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May 8, 2021

Mr. Andrew Pham  
ACTK Capital Partners, LLC

Re: Updated biological surveys on 69.5-acre property in Victorville, California. (APN 3133-271-15; 3133-281-03; 3133-271-04 – 05; 3133-281-07 – 08; 3133-281-01; 3133-271-12 - 13; 3133-271-10 - 11; 3133-271-01 – 02. RCA#2017-52A

Dear Andrew:

RCA Associates, Inc. conducted updated biological surveys on the 69.5-acre parcel referenced above on May 5, 6, and 7, 2021 to determine if site conditions were similar to those observed during the initial survey conducted in July 2017. The survey was conducted as per the survey methodology required by California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife (USFWS) as summarized below.

The property is located between Monte Vista Road and Verbena approximately 0.25-miles north of Bear Valley Road in the City of Victorville (Township 5 North, Range 5 West, Section 32, USGS Baldy Mesa, California Quadrangle) (Figures 1, 2, 3 and 4). The site supports a creosote bush plant community (*Larrea tridentata*) typical of the region.

### **Methodologies**

In addition to evaluating the baseline conditions, focused surveys were also conducted for the desert tortoise (*Gopherus agassizii*) and burrowing owl (*Athene cunicularia*). Surveys were conducted on May 5, 6 and 7, 2021 and 10-meter parallel transects were walked in a north-south direction throughout the property to ensure 100-percent coverage of the site. All transects were walked at a pace that allow careful observations along the transect routes and in the immediate vicinity. Data was recorded regarding native plant assemblages, wildlife sign, and existing impacts to the plant and animal communities.

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,

Mr. Andrew Pham  
ATCK Capital Partners, LLC  
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wildlife sign, and human affects in order to determine the presence or absence of suitable tortoise and owl habitat. Surveys were performed on the site from about 0700 to about 1330 hours each survey day. Focused 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 desert tortoises and burrowing owls. Temperatures during the survey were in the mid 60's to mid 80's (°F), wind speeds of about 0 to 5 mph, and clear skies. No precipitation was recorded during the survey. Surveys were also performed out to a distance of about 150 meters (~500 feet) beyond the property boundaries to identify any sign of desert tortoises or owls outside the project area

## **Results**

The site conditions were very similar to those which were initially documented in July 2017 and have not changed significantly over the last four years. In addition, no desert tortoises or tortoise sign (scats, burrows, carcasses were observed on the site or in the surrounding. Furthermore, no burrowing owls or owl sign (castings, burrows, whitewash, etc.) were identified during the field investigations. However, numerous Joshua trees, which were listed as a proposed threatened species by CDFW in September 2020, are present on the site and impacts to the Joshua trees will be considered significant by CDFW. An Incidental Take Permit will likely be required by CDFW in order to mitigate for the "take" (i.e., impact) of the Joshua trees on the site during future development activities.

Sincerely,

*Randall Arnold*

Randall C. Arnold, Jr.  
President and Senior Biologist,

Mr. Andrew Pham  
ACTK Capital Partners, LLC  
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## References

- California Department of Fish and Wildlife  
April 1995 Staff Report on Burrowing Owl Mitigation. September 25, 2003. 8 pp.
- California Department of Fish and Wildlife  
March 2012 Staff Report on Burrowing Owl Mitigation. March 7, 2012. 34 pp.
- California Department of Fish and Wildlife  
1990 California's Wildlife, Volumes 1, 2, and 3. Sacramento.
- California Department of Fish and Wildlife  
2021 Natural Diversity Data Base. Sacramento
- RCA Associates, Inc.  
July 20, 2017. General Biological Resources Assessment, 69.5-acre parcel, Victorville,  
CA.20 pp.

**APPENDIX A**

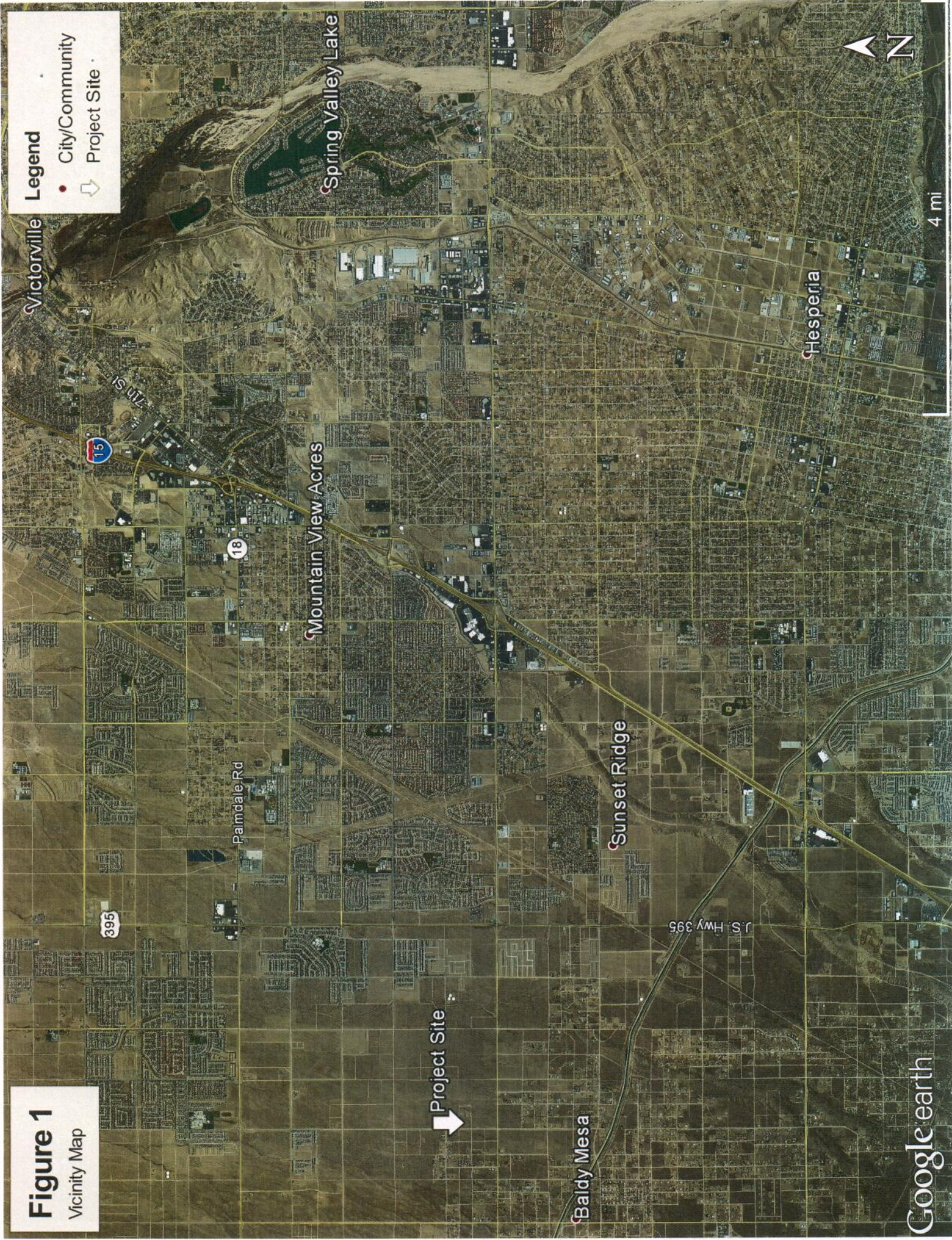
**FIGURES**



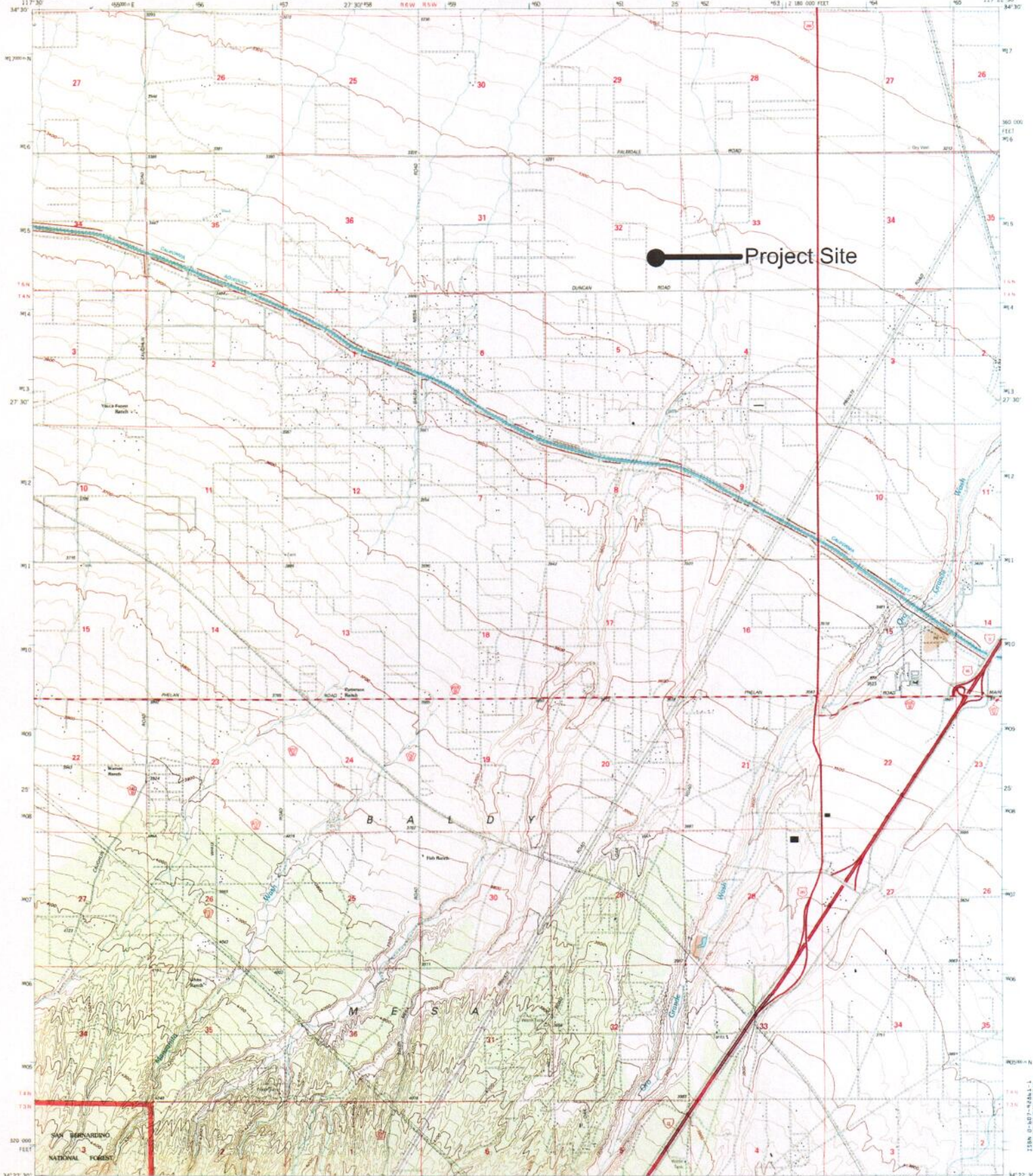
**Figure 1**  
Vicinity Map

**Legend**

- City/Community
- Project Site







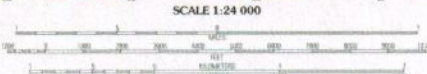
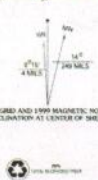
Produced by the United States Geological Survey 1988  
Revision within and adjacent to National Forest System lands  
by USDA Forest Service 1996

Compiled from aerial photographs taken 1952. Revised from aerial photographs  
taken 1954. Contours have not been revised.

North American Datum of 1927 (NAD 27). Projection and 10 000-foot ticks:  
California coordinate system, zone 3 Lambert conformal conic  
Blue 1000-meter Universal Transverse Mercator ticks, zone 10  
North American Datum of 1983 (NAD 83) is shown by dashed contour ticks.  
The values of the shift between NAD 27 and NAD 83 for 7.5-minute  
intersections are obtainable from National Geospatial Survey NADCON software.

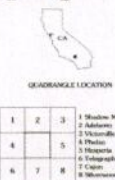
Non-National Forest System lands within the National Forest  
labeling may exist in other National or State maps.

This map is not a legal land use or ownership document. Public lands are  
subject to change and leasing, and may have access restrictions. Check  
with local offices. Obtain permission before entering private lands.



CONTOUR INTERVAL: 20 FEET  
NATIONAL GEODETIC VERTICAL DATUM OF 1929  
TO CORRECT FEET TO METERS, MULTIPLY BY 0.3048

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS  
FOR SALE BY U.S. GEOLOGICAL SURVEY, P.O. BOX 25286, DENVER, COLORADO 80225  
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST



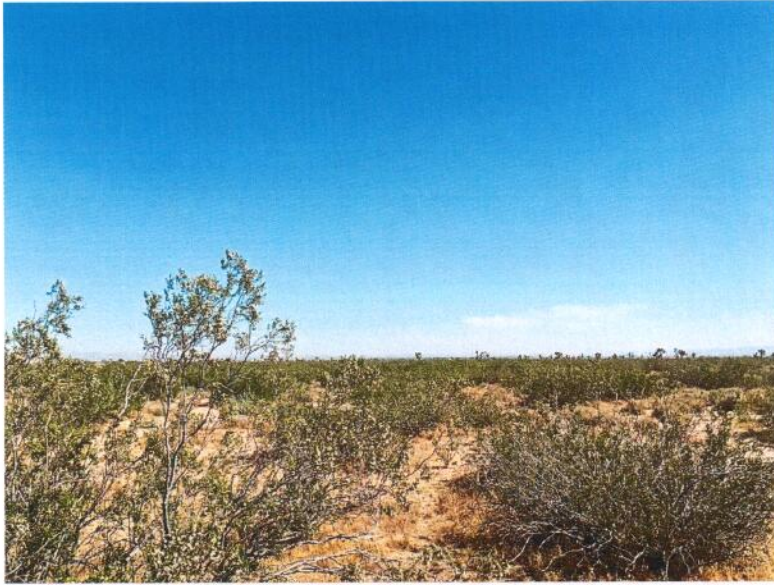
**HIGHWAYS AND ROADS**

Interstate		Primary Highway	
U.S.		Secondary Highway	
State		Light-duty road	
County		Gravel	
National Forest, suitable for passenger cars		Dirt	
National Forest, suitable for high clearance vehicles		Composition unspecified	
National Forest Trail		Unimproved, 4 wheel drive	
		Trail	
		Cross, Barrier	

**BALDY MESA, CA**  
1996  
NPSA 2252 BY NPS - SERIES 5895



CENTER LOOKING NORTH



CENTER LOOKING EAST



FIGURE 3  
SITE PHOTOS

CENTER LOOKING SOUTH



CENTER LOOKING WEST



FIGURE 3 Cont.  
SITE PHOTOS



# Figure 4

Aerial View

## Legend



69.5-acre project site

