



**LUCERNE VALLEY
PROPOSED GENERAL RETAIL STORE PROJECT**

GENERAL BIOLOGICAL RESOURCES ASSESSMENT

**SAN BERNARDINO COUNTY, CALIFORNIA
USGS 7.5' LUCERNE VALLEY QUADRANGLE
TOWNSHIP 4N, RANGE 1W, SECTION 11
APN 0450-292-37**

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TABLE OF CONTENTS

1.0	EXECUTIVE SUMMARY	1
2.0	INTRODUCTION	1
2.1	Project and Property Description	1
3.0	METHODS.....	1
3.1	Literature Review and Records Search	1
3.2	General Biological Resources Assessment	2
3.3	Desert Native Plant Assessment	2
4.0	RESULTS.....	2
4.1	Literature Review and Records Search	2
4.2	General Biological Resources Assessment	6
4.3	Desert Native Plant Assessment	7
5.0	IMPACTS AND RECOMMENDATIONS.....	7
5.1	Plants 7	
5.2	Desert Tortoise.....	7
5.3	Burrowing Owl.....	8
5.4	Migratory Bird Treaty Act.....	8
6.0	REFERENCES	10
7.0	SPECIES LISTS	11
7.1	Vascular Plants	11
7.2	Animals	11
7.2.1	Birds	11
7.2.2	Mammals.....	12
8.0	CERTIFICATION	13

LIST OF TABLES

Table 1	Special-Status Biological Resources with the Potential to Occur in the Vicinity of the Proposed Project
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LIST OF FIGURES

Figure 1	Vicinity and Location Map
Figure 2	Vegetation Communities Map

Appendix

Appendix A	Project Maps	13
Appendix B	Location Photos	14

1.0 EXECUTIVE SUMMARY

AMEC Environment & Infrastructure, Inc. conducted biological surveys to provide support for the development of a proposed 1.74-acre retail store development (Project) located in Lucerne Valley, San Bernardino County, California. The Project site is on flat terrain, and contains Desert Saltbush Scrub. Portions of the site are ruderal and highly disturbed. The habitat shows signs of anthropogenic disturbance, such as old concrete foundations, old building materials, trash, and debris throughout the site.

No special-status biological resources were detected on the site, and none are expected to occur. No plant species protected by the Desert Native Plant Protection ordinance occur on the site.

To comply with the federal Migratory Bird Treaty Act, any vegetation removal or grading occurring during the bird nesting season (generally February 1 through August 31) would require at least one nesting bird survey, to be conducted by a qualified Biologist. If no nests are found, construction would proceed. If nests are found, impact avoidance measures (e.g., buffers) would be required.

2.0 INTRODUCTION

AMEC Environment and Infrastructure, Inc. (AMEC) was contracted by Dynamic Development Company, LLC, (Proponent) to provide biological support for the development of a proposed 1.74-acre retail store development (Project) located in Lucerne Valley, San Bernardino County, California. This report presents results and discussion of a Biological Resources Assessment Report (BRAR) survey.

2.1 Project and Property Description

The subject 1.74-acre property is located along the north side of State Route (SR) 18, immediately west of Highland Road, in Lucerne Valley, San Bernardino County, California (USGS 7.5-minute Lucerne Valley quadrangle, Township 4N, Range 1W, Section 11) (Figure 1). The Project site is on flat terrain, and is at an elevation of approximately 2,930 feet (893 meters). The Project site contains Desert Saltbush Scrub (Holland 1986), dominated almost monotypically by Allscale Saltbush (*Atriplex polycarpa*). Portions of the site are ruderal and highly disturbed. The habitat shows signs of anthropogenic disturbance, such as old concrete foundations, old building materials, trash, and debris throughout the site.

The proposed development will consist of a general retail store, with a driveway entering from SR 18, parking lots, and landscaping. Rural residential development occurs to north, commercial development to the east, and commercial development (including the Lucerne Valley post office) to the south, across SR 18. Native Desert Saltbush Scrub habitat occurs west of the site for approximately 900 feet, after which the land is ruderal and developed.

3.0 METHODS

3.1 Literature Review and Records Search

A literature review and records search was conducted to identify the historical occurrences of special-status biological resources in the project vicinity. The review included:

- The California Native Plant Society (CNPS)
- The California Department of Fish and Game's (CDFG) California Natural Diversity Data Base (CNDDDB): USGS 7.5-minute topographic quadrangles *Lucerne Valley, Fifteenmile Valley, Butler Peak, Fairview Valley, Ord Mountains, Cougar Buttes, Big Bear City, and Fawnskin, California*. This search was limited to a radius of approximately five miles.
- Recent aerial photographs
- Pertinent documents from the AMEC library and project files (e.g., other biological surveys from the general vicinity).

3.2 General Biological Resources Assessment

A field reconnaissance survey and general assessment was conducted by AMEC Biologist Stephen J. Myers on 29 January 2013 to evaluate the suitability of existing habitat on-site to support special-status biological resources. Myers walked systematic transects throughout the Project site, identifying habitat types, dominant plant species, and plant and wildlife species. The small size of the project site allowed for thorough coverage. All wildlife and plant species observed were recorded in field notes.

3.3 Desert Native Plant Assessment

During the General Biological Resources Assessment, it was also possible to assess the presence of protected desert native plant species. The following species are included in *Title 8 Development Code, Division 9: Plant Protection and Management, Chapter 4: Desert Native Plant Protection, Sections 89.0401-89.0435*: Smoketree (*Dalea spinosa*), all species of mesquites (genus *Prosopis*), all species of century plants, nolinias, yuccas (family Agavaceae), Creosote rings ten feet or greater in diameter, and all Joshua Trees (*Yucca brevifolia*).

4.0 RESULTS

4.1 Literature Review and Records Search

The results of the literature review and records search are presented in Table 1, which lists the special-status biological resources with the potential to occur in the vicinity of the proposed Project.

Table 1. Special-Status Biological Resources with the Potential to Occur in the Vicinity of the Proposed Project, Located in Lucerne Valley, San Bernardino County, CA						
Scientific Name	Common Name	Status ¹			Habitat, Distribution, and Blooming Period	Occurrence Probability ²
		Federal	State	CNPS		
Plants						
<i>Boechera shockleyi</i>	Shockley's Rock-Cress	None	S2	2.2	Pinyon-juniper woodland, Quartsite or limestone outcrops and openings. 1,200-2,400m. May-June.	Absent. No suitable habitat present on-site.
<i>Calochortus striatus</i>	Alkali Mariposa Lily	None	S2	1B.2	Chaparral, Chenopod scrub, Mojavean Desert scrub, meadows. Occurs in alkaline meadow and ephemeral washes. 90-1,595 m. April-June.	Low.. Marginally suitable habitat present on-site, but previous disturbance of site makes likelihood of occurrence low
<i>Canbya candida</i>	White Pygmy-Poppy	None	S3.2	4.2	Joshua Tree Woodland, Mojavean Desert scrub. Sandy soils. 725-1,250 m. March-June.	Absent. No suitable habitat present on-site.
<i>Cymopterus multinervatus</i>	Purple-nerve Cymopterus	None	S2	2.2	Mojavean desert scrub, pinyon and juniper woodland, Joshua Tree woodland. Sandy or gravelly places. 790-1,800m. March-April.	Absent. No suitable habitat present on-site.
<i>Elymus salina</i>	Salina Pass Wild-Rye	None	S2	2.3	Pinyon-juniper woodland. Rocky sites at 1,350-2,135 m. May-June.	Absent. No suitable habitat present on-site.
<i>Erigeron parishii</i>	Parish's Daisy	FT	S2	1B.1	Mojavean desert scrub, pinyon-juniper woodland, Joshua Tree woodland. Often on carbonate; limestone mountain slopes; often associated with drainages. 1,090-2,000m. May-August.	Absent. No suitable habitat present on-site.
<i>Phacelia parishii</i>	Parish's Phacelia	None	S1	1B.1	Mojavean Desert scrub, playas. Alkaline flats and slopes, or on clay soils. 535-1,200 m. May-October.	Absent. No suitable habitat present on-site.
<i>Plagiobothrys parishii</i>	Parish's Popcorn-flower	None	S1	1B.1	Great Basin scrub, Joshua Tree woodland. Alkaline soils, mesic sites. 750-1,400 m. March-November.	Absent. No suitable habitat present on-site.
<i>Puccinellia parishii</i>	Parish's Alkali-grass	None	S1	1B.1	Alkali springs and seeps in deserts. 695-1,000 m. April-May.	Absent. No suitable habitat present on-site.
<i>Sidalcea neomexicana</i>	Salt Spring Checker-bloom	None	S2S3	2.2	Alkaki playas, brackish marshes, chaparral, coastal scrub, lower montane coniferous forest, Mojavean Desert scrub. 0-1,500 m. March-June.	Absent. No suitable habitat present on-site.

Table 1. Special-Status Biological Resources with the Potential to Occur in the Vicinity of the Proposed Project, Located in Lucerne Valley, San Bernardino County, CA						
Scientific Name	Common Name	Status ¹			Habitat, Distribution, and Blooming Period	Occurrence Probability ²
		Federal State CNPS				
Amphibians & Reptiles						
<i>Gopherus agassizii</i>	Desert Tortoise	FT	ST, S2		Most common in desert scrub, desert wash, and Joshua Tree habitats; occurs in almost every desert habitat. Require friable soil for burrow and nest construction. Creosote bush habitat with large annual wildflower blooms preferred.	Low. Project site is surrounded by development and disturbed habitats.
Birds						
<i>Falco mexicanus</i>	Prairie Falcon	None	S3		Nests on steep, rocky cliffs. Forages in open desert scrub, agricultural fields.	Absent. No suitable habitat present on-site.
<i>Athene cunicularia</i>	Burrowing Owl	BCC	SC, S2		Open, dry annual or perennial grasslands, deserts and scrublands characterized by low-growing vegetation. Subterranean nester, dependent upon burrowing mammals, especially California Ground Squirrel.	Low. Vegetation on most of site is much too dense, and more open habitat is adjacent to SR 18 and much human disturbance. The nearest CNDDDB occurrence is approximately 400 feet east of the project site, along a flood control channel.
<i>Toxostoma lecontei</i>	Le Conte's Thrasher	BCC	SC, S3		Desert resident; primarily of open desert wash, desert scrub, alkali desert scrub, and desert succulent scrub habitats. Commonly nests in a dense, spiny shrub or densely branched cactus in desert wash habitat, usually 2-8 feet above ground.	Low. Suitable habitat nearby, but project site is small and surrounded by development.
Mammals						
<i>Antrozous pallidus</i>	Pallid Bat	None	SC, S3		Deserts, grasslands, shrublands, woodlands, and forests. Most common in open, dry habitats with rocky areas for roosting. Roosts must protect bats from high temperatures. Very sensitive to disturbance of roosting sites. Forages during flight, but also pursues prey on the ground.	Low. No suitable roost areas in immediate vicinity.
<i>Chaetodipus fallax pallidus</i>	Pallid San Diego Pocket Mouse	None	SC, S3		In desert wash, desert scrub, desert succulent scrub, pinyon-juniper, etc. Sandy, herbaceous areas, usually in association with rocks or coarse gravel.	Low.

Table 1. Special-Status Biological Resources with the Potential to Occur in the Vicinity of the Proposed Project, Located in Lucerne Valley, San Bernardino County, CA

Scientific Name	Common Name	Status ¹			Habitat, Distribution, and Blooming Period	Occurrence Probability ²
		Federal	State	CNPS		
<i>Eumops perotis californicus</i>	Western Mastiff Bat	None	SC, S3?		Found in many open, semi-arid to arid habitats, including conifer and deciduous woodlands, coastal scrub, grasslands, and chaparral. Roosts in trees, cliff faces, and tunnels.	Absent. No suitable habitat present on-site.
<i>Lasionycteris noctivagans</i>	Silver-haired Bat	None	S3S4		Primarily a coastal and montane forest dweller, feeding over streams, ponds, and open brushy areas. Roosts in hollow trees, abandoned woodpecker cavities, or among rocks.	Absent. No suitable habitat present on-site.
<i>Xerospemophilus mohavensis</i>	Mohave Ground Squirrel	None	ST, S2S3		Open desert scrub, alkali scrub, and Joshua Tree woodland. Prefers sandy to gravelly soils.	Absent. Species is probably extirpated from the Lucerne Valley area (not recorded from area since the 1880s)

<p>State SE = State Endangered ST = State Threatened SR = State Rare SC = State Species of Concern</p>		<p>CNPS 1A = Presumed Extinct in California 1B = Rare, Threatened, or Endangered in California and elsewhere 2 = Rare, Threatened, or Endangered in California but more common elsewhere 3 = More information needed (Review List) 4 = Limited distribution (Watch List) 0.1 = Seriously Threatened in California 0.2 = Fairly Threatened in California 0.3 = Not very Threatened in California</p>	
<p>State Ranks</p>			
<p>¹ Status Codes: <u>Federal</u> FP = Fully Protected FE = Federal Endangered FT = Federal Threatened FC = Federal Candidate BCC = Bird of Conservation Concern</p>		<p>S1 = Extremely endangered: <6 viable occurrences or <1,000 individuals, or < 2,000 acres of occupied habitat S2 = Endangered: about 6-20 viable occurrences or 1,000 - 3,000 individuals, or 2,000 to 10,000 acres of occupied habitat S3 = Restricted range, rare: about 21-100 viable occurrences, or 3,000 – 10,000 individuals, or 10,000 – 50,000 acres of occupied habitat S4 = Apparently secure; some factors exist to cause some concern such as narrow habitat or continuing threats S5 = Demonstrably secure; commonly found throughout its historic range</p>	

² Occurrence Probability	
Occurs	Observed on-site.
Moderate	Observed in similar habitat in region by qualified biologist, or habitat on-site is a type often utilized by the species and the site is within the known range of the species.
Low	Site is within the known range of the species, but habitat on-site is rarely occupied 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 General Biological Resources Assessment

The project site is overwhelmingly dominated by Allscale Saltbush, with little plant species diversity. The portion of the site nearest SR 18 is ruderal and highly disturbed, with slightly higher plant diversity, primarily weedy species such as nonnative mustards. A single, large Fremont Cottonwood occurs at the northwest corner of the site. A dirt road runs from SR 18 north along the property's western boundary. The site shows signs of anthropogenic disturbance, such as old concrete foundations, old building materials, trash, and debris, widely scattered throughout the property. (See site photographs).

Seven bird species were detected during the field survey, including resident species such as House Finch (*Haemorhous mexicanus*), Lesser Goldfinch (*Spinus psaltria*), House Sparrow (*Passer domesticus*), and European Starling (*Sturnis vulgaris*). Interestingly, a flock of 30 Canada Geese (*Branta canadensis*) were seen flying from east to west, just north of the project site. These geese were likely headed to open ponds or lakes in the Victor Valley area.

No reptiles or amphibians were observed during the survey, which was not surprising, considering the cold winter temperatures. During warmer weather, species such as the Side-blotched Lizard (*Uta stansburiana*) and Western Whiptail (*Aspidoscelis tigris*) probably occur on the site.

Desert Cottontail (*Sylvilagus audubonii*) was the only mammal observed on the site. Other mammal species that may occur include California Ground Squirrel (*Spermophilus beecheyi*) and the White-tailed Antelope Squirrel (*Ammospermophilus leucurus*), along with small rodents such as kangaroo rats (*Dipodomys* spp.) and pocket mice (*Chaetodipus* spp. or *Perognathus* spp.).

It should be noted that relatively short-term inventories 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 number of species observed does not necessarily reflect the total number of animals that potentially occupy the project site. During years of normal or above normal rainfall, additional annual herbs and grasses may be found on the site, but the diversity of annual plant species is not usually high within dense Allscale Saltbush scrub.

4.3 Desert Native Plant Assessment

No plant species protected by the Desert Native Plant Protection ordinance occur on the site.

5.0 IMPACTS AND RECOMMENDATIONS

5.1 Plants

No rare plants were observed during the focused rare plant survey, and no rare plants are expected to occur on the Project site based on habitat, geographic range, and/or elevation ranges. Therefore, no impacts to rare plants are anticipated.

5.2 Desert Tortoise

The Mojave population segment of the Desert Tortoise is federally and state listed as threatened by the USFWS and CDFW, respectively. 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, 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. Any of these signs are 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 the project site is within the range of the Desert Tortoise, and the species is known to occur in saltbush scrub habitats, the small size and disturbed and fragmented nature of the site makes the likelihood of occurrence very low. A focused survey for the Desert Tortoise was not conducted during this general biological assessment; however, due to the small size of the property it is likely that any tortoise sign (burrows, scat) would have been detected. Therefore, AMEC's opinion is that a focused survey is not warranted.

5.3 Burrowing Owl

The Burrowing Owl is federally designated as a Bird of Conservation Concern (BCC) and state designated as a California Species of Concern. It is a small, ground-dwelling owl that occurs in open, dry annual or perennial grasslands, deserts, and scrublands characterized by open and low-growing vegetation (Haug et al. 2011). In southern California, Burrowing Owls are not only found in undisturbed natural areas, but also fallow agricultural fields, margins of active agricultural areas, livestock farms, airports, and vacant lots. It is a subterranean nester, typically utilizing pre-existing burrows (e.g. those of California Ground Squirrels or kit foxes, drain pipes, culverts, debris piles, haystacks, etc.). The entrance of the burrow is often adorned with animal dung, feathers, debris, and other small objects (CDFG 2005). The species is active both day and night, and may be seen perching conspicuously on fence posts and shrubs, or standing at the entrance of their burrows. In spite of their apparent tolerance to human activities, Burrowing Owl populations in California are clearly declining and, if declines continue, the species may qualify for listing under the state and/or federal ESAs (CDFG 1995). The declines in Burrowing Owl populations are attributed to loss and degradation of habitat, ongoing residential and commercial development, and rodent control programs.

A recent sighting of Burrowing Owls was made approximately 400 feet east of the project site, in much more open habitat. It is unlikely that the project site provides habitat for the Burrowing Owl, due to its dense vegetation cover, and the relatively small amount of more open, ruderal habitat on site. As with the Desert Tortoise, it is also likely that any Burrowing owl sign present would have been detected during the general biological assessment survey.

Because the likelihood of occurrence is so low, AMEC believes that focused surveys conducted in accordance with the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012) are not warranted.

5.4 Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) prohibits actions resulting in the pursuit, capture, killing, and/or possession of any protected migratory bird, nest, egg or parts thereof. Birds nesting within the project site during construction activities could be permanently impacted by project activities. To comply with the MBTA, any vegetation removal or grading occurring during the bird nesting season (generally February 1 through August 31) would require at least one nesting bird survey (more if deemed necessary) to be conducted by a qualified

Biologist. If no nests are found, construction would proceed. If nests are found, impact avoidance measures (e.g., buffers) would be required.

6.0 REFERENCES

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7.0 SPECIES LISTS

7.1 Vascular Plants

Family Amaranthaceae

Tumbleweed (*Amaranthus albus*) (nonnative)

Family Brassicaceae

Tansy Mustard (*Descurainia* sp.) (nonnative)

Tumble Mustard (*Sisymbrium* sp.) (nonnative)

Family Chenopodiaceae

Allscale Saltbush (*Atriplex polycarpa*)

Russian Thistle (*Salsola tragus*) (nonnative)

Bush Seepweed (*Suaeda nigra*)

Family Convolvulaceae

Dodder (*Cuscuta nevadensis*)

Family Salicaceae

Fremont Cottonwood (*Populus fremontii*)

Family Solanaceae

Cooper's Box-thorn (*Lycium cooperi*)

Family Poaceae

Cheat Grass (*Bromus tectorum*) (nonnative)

Mediterranean Grass (*Schismus barbatus*) (nonnative)

7.2 Animals

7.2.1 Birds

Family Anatidae (Ducks, Geese, and Swans)

Canada Goose (*Branta canadensis*) (flock of 30 flying over)

Family Columbidae (Pigeons and Doves)

Rock Pigeon (*Columba livia*) (nonnative)

Family Corvidae (Crows and Jays)

Common Raven (*Corvus corax*)

Family Sturnidae

European Starling (*Sturnus vulgaris*) (nonnative)

Family Fringillidae (Finches)

House Finch (*Haemorhous mexicanus*)

Lesser Goldfinch (*Spinus psaltria*)

Family Passeridae (Old World Sparrows)

House Sparrow (*Passer domesticus*)

7.2.2 Mammals

Family Leporidae (Hares and Rabbits)

Desert Cottontail (*Sylvilagus audubonii*)

8.0 CERTIFICATION

CERTIFICATION: "I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this biological evaluation, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. Field work conducted for this assessment was performed by me or under my direct supervision. 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: 8 February 2013

SIGNED:

A handwritten signature in dark ink, appearing to read "Steve Jones", written over a light gray rectangular background.

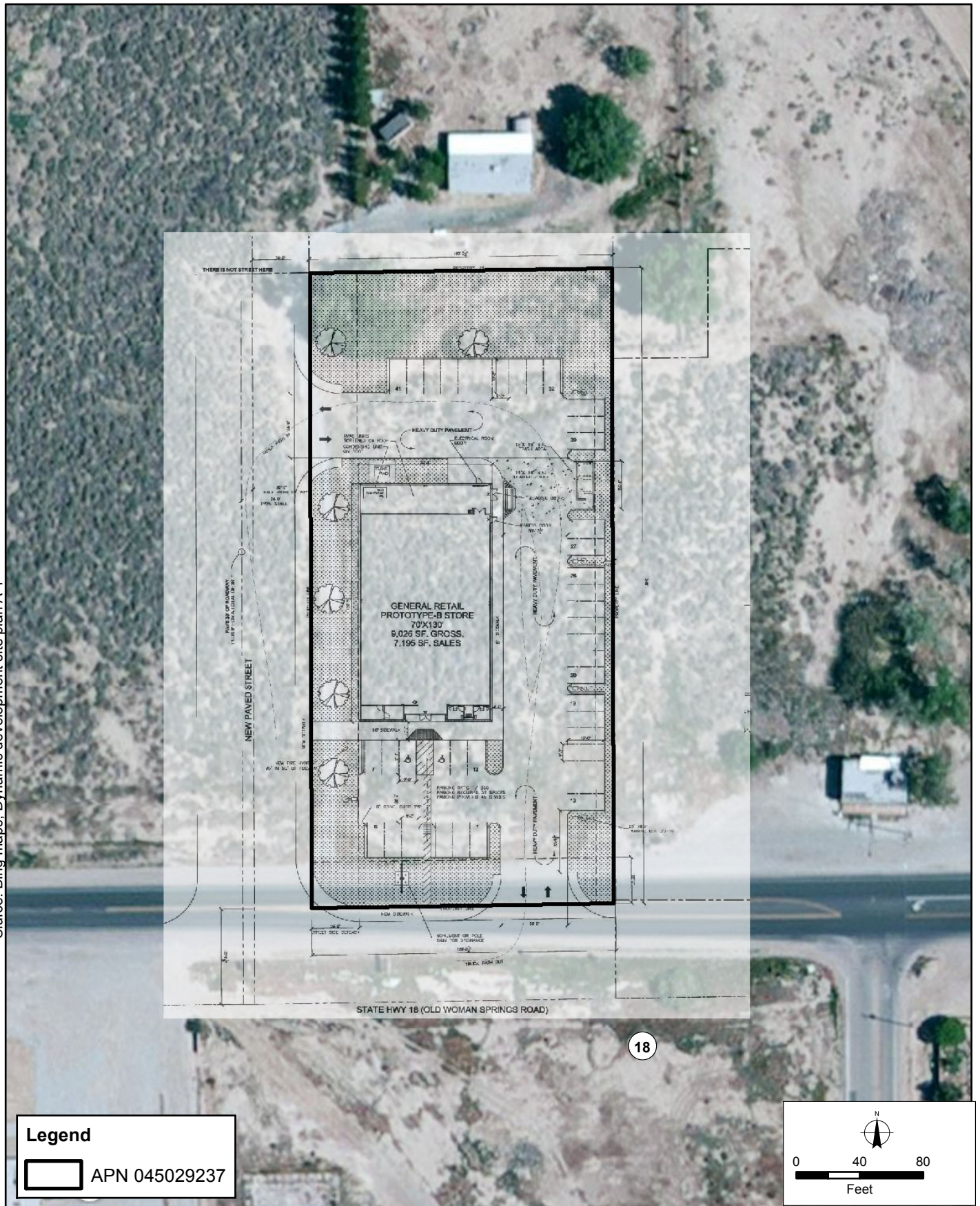
Appendix A

Project Maps



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Source: Bing maps. Dynamic development site plan A-1



S:\active projects\Lucerne Valley Bio Assessment 1355400527\graphics\map

Appendix B

Site Photos



Photo 1 . View of Desert Saltbush Scrub, with large Fremont Cottonwood tree.



Photo 2. Ruderal habitat in foreground (adjacent to SR 18).