



DESERT TORTOISE COUNCIL

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via email only

Neil Kornze, Director
Bureau of Land Management
United States Department of the Interior
1849 C St. NW
Washington, D.C. 20240
Via email: director@blm.gov

RE: Energy and Natural Resources Subcommittee on Public Lands, Forests and Mining hearing about shortened public comment periods in BLM's Planning 2.0 rule

Dear Director Kornze,

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.

We are alarmed to learn that the Bureau of Land Management (BLM) is considering shortening public comment periods from the current 90-day time period to only 60 days. The Council regularly comments on environmental documents assessing impacts on public lands managed by the BLM that may affect the threatened desert tortoise (*Gopherus agassizii*) here in the Mojave Desert of California, Arizona, Utah, and Nevada. Since its inception in 1975, the Council has provided science-based comments on numerous projects. Our archives reveal that the Council provided 2,475 pages of comments on 476 projects between 1978 and 2011. As the Council's Ecosystems Advisory Committee Chair, between 2011 and 2016, I have written and/or signed 90 additional comment letters, mostly regarding projects on BLM lands. We are experienced enough to understand the amount of time and effort that goes into fully informed comments.

Our experience has shown us that, although some projects are straight forward and may be both reviewed and commented on in a matter of hours, there are others, like the Desert Renewable Energy Conservation Plan (DRECP) Draft Environmental Impact Report/Statement (Draft EIR/S), where in 2015 I personally spent 120 hours reviewing and commenting on that document. Like many environmental groups, we do not have paid lobbyists; our careful reviews and comment time is all on a volunteer basis. We, and we expect other commentators, require more time to carefully review projects (often including multiple projects with overlapping comment periods) and prepare high quality comment letters.

In addition, the Council continues to have a difficult time with the BLM informing us of proposed projects in tortoise habitats. In every comment letter we write to the BLM, we ask that we be considered an Affected Interest or Interested Party for all projects that may affect tortoises. However, in a majority of cases, we find out about a given project from other local environmental groups, which typically have paid lobbyists; only infrequently does BLM provide the notice directly to us (only the Ridgecrest, California office consistently contacts us). We often receive notification of a particular project several weeks or a month after the scoping period begins, which significantly detracts from our ability to comment under the current 90-day time period. If this time frame is reduced to 60 days and BLM doesn't improve its contact of Affected Interests, our ability to provide meaningful feedback will be further exacerbated.

We believe that the concerns we are expressing here are general to any group or individual that works to provide carefully prepared comments that might be useful to improve the environmental impact of projects.

Given these concerns, the Council feels strongly that our ability and the abilities of others to review environmental documents and comment on proposed projects will be adversely affected if the BLM reduces the comment period from 90 to 60 days. We ask that the BLM maintain (or even expand to 120 days) the current comment period of 90 days. Thank you for your consideration.

Regards,



Edward L., LaRue, Jr., M.S.
Desert Tortoise Council, Ecosystems Advisory Committee, Chairperson