

DESERT TORTOISE COUNCIL

4654 East Avenue S #257B
Palmdale, California 93552

www.deserttortoise.org
ed.larue@verizon.net

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Attn: Brenda Hudgens-Williams
Bureau of Land Management
P.O. Box 71383
Washington, D.C. 20024-1383
Brenda_Hudgens-Williams@blm.gov

RE: Desert Tortoise Council Support for Keeping the Desert Tortoise Conservation Center Operational

Dear Ms. Hudgens-Williams,

This letter presents our position and rationale for keeping the Desert Tortoise Conservation Center (DTCC) in Las Vegas, Nevada open. We strongly believe that the DTCC should remain funded and operational because: 1) it serves a valuable function in keeping desert tortoises of unknown disease status and genetic provenance from wild populations; 2) it is an essential element and legal commitment of several Habitat Conservation Plans; and 3) it provides an important research and training facility for scientists and resource managers who work with this federally threatened and imperiled species.

The Desert Tortoise Council (Council) is a private, 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 1976 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 historical range.

Background

This summary of the DTCC was excerpted from the conference abstract, *The Desert Tortoise Conservation Center's Role in Recovery Efforts* by the U.S. Fish and Wildlife Service (USFWS), Desert Tortoise Recovery Office and others (USFWS et al. 2012):

“The DTCC was constructed in the early 1990s in a remote portion of the southern Las Vegas Valley and gifted to Bureau of Land Management (BLM) as part of a settlement agreement between the Government and a group of plaintiffs represented by various builders and the City of Las Vegas. The buildings and

tortoise holding facilities are contained within 222 fenced acres in an 11,014-acre area set aside as the Desert Tortoise Conservation Center Management Area by the BLM's Las Vegas Resource Management Plan. The primary function of the DTCC was to serve as a holding facility for wild tortoises removed from development projects as well as for tortoises from a pick-up service. Important research has taken place at the DTCC. More recently, we have been redirecting the focus of the DTCC such that it plays an important role in the desert tortoise recovery program. Since partnering with the Conservation Centers for Species Survival and most directly with San Diego Zoo Global for operation of the DTCC in 2009, we have made progress in assessing the health of tortoises and in furthering understanding of disease, initiated research into population augmentation, offered training courses for professional biologists and field crews, and increased efforts to engage the public. Our goal has been to promote conservation of the desert tortoise and Mojave Desert ecosystem by providing a first-class facility for research, training, and public education.”

Additionally, the USFWS issued a press release on August 26, 2013 titled: *Statement Regarding Media Reports on Status of Desert Tortoise at the Desert Tortoise Conservation Center in Nevada*. The press release states that,

“The DTCC was established in 1990 to receive wild tortoises in harm’s way from development and has taken in unwanted pets since 1996. Science-based protocols developed for desert tortoises brought to the DTCC have been instrumental in helping the USFWS maintain a healthy population of desert tortoise in the wild.”

Rationale for Keeping the DTCC Operational – Overview

- A. Desert Tortoise Recovery Resource
- B. Legal Obligations
- C. Disease and Genetic Concerns

A. Desert Tortoise Recovery Resource

The Council lauds the efforts and long years of planning and collaboration invested in developing the 2011 Recovery Plan and points out that the latest version of the plan clearly envisioned that the operation of the DTCC would likely have a key role in the recovery of the species, specifically:

- Section 2.3 explicitly identifies the DTCC as an important asset contributing to species recovery where it states, “The Desert Tortoise Conservation Center in Las Vegas provides an opportunity for development of a regional education and research facility for these purposes.”
- The recommendation to secure facilities and obtain tortoises for use in [tortoise population] augmentation efforts is addressed in Section 3.3 where it states, “...the addition of facilities in the Las Vegas area could serve surrounding recovery units. The existing Desert Tortoise Conservation Center could be renovated to house such facilities in a secure location. See also Science Advisory Committee recommendations related to desert tortoise holding facilities and the control of disease.”

- Table 4 (page 89) compares recovery actions between the 1994 and 2011 recovery plans and specifically provides for using the DTCC as an education/research facility.
- The Recovery Plan determined that head-starting was a valuable recovery tool and specifically recommends using the DTCC as discussed in the following excerpt:

“Head-starting is the raising of young in captivity to allow them to reach sizes at which they are less vulnerable to certain threats, such as predation by ravens, before translocation to the wild. Head-starting facilities are lacking in Arizona, Nevada, and Utah, but proposals are being developed to use the DTCC in Las Vegas as the site for new facilities servicing surrounding recovery units. The Desert Tortoise Recovery Office will coordinate development of guidelines and protocols for the head-starting of desert tortoises range-wide in accordance with our controlled propagation policy.”

These recovery recommendations for education, research, recovery, and head-starting were made over years of collaborative effort. Closing the DTCC would not meet these recovery objectives. What actions are proposed to replace the functions that the DTCC serves and are intended to serve?

B. Legal Obligations

The Recovery Plan and the DTCC were not developed in a vacuum and are connected with other Habitat Conservation Plans (HCPs). Mitigation measures in some of those HCPs specifically direct animals and funding to the DTCC. Closing the DTCC would result in those HCPs being out of compliance, because the availability for these mitigation obligations and commitments would be eliminated. Should the DTCC be closed, the Lincoln County HCP, the Nye County HCP (Pahrump Valley Desert Tortoise HCP), the Coyote Springs HCP, and potentially the Clark County HCP would have to be reopened and amended. We anticipate that the elimination of required mitigation activities, summarized below, would be of sufficient significance to warrant preparation of Supplemental Environmental Impact Statements (EIS) for all of these HCPs.

Coyote Springs HCP Requirements Relative to the DTCC

The Coyote Springs HCP specifically requires that the mitigation be effected; otherwise the permit would be invalid, as discussed in the following excerpt:

“General conditions set out in Subpart 0 of 50 CFR 13, and specific conditions contained in federal regulations cited in Block #2 above, are hereby made a part of this permit. **All activities authorized herein must be carried out in accord with and for the purposes described in the application submitted [sic]. Continued validity, or renewal, of this permit is subject to complete and timely compliance with all applicable conditions**, including the filing of all required information and reports.” (Bold emphasis added for clarity.)

The text in bold font describes the requirement relative to the DTCC as an integral condition of the permit and failure to comply will render the permit invalid. Further, this HCP requires that tortoises removed from the project area be transferred to the DTCC as described in the following excerpt:

“The tortoises cleared from the Development Area and BLM utility corridor for the detention basins would be kept in separate desert tortoise holding facilities, which include the DTCC in Clark County and the CSCC.” [Coyote Springs Conservation Center]

Lincoln County HCP Requirements Relative to the DTCC

“6.3.1.1 Desert Tortoise

“The Conservation Measures required by Lincoln County to be implemented by the developers to avoid and minimize effects of proposed development and maintenance activities to desert tortoise and/or their habitat are summarized below.

“6.3.1.1.1 Interim Measures

“DESERT TORTOISE CLEARANCE SURVEYS, PROCESS AND TRANSPORT

“Prior to habitat disturbance, tortoises will be cleared from project areas by a USFWS authorized desert tortoise biologist, according to the procedures outlined below, and transported to the Desert Tortoise Conservation Center (DTCC). Tortoises cleared from the project area will be processed (genotyped and marked) and screened for diseases at the DTCC before the ultimate translocation back into the wild. The data collected from these surveys (i.e., location of all tortoises and tortoise signs, habitat characteristics, and physiognomy of the cleared areas) will help determine the status of the desert tortoise and its habitat within the Covered Area. The tortoises cleared from the project area(s) will be kept separate from tortoises collected from other locales. Cleared tortoises will be used in the head start....”

Nye County HCP Requirements Relative to the DTCC

“Tortoises that are found during clearance surveys will be relocated to a location to be determined upon consultation with the [US]FWS. Options for tortoise relocation will include either moving to adjacent Federal lands or transporting to the DTCC.”

C. Disease and Genetic Concerns

We draw to your attention that the writers and signers of the HCPs recognized the seriousness of disease and the importance of genetic screening prior to translocation of tortoises in the following statement, repeated from the Lincoln County HCP requirements.

“...according to the procedures outlined below, and transported to the Desert Tortoise Conservation Center (DTCC). Tortoises cleared from the project area will be processed (genotyped and marked) and screened for diseases at the DTCC before the ultimate translocation back into the wild.”

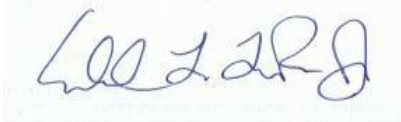
We further bring to your attention the difficulties of screening wild and captive tortoises for infectious diseases when: 1) so many new and emerging diseases have yet to be identified, and; 2) tests have not been developed and validated for all of the known infectious diseases for desert tortoises. The new and previously identified herpesviruses and the new species of *Mycoplasma* are but a few of the examples of disease issues (e.g., paper given by Dr. James Wellehan on the new *Mycoplasma* and new herpesvirus at the recent Desert Tortoise Council Symposium [Wellehan et al. 2014]). Without the DTCC and associated research veterinarians working on these issues, these problems will not be adequately addressed.

Translocation of wild tortoises without adequate testing for infectious diseases is unwise and highly unlikely to advance recovery efforts. Biologists and managers can't assume that wild populations or individual tortoises on projects are healthy, because of unauthorized release and translocations of captive tortoises in the recent past and because degraded environments contribute to poor health and greater susceptibility to disease.

The genotypes of the tortoises removed from projects cannot be assumed to represent the tortoises at that specific locality as records of hundreds of captive releases, both published and anecdotal, are available for Nevada (e.g., see Murphy et al, 2007). Therefore, it is important that the genotypes of tortoises to be translocated are known. Especially important will be identification of tortoises of different species and mitochondrial haplogroups within species.

In summary, we urge that the DTCC must remain open because it: 1) serves a valuable function in keeping desert tortoises of unknown disease status and genetic provenance from wild populations; 2) is an essential element and legal commitment of several HCPs; and, 3) provides an important research and training facility for scientists and resource managers who work with this threatened species.

Regards,

A handwritten signature in blue ink, appearing to read 'E. LaRue, Jr.', is centered on a light blue rectangular background.

Edward L., LaRue, Jr., M.S.

Desert Tortoise Council, Ecosystems Advisory Committee, Chairperson

Literature Cited

Murphy R.W., Berry K.H., Edwards T., McLuckie A.M. 2007. A genetic assessment of the recovery units for the Mojave population of the desert tortoise, *Gopherus agassizii*. *Chelonian Conservation and Biology*. 6: 229–251.

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- Wellehan, J.F., A.L. Childress, and K. Berry. 2014. Identification of a Novel Herpesvirus and a Novel *Mycoplasma* sp. in Samples from Translocated Wild Desert Tortoises. Thirty-Ninth Annual Meeting and Symposium of the Desert Tortoise Council. Ontario, CA. February 21-23.