

# **FOCUSED DESERT TORTOISE SURVEY**

**KATE'S LAZY DESERT  
VINTAGE AIRSTREAM MOTEL  
APN 0630-062-17**

**SAN BERNARDINO COUNTY, CALIFORNIA  
(USGS Landers, CA Quad.; Township 2 North, Range 6 East, Section 6)**

*Owner/Applicant*

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*Prepared by:*

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**Project No: RCA#2013-12**

**June 5, 2013  
(Date report prepared.)**

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## EXECUTIVE SUMMARY

The project proponent has developed the subject property as a "vintage" airstream trailer motel and there are currently several trailers parked on the site. The property is 5-acres (gross) in size and is located at 58380 Botkin Road in Section 6, Township 2 North, Range 6 East in San Bernardino County. In addition to the existing trailers, there are a few outbuildings and a small pool located on the property. A wire fence is also located around the existing trailers encompassing an area of about 1.3-acres. Limited native vegetation is present within the fenced enclosure; however, the vegetation in the remainder of the property is relatively undisturbed and supports a creosote bush (*Larrea tridentata*) community.

The property is located within the known distribution of the desert tortoise; therefore, focused surveys were performed for the species on April 16, 2013 from approximately 0700 to 1030 hours. Surveys were also conducted in the zone of influence to the north and west; however, no ZOI surveys were conducted to the east or south due to the presence of existing houses and private property. All of the surveys were performed by Randall Arnold using the standard survey protocol for the species (i.e., 10-meter belt transects) as required by California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS).

**No desert tortoises or tortoise sign (e.g., burrows, scats, etc.) were observed on the site. The species has been documented in the general region and populations have been documented about seven miles north of the site (CNDDDB, 2013). However, the species is not expected to move on to the site in the future based on the results of the focused surveys. The focused surveys were limited to the desert tortoise since the tortoise has been documented within a few miles of the site (CNDDDB, 2013). In addition, there were no occupiable burrows suitable for use by burrowing owls on the site or in the zone of influence; therefore, no focused surveys were conducted for the owl.**

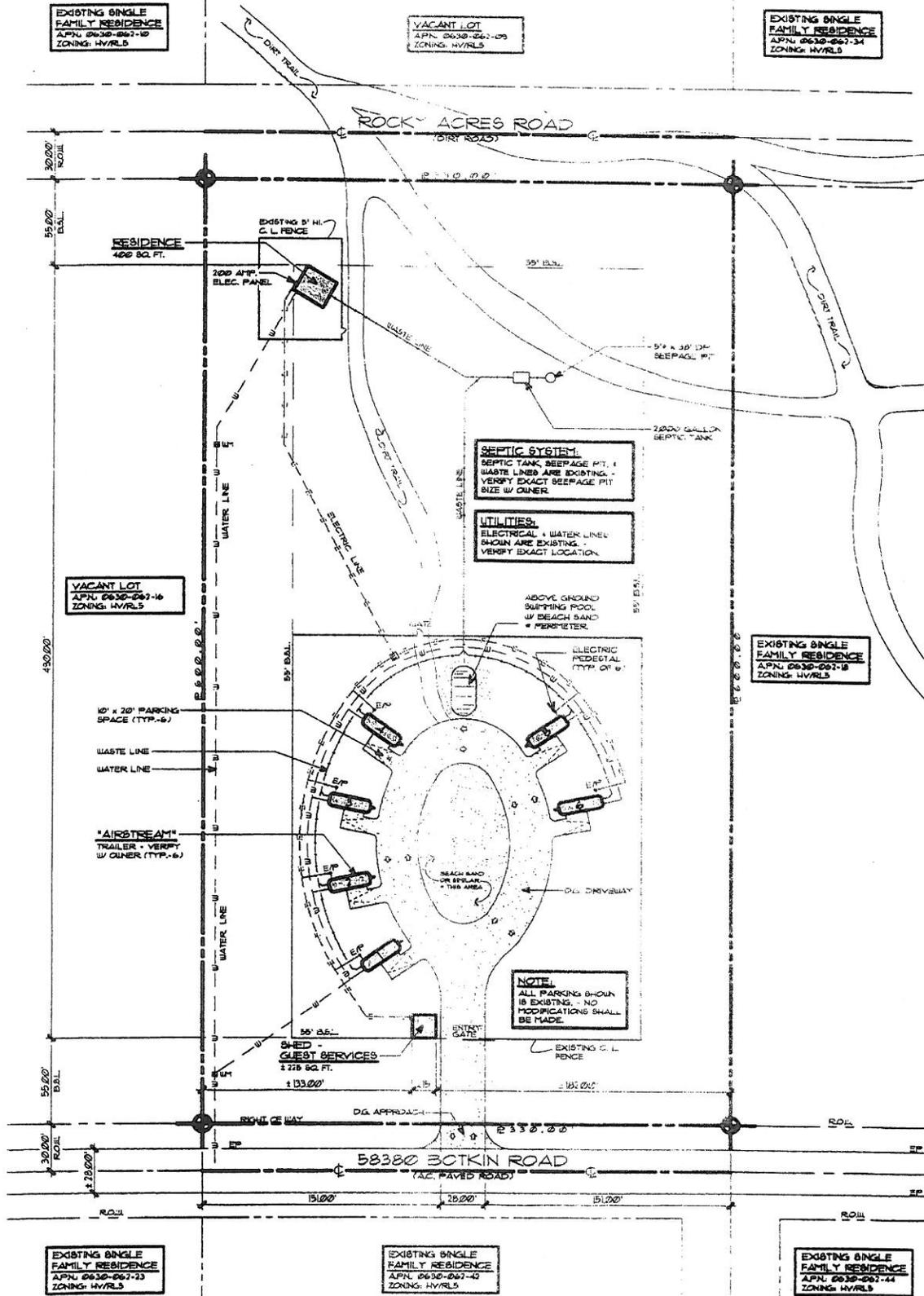
## 1.0 PROJECT AND PROPERTY DESCRIPTION

Approximately 1.3-acres of the site have been previously disturbed by clearing activities and placement of several travel trailers within a fenced portion of the site (Figures 1, 2, and 3). The remainder of the property (~3.7-acres) is relatively undisturbed and currently supports a creosote bush community.

The parcel is located at 58380 Botkin Road and is about 5-acres in size (gross). It is located in San Bernardino County (Township 2 North, Range 6 East, Section 6) at an elevation of about 2800 feet (MSL). Soils appear to be primarily sandy loam with some gravels present. No water resources were observed on the site and the USGS Landers Quadrangle (1972) does not show any blue-line channels on the site or in the immediate surrounding area. No sensitive wildlife habitats, sensitive wildlife species, or wildlife corridors were associated with the site. Weather conditions during the April 16, 2013 survey consisted of winds of 0 to 5 mph, temperatures in the low 50's to low 70's (AM, °F) with about 5 percent cloud coverage.

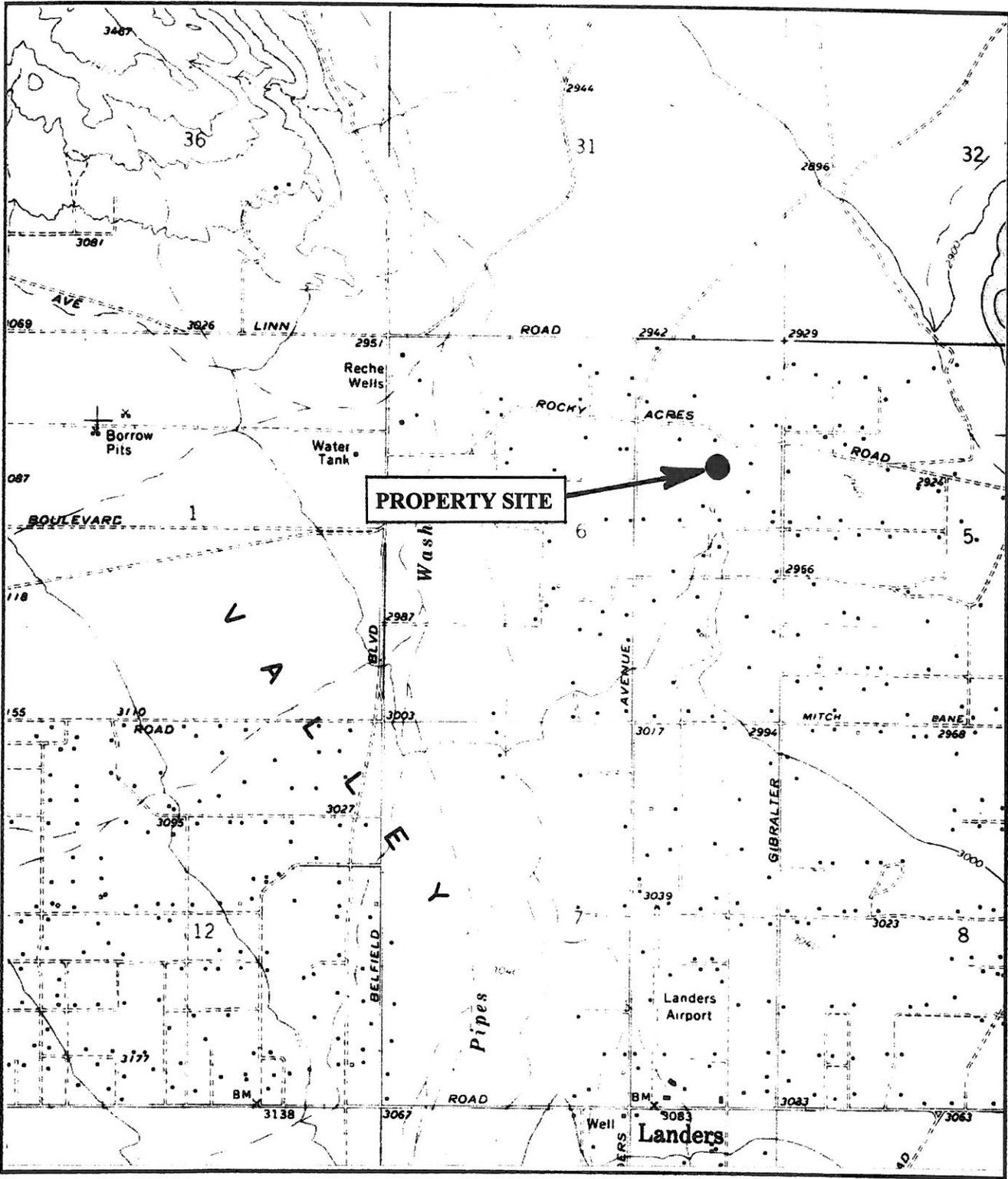
Existing single-family dwellings are located in the surrounding area to the north, east, and northwest with vacant land to the west and south. The fenced area where the existing trailers are located supports limited native vegetation with the area outside of the fenced area supporting a creosote bush community. Dominant species included creosote bush (*Larrea tridentata*), ephedra (*Ephedra nevadensis*), and cholla (*Opuntia echinocarpa*) (Figure 3). Dominant annuals consisted of agrostis (*Agrostis* sp.), erodium (*Erodium texanum*), ricegrass (*Oryzopsis* sp.), and schismus (*Schismus barbatus*). Section 4.0 provides a more detailed discussion of the biological resources. The project map is provided below (Figure 1), and the USGS quadrangle map is provided in Figure 2. Figure 3 provides photographs of the site.

The proponent is requesting a permit "after the fact" for the clearing activities which have occurred and placement of the existing trailers as depicted in Figure 1.



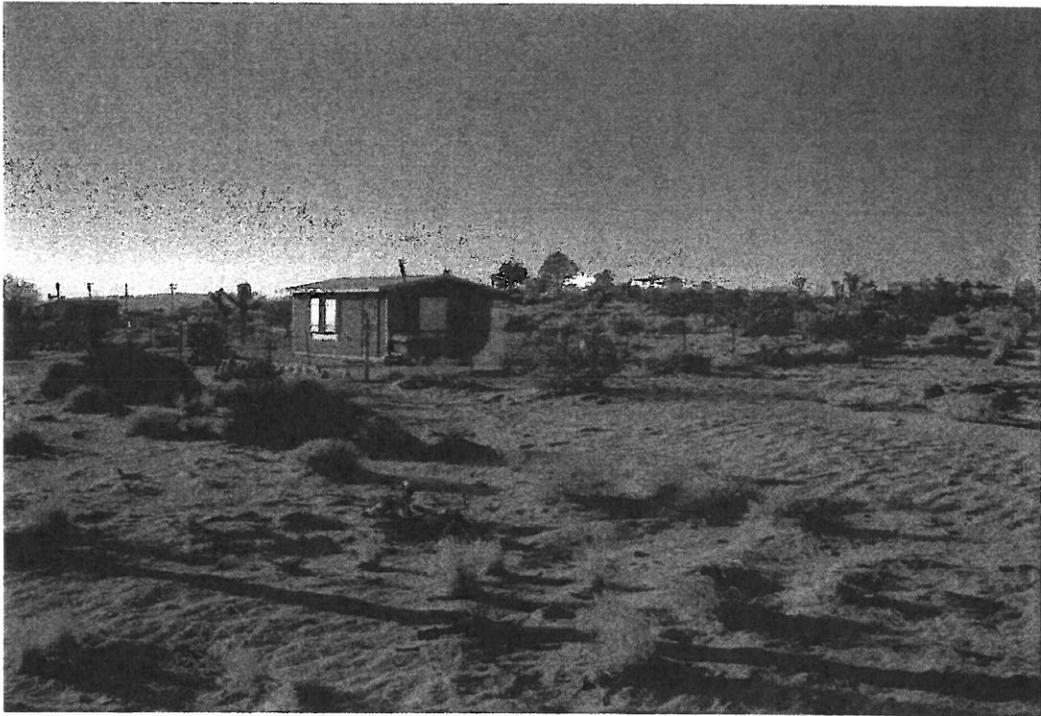
THIS IS AN "AS-BUILT" SITE PLAN. - EVERYTHING SHOWN IS EXISTING. - NO MODIFICATIONS ARE PROPOSED.

**FIGURE 1**  
**SITE PLAN**

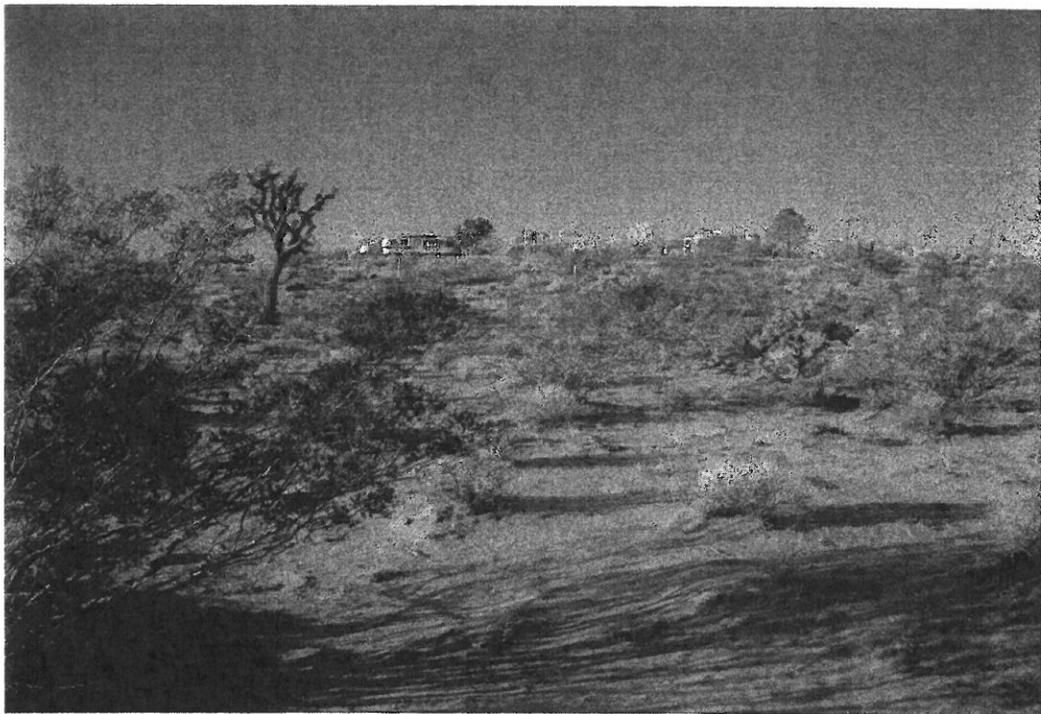


**FIGURE 2**  
**TOPOGRAPHIC MAP**  
 (Kate's Lazy Desert Vintage Airstream Motel; APN 0630-062-17)  
 (Source: USGS Landers, CA, 1972)



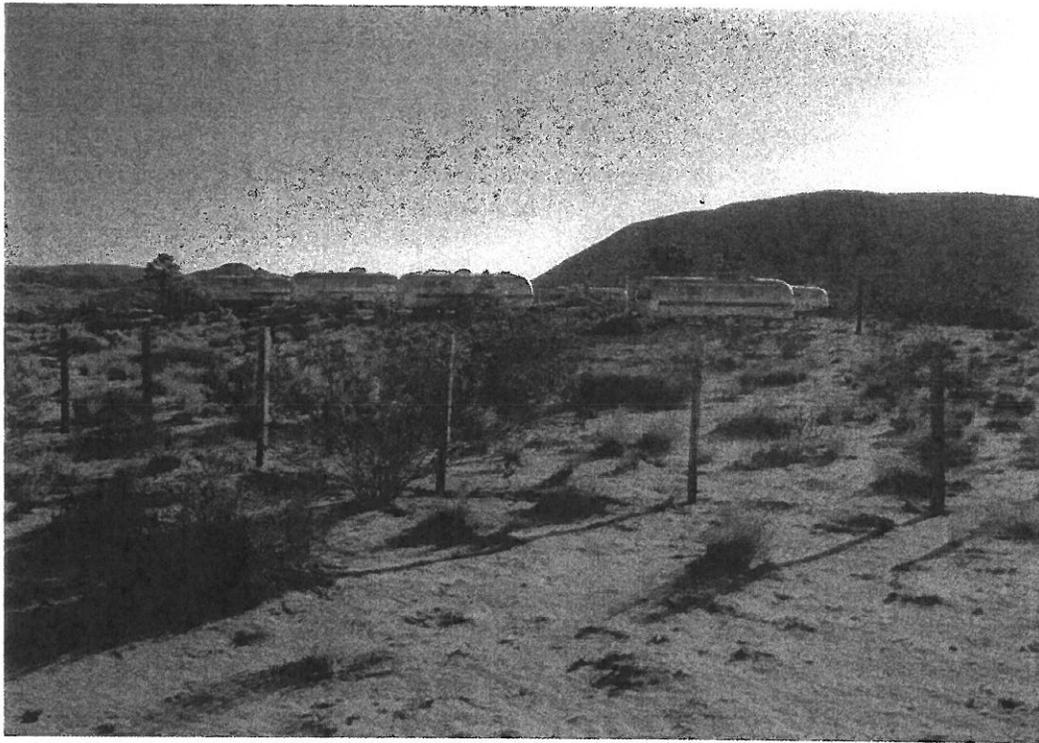


NORTHWEST CORNER LOOKING SOUTHEAST

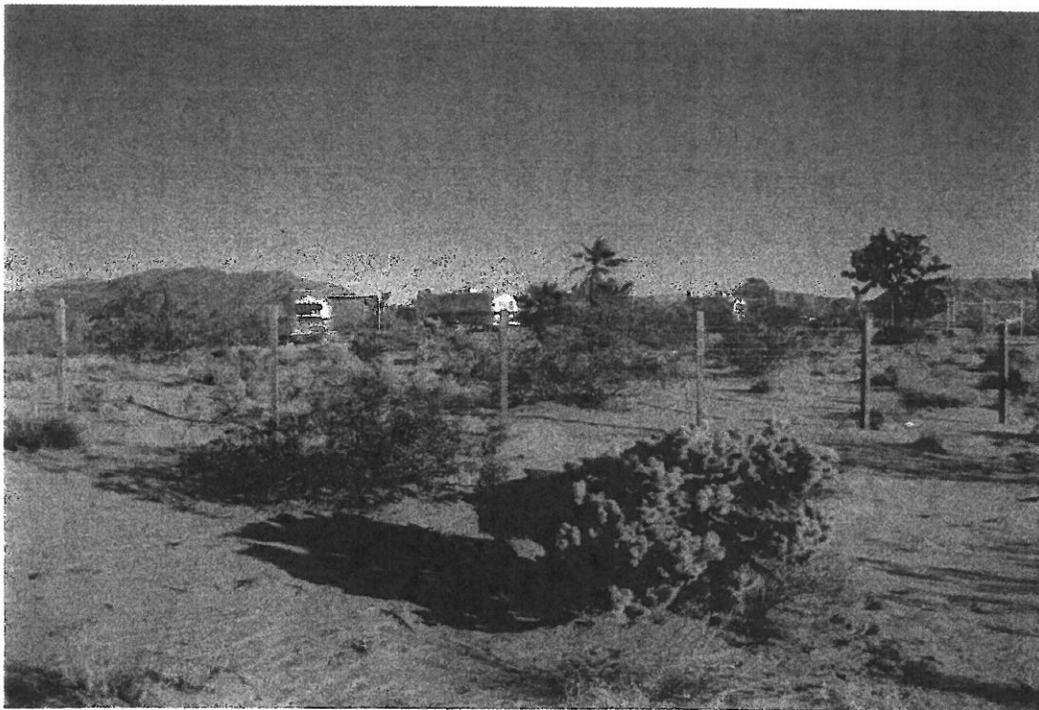


SOUTHWEST CORNER LOOKING NORTHEAST

FIGURE 3  
Photographs of Site  
(Kate's Lazy Desert, APN 0630-062-17)

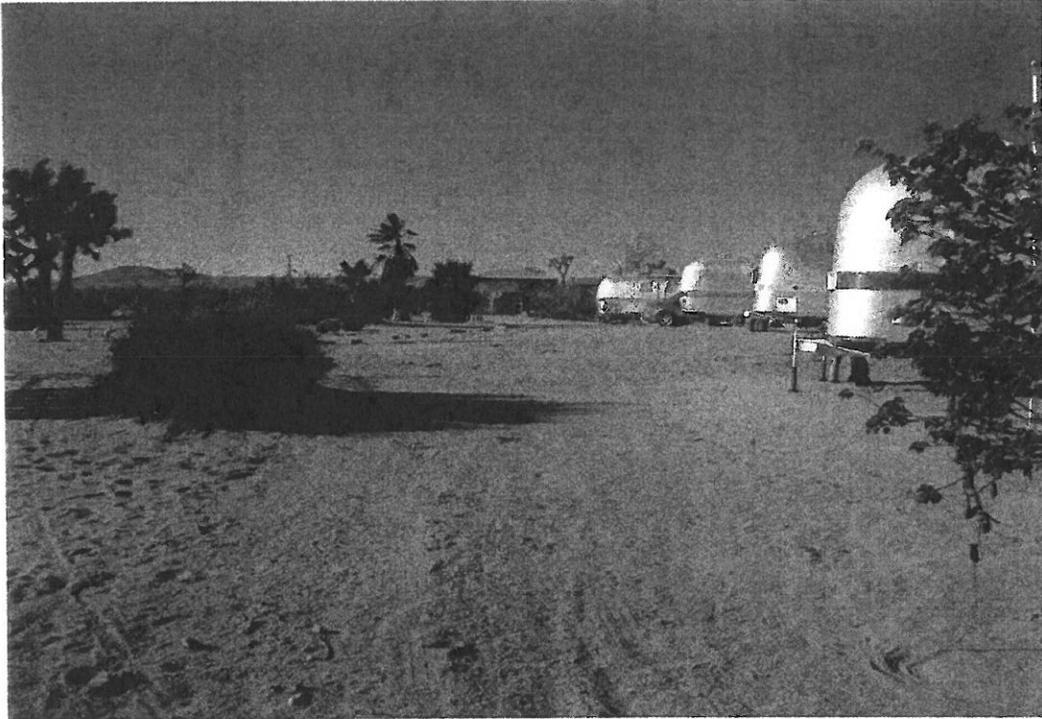


SOUTHEAST CORNER LOOKING NORTHWEST

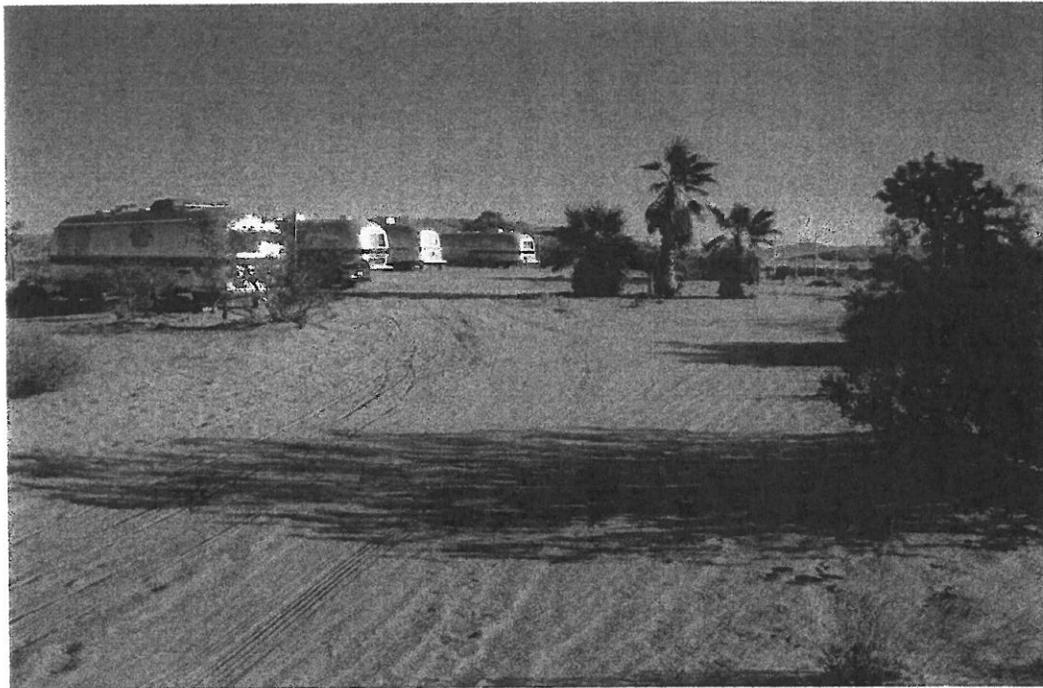


NORTHEAST CORNER LOOKING SOUTHWEST

FIGURE 3, cont.  
Photographs of Site  
(Kate's Lazy Desert, APN 0630-062-17)



CENTER OF FENCED AREA LOOKING EAST



CENTER OF FENCED AREA LOOKING WEST

Photographs of Site  
(Kate's Lazy Desert, APN 0630-062-17)

## 2.0 LITERATURE AND RECORDS REVIEW - DESERT TORTOISE

As part of the environmental process, California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) data sources were reviewed prior to initiation of field surveys to determine if the tortoises have been documented on the site or in the area surrounding the property. Based on the literature review and evaluation of the CNDDDB database for the Landers quadrangle, it was determined that the site is located within the general distribution of the desert tortoise. In addition, populations of desert tortoises have been identified in the immediate surrounding area according to CNDDDB (2013). The nearest documented tortoise populations are about eight miles north of the site according to CNDDDB (Occurrence #19; 2013). Tortoise population levels in the immediate area surrounding the site are expected to be very low (BLM, 1990).

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

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

### 3.0 METHODOLOGY

The site was surveyed for desert tortoises by Randall Arnold on April 16, 2013 and as required by the CDFW and USFWS survey protocol, 10 meter, parallel belt transects were walked in an east-west direction until the entire property had been checked for tortoises and/or tortoise sign (burrows, tracks, scats, etc.). Surveys in the zone of influence (ZOI) were only conducted in the surrounding areas to the north and west. No ZOI surveys were conducted to the south and east due to the presence of existing houses and private property. All transects were walked at a pace that allowed careful observations along the transect routes and in the immediate vicinity. Field notes were recorded regarding native plant assemblages, wildlife sign, and human affects in order to determine the presence or absence of suitable tortoise foraging habitat. Surveys were performed on the site and in the surrounding area from about 0700 to about 1030 hours.

USFWS and CDFW specify when surveys for tortoises can be conducted (i.e., April through May and September through October); therefore, surveys were performed on April 16, 2013. Comprehensive surveys combined with identification of the habitat on the site and in the surrounding area will provide data on the potential presence or absence of tortoises. Temperatures during the April survey were in the low 50's to low 70's (AM, °F) with wind speeds of about 0 to 5 mph (mainly from the north), and cloud coverage of about 5 percent. No precipitation was recorded during the survey.

#### **Limitations:**

- (1) This report is valid for 12 months from the date of the survey as per CDFG and USFWS requirements. An updated report will be required if project activities do not occur within the next 12-month period as per CDFW and USFWS requirements.
- (2) The results of this report do not constitute authorization for the "take" of the desert tortoise or any other listed or sensitive wildlife species. The authorization to impact the tortoise can only be granted by CDFW and USFWS. If desert tortoises are observed during future project activities, project activities should cease immediately and CDFW and USFWS should be contacted to discuss mitigation measures which may be required for the desert tortoise.

#### 4.0 GENERAL BIOLOGICAL SURVEY RESULTS

Approximately 1.3-acres of the site have been significantly disturbed by past clearing activities, and placement of several travel trailers within a fenced area (Figure 1). Limited native vegetation is present within the fenced area; although, the remainder of the site (~3.7-acres) supports a relatively undisturbed creosote bush (*Larrea tridentata*). Other dominant perennials included ephedra (*Ephedra nevadensis*) and cholla (*Opuntia echinocarpa*). Joshua trees (*Yucca brevifolia*), bursage (*Ambrosia dumosa*), yellow-green (*Gutierrezia sarothrae*). Annuals present included erodium (*Erodium texanum*), schismus (*Schismus barbatus*), and bromus grass (*Bromus* sp.), ricegrass (*Oryzopsis* sp.), and agrostis grass (*Agrostis* sp.). Table 1 provides a compendium of plants observed on the property (Appendix A).

Only a few wildlife species were identified during the field investigations conducted on April 16, 2013 from 0700 to 1030 hours. Birds observed were limited to mourning doves (*Zenaida macroura*), ravens (*Corvus corax*), song sparrows (*Melospiza melodia*) and sage sparrows (*Amphispiza belli*). No reptiles were observed, although, side-blotched lizards (*Uta stansburiana*) and western whiptail lizards (*Cnemidophorus tigris*) are relatively common in the area and may occur on the property. In addition, no mammals were identified but small mammals such as antelope ground squirrels (*Ammospermophilus leucurus*), desert cottontail rabbits (*Sylvilagus auduboni*), and Merriam's kangaroo rats (*Dipodomys merriami*), may occur on the site as well. No wildlife corridors were identified on the site or in the immediate surrounding area, and no breeding activities were observed among any of the wildlife species. Table 2 (Appendix A) provides a compendium of wildlife species observed on the site and other species known to occur in the region.

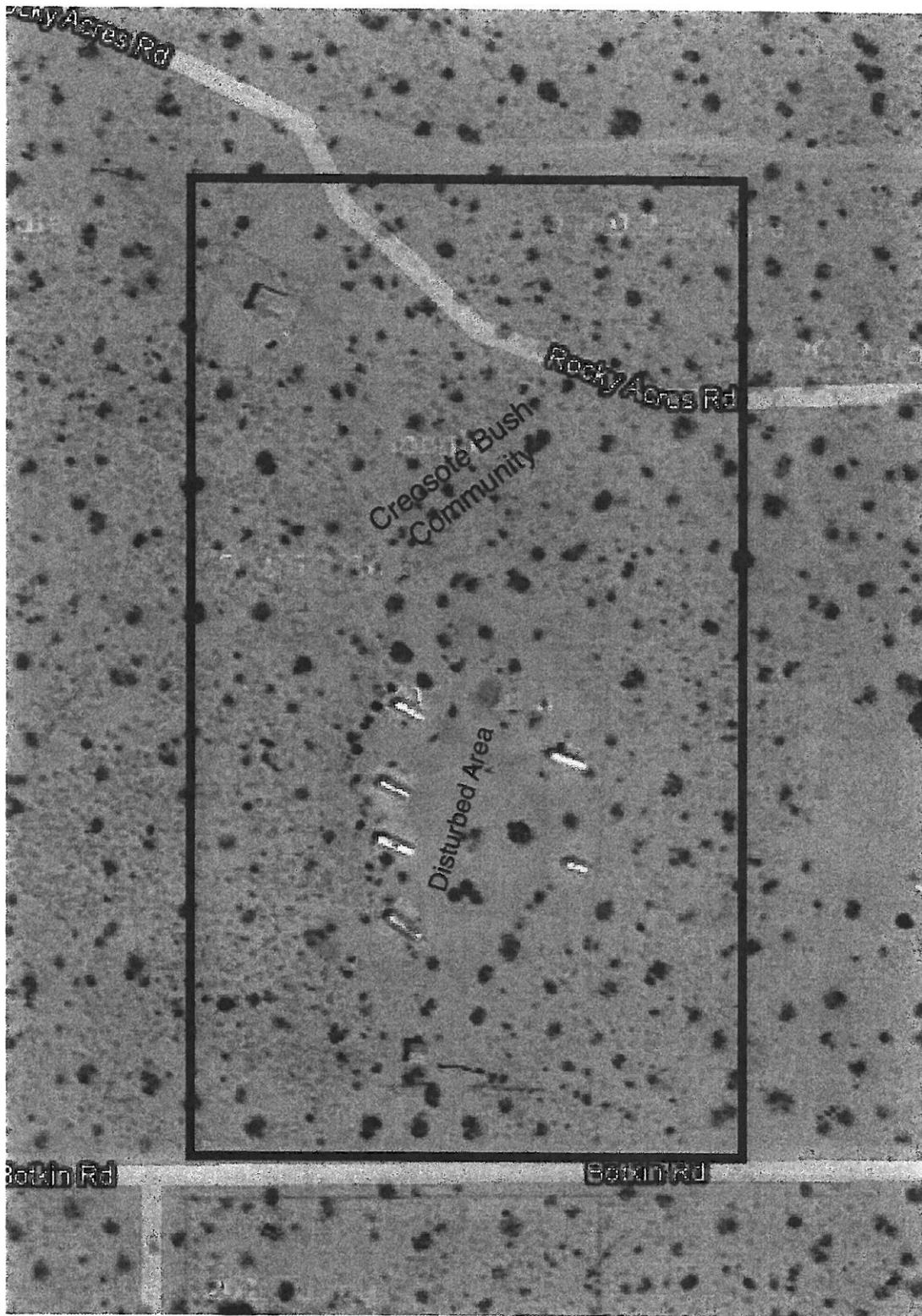


FIGURE 4  
Biological Resources Map  
(Kate's Lazy Desert, APN 0630-062-17)

## **5.0 RESULTS – DESERT TORTOISE**

Desert tortoises were not observed during the focused surveys conducted on April 16, 2013 nor were any tortoise burrows or other sign (scats, etc.) noted. The absence of tortoises and tortoise sign is primarily a function of the very low population levels in the region. As previously indicated, the nearest documented population is about eight miles north of the property (Occurrence #19; CNDDDB, 2013). Tortoises are not expected to migrate onto the site in the near future based on the results of the field investigations, and the low population levels in the overall region.

## **6.0 IMPACTS AND RECOMMENDATIONS**

The development activities which occurred on the site in the past are unlikely to have impacted any tortoises or any other sensitive wildlife species based on the results of the field investigations. In addition, the existing project is not expected to cause a disruption of any continuity of any important wildlife habitat or habitat/wildlife corridors. No additional investigations are recommended at this time; however, the survey results are only valid for 12-months, and CDFW, USFWS, and the County may require the site be re-surveyed for desert tortoise if any additional development activities occur after April 16, 2014. In addition, if the site is further modified by additional grading or otherwise disturbed prior to County approval, which results in the loss of desert tortoises, CDFW, USFWS, and the County Building and Safety Department should be notified. Such action prior to project approval will violate State and Federal endangered species laws and may be considered grounds for denial of the project. Mitigation and restoration plans will be required under such actions.

## 7.0 PROPOSED MITIGATION MEASURES

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

## 8.0 REFERENCES

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1976 vegetation and Plant Communities of Southern California Deserts- a functional view. In Symposium proceedings: Plant communities of Southern California. June Latting, editor. California Native Plant Society, Spec. No. 2 Berkeley, CA.
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1988 Desert Tortoise Habitat Management on the Public Lands: A Rangewide Plan. BLM, Washington, D.C.
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- U.S. Department of the Interior, Fish and Wildlife Service.  
1989 The Desert Tortoise Emergency and Proposed Listing. Portland , OR.
- 1989 Endangered and Threatened Wildlife and Plants; Desert Tortoise; Proposed Rule. Federal Register 50 CFR Part 17:42270-42278.
- 1990 Desert Tortoise Density Category Designation Maps. Maps obtained from Ray Bransfield, U.S.F.W.S. biologist, Laguna Niguel office, Laguna Niguel, CA.

**TABLES**

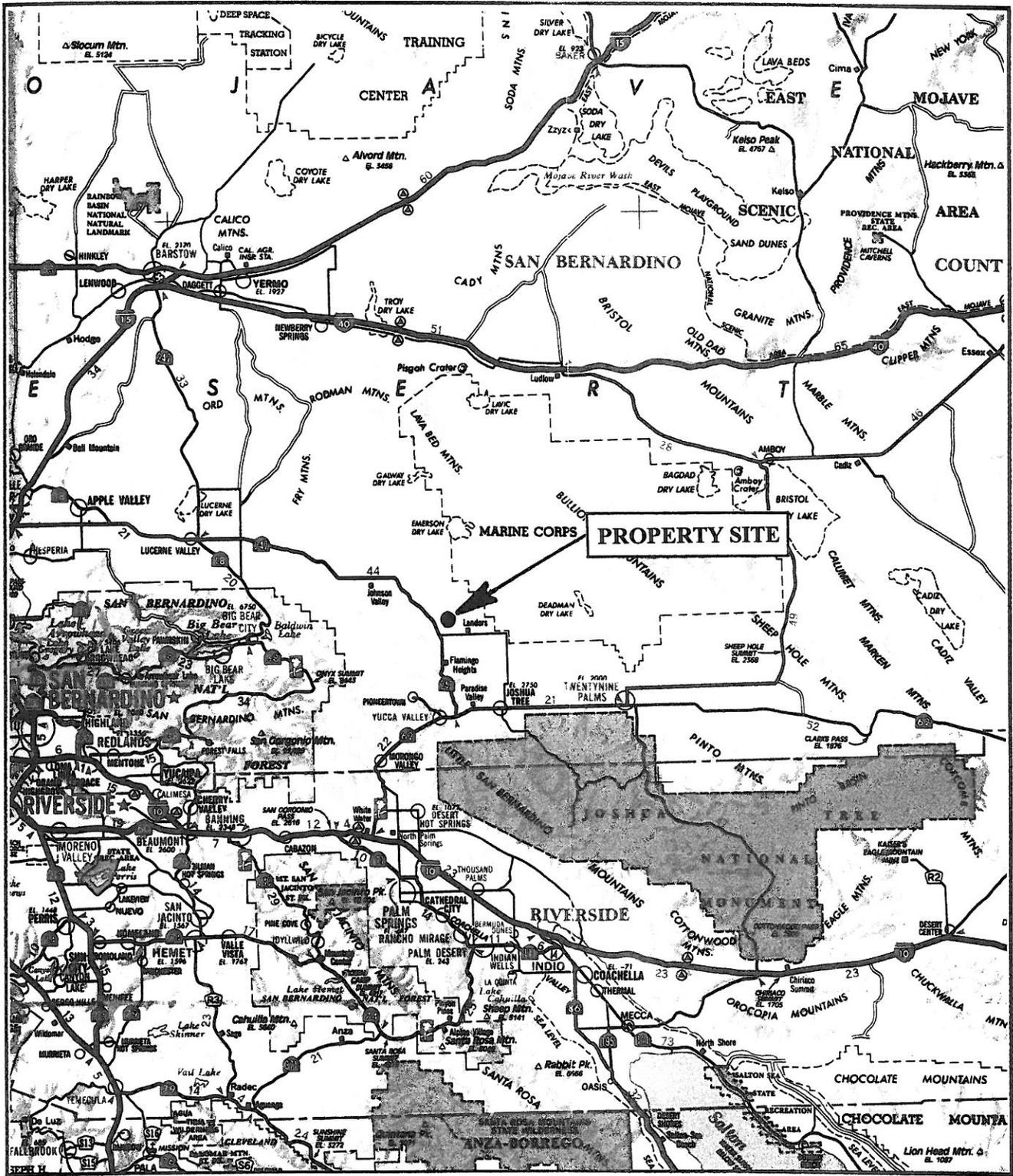
**Desert Tortoise Occurrences**

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

<b>Name</b>	<b>Listing Status</b>	<b>Habitat Requirements</b>	<b>Presence/Absences</b>	<b>Comments</b>
Desert tortoise ( <i>Gopherus agassizii</i> )	Federal: T State: T	Desert scrub communities.	Site does not support any tortoises.	Nearest occurrence ~8-miles north of site(Occ. #19, CNDDDB, 2013)

**FIGURES**

**Vicinity Map**



**VICINITY MAP**  
 (Kate's Lazy Desert Vintage Airstream Motel)  
 (APN 0630-062-17)  
 (Source: ACSC Map Source, 2013)

**SITE PHOTOGRAPHS**

**APPENDIX A**

**Flora and Fauna Compendia**

**Table 1 - Plants observed during the field investigations.**

<b>Common Name</b>	<b>Scientific Name</b>	<b>Location</b>
Erodium	<i>Erodium texanum</i>	On-site
Schismus	<i>Schismus barbatus</i>	"
Ricegrass	<i>Oryzopsis sp.)</i>	"
Brome grass	<i>Bromus sp.</i>	"
Fiddleneck	<i>Amsinckia tessellata</i>	"
Creosote bush	<i>Laree tridenata</i>	"
Cholla	<i>Opuntia echinocarpa</i>	"
Joshua tree	<i>Yucca brevifolia</i>	"
Ephedra	<i>Ephedra nevadensis</i>	"
Bursage	<i>Ambrosia dumosa</i>	"
Yellow-green matchweed	<i>Gutierrezia sarothrae</i>	"

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

<b>Common Name</b>	<b>Scientific Name</b>	<b>Location</b>
Common raven	<i>Corvus corax</i>	Observed on-site
Song sparrow	<i>Melospiza melodia</i>	"
Morning dove	<i>Zenaida macroura</i>	"
Western kingbird	<i>Tyrannus verticalis</i>	Occurs in area.
Western whiptail lizard	<i>Cnemidophorus tigris</i>	"
Side-blotched lizard	<i>Uta stansburiana</i>	"
Antelope ground squirrel	<i>Ammospermophilus leucurus</i>	"
Desert spiny lizard	<i>Sceloporus magister</i>	"
California ground squirrel	<i>Spermophilus beecheyi</i>	"
Coyote	<i>Canis latrans</i>	"
Merriam's kangaroo rat	<i>Dipodomys mohavensis</i>	"
Sage sparrow	<i>Amphispiza belli</i>	"
Desert cottontail rabbit	<i>Sylvilagus auduboni</i>	"

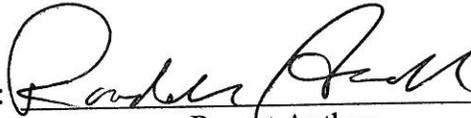
Note: The above Tables are not comprehensive lists of every plant or animal species which may occur in the area, but are a list of those common species which have been identified on the site or in the region by biologists from RCA Associates, LLC, or which are common species in the region.

## CERTIFICATION FOR DESERT TORTOISE SURVEY

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

Date: 6-5-2013

Signed: \_\_\_\_\_



Report Author

Field Work Performed By: \_\_\_\_\_

Randall Arnold  
Senior Biologist

