online System (ECOS) including critical habitat mapping and an Information for Planning and Consultation (IPaC) report (USFWS 2023).
- Aerial photographs; and
- Pertinent documents from the WSP library and project files (*e.g.*, other biological surveys from the general vicinity).

3.2 Biological Resource Assessment

On the 26th of October 2023, between 0700 and 1700 hours, WSP's senior biologist, Marshall Paymard, conducted a biological field reconnaissance survey to assess the habitat on-site and determine its suitability to support special status biological resources. Mr. Paymard walked meandering transects to systematically evaluate and document the habitat suitability for special status species, vegetation communities, dominant plant species, and wildlife on-site and within the project area. All observations were recorded in a field notebook, vegetation was delineated on 11x17 field map, and representative photographs have been included in Appendix B of this report.

4.0 RESULTS

4.1 Literature Review

The results of the literature review are presented in Tables 1 and 2. Species which are not known to occur at project elevation ranges are not included. A CNDDB RareFind 5 Report is included in Appendix C and a USFWS IPAC report is included in Appendix D, attached to this report.

Table 1. Special Status Plants & Vegetation Which Occur or Potentially Occur in the Vicinity of the Proposed Project						
Scientific Name	**Common Name**	**Status[1]**			**Habitat (for plants includes elevational range in meters & blooming period)**	**Occurrence Probability[2]**
		Federal	**State**	**CRPR**		
Plants						
Ayenia compacta	California ayenia	None	S3	2B.3	Mojavean & Sonoran desert scrub, rocky. 150 - 1095 meters (m). Blooms (B): March - April.	Low Rocky substrates not found. No observations were made during the biological assessment for this perennial species.
Calochortus striatus	alkali mariposa-lily	None	S2S3	1B.2	Chaparral, chenopod scrub, meadows and seeps, Mojavean desert scrub, alkaline, mesic.70 – 1595 m. B: April – June.	Low No suitable alkaline or mesic soils detected during the biological assessment.
Coryphantha alversonii	Alverson's foxtail cactus	None	S3	4.3	Mojavean and Sonoran desert scrub, usually in granitic areas, sometimes rocky or sandy. 75 – 1525 m. B: April – June (September -October).	Low Rocky substrates not found. No observations were made during the biological assessment for this perennial species.
Eschscholzia androuxii	Joshua tree poppy	None	S3	4.3	Joshua tree "woodland", Mojavean desert scrub on flats, gravelly, rocky, sandy, slopes, washes. 585 – 1685 m. B: February -May (June).	Moderate Suitable habitat is present.
Funastrum utahense	Utah vine milkweed	None	S4	4.2	Mojavean and Sonoran desert scrub, Sometimes in gravelly or sandy. 100 - 1435 m. B: (March) April – June.	Moderate Suitable habitat is present. No observations were made during the biological assessment for this perennial species.
Galium angustifolium ssp. gracillimum	slender bedstraw	None	S4	4.2	Joshua tree "woodland" and Sonoran desert scrub in granitic or rocky places. 130 - 1550 m. B: April -June (July).	Absent No suitable habitat is present.
Grusonia parishii	Parish's club-cholla	None	S2	2B2	Mojavean and Sonoran desert scrub, Joshua tree woodland "woodland" in sandy or rocky locations. 300-1,524m. B: May-July.	Moderate Suitable habitat is present. No observations were made during the biological assessment for this perennial species.

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		Federal	**State**	**CRPR**		
Jaffueliobryum raui	Rau's jaffueliobryum moss	None	S2	2B.3	Alpine dwarf scrub, chaparral, & Mojavean and Sonoran desert scrub. Known from dry places, carbonate, openings, and rock crevices. 490 - 2100 m.	Absent Suitable habitat parameters such as, carbonate openings and rock outcrops are not present.
Jaffueliobryum wrightii	Wright's jaffueliobryum moss	None	S2S3	2B.3	Chaparral, Mojavean & Sonoran desert scrub, Alpine dwarf scrub. Openings: dry places, rock crevices, carbonate. 160-2500 m.	Absent Suitable habitat parameters such as, carbonate openings and rock outcrops are not present.
Lasthenia glabrata ssp. *coulteri*	Coulter's goldfields	None	S2	1B.1	Marshes and swamps, playas, vernal pools. 1 - 1220 m. B: February - June.	Absent No suitable marsh, swamp, playas, or vernal pools habitat is present.
Linanthus maculatus ssp. *maculatus*	Little San Bernardino Mountains linanthus	None	S2	1B.2	Desert dunes, Sonoran and Mojavean desert scrub, Joshua tree "woodland." Sandy places. Usually in light-colored quartz sand; often in wash or bajada. 140 – 1220 m. B: March-May	Moderate Suitable habitat is present.
Matelea parvifolia	spear-leaf matelea	None	S3	2B.3	Rocky places in Mojavean and Sonoran desert scrub. 440 - 1095 m. B: March -May (July).	Low No suitable rocky substrates are present
Menodora spinescens var. mohavensis	Mojave menodora	None	S2	1B.2	Mojavean desert scrub on gravelly, rocky slopes. 690 - 2000 m. B: April -May.	Absent. No rocky slopes or gravelly substates are present.
Monardella robisonii	Robison's monardella	None	S3	1B.3	Pinyon-juniper woodland. 610 - 1,500 m., B: (February) April – September (October).	Absent. No suitable habitat.
Muhlenbergia appressa	appressed muhly	None	S3	2B.2	Coastal scrub, Mojavean desert scrub, valley and foothill grassland in rocky places. 20 - 1600 m. B: April - May.	Absent. No suitable rocky places are present.

Table 1. Special Status Plants & Vegetation Which Occur or Potentially Occur in the Vicinity of the Proposed Project						
Scientific Name	**Common Name**	**Status[1]**			**Habitat (for plants includes elevational range in meters & blooming period)**	**Occurrence Probability[2]**
		Federal	**State**	**CRPR**		
Penstemon thurberi	Thurber's beardtongue	None	S3	4.2	Chaparral, Joshua tree "woodland", Sonoran desert scrub, Pinyon-juniper woodland. 500 - 1220 m. B: May-July.	Absent. No suitable habitat is present.
Saltugilia latimeri	Latimer's woodland-gilia	None	S3	1B.2	Chaparral, Mojavean desert scrub, pinyon-juniper woodland. Dry rocky and sandy desert canyons. 400-1,900m. B: March-June	Absent. Suitable habitat parameters such as, dry rocky and sandy desert canyons are not present.
Sidalcea neomexicana	salt spring checkerbloom	None	S2	2B.2	Chaparral, coastal scrub, lower montane coniferous forest, Mojavean desert scrub, playas. Alkaline springs and marshes. 15 - 1530 m. B: March - June.	Absent. Suitable habitat parameters such as, playas, alkaline springs, and marshes are not present.
Streptanthus bernardinus	Laguna Mountains jewelflower	None	S4	4.3	Chaparral, lower montane coniferous forest. 670 - 2500 m. B: April - May.	Absent. No suitable habitat.
Tetracoccus hallii	Hall's tetracoccus	None	S4	4.3	Mojavean and Sonoran desert scrub. 30 - 1200 m. B: January - May.	Moderate Suitable habitat is present.
Wislizenia refracta ssp. *refracta*	jackass-clover	None	S1	2B.2	Desert dunes, playas, Mojavean and Sonoran desert scrub. 600 - 800 m. B: April - November.	Low Suitable Mojavean desert scrub habitat is present. No desert dunes or playas are present.
Vegetation Communities						
Desert Fan Palm Oasis	Not applicable (N/A)	N/A	S3.2	N/A	N/A	Absent

Table 2. Special Status Wildlife Which Occur or Potentially Occur in the Vicinity of the Proposed Project						
Scientific Name	**Common Name**	**Status[1]**			**Habitat**	**Occurrence Probability[2]**
		Federal	**State**	**Other**		
Invertebrates						
Danaus plexippus	monarch butterfly	FC	S2	N/A	Areas that contain milkweed (*Asclepias spp.*) and flowering plants.	Low Species may pass through the project site; however, no host plant (milkweed *spp*.) was detected during the biological assessment.
Rhopalolemma robertsi	Roberts' rhopalolemma bee	None	S1	N/A	The known range of Roberts' rhopalolemma bee is the type locality five miles south of the project area. Despite at least 70 years of collecting in the area by many active solitary bee specialists, the species is only known from a single specimen from that location. Specific habitat information was not recorded for this species when collected.	Unknown/Very Low The genus is known from creosote bush scrub and for feeding on Phacelia, both of which occur onsite, but no specific natural history information is known for this species. Given the long period in which nobody has successfully detected it (since 1973), the possibility of occurrence onsite is expected to be very low.
Reptiles						
Crotalus ruber	red-diamond rattlesnake	None	SC, S3	N/A	Chaparral, grassland, & desert areas. Occurs in rocky areas and dense vegetation. Needs rodent burrows, cracks in rocks or surface cover objects.	Absent No natural rocky areas or dense vegetation cover is present onsite.
Gopherus agassizii	desert tortoise	**FT**	**ST**, S2S3	N/A	Prefers Joshua tree, desert wash & scrub (especially creosote bush) habitats; but in most desert habitats. Large wildflower blooms preferred. Burrows & nests require friable soil.	Moderate Suitable habitat is present. 2008 records less than 2 miles northwest of project.
Birds						

Table 2. Special Status Wildlife Which Occur or Potentially Occur in the Vicinity of the Proposed Project						
Scientific Name	**Common Name**	**Status[1]**			**Habitat**	**Occurrence Probability[2]**
		Federal	**State**	**Other**		
Aquila chrysaetos	golden eagle	MBTA,	WL, FP, S3	N/A	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.	Low May forage onsite, however no suitable nesting habitat is present in the project site.
Athene cunicularia	burrowing owl	MBTA, BCC	SC, S3, FGC	N/A	Open, dry grasslands, deserts & scrublands with low-growing vegetation. Depends on burrowing mammals.	Moderate Suitable habitat is present. No CNDDB occurrences within project vicinity.
Falco mexicanus	prairie falcon	MBTA, BCC	SC, S3, FGC	N/A	Breeding sites located on cliffs, but forages far afield.	Low No nesting habitat, may forage.
Lanius ludovicianus	loggerhead shrike	MBTA, BCC	SSC, S4, FGC	N/A	Found in open habitats with widely spaced vegetation.	High Nesting and foraging habitat is present on-site.
Toxostoma bendirei	Bendire's thrasher	MBTA, BCC	SSC, S2, FGC	N/A	Migratory; local spring/summer resident in flat areas of desert succulent shrub/Joshua tree habitats in Mojave Desert.	Low No nesting habitat, may forage.
Vireo bellii pusillus	least Bell's vireo	**FE**	**SE**, S3, FGC	N/A	Riparian forest, riparian scrub, riparian woodland. Summer resident of Southern California in low riparian in vicinity of water or in dry river bottoms; below 2000 ft.	Absent No suitable breeding or foraging habitat on-site.
Mammals						
Antrozous pallidus	pallid bat	None	SC, S3	WBWG: L	Deserts, grasslands, shrublands, and forests. Most common in open, dry habitats with rocky areas for roosting.	Moderate May forage onsite but is unlikely to roost due to few or no possible sites. CNDDB records within 5 miles of the project site.
Chaetodipus fallax pallidus	pallid San Diego pocket mouse	None	SC, S3S4	N/A	In desert wash, desert scrub, desert succulent scrub, pinyon-juniper, etc. Sandy, herbaceous areas, usually in association with rocks or coarse gravel.	Low Site lacks preferred soil substrates. CNDDB records within 5 miles of the project site.

Table 2. Special Status Wildlife Which Occur or Potentially Occur in the Vicinity of the Proposed Project						
Scientific Name	**Common Name**	**Status[1]**			**Habitat**	**Occurrence Probability[2]**
		Federal	**State**	**Other**		
Euderma maculatum	spotted bat	None	SC, S3	WBWG: M	Occupies a wide variety of habitats from arid deserts and grasslands through mixed conifer forests. Feeds over water & along washes, almost entirely on moths. Needs rock crevices in cliffs or caves for roosting.	Moderate May forage onsite but is unlikely to roost due to absence of roosting habitat. CNDDB records within 5 miles of project site.
Eumops perotis californicus	western mastiff bat	None	SC, S4	WBWG: M	Many open, semi-arid to arid habitats, including conifer and deciduous woodlands, coastal scrub, grasslands, chaparral, etc.	Moderate May forage onsite but is unlikely to roost due to absence of roosting habitat
Lasiurus cinereus	hoary bat	None	S4	WBWG: M	Found in valley foothill riparian, desert riparian, desert wash, and palm oasis habitats. Roosts in trees, usually palms. Forages over water and among trees.	Moderate May forage onsite but is unlikely to roost due to absence of roosting habitat
Lasiurus xanthinus	western yellow bat	None	SC, S4	WBWG: H	Found in valley foothill riparian, desert riparian, desert wash, and palm oasis habitats. Roosts in trees, usually palms. Forages over water and among trees.	Moderate May forage onsite but is unlikely to roost due to absence of roosting habitat. CNDDB records within 5 miles of project site
Myotis thysanodes	fringed myotis	None	S3	WBWG: M	In a wide variety of habitats, optimal habitats are pinyon-juniper, valley foothill hardwood and hardwood-conifer.	Absent No suitable habitat onsite.
Nyctinomops femorosaccus	pocketed free-tailed bat	None	SC, S4	WBWG: M	Variety of arid areas in Southern California; pine-juniper woodlands, desert scrub, palm oasis, desert wash, desert riparian, etc.	Moderate May forage onsite but is unlikely to roost due to absence of roosting habitat
Nyctinomops macrotis	big free-tailed bat	None	SC, S3	WBWG: M	Low-lying arid areas in Southern California.	Moderate May forage onsite but is unlikely to roost due to absence of roosting habitat

Table 2. Special Status Wildlife Which Occur or Potentially Occur in the Vicinity of the Proposed Project						
Scientific Name	**Common Name**	**Status[1]**			**Habitat**	**Occurrence Probability[2]**
		Federal	**State**	**Other**		
Ovis canadensis nelsoni	desert bighorn sheep	None	FP, S3	N/A	Open, rocky, steep areas with water & herbaceous forage.	Absent No suitable habitat.
Taxidea taxus	American badger	None	SC, S3	N/A	Most abundant in drier, open stages of most herbaceous, shrub, & forest habitats. Burrows in friable soils & open, uncultivated ground.	Low Habitat suitable, but few if any potential burrows detected during survey.

[1]Status Codes:

Federal

FE = Federal Endangered

FT = Federal Threatened

FC = Federal Candidate

BCC = Bird of Conservation Concern

MBTA = Migratory Bird Treaty Act

State

SE = State Endangered

ST = State Threatened

SCT=State Candidate

FP = Fully Protected

SC = State Species of Concern

WL = Watch List

FGC = Fish & Game Code

S1 = Critically Imperiled – At very high risk of extirpation in the state due to very restricted range, very few populations or occurrences, very steep declines, severe threats, or other factors.

S2 = Imperiled – At high risk of extirpation in the state due to restricted range, few populations or occurrences, steep declines, severe threats, or other factors.

S3 = Vulnerable – At moderate risk of extirpation in the state due to a fairly restricted range, relatively few populations or occurrences, recent and widespread declines, threats, or other factors.

S4 = Apparently Secure – At a fairly low risk of extirpation in the state due to an extensive range and/or many populations or occurrences, but with possible cause for some concern as a result of local recent declines, threats, or other factors.

S5 = Secure – At very low or no risk of extirpation in the state due to a very extensive range, abundant populations or occurrences, and little to no concern from declines or threats.

SX = Presumed Extirpated – Species is believed to be extirpated from the state Not located despite intensive searches of historical sites and other appropriate habitat, and virtually no likelihood that it will be rediscovered

SH = Possibly Extirpated – Known from only historical records but still some hope of rediscovery. There is evidence that the species may no longer be present in the state, but not enough to state this with certainty.

SNR = Unranked – State rank not yet assessed.

California Rare Plant Rank (CRPR)

1A = Presumed extirpated in California and either rare or extinct elsewhere

1B = Rare or Endangered in California and elsewhere

2A = Presumed extirpated in California, but more common elsewhere

2B = Rare or Endangered in California, but more common elsewhere

3 = Plants for which we need more information – Review list

4 = Plants of limited distribution – Watch list

Western Bat Working Group (WBWG)

The WBWG is composed of agencies, organizations, and individuals interested in bat research, management, and conservation from 13 western states and provinces. The goals of the group are to (1) facilitate communication among interested parties and reduce risks of species decline or extinction; (2) provide a mechanism by which current information on bat ecology, distribution, and research techniques can be readily accessed; and (3) develop a forum to discuss conservation strategies, provide technical assistance, and encourage education programs. Species are ranked as **High**, **Medium**, or **Low** Priority in each of 10 regions in western North America.

[2]Occurrence Probability

Occurs = Observed on the site by WSP personnel or recorded there by other qualified biologists.

High = Observed in similar habitat in region by qualified biologists, or habitat on the site is a type often utilized by the species and the site is within the known range of the species.

Moderate = Reported sightings in surrounding region, or site is within the known range of the species and habitat on the site is a type occasionally used by the species.

Low = Site is within the known range of the species but habitat on the site is rarely used by the species.

Absent = A focused study failed to detect the species, or no suitable habitat is present.

Unknown = Distribution and habitat use has not been clearly determined.

4.2 Field Visit

The biological assessment took place under weather conditions ranging from 68.5 to 75.4 degrees Fahrenheit, with 20 to 35 percent cloud cover. Wind speeds were recorded at 1-2 mph, and there was no precipitation.

The project site is located in a span of primarily undeveloped, open desert terrain. Adjacent to the site, there are single-family homes to the west, while Highway 62 runs to the north. In the south, the area opens up to more expansive lands, and a few rural homes are present just beyond the southeast boundary.

The prevailing vegetation community in the project area is creosote bush scrub, dominated by creosote bush (*Larrea tridentata*) (Figure 4, Biological Resources). This is accompanied by various co-dominant species, including white bur-sage (*Ambrosia dumosa*), white rhatany (*Krameria bicolor*), allscale saltbush (*Atriplex polycarpa*), and cheesebush (*Ambrosia salsola*). Disturbed habitat is present in the form of unpaved roadways that primarily intersect the project in the eastern segment and along the project periphery.

Official soil mapping data for the project site is not available as of 2023 (USDA 2023). However, the soils in the area are predominantly sandy and well-drained, as typically characteristic of desert landscapes. The nearest mapped soil, approximately one mile to the south, is classified as Morongo loamy sand, with slopes ranging from 2 to 8 percent. The Morongo series consists of very deep, somewhat excessively drained soils that formed in alluvium derived from granitoid and/or gneissic rocks. Morongo soils are on fan aprons, inset fans, fan remnants and in drainageways (USDA 2023).

There are no blue line streams mapped on-site (USGS 2023), however several unnamed ephemeral channels are present in the east segment of the project site (Figure 4, Biological Resources).

All plant species and vertebrate wildlife detected are included in Appendix E. It should be noted that relatively short-term assessments and studies of this nature are limited in their scope by the seasonality, timing and duration of surveys, and the nocturnal and fossorial habits of many desert-dwelling animals. Therefore, the species observed to date do not reflect the total number of species that potentially occupy the project site and area.

5.0 DISCUSSION

5.1 Special Status Plants

No special status plant species were observed during the biological assessment. However, there is a moderate likelihood of encountering five special status plant species within the project area, including Joshua tree poppy, Utah vine milkweed, Parish’s club-cholla, Little San Bernardino Mountains linanthus, and Hall's tetracoccus. Additionally, there is a low potential for alkali mariposa lily, Alverson's foxtail cactus, California ayenia, jackass-clover, and spear-leaf matelea to be found within the project area. While none of these potentially occurring plant species are listed as threatened or endangered at the State or

federal level, impacts to these species could be considered significant under the CEQA. However, given the relatively small scale of the project's impact footprint, it is unlikely that project related impacts will lead to a significant decline in the viable populations of these species. As such, no further actions are recommended.

5.2 Special Status Invertebrates

There is a very low possibility that Robert's rhopalemma bee (State ranked as Critically Imperiled) could occur on-site. Robert's rhopalemma bee is an extremely rare species about which little is currently known.

However, any bee nests or nesting colonies should be avoided if/when found. If unavoidable, and determined to be occupied by Robert's rhopalemma bee, CDFW should be contacted for guidance.

5.3 Special Status Reptiles

5.3.1 Desert Tortoise

The Mojave population segment of the desert tortoise is federally and State listed as threatened by the USFWS and CDFW. The Mojave population segment includes all tortoises occurring west and north of the Colorado River. The desert tortoise is most common in desert scrub, desert wash, and Joshua tree habitats in a variety of terrain types, including alluvial fans, valleys, rocky hillsides, and washes. They require friable soil for burrow and nest construction. Burrows are typically found at the base of shrubs, in the interspaces between shrubs, and occasionally in caliche soil bank areas or underneath boulders/rocks. They are herbivores and feed on a variety of plants including annual herbs and perennial grasses.

Tortoise activity is greatest during the spring and early summer, and to a lesser extent during the fall; however, tortoises can be active at any time of the year during appropriate weather conditions. Although tortoises hibernate during the winter and typically emerge in late February or early March, hatchlings and juveniles can be fairly active during the winter months. Adults will also emerge from their burrows to drink if water resources have been limited during the previous activity season and/or winter precipitation has provided standing water. Their activity is usually much reduced during hot summer months, but they may be active following summer rains or if temperatures are moderate (Boarman 2003).

Threats to desert tortoises include loss or degradation of habitat, vandalism, poaching, intentional killing, predation on young tortoises by the common raven (*Corvus corax*) and other predators (e.g. kit fox [*Vulpes macrotis*], snakes, etc.), and disease (e.g. Mycoplasmosis). Off-road vehicles, military training maneuvers, mining, and livestock grazing also affect tortoise habitat by collapsing burrows, eroding soils, reducing availability of food plants, eliminating shrubs which would provide shade for tortoises and support for their burrows, and ultimately results in surface disturbance that promotes conditions more conducive to invasion by exotic plant species, which provide less nutritional value to tortoises than the native species that were replaced. Human activities, including garbage dumping, landfills, roads, increased nesting opportunities, irrigation, and increased vehicle use have led to increased numbers of common ravens in California deserts. Ultimately, the increased predation on young tortoises by common ravens reduces recruitment into breeding populations (Boarman 2003).

Tortoises are most often detected by their scats and burrows. Tortoises themselves can sometimes be detected in burrows by reflecting sunlight inside the burrow with a mirror. Other tortoise sign include carcasses, or fragments thereof, courtship rings, and drinking depressions. Presence of sign is an indication that tortoises either occur, or have recently occurred, at a particular location. Sign can be detected at any time of the year and always indicates suitable habitat, if not occupied habitat.

Although there is no desert tortoise critical habitat designated on the project site, it is present approximately 6 miles to the southeast. Further, the vegetation community occurring on the project site (e.g. creosote bush scrub) is habitat typically utilized by desert tortoises. CNDDB reports populations immediately to the northwest from 2008 (CDFW 2023).

Although no desert tortoise was found during the biological assessment, the project site and surrounding area contains suitable habitat. For these reasons, desert tortoises may be currently present or may enter the project area in the future. The following mitigation and minimization measures are recommended to ensure that any potential impacts to the desert tortoise are avoided:

1) Desert tortoise surveys should be conducted in accordance with the PREPARING FOR ANY ACTION THAT MAY OCCUR WITHIN THE RANGE OF THE MOJAVE DESERT TORTOISE (*Gopherus agassizii*) (USFWS 2019).

5.4 Special Status Bats

No special status bat species are expected to roost in the project site or immediate vicinity due to no suitable roosting habitat being present.

5.5 Special Status Burrowing Mammals

Two species of special status burrowing mammals (state species of special concern) are of potential occurrence: American badger and pallid San Diego pocket mouse. Both are considered to have at least a low potential of occurrence. Although habitat is suitable for American badger, no burrows diagnostic for this species were found during the biological assessment. However, if an American badger is found onsite during construction, impacts to this species should be avoided. If impacts to this species cannot be avoided, the CDFW should be consulted.

The pallid San Diego pocket mouse is primarily active during the night, making targeted trapping surveys the most reliable method for detection. Although the project site does feature some vegetation associated with this species, such as creosote bush scrub, it lacks the preferred rocky or gravelly substrates that the species typically inhabits. The nearest available CNDDB records for this species, dating back to 1986, are located approximately 2.5 miles to the south, within and around the foothills of the local mountains. These areas likely offer the preferred substrates for this species, which are rocky or gravelly in nature. For these reasons, we do not recommend conducting focused surveys for pallid San Diego pocket mouse. However, If the pallid San Diego Pocket mouse is detected during construction and avoidance is not possible, it is recommended to seek guidance from the CDFW.

5.6 Special Status Birds

5.6.1 Loggerhead Shrike

The loggerhead shrike is a medium-sized songbird. In its adult plumage, it sports a grey upper body, a white to pale grey chest, and possesses black tarsi and feet. Notably, it has a distinctive black mask that extends from its eyes to its bill. Historically, loggerhead shrikes were widely distributed across southern Canada, the contiguous USA, and Mexico. Unfortunately, their populations have experienced significant declines since the 1960s. This species is State designated as a Species of Special Concern (CSC).

These birds thrive in open habitats that offer ample foraging space, elevated perches, and suitable nesting sites. Loggerhead shrikes prefer to nest in trees or shrubs with dense foliage, particularly those with thorns or dense branches that provide cover and protection.

To avoid project related impacts to this species, it is recommended that either initial site vegetation clearance and/or or grading be scheduled and conducted to avoid the nesting season (i.e., February 1-August 31), or if avoidance of the nesting season is not feasible, a nesting bird survey be performed by a qualified biologist as described above in Section 5.7 of this report.

5.6.2 Burrowing Owl

The burrowing owl faces a unique vulnerability due to its habit of both nesting and roosting underground. This necessitates special measures to safeguard the species from ground-disturbing activities. Designated as a Bird of Conservation Concern at the federal level and a CSC at the state level, the burrowing owl primarily inhabits open, arid grasslands, deserts, and scrublands characterized by low-lying vegetation. In Southern California, these owls can be found not only in pristine natural environments but also in fallow agricultural fields, along the edges of active agricultural zones, on livestock farms, at airports, and even on vacant lots. They exhibit a subterranean nesting behavior, typically making use of existing burrows, whether they belong to mammals like the California ground squirrel (*Otospermophilus beecheyi*) or the kit fox, or human-made structures such as drainpipes and culverts. Signs of burrowing owl presence include tracks, discarded feathers, remnants of prey, nest decorations (such as paper, foil, and plastic items), as well as whitewash or droppings.

Burrowing owls are active throughout both day and night, often seen perched conspicuously on fence posts or standing near the entrance of their burrows. Unfortunately, regional analyses of breeding populations have noted declines, both locally in their central and southern coastal breeding areas, and statewide, indicating a shrinking breeding range. These declines are attributed to various threats including habitat loss, degradation, and modification, as well as the eradication of ground squirrels, which leads to a shortage of suitable nesting burrows and protection from predators. To ensure the well-being of burrowing owls, conservation efforts may encompass the protection of existing breeding pairs, initiatives to expand populations, enhancement of breeding and crucial habitats, and the implementation of specific actions aimed at avoiding the necessity of listing the species under the protections of the ESA or the CESA.

While no burrowing owl or sign of their presence were detected during the assessment, suitable land cover is present within and immediately adjacent to the project site. As such, it is recommended to conduct a focused burrow search and, if deemed necessary, implement focused surveys in accordance with the guidelines outlined in the Staff Report on Burrowing Owl Mitigation (CDFG 2012). Following CDFW's recommendations, the initial burrowing owl habitat assessment should encompass the project site as well as suitable habitat within 500 feet of the project site. During this assessment, all suitable burrowing owl burrows should be mapped. Subsequently, if suitable habitat is identified (i.e., suitable burrows), a total of four (4) site visits should be conducted: 1) at least one visit between February 15th and April 15th, and 2) a minimum of three survey visits, each separated by at least three weeks, between April 15th and July 15th, with at least one visit taking place after June 15th. Additionally, following the four site visits, CDFW recommends performing two pre-construction avoidance surveys: 1) an initial avoidance survey no less than 14 days prior to commencing ground-disturbing activities, and 2) a final survey carried out within 24 hours prior to ground disturbance. If impacts to burrowing owls cannot be avoided, it is advisable to seek guidance from the CDFW, which may include the development of a comprehensive burrowing owl mitigation plan.

5.7 Migratory Bird Treaty Act and State Fish and Game Code

Native bird species which may nest on or adjacent to the project area could be subject to direct or indirect impacts from the project. The bird nesting season is generally February 1 through August 31, although nesting birds are always protected. To avoid impacts to such birds, including the special status species which occur or potentially occur on-site, we recommend the following: any vegetation removal or grading occurring during the nesting season would require at least one nesting bird survey to be conducted by a qualified biologist no more than three days prior to such activity. If no nests are found, construction would proceed. If active nests are found, impact avoidance measures (*e.g.*, "no work" buffers; sound and/or visual barriers) would be put in place around the nest until young have fledged. This would also apply to offsite nests which may be indirectly impacted. While there is no established protocol for indirect impacts to nests, when consulted, the CDFW often recommends avoidance buffers of about 500 feet for birds-of-prey and listed species, and 100–300 feet for other unlisted birds.

5.8 Jurisdictional Waters

The eastern section of the project site encompasses potentially jurisdictional State waters (Figure 4, Biological Resources), subject to regulation under the Porter Cologne Water Quality Control Act. These waters represent ephemeral flows originating from the mountains and lands located to the south of the project site, eventually draining to the north, crossing SR-62. A jurisdictional delineation report has been prepared for this project, see the report for details regarding jurisdictional waters.

5.9 Conclusion and Recommendations

Based on the literature review and subsequent field assessment, the following actions are recommended to avoid impacts to potentially occurring special status species and jurisdictional aquatic resources as result of project implementation.

1) Carry out desert tortoise surveys in accordance with the guidelines provided in the document *PREPARING FOR ANY ACTION THAT MAY OCCUR WITHIN THE RANGE OF THE MOJAVE DESERT TORTOISE* (*Gopherus agassizii*)" (USFWS 2019). If desert tortoise is found within the project area, seeking guidance from the USFWS is advised and necessary.

2) Avoid scheduling or conducting initial vegetation clearance, grading or any other site work involving the use of heavy equipment or operation of motorized vehicles on-site during the nesting season. If avoidance of the nesting season is not feasible and initial site disturbance must occur during the bird nesting season (generally February 1 through August 31), conduct at least one nesting bird survey by a qualified biologist no more than three days prior to any vegetation removal or grading. If active nests are found, implement impact avoidance measures (e.g., "no work" buffers, sound and/or visual barriers) until young have fledged. This also applies to offsite nests that may be indirectly impacted. While there is no established protocol for indirect impacts to nests, the CDFW often recommends avoidance buffers of about 500 feet for birds-of-prey and listed species, and 100–300 feet for other unlisted birds.

3) Perform a burrowing owl focused burrow assessment, and if necessary, focused surveys in accordance with the Staff Report on Burrowing Owl Mitigation (CDFG 2012). The burrow search should cover the project site and a 500-foot area within suitable habitat areas. Map all suitable burrowing owl burrows. If suitable burrows are found, conduct a total of four (4) site visits: 1) at least one visit between February 15th and April 15th, and 2) a minimum of three survey visits, each at least three weeks apart, between April 15th and July 15th, with at least one visit after June 15th. Additionally, following the four site visits, CDFW recommends two pre-construction take avoidance surveys: 1) an initial pre-construction take avoidance survey no less than 14 days before ground-disturbing activities begin, and 2) a final pre-construction take avoidance survey within 24 hours prior to ground disturbance.

4) Take measures to avoid impacting potentially State jurisdictional water resources.

6.0 REFERENCES

Boarman, W. 2003. Desert tortoise species account. *In* Final Environmental Impact Report and Statement for the West Mojave Plan (BLM 2005). California Desert Conservation Area District Office, Riverside, California.

California Department of Fish and Game (CDFG). 2012. Staff Report on burrowing owl Mitigation. State of California Natural Resources Agency. March 7, 2012.

California Department of Fish and Wildlife (CDFW). 2023. California Natural Diversity Database (CNDDB) RareFind 5 records of sensitive elements.

California Department of Fish and Wildlife (CDFW). *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*

California Legislative Information. 2023. Fish and Game Code of California. http://leginfo.legislature.ca.gov/faces/codesTOCSelected.xhtml?tocCode=FGC&tocTitle=+Fish+and+Game+Code+-+FGC

California Native Plant Society (CNPS). 2023. Inventory of Rare, Threatened, and Endangered Plants of California. Accessed online at: http://www.rareplants.cnps.org

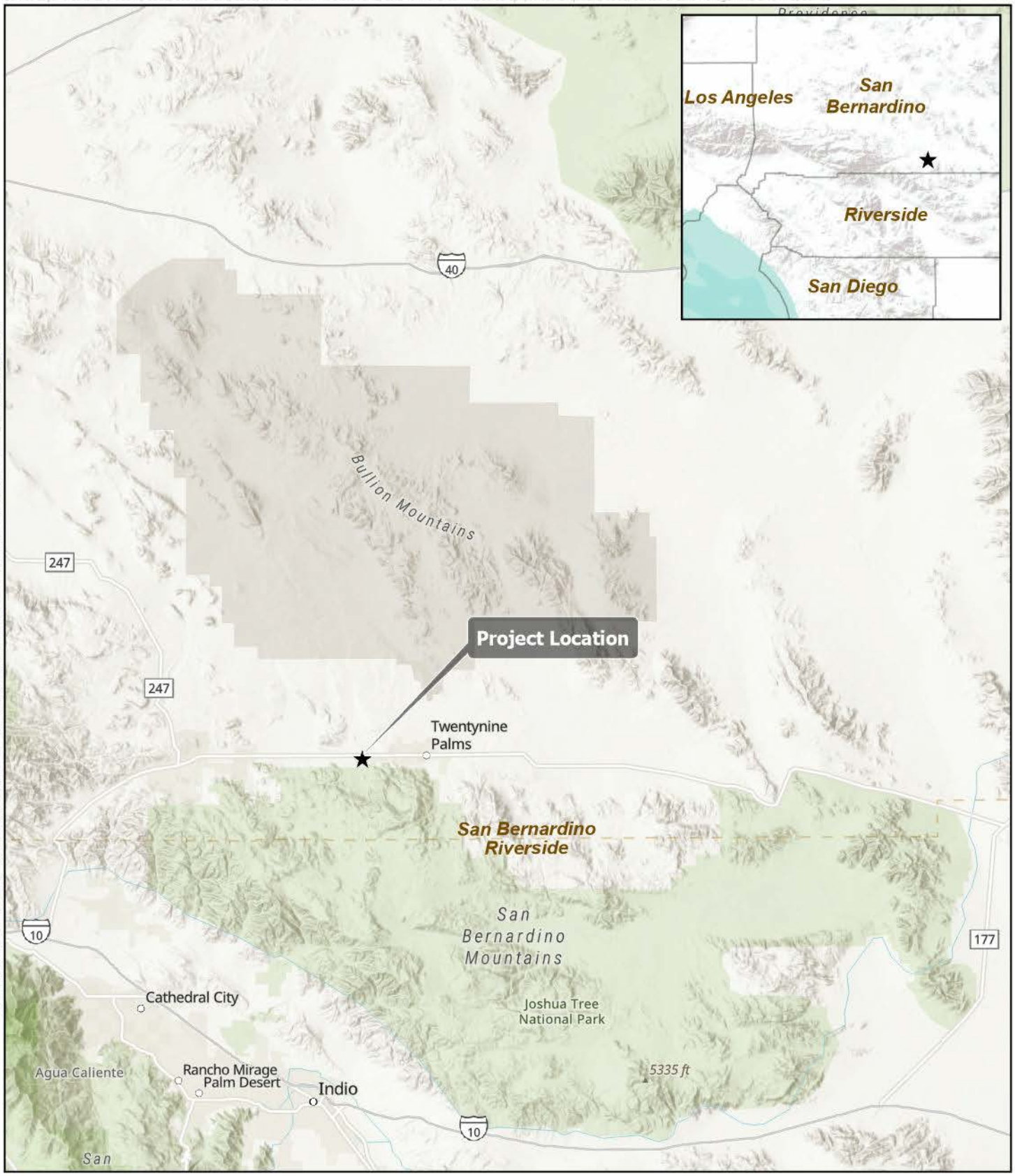
United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS). 2023. Web Soil Survey. November 1. Accessed online at: http://websoilsurvey.nrcs.usda.gov/app/

United States. Fish and Wildlife Service (USFWS). 2023. Environmental Conservation Online System (ECOS) https://ecos.fws.gov/ecp/

USFWS. 2019. Preparing for Any Action that May Occur Within the Range of the Mojave desert tortoise. October 8, 2019. Accessed online from: https://wildlife.ca.gov/Conservation/Survey-Protocols#377281283-reptiles

United States Geological Survey (USGS). 2023. 7.5-Minute Series Sun Fair United States Geological Survey. November 2023. Accessed online at: https://apps.nationalmap.gov/downloader/#/maps

APPENDIX A- **FIGURES**

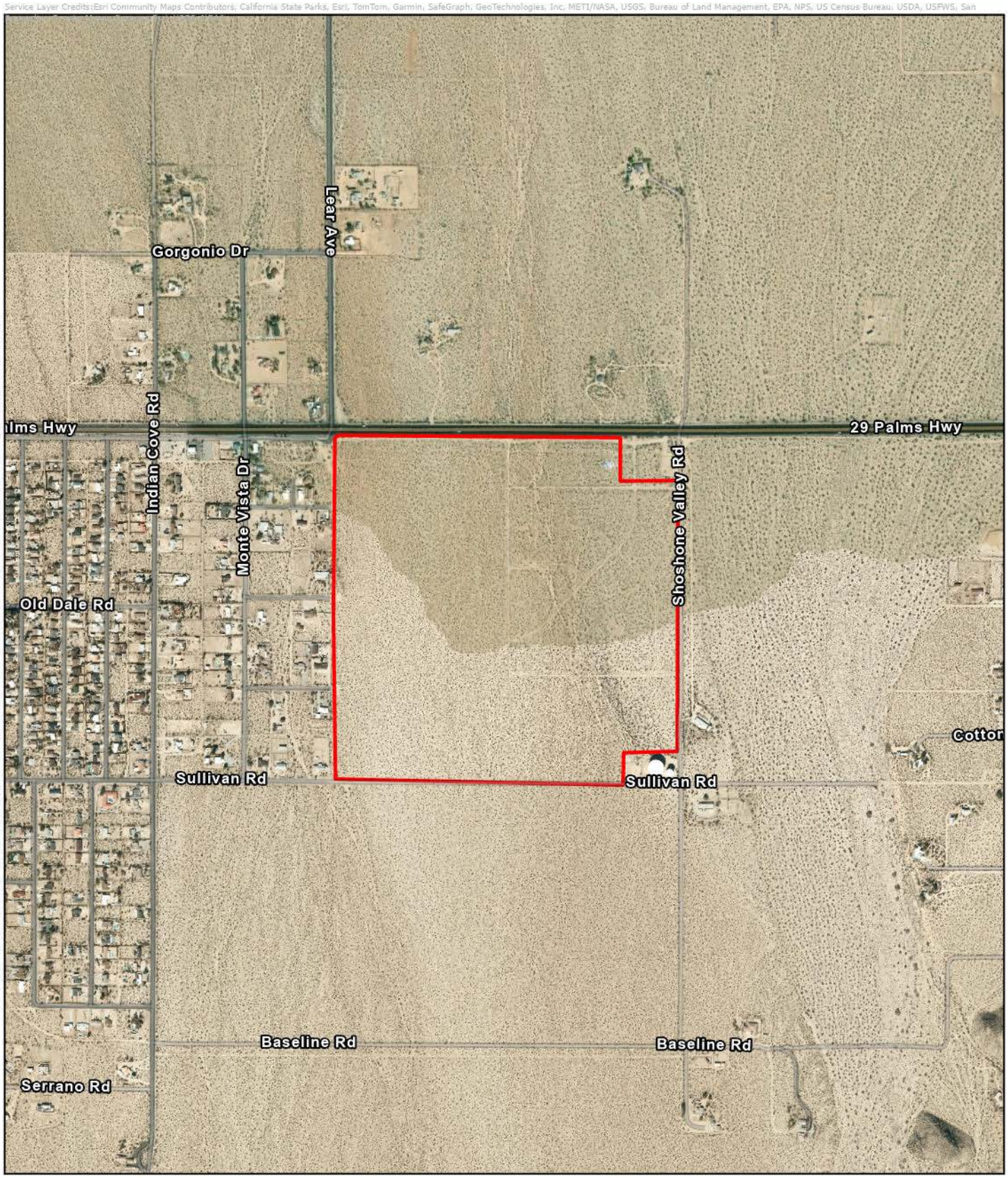


wsp

★ Project Location

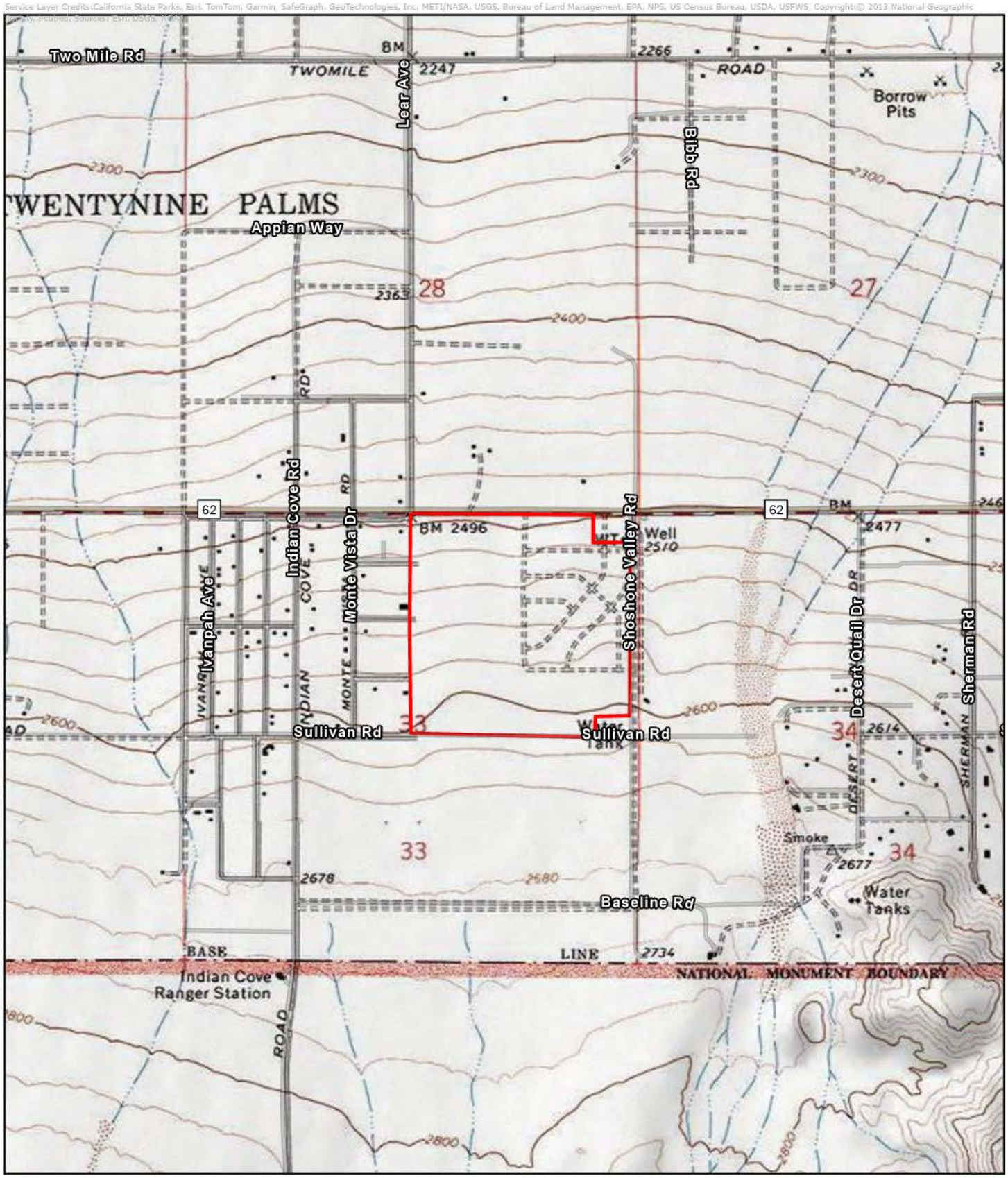
FIGURE 1

Regional Map
Biological Resources Assessment Report
Yonder Glamping Resort Project
Twentynine Palms, CA



Project Boundary

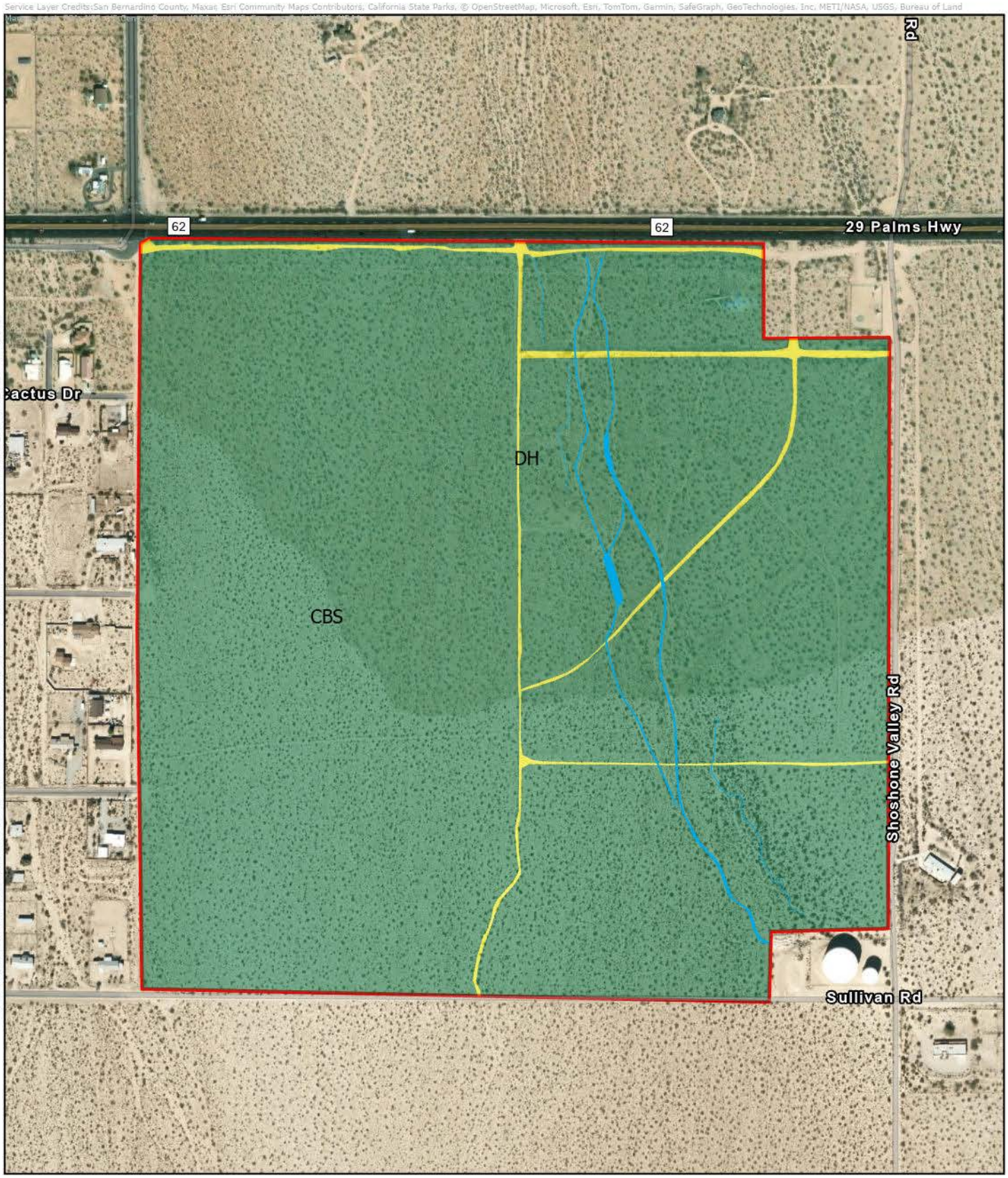
FIGURE 2
Vicinity Map
Biological Resources Assessment Report
Yonder Glamping Resort Project
Twentynine Palms, CA



0 500 1,000 Feet

Project Boundary

FIGURE 3
USGS Map
Biological Resources Assessment Report
Yonder Glamping Resort Project
Twentynine Palms, CA



Project Boundary

Vegetation and Land Cover Type

Creosote Bush Scrub (CBS)

Disturbed Habitat (DH)

Aquatic Resources

Ephemeral Drainages

0 295 590 Feet

FIGURE 4

Biological Resources

Biological Resources Assessment Report

Yonder Glamping Resort Project

Twentynine Palms, CA

APPENDIX B- **SITE PHOTOGRAPHS**

WSP USA
PHOTOGRAPHIC RECORD

Client: Terra Nova Planning and Research	**Job Number:** 322520147
Site Name: Yonder Glamping Resort Project	**Location:** Twentynine Palms, CA
Photographer: Marshall Paymard	**Date:** October 26, 2023

Photograph No. 1

Photo 1: Facing south. View of creosote bush scrub habitat.

Photograph No. 2

Photo 2: Facing west. View of creosote bush scrub habitat and single-family homes.

WSP USA PHOTOGRAPHIC RECORD	
Client: Terra Nova Planning and Research	**Job Number:** 322520147
Site Name: Yonder Glamping Resort Project	**Location:** Twentynine Palms, CA
Photographer: Marshall Paymard	**Date:** October 26, 2023

Photograph No. 3

Photo 3: Facing southeast. View of habitat and disturbances.

Photograph No. 4

Photo 4: Facing southeast. View of creosote bush scrub habitat.

WSP USA PHOTOGRAPHIC RECORD	
Client: Terra Nova Planning and Research	**Job Number:** 322520147
Site Name: Yonder Glamping Resort Project	**Location:** Twentynine Palms, CA
Photographer: Marshall Paymard	**Date:** October 26, 2023

Photograph No. 5

Photo 5: Facing east. View of habitat and SR-62 on the left.

Photograph No. 6

Photo 6: Facing east. View of habitat, including erosion and disturbances.

WSP USA PHOTOGRAPHIC RECORD	
Client: Terra Nova Planning and Research	**Job Number:** 322520147
Site Name: Yonder Glamping Resort Project	**Location:** Twentynine Palms, CA
Photographer: Marshall Paymard	**Date:** October 26, 2023

Photograph No. 7

Photo 7: Facing southeast. View of habitat and water tower in the distance (offsite).

Photograph No. 8

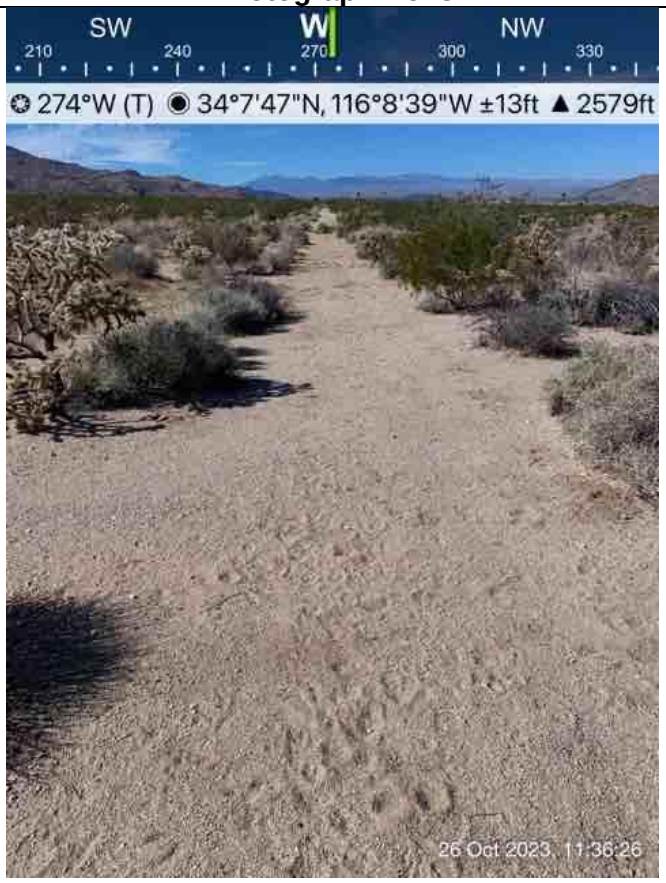


Photo 8: Facing west. View of drainage feature.

APPENDIX C- **California Natural Diversity Database (CNDDB)**
RareFind 5 Report

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Twentynine Palms (3411621) OR Queen Mtn. (3411611) OR Sunfair (3411622) OR Indian Cove (3411612))
 AND Taxonomic Group IS (Fish OR Amphibians OR Reptiles OR Birds OR Mammals OR Mollusks OR Arachnids OR Crustaceans OR Insects OR Ferns OR Gymnosperms OR Monocots OR Dicots OR Lichens OR Bryophytes)

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Antrozous pallidus pallid bat	AMACC10010	None	None	G4	S3	SSC
Aquila chrysaetos golden eagle	ABNKC22010	None	None	G5	S3	FP
Astragalus bernardinus San Bernardino milk-vetch	PDFAB0F190	None	None	G3	S3	1B.2
Ayenia compacta California ayenia	PDSTE01020	None	None	G4	S3	2B.3
Boechera dispar pinyon rockcress	PDBRA060F0	None	None	G3	S3	2B.3
Calochortus striatus alkali mariposa-lily	PMLIL0D190	None	None	G3	S2S3	1B.2
Chaetodipus fallax pallidus pallid San Diego pocket mouse	AMAFD05032	None	None	G5T3T4	S3S4	
Coryphantha alversonii Alverson's foxtail cactus	PDCAC0X060	None	None	G3	S3	4.3
Crotalus ruber red-diamond rattlesnake	ARADE02090	None	None	G4	S3	SSC
Cymopterus multinervatus purple-nerve cymopterus	PDAPI0U0Q0	None	None	G4G5	S2	2B.2
Erigeron parishii Parish's daisy	PDAST3M310	Threatened	None	G2	S2	1B.1
Euderma maculatum spotted bat	AMACC07010	None	None	G4	S3	SSC
Eumops perotis californicus western mastiff bat	AMACD02011	None	None	G4G5T4	S3S4	SSC
Falco mexicanus prairie falcon	ABNKD06090	None	None	G5	S4	WL
Gopherus agassizii desert tortoise	ARAAF01012	Threatened	Threatened	G3	S2S3	
Grusonia parishii Parish's club-cholla	PDCAC0D2H0	None	None	G3G4	S2	2B.2
Jaffueliobryum raui Rau's jaffueliobryum moss	NBMUS97010	None	None	G4	S2	2B.3
Jaffueliobryum wrightii Wright's jaffueliobryum moss	NBMUS97020	None	None	G5	S2S3	2B.3

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Lasiurus cinereus hoary bat	AMACC05032	None	None	G3G4	S4	
Lasiurus xanthinus western yellow bat	AMACC05070	None	None	G4G5	S3	SSC
Lasthenia glabrata ssp. coulteri Coulter's goldfields	PDAST5L0A1	None	None	G4T2	S2	1B.1
Linanthus maculatus ssp. maculatus Little San Bernardino Mtns. linanthus	PDPLM041Y1	None	None	G2T2	S2	1B.2
Matelea parvifolia spear-leaf matelea	PDASC0A0J0	None	None	G5	S3	2B.3
Menodora spinescens var. mohavensis Mojave menodora	PDOLE09061	None	None	G4T2	S2	1B.2
Monardella robisonii Robison's monardella	PDLAM180K0	None	None	G3	S3	1B.3
Muhlenbergia appressa appressed muhly	PMPOA48020	None	None	G4	S3	2B.2
Myotis thysanodes fringed myotis	AMACC01090	None	None	G4	S3	
Nyctinomops femorosaccus pocketed free-tailed bat	AMACD04010	None	None	G5	S3	SSC
Nyctinomops macrotis big free-tailed bat	AMACD04020	None	None	G5	S3	SSC
Ovis canadensis nelsoni desert bighorn sheep	AMALE04013	None	None	G4T4	S3	FP
Penstemon clevelandii var. mohavensis Mojave beardtongue	PDSCR1L1D3	None	None	G5T3?	S2	1B.2
Rhopalolemma robertsi Roberts' rhopalolemma bee	IIHYM83010	None	None	G1	S1	
Saltugilia latimeri Latimer's woodland-gilia	PDPLM0H010	None	None	G3	S3	1B.2
Sidalcea neomexicana salt spring checkerbloom	PDMAL110J0	None	None	G4	S2	2B.2
Sphaeralcea rusbyi var. eremicola Rusby's desert-mallow	PDMAL140L1	None	None	G4T2	S2	1B.2
Streptanthus bernardinus Laguna Mountains jewelflower	PDBRA2G060	None	None	G3G4	S3S4	4.3
Taxidea taxus American badger	AMAJF04010	None	None	G5	S3	SSC
Toxostoma bendirei Bendire's thrasher	ABPBK06050	None	None	G4	S2	SSC
Vireo bellii pusillus least Bell's vireo	ABPBW01114	Endangered	Endangered	G5T2	S3	

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Wislizenia refracta ssp. refracta	PDCPP09013	None	None	G5T5?	S1	2B.2
jackass-clover						

Record Count: 40

APPENDIX D- **USFWS IPAC REPORT**

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Carlsbad Fish And Wildlife Office
2177 Salk Avenue - Suite 250
Carlsbad, CA 92008-7385
Phone: (760) 431-9440 Fax: (760) 431-5901

In Reply Refer To:
Project Code: 2024-0034574
Project Name: Yonder Project

January 10, 2024

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through IPaC by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see Migratory Bird Permit | What We Do | U.S. Fish & Wildlife Service (fws.gov).

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

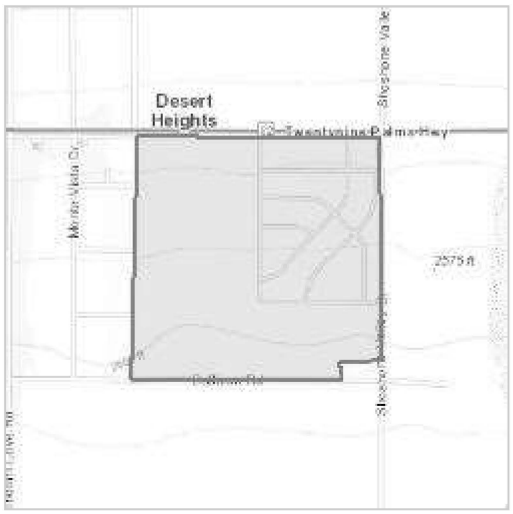
This species list is provided by:

Carlsbad Fish And Wildlife Office
2177 Salk Avenue - Suite 250
Carlsbad, CA 92008-7385
(760) 431-9440

PROJECT SUMMARY

Project Code: 2024-0034574
Project Name: Yonder Project
Project Type: Commercial Development
Project Description: 155-acres. planning phase
Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@34.13157545,-116.14637894466613,14z



Counties: San Bernardino County, California

ENDANGERED SPECIES ACT SPECIES

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

REPTILES

NAME	STATUS
Desert Tortoise *Gopherus agassizii*	Threatened

Population: Wherever found, except AZ south and east of Colorado R., and Mexico
There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/4481

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus*	Candidate

No critical habitat has been designated for this species.
Species profile: https://ecos.fws.gov/ecp/species/9743

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

APPENDIX E- **Wildlife and Plant Species Observed During Surveys**

Yonder Glamping Resort Project
Detected Species Compendium

Plant Species Detected

EUDICOTIDAE	EUDICOTS
Amaranthaceae	**Amaranth Family**
Amaranthus fimbriatus	fringed amaranth
Asteraceae	**Sunflower Family**
Adenophyllum cooperi	Cooper's dogweed
Ambrosia dumosa	white bur-sage
Ambrosia salsola	cheesebush
Ericameria nauseosa	rubber rabbitbrush
Pectis papposa	manybristle chinchweed
Boraginaceae	**Borage Family**
Johnstonella angustifolia	narrow-leaved johnstonella
Cactaceae	**Cactus Family**
Cylindropuntia echinocarpa	golden/silver cholla
Cylindropuntia ramosissima	pencil cactus
Echinocereus engelmannii	Engelmann's hedgehog cactus
Ferocactus cylindraceus	California barrel cactus
Opuntia basilaris	beavertail cactus
Chenopodiaceae	**Goosefoot Family**
Atriplex polycarpa	allscale saltbush
Fabaceae	**Legume Family**
Senna armata	spiny senna
Krameriaceae	**Rhatany Family**
Krameria bicolor	white rhatany
Lamiaceae	**Mint Family**
Scutellaria mexicana	bladder-sage
Polygonaceae	**Buckwheat Family**
Eriogonum inflatum	desert trumpet

Simmondsiaceae	**Jojoba Family**
Simmondsia chinensis	jojoba
Zygophyllaceae	**Caltrop Family**
Larrea tridentata	creosote bush
MONOCOTYLEDONAE	**MONOCOTS**
Agavaceae	**Century Plant Family**
Yucca schidigera	Mojave yucca

Wildlife Species Detected

VERTEBRATA	**VERTEBRATE WILDLIFE**
Cathartidae	**New World Vultures**
Cathartes aura	turkey vulture
Passerellidae	**New World Sparrows**
Zonotrichia leucophrys	white-crowned sparrow

This list reports only plants observed on the site by this study. Other species may have been overlooked or undetectable due to their growing season. Plants were identified from keys, descriptions and drawings in the Jepson Flora Project (2024). Plant nomenclature and systematics follows the Jepson Flora Project and/or United States Department of Agriculture, Natural Resources Conservation Service (2024).
