

# INFORMATION HANDOUT

PROTECTION OF THE DESERT TORTOISE (*Gopherus agassizii*)  
BROCHURE

PROTECTION OF THE SOUTHERN RUBBER BOA (*Charina bottae umbratica*)  
BROCHURE

*Caltrans*  
**Information Brochure**

**Protection  
Of the  
DESERT TORTOISE  
(*Gopherus agassizii*)  
During  
LIMITED SCOPE  
PROJECTS**

**THE**  
**DESERT TORTOISE**  
(A THREATENED SPECIES)

**“IS PROTECTED BY LAW”**

**ANY UNAUTHORIZED PERSON  
WHO COLLECTS, HANDLES  
OR DELIBERATELY MOLESTS A  
TORTOISE  
CAN  
BE  
PROSECUTED**

**VIOLATIONS CAN RESULT IN**

- 1) FINES UP TO \$50,000**
- AND/OR**
- 2) IMPRISONMENT UP TO 1 YEAR**

## ***APPLICABLE LAWS INCLUDE:***

The Federal Endangered Species Act of 1973  
(16 U.S.C. 1531-1543)

and

The California Endangered Species Act

THIS BROCHURE IS INTENDED TO PROVIDE YOU WITH INFORMATION AND GUIDANCE  
TO AVOID VIOLATION OF THE ENDANGERED SPECIES ACTS

### **RESOURCE AGENCY FORMAL CONSULTATION**

Limited scope projects normally have a low risk of encountering or harming a tortoise and no "TAKE" is anticipated. Therefore, Formal Consultation between Caltrans and the U.S. Fish and Wildlife Service under Section 7 of the federal Endangered Species Act has not been undertaken for this project to authorize "TAKE" during the conduct of this project.

#### **"TAKE" is defined as:**

**Harassing, Harming, Pursuing, Hunting, Shooting, Wounding, Killing, Capturing, Collecting, or attempting to engage in any such conduct. Engaging in any of these activities can place you in violation of the law.**

Tortoises found within Caltrans Right of Way are not exempt from this protection.

## WHAT TO DO AND NOT DO.

**CHECK UNDER MOTORIZED EQUIPMENT & VEHICLES** – that have been parked over night or stationary for some length of time before moving the vehicle.

**CHECK AROUND MATERIAL STACKS & UNITS** - that have been stored in the open before moving them.

**VISUALLY CHECK AROUND THE WORK AREA** – for the presence of live tortoise that may have wandered into the disturbance zone. It is not intended to divert your attention from your work tasks and create a hazard for you or others on the job, but it is good practice to utilize a few seconds and visually scan the area around you when it is safe to do so.

**IF A TORTOISE IS PRESENT** – stop all work activities that could harm the tortoise and contact the Resident Engineer or designated contact person, or on-site biologist to have the tortoise removed to safety. Contact your supervisor (contractor's) for direction on proceeding with work activities.

**DO NOT HANDLE OR MOVE A TORTOISE** – yourself. Only a qualified biologist is authorized to do so.

**DO NOT RETURN A TORTOISE** – to the wild that has been held in captivity. They may have been infected with a pneumonia type virus that is the cause of pneumonia infections in humans. The tortoise is highly susceptible to this virus which attacks the lungs and the tortoise has no means to cure itself. More tortoises die from pneumonia than any other cause. Symptoms of infection include runny or bubbly nose, loss of appetite and gasping for breath. Returning them to the wild increases the potential for exposure of the virus into an otherwise healthy tortoise population.

**HELP MAKE THE LITTER CONTROL REQUIREMENTS ON THIS PROJECT** – work by using the closeable trash containers to dispose of left over food scraps, wrappers, cans bottles, etc., or secure and remove them from the project with you when you leave the job site. The purpose of litter control is to avoid attracting Ravens which are highly efficient hunters and killers of baby tortoises.

**DO NOT NEEDLESSLY VENTURE OUT OF THE DESIGNATED WORK AREA** – into adjoining habitat areas unless directed to do so after the area has been approved for such activity. Doing so, disturbs habitat which is also protected under the Endangered Species Acts.

**ASK YOUR SUPERVISOR** - if any other environmentally related special provisions have been placed in the contract exist that you should know about. We do recommend that environmental protection measures be reiterated and discussed at on-site “tail gate” meetings with safety and other project related issues brought up by your supervisor(s).

**WE THANK YOU FOR YOUR COOPERATION  
AND CARE**

**IN KEEPING WITH AMERICA’S DESIRE TO PROTECT THE ENVIRONMENT**

## Guidelines for Protection

- Stay within project limits.
- Check your equipment (mechanical and autos) for Boas before moving them.
- Check around duff (piled leaves and litter), and lose woody materials (wood shavings, logs, twigs, etc.) for Boas before moving or disturbing the piles.
- Keep work area clear of unnecessary debris, trash, and leaf litter, so that Boas are more visible. A clear area discourages them from entering.
- Firearms and domestic pets are not permitted on site.
- Do not touch, handle or harass Boas.
- Report all Boa sightings to Resident Engineer or Caltrans Biologist.



Courtesy of CaliforniaHerps.com

### FOR MORE INFORMATION:

R. Hoyer's Rubber Boa site:  
<http://www.rubberboas.com>

California Department of Fish and Game:  
[http://www.dfg.ca.gov/biogeodata/cnddb/plants\\_and\\_animals.asp](http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp)

California Herps Boa. Page:  
<http://www.californiaherps.com/snake/pages/c.umbratica.html>



### Caltrans Biology

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464 4<sup>th</sup> Street  
San Bernardino, CA  
92401  
[www.caltrans.ca.gov](http://www.caltrans.ca.gov)

## Southern Rubber Boa



Courtesy of CaliforniaHerps.com

### Caltrans Biology

Information Brochure

# Southern Rubber Boa

(*Charina bottae umbratica*)

## PROTECTED

The southern rubber boa has been listed as a “State Threatened” species since 1971 by the California Department of Fish and Game. It is protected by Section 2080 of the Fish and Game Code which prohibits “take” of any species that the commission determines to be an endangered species or a threatened species. Take is defined in Section 86 of the Fish and Game Code as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.”

This species is also a United States Forest Service Species of Concern and must not be harassed.

## VIOLATIONS

“Take” may result in: a fine of \$5,000 or imprisonment in the county jail for a period of a year, or both the fine and imprisonment.



Juvenile

Courtesy of CaliforniaHerps.com

## PHYSICAL DESCRIPTION:

Adult colors range from variations of light brown to a dark chocolate brown. Their bellies are most often a light yellow. Babies are born pink and slightly transparent and gradually darken with age. Southern Rubber Boa males typically max out at 18 inches, and females at 22 inches.



Adult Male

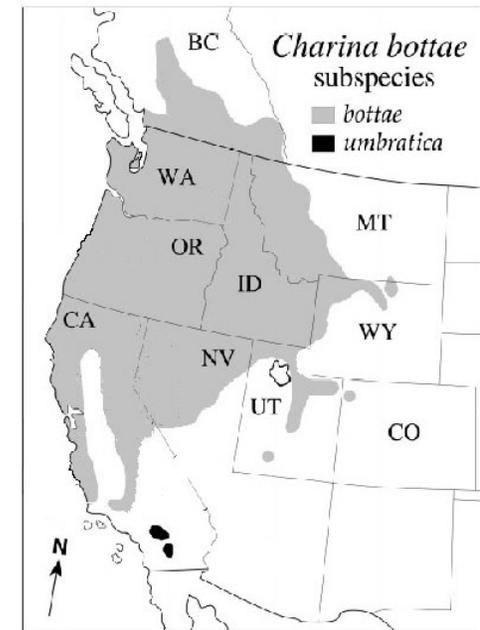
Courtesy of CaliforniaHerps.com

## BEHAVIOR:

Rubber boas are **not venomous and will not strike in defense!** They are docile snakes, as a defense they ‘musk’ (excrete very smelly substance from their vent). These animals are **active during evening hours or heavily overcast days** with high humidity and air temperatures in the 50–70 F range. They hibernate from November through February. They rarely move swiftly and **spend the vast majority of time under logs, rocks, and underground in rock openings or rodent burrows.**

## HABITAT:

Southern Rubber Boas inhabit Oak-conifer and mixed-conifer forests at elevations of 5,000 to 8,200 ft. Large downed logs, well-developed litter/duff layers, and rock outcroppings are considered important for cover.



## Distribution of Species:

The species in question is in Black. These spots correspond to the San Bernardino and San Jacinto Mtn.

Ranges of Southern California

(<http://www.rubberboas.com/Content/range.html>)