



DESERT TORTOISE COUNCIL

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29 Palms SEIS Project Team
c/o Cardno Government Services
3888 State Street, Ste. 201
Santa Barbara, California 93105

RE: Supplemental Environmental Impact Statement (EIS) to the Land Acquisition and Airspace Establishment Final EIS at the Marine Corps Air Ground Combat Center, Twentynine Palms, California

To Whom It Concerns,

The Desert Tortoise Council (Council) is a non-profit organization comprised of hundreds of professionals and laypersons who share a common concern for wild desert tortoises and a commitment to advancing the public's understanding of this species. Established in 1975 to promote conservation of tortoises in the deserts of the southwestern United States and Mexico, the Council regularly provides information to individuals, organizations and regulatory agencies on matters potentially affecting the desert tortoise within its geographic range.

Thank you for the opportunity to provide the following comments:

1. There are three translocation plans, but it is the last one (June 2016) that counts. Is there anything in the earlier plans that should have been carried forth, and if not, why not? For example, an earlier plan apparently required nest translocations, which is apparently missing from the latest translocation plan.

2. There are both control plots and recipient plots that will be affected by cattle grazing in the Ord Mountain Allotment. These impacts may be differential, particularly in Rodman-Sunshine Peak and Lucerne Valley areas, where the allotment overlaps (more so at Rodman where there may be a near-100% overlap, less so at Lucerne where only northern areas are within the allotment, although cattle "trespass" occurs on all sides of the largely unfenced allotment). Is the Marine Corps aware that the Bureau of Land Management (BLM) intends to increase cattle grazing from 25 head to more than 300 head, which was authorized in their 2006 Environmental Assessment (EA) on cattle grazing and seems to represent the BLM's current preferred

alternative in spite of drought and a 56% decline in tortoises in the Ord-Rodman Critical Habitat Unit (CHU)? If BLM increases stocking rates in spite of drought conditions, how will it affect the function of the control plots and translocated tortoises in the recipient plots, particularly if resident and translocated tortoises would be exposed to elevated cattle numbers?

3. As we understand it, the main maneuver exercise is expected to occur in a 72-hour period with clean-up following, although we don't know what cleanup entails. Is there any intent to have these cleanup crews look for dead tortoises resulting from maneuvers? If not, how does USFWS propose to judge whether its biological opinion mortality take limit (assuming there is one) has been met, exceeded, or not met?

4. Alternative 2 in the SEIS is the preferred alternative, and mainly differs in not involving a recipient area in the Bullion Mountain Training Area, which is retained in Alternative 1. Why does Alternative 2 double the number of tortoises that can be moved into the Rodman-Sunshine Peak recipient site while leaving the Lucerne Valley translocation number the same? Specifically, are the sizes and habitat assessments in Lucerne Valley and Rodman-Sunshine Peak similar enough to receive the majority and equal numbers of translocated tortoises? Or, is this a means of creating a pair of similar treatments so that statistics can be applied later? Too often projects are designed so that statistics can be applied when the primary focus must be what is best for the tortoise.

5. Are there enough natural burrows in recipient sites to accommodate this new introduction of tortoises, particularly since no artificial burrows are to be created? Did baseline data count the numbers of burrows available for the new tortoises in various recipient sites? Are there maps showing the number and distribution of burrows in impact areas compared to recipient areas?

6. There are apparently no maps showing carcass distributions. However, it sounded like there were many more carcasses in the Newberry area, in the west part of the Rodman-Sunshine Peak recipient area, than to the east. On 25 October 2016 at the public meeting, Brian Henen indicated that there are not higher incidences of upper respiratory tract disease (URTD) there, so what caused the die-offs and will translocated animals be exposed to the same factors that caused the die-off? Why move healthy tortoises into an apparent blight zone? Are recipient areas comprised of the best habitats available, or are they being moved due to convenience? Given that tortoises could have been moved many more miles from the maneuver areas into superior habitats than are currently being considered, where are such habitats located and why are they not being used?

7. Presently, tortoises would be placed in a four square kilometer area in the center of the Rodman-Sunshine Peak recipient site. Rather than put every tortoise in the center of this area, why not distribute them, particularly to the north, northeast, and south to avoid concentrating translocatees into a centralized area that can be targeted by coyotes and perhaps motorcyclists? Has the SEIS adequately assessed the sink effect of this particular maneuver exercise, assuming tortoises in adjacent areas that were neither surveyed for nor are to be translocated continue to move into future impact areas that will receive annual, repetitive maneuvers?

8. Does the SEIS call for increased Marine Corps or BLM law enforcement to protect aboveground translocated tortoises from being poached or inadvertently affected by heavy recreational weekends like Easter break or Mother's Day?

9. It appears that the very largest tortoises occurring in the West Mojave occur in this area, particularly in northern Lucerne Valley over to northern Johnson Valley. Does the SEIS adequately consider the importance of this genotype and how have translocation methods been modified to accommodate these larger animals?

10. What proportion of the 225 translocated tortoises fitted with transmitters will be females? If the answer is, "an equal number of males, females, and subadults are to be translocated," are we again facilitating statistical analysis at the expense of better understanding the fate of reproductive females, which presumably carry a bit more value in their ability to repopulate areas in decline? This project is not about enhancing population viability; it is about displacing large numbers of tortoises and ensuring they are as stable or more so in their new habitats than in the habitats from which they came.

11. If there is no rain this winter, will the Marines still move tortoises? Hydration, alone, with no forage to metabolize the food seems like a formula for failure for translocated tortoises, and does nothing to address how the local predator population may respond to this new food source, assuming their prey base is also affected. Even if tortoises are well-hydrated, nothing else, including predators, will be. Would a well-hydrated tortoise be more attractive to a hungry, thirsty predator?

12. Must the Marines be restricted to the SEIS numbers of translocated tortoises intended for each recipient area? If it doesn't rain in Lucerne Valley this winter but does north of Broadwell or in Siberia in those recipient sites, for example, maybe some of the tortoises originally intended for Lucerne Valley should be shifted to those areas? Does the SEIS lock the Marines into these numbers or can they retain some flexibility if environmental conditions warrant? Will rain gauges be placed in all recipient and control areas this winter, and how will rainfall data be used, if at all, to modify the actual release?

13. Is all of Dr. Alice Karl's habitat assessment data included in the Draft SEIS? If not, will it be in the Final SEIS? And, how may those data affect intended translocation?

14. We understand that the Marines intend to retain the relative configuration and juxtaposition of translocated animals one to the other, so that the same configurations and distances would be retained in the recipient areas as occurred in impact areas. In the absence of any burrow data in the recipient site, why does this matter? We assume its intent is to keep familiar animals together, but if togetherness is driven by burrow availability, doesn't the social structure all fall apart if the spatial configuration of available burrows is drastically different at the recipient site compared to the impact site?

15. As we understand it, there would be no new clearance surveys; telemetered animals would be targeted for removal. Is there a component or intent to also rescue and relocate any animals incidentally encountered while telemetered animals are removed? If so, how will biologists know

if these animals are URTD-positive before they are translocated? Are they to be tested, held, and subsequently released pending results?

16. We understand that the 1,000 tortoises to be translocated are nearly devoid of URTD, with only one having nasal discharge and none with elevated URTD titers, but that all recipient populations showed some level of URTD, ranging up to about 10% of the tortoises tested. Is it true that the URTD titers in the Lucerne Valley recipient population may be the highest? If so, will new blood tests be taken from clean translocated tortoises over a period of years to determine how many translocated tortoises contracted mycoplasmosis from resident animals as a result of the translocation?

17. In its biological opinion, how does USFWS intend to determine what is and is not mortality take attributed to translocation? When it's a bulldozer, biological opinions allow the incidental mortality of up to several animals. If 25% of the translocated tortoises die as they did following the Fort Irwin translocation does the biological opinion anticipate a take mortality limit of 250 tortoises?

18. We are concerned that the control plot and the Lucerne Valley recipient plot are not comparable; the control plot occurs near Daggett Ridge and does not have the near-exposure of the residential impacts associated with Lucerne Valley, which likely include dogs, poaching, and higher incidences of cross country vehicle use. Do Dr. Karl's disturbance data show that there are similar baseline impacts on the recipient site as on the paired control plot near Daggett Ridge? Do her data show the same levels of cattle grazing at the two sites? Given that the northern part of Lucerne Valley recipient plot is inside the cattle allotment and the control plot is outside, how can results be compared between these two plots?

19. We are equally concerned with the proximity of the Lucerne Valley recipient plot to Cinnamon Hills, which is chronically targeted for off-highway vehicle (OHV) recreation. Given that proximity, do the data show higher incidences of OHV tracks on the recipient plot in Lucerne Valley compared to the control plot near Daggett Ridge?

20. We strongly encourage the Marine Corps to install an appropriate fence along the west side of Camp Rock Road in the Cinnamon Hills and Anderson Dry Lake areas to keep motorcycles out of the Lucerne Valley recipient plot.

21. There are distance sampling data between 2004 and 2014 that show a 56% decline in tortoises in the Ord-Rodman CHU. It appears that evidence of this die-off is prevalent in the Newberry Springs areas where recently-dead tortoises are abundant. Since we don't have longitudinal trend data for the training impact area, how do we know if tortoises have declined there at the same rate as in adjacent critical habitat? Does the SEIS compare the relative abundance of carcasses per unit area within the documented die-off region in critical habitat to the abundance of carcasses in the training impact area in the absence of trend data?

22. We think the above comparison is important because we do not believe that equal die-off in control populations compared to translocated populations is acceptable. However, if there is a 50% die-off in critical habitat and not a similar baseline die-off in the training impact population,

the “equal levels of death” are not equal at all when 25% of all the animals die in all the treatment areas. In other words, if tortoises were stable and would remain stable in the impact area, but-for the translocation, and end up dying at levels equal to tortoises in the recipient area, which we already know to be in decline, is that truly comparing equal levels of decline in translocated versus resident versus control area tortoise populations?

23. We noted a series of maps showing trauma in the recipient population of tortoises. Were those trauma data also collected for animals to be translocated, and assuming they were, are there any noteworthy differences? These maps show prevalent levels of trauma in the Rodman-Sunshine Peak recipient tortoises, which would presumably put translocated tortoises at heightened risk to similar impacts in the area. Since all translocated animals will presumably be marked with permanent numbers, is there any intent to perform surveys later to see how many of these marked tortoises may have died from trauma? Or would it have to be one of the 225 tracked animals to know what happened?

24. We understand the need to have 225 telemetered tortoises in the translocated, recipient, and control populations for statistical comparisons, but if the transmitters were left on every translocated tortoise, wouldn't the effects of translocation, at least for the two years the transmitters function, give us a wider, more realistic view of tortoise fates? We understand it's more expensive and does not support the scientifically-acceptable approach, but we believe the value in tracking the fates of all 1,000 animals far outweighs the “statistical analysis” gained by following a quarter of them.

Thank you for your time. We sincerely hope that these considerations will lend additional protection to tortoises displaced from their familiar habitats.

Regards,



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Desert Tortoise Council, Ecosystems Advisory Committee, Chairperson