



THE DESERT TORTOISE COUNCIL NEWSLETTER

WINTER 2004
OUR 30TH YEAR

Our Goal: To assure the continued survival of viable populations of the desert tortoise throughout its range.

2005 ANNUAL SYMPOSIUM TUCSON *The 30th!*

The Desert Tortoise Council Symposium is in Tucson for the 30th annual symposium! We will be in downtown Tucson at the Radisson Hotel, February 18 to 21, 2004.

The 30th Anniversary Symposium will have special sessions, including the popular government session and panel, featured speakers, and anniversary events. We will have presentations on tortoises in Mexico by Mexicans. Dr. Stebbins intends on attending again, signing books, and donating one of his paintings for the silent auction. We will have books, shirts, and other items on sale. Final preparations are being made.

Dr. Peter Pritchard of the Chelonian Research Institute (<http://www.chelonian.org/cri/>), and the world's foremost authority on turtles and tortoises in general, will join us. Dr. Pritchard will speak at the banquet on his expedition to find Pinta Island tortoises, the helicopter and ground surveys, collections of shells, and the worldwide genetic evaluation of Galapagos tortoises in zoos. He will also talk about Lonesome George, the last of the

Pinta Island tortoises. Dr. Pritchard will also sign some of his books, which will be on sale there.

Dr. Ray Turner, retired from USGS will speak about his new book, *The Changing Mile Revisited*, published in 2003. The original *Changing Mile* was a crucial work in southwestern ecology by using the novel approach of comparing historical photos and retaking them to illustrate ecological change. The new book includes all the original photo pairs, in addition to new photographs of those photo-stations, and additional photo pairs from the greater Sonoran Desert ecoregion. Dr. Turner will speak about the book Friday afternoon, and then sign the book at the Friday evening mixer.

Other featured speakers include a keynote address by Dr. Olav Oftedal, Joe Truett of the Turner Endangered Species Fund on bolson tortoise recovery, Dr. Tom van Devender of the Arizona-Sonora Desert Museum on buffel grass in the Sonoran Desert, and Dr. Tom Leuteritz of the University of Redlands on the tent tortoises of South Africa.

www.deserttortoise.org

Other special extras to celebrate our 30th Symposium include a great Friday mixer, breakfasts Saturday and Sunday, a 18-month calendar using photos from past photo contests to the first 250 registrants, registration notebooks (similar to those from the 25th symposium), and pens. Chum's is donating the name badge holders, which convert into the normal Chum's eyeglass holders. Lettering on the Chum's say "Desert Tortoise Council," and have a neat Zuni-style tortoise.

Presentations made on PowerPoint must be on a compact disc or flash drive and must be PowerPoint 2000 compatible and presented at registration. All PowerPoint presentations will be on computers we provide specifically for that purpose. No personal laptops and no zip disks! Slide presentations (35 mm) are still acceptable, but overhead projections are not. PowerPoint is the preferable presentation format. These rules will help the presentations flow smoothly and keep the sessions on time.

The Symposium begins Friday, February 18 with the Annual Business Meeting at 8am in the morning. Sessions will begin Friday morning after the business meeting and continue until Sunday afternoon. Field trips will occur on Monday. Current plans include a mixer and book signing Friday evening, continental breakfast Saturday morning, the mixer and banquet Saturday evening, and continental breakfast Sunday morning, in addition to morning and afternoon breaks.

A block of rooms at the downtown Radisson is reserved for February 17 to 21. The room rate is

\$85 - this is less than half the normal room rate! When making reservations (520-624-8711), ask for reservations and state that you are with the Desert Tortoise Council. Rooms should be reserved before January 19, 2005 as the remaining unused rooms will be released into hotel inventory. Refer to the Radisson City Center Tucson web page for additional information:

<http://www.radisson.com/tucsonaz>

You must register to attend. Preregistration as a member is the best value. The deadline for early registration is **January 15, 2005**. If you plan on attending the banquet please note your meal choice on the registration form. Photo contest rules are in this newsletter, as is the registration form.

CHANGE OF ADDRESS

If you change your mailing address or e-mail address, please notify us. We use addresses for sending the newsletter, reminders of expired memberships, and last minute notices for the symposium. The membership database is only used for Council business and is never shared. Please note that the DTC working address has changed: **P.O. Box 5685, Sun City West, AZ 85376-5685**, or e-mail Doug Duncan at fldhcky@cox.net.



PHOTO CONTEST

The Council sponsors the annual Photo Contest to honor and encourage our members to participate in educating the public through photography. Mike Bailey is managing the 2005 Photo Contest.

FORMAT. For 2005, the format is mounted print and digital photographs either in black and white or color (no slides). All prints must be matted, **NO GLASS FRAMES** please. All prints must be labeled with the following information placed on the back of the PRINT: common and scientific names of subject; location; date PRINT was taken; contestant's name, address, and phone number; and entry category. No names on the front, please, but titles and date are acceptable. This year, the Council encourages contest entrants to also submit electronic copies (in jpg format) of their entries so that they can be posted on the website before the Symposium.

AWARDS. Qualified winners will be awarded first, second, and third place ribbons in each of the eight categories. First Place awards will be \$50; second and third place winners will receive ribbons. The Best of Show will receive \$100.

CATEGORIES.

1. WILD DESERT TORTOISES
2. CAPTIVE (PET) DESERT TORTOISES
3. OTHER DESERT REPTILES
4. DESERT MAMMALS
5. OTHER DESERT WILDLIFE
6. WILD DESERT PLANTS
7. DESERT SCENICS
8. TORTOISE CONSERVATION. This category covers a range of subjects, but must depict activities or subject matter important to the perpetuation of the species. Examples are research, impacts (i.e., raven predation), improvements (i.e., fencing), and environmental education.

OTHER RULES. With the exception of Captive (Pet) Tortoises, **all PRINTS** must be taken of WILD (i.e., unrestrained and photographed in its natural habitat) subjects occurring **within the geographic range of the desert tortoise**. Each contestant may submit a maximum of two PRINTS per category. Photos must have been taken by the contestant.

SUBMISSION OF PRINTS. PRINTS must be available for viewing no later than 3:00 p.m. on Friday afternoon, February 18. You may either bring your prints and provide them to Mike Bailey at the Symposium early on Friday or mail them to him at: 619 Pinon Court, Ridgecrest, CA 93555. PRINTS must arrive at this address by Friday, February 11, 2005. Photographers do not need to be present to win. To ensure that your entries are posted on the website before the Symposium, submit electronic copies (in jpg format) to the [DTC webmaster](#).

JUDGING. Prints will be judged at the Symposium by the attendees. Attendees will pick up ballots at the registration table and voting will be from 3:00 p.m. Friday to Saturday until 3:00 p.m. Winners will be announced at the Banquet on Saturday night.

PRINTS will not be returned, except upon advance request, and will become the property of the Desert Tortoise Council. The Council will have the right to use these photographs in its publications and educational programs, as well as to assign such permission to others, with full credit given to the photographer.

REGISTRATION FORM

Desert Tortoise Council 30th Annual Meeting and Symposium February 18-21, 2005

Return to
Desert Tortoise Council
P.O. Box 5685
Sun City West, AZ 85376-5685

Please complete a SEPARATE form for each attendee.
Please print or type

Name: _____ Organization: _____
(First, Last) (Name to be used on ID badge)

Address: _____ City: _____ State: _____ Zip: _____

E-mail: _____ Daytime Phone: _____ Fax: _____

SYMPOSIUM FEES

ENTER AMOUNT

Member Registration	\$90.00 (\$120.00 if postmarked after 1/15/2005)	_____
Student Member Registration	\$40.00 (verification required) (\$60.00 if postmarked after 1/15/2005)	_____
Non-member Registration	\$110.00 (\$130.00 if postmarked after 1/15/2005)	_____
One-day Registration	\$60 Day _____	_____
Regular Membership Dues	\$15.00 (see dues schedule in newsletter)	_____
NEWSLETTER FORMAT:		
_____ Mailed paper copy	_____ Pdf file via e-mail	_____ E-mail notice for web page viewing
Banquet	\$30.00 Buffet Chicken _____ Vegetarian _____	_____
Raffle Ticket(s)	@ \$1.00 each	_____

TOTAL ENCLOSED _____

Make check payable to **Desert Tortoise Council**.
Only checks or fully executed purchase orders are accepted.

Monday Field Trip
I would like to attend one of several Monday, February 21, 2005, field trips.
Yes: _____ No: _____



CONSERVATION NEWS

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Mohave Desert Tortoise Management Oversight Group (MOG) Meeting

December 09, 2004

Dr. Richard Tracy (University of Nevada-Reno): Official announcement of Desert Tortoise Recovery Plan Assessment Committee's (DTRPAC) Recovery Assessment (draft provided earlier on CD to stakeholders). The draft is expected to go final soon and the major findings included:

a) Threats to the Mohave desert tortoise are multifaceted, act synergistically, and the historical practices of addressing threats as individual entities will not be effective in recovering the tortoise. Instead, DTRPAC recommends the conceptual recovery framework to focus on how the different threats work collectively in managing for recovery.

b) The boundaries of the initial six "Recovery Units" were adjusted to create five "Distinct Population Segments" (DPS) known as the "DPS Hypothesis" ("DPS" not as defined in the ESA). The DTRPAC suggest that these should become the new Recovery Units.

c) Monitoring is critical to recovery. It was stressed that successful monitoring accounts for the complexity of issues that face the species. The most important goal to strive for in any monitoring activity is a low margin of error (example of how statistical confidence in monitoring pertains to tortoise recovery was convincingly provided).

The draft DTRPAC Report provided the following findings and recommendations:

- The Recovery Plan of 1994 was fundamentally sound, but some modifications for contemporary management will likely make recovery more successful;

- Complex meta analyses of tortoise distributions and abundances indicate trends leading away from recovery goals in some parts of the species range. These results indicate a need for more aggressive initiatives to facilitate recovery;

- A USFWS Desert Tortoise Recovery Office should be established to facilitate and coordinate recovery efforts based upon an adaptive-management approach with advice from a Science Advisory Committee;

- Many of the original prescriptions of the Recovery Plan were never implemented. These prescriptions continue to be appropriate and they should be implemented. However, synergistic, interacting, and cumulative threats, not appreciated by the original Recovery Team, also must be addressed and new prescriptions should be prioritized from analyses of analyses of "threats network topologies" assembled by the DTRPAC to assess redundancies and synergies within individual threats;

- Recovery planning should reflect distinctness of population segments within the species range. The genetic distinctness of tortoise populations and of their pathogens must be assessed to guide all manipulative management (e.g., head starting, translocation, habitat restoration, corridor management, etc.). A newly proposed (by the DTRPAC) delineation of DPSs should be revised with new scientific information;

- S t a t u s a n d t r e n d s o f populations/metapopulations within DPSs are potentially impossible to determine based only upon assessment of tortoise density because assessing density of populations for rare and cryptic species is exceedingly difficult. Thus, monitoring the efficacy of management actions should be based upon a comprehensive

assessment of the status and trends of threats and habitats as well as population numbers;

- A new definition of recovery is needed to assess recovery in terms of a population that is demonstrably increasing or remaining stable may not be possible. The new definition should be based upon achievable assessment of progress toward recovery as assessed in the status and trends of threats, habitats, and population distribution and abundance;

- The original paradigm of desert tortoises being recovered in large populations relieved of intense threats may be flawed as tortoises may have evolved to depend upon metapopulation dynamics. Assessing the appropriateness of the metapopulation paradigm is very important as management under this paradigm could require more intense actions (including head starting, genetics management, habitat management and facilitated dispersal, herd immunization, and other facilitated ecosystem processes);

3) Bridgette Hagerty (Graduate Student at University of Nevada-Reno): Presentation of a new technique for epidemiological and genetic field research on desert tortoises to contribute to a better understanding of the DPS Hypothesis. In summary, the technique improves upon the historically difficult task of collecting blood samples from desert tortoises. The proposed technique involves cutting the rear toenail into the quick to withdraw a tiny amount of blood to be used in genetic and disease testing. Both the veterinary and research communities approved this method for use on desert tortoises.

4) Bob Williams (Field Supervisor, USFWS - Nevada ESFO): Introduction of Roy Averill-Murray (formerly Amphibians and Reptiles Program Manager, AGFD) as the new Desert Tortoise Coordinator (DTC) stationed in Reno. Bob also announced the formation of the Desert Tortoise Recovery Office (relocated from Las Vegas to Reno for communicative and logistical reasons) and the appointment of three local planning coordinators - all of whom will work

under Roy and be stationed at Service Offices in Ventura and Carlsbad, CA as well as in Las Vegas. Their primary responsibilities will be to assist in the local recovery effort under the direction of the DTC and serve as the primary point of contact for stakeholders in their respective recovery regions/areas.

Question: In light of the DRTPAC recommendations, what is the future for the Desert Tortoise Recovery Plan?

Answer (Bob Williams/Steve Thompson, Manager, USFWS – California/Nevada Operations): The Recovery Plan will be “amended”, based on the recommendations of the DRTPAC Recovery Assessment. The Recovery Plan is not going to be “revised” and therefore will not require the formal plan revision process. The amended Recovery Plan is expected to be completed by June 2005.

5) Jill Heaton (University of Nevada-Reno): Presentation of a conceptual database for technical information sharing from scientific institutions that could be used effectively in the recovery effort for the desert tortoise. It is named SPECIES.

SUBMITTED by member: **Jeff Servoss**

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**Court rules FWS definition of critical habitat: To help recovery, off-road vehicles ordered off desert washes**

The original court decision was addressed in the last newsletter, reporting that a federal judge struck down a biological opinion (permit) issued by the Fish and Wildlife Service (FWS) that authorized extensive cattle grazing and off-road vehicle use within the 4.1 million acres of designated critical habitat located in the Bureau of Land Management’s California Desert Conservation Area. Other court decisions across the country have reached the same conclusion



regarding the regulatory definition of critical habitat the last year or so.

Judge Susan Illston agreed with conservationists and issued an injunction ordering the BLM to stop off-road vehicle use in desert washes on over 500,000 acres of critical habitat in Riverside, Imperial, and San Bernardino Counties.

Desert washes on BLM public lands in the Northern and Eastern Colorado Desert (NECO) planning area, which are critical for tortoise survival and recovery, are now at least temporarily off-limits to off-road vehicles until the FWS completes new biological opinions that protect critical habitat and promote tortoise recovery. There are thousands of desert washes weaving across the landscape in this part of the CDCA, and BLM's 'washes open' policy allowed driving in all of them, letting damage occur.

Off-road vehicles may crush desert tortoises and their burrows, spew pollution and dust, and damage and kill desert vegetation that tortoises and other wildlife must eat to survive, reproduce, and recover. Vehicle damage to desert habitat can take decades to recover.

"The Court is most concerned with the 'actual situation on the ground,'... and finds that OHV use must be enjoined in the NECO planning area..." wrote U.S. Judge Illston.

"Biology 101 teaches that desert wildlife and tortoises need healthy wash habitat," said Elden Hughes, Chair of the Sierra Club Desert Committee.

"The court's ruling checks the abuses of the executive branch, and upholds the recovery intent of the Endangered Species Act, America's most important wildlife law," said Daniel R. Patterson, Ecologist and Desert Program Director with the Center for Biological Diversity. "Critical habitat works, and the Bush administration must follow the law and the public-interest to protect critical habitat for

endangered species recovery, not just survival. BLM better get serious now about keeping off-roaders out, or they'll be in contempt of court."

On August 3 the court struck down biological opinions (permits) issued by FWS that authorized off-road vehicle use on critical desert tortoise habitat. Despite this ruling, no on-the-ground management changes were made to protect the tortoise, forcing conservation groups to return to court for relief. FWS had issued its opinion in response to BLM management plans for the Congressionally-designated, Virginia-sized Conservation Area. The BLM plans have been highly controversial and have been sharply criticized by biologists over their failure to protect endangered species' critical habitat and implement endangered species recovery plans already approved by FWS.

The Court found in August that the FWS illegally failed to consider the negative affects of the BLM plans on endangered species' recovery, instead looking only at survival. Recovery means conserving desert tortoise populations to the point that the species can eventually be removed from the endangered and threatened species list. In contrast, survival does not necessarily include any improvement to the health of an endangered species.

"[T]he Court finds that congressional intent in enacting the ESA was clear: critical habitat exists to promote the recovery and survival of listed species..." wrote Judge Illston in her August opinion and order. "Conservation means more than survival; it means recovery," she said.

"We welcome any action that helps tortoise recovery, and keeping off-road vehicles out of critical habitat is vital," said Karen Schambach, California Director of Public Employees for Environmental Responsibility. "We will communicate with BLM and watch to see how well they enforce the court's order."

The FWS critical habitat policy is a self-fulfilling prophecy: refuse to protect critical

habitat, then claim critical habitat is not protective. In striking down this illegal and illogical policy, and ordering on-the-ground conservation action, the Court is requiring FWS and BLM to protect critical habitat at the highest level possible to ensure that it is managed to recover endangered species, not simply keep them alive.

Over 500,000 acres of the CDCA remain open to unlimited off-roading, as well as over 10,000 miles of roads and trails.

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Global Amphibian Assessment Web Site

The Center for North American Herpetology

<http://www.cnah.org>

The Global Amphibian Assessment (GAA) is the first-ever comprehensive assessment of the conservation status of the world's 5,743 known species of frogs, toads, salamanders, and caecilians. This website presents results of the assessments, including IUCN Red List threat category, range map, ecology information, and other data for every amphibian species. It's easy to search on this web site. For example, type in eastern narrowmouth toad, redback salamander, or Pacific giant salamander, and the pages pop right up.

Access it at:

<http://www.globalamphibians.org/>

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**U.S. Forest Service employees sued under federal Anti-Racketeering Act**

Three federal employees have been accused of abusing their government offices and authority to create a conspiracy aimed at stalling a Big Bear Lake development, according to a lawsuit filed November 3rd in U.S. Court.

Gene Zimmerman, Scott Eliason, and Robin Eliason, all employees of the U.S. Forest Service, are named as co-conspirators in the

lawsuit brought by Marina Point Development Associates, owner of a 12.5-acre development site and marina at Big Bear Lake, California. The lawsuit alleges the three, along with Sandy Steers of "Friends of Fawnskin," defrauded Marina Point Development in violation of the federal Racketeer Influenced and Corrupt Organizations Act by attempting to illegally stop the project that was under construction.

The project was stopped by a federal court in May, when several environmental groups asked and received a preliminary injunction against the project. That suit involved potential violations of the Endangered Species Act.

Wildlife biologist Robin Eliason has been an ideal employee of the U.S. Forest Service since 1989, earning a certificate of merit every year and establishing a reputation as the Forest Service's expert on bald eagles in the San Bernardino National Forest.

The three Forest Service employees and Steers have said the charges against them are clearly false. The government workers maintain that they were acting in their official capacity as Forest Service employees and have done nothing wrong. Steers said the suit was brought partly "to intimidate other activists from speaking out. That won't work," she said. Steers' attorney, Jim Wheaton, of the First Amendment Project in Oakland, called the RICO case "a classic SLAPP [Strategic Lawsuit Against Public Participation] suit.

After a delay of more than a month, the Department of Justice has decided to represent the Forest Service employees.

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**GALÁPAGOS 2005: July 25-August 7**

Come join Maggie Fusari for a 11-day cruise in the Galápagos Islands and retrace Darwin's travels. Last chance this year to take advantage of this opportunity! As DTC members you enjoy a reduced trip cost of \$3700 plus airfare AND

[www.deserttortoise.org](http://www.deserttortoise.org)



DTC gets a \$200 donation for each member who goes. You need to meet the giant tortoises (including Lonesome George) and the marine and land iguanas. You will see wonderful seabirds, feeding and nesting and flying all around you. You will get up close and personal with the Darwin's finches. You will visit northern, southern, and western islands. Last year we saw a pod of Orca feeding on a whale! We usually see many dolphins and the snorkling is excellent.

Maggie is a long time DTC member and has been going to the Galápagos for almost 10 years. She knows the animals and plants, the history of evolutionary study on Galápagos, and the current status of the islands well.

The goal is to fill the trip by early January. So log on to the website (<http://www.galapagostravel.com>), see the pictures and maps, read the details of payments, refunds, insurance, etc., and then call and make your reservation. E-mail Maggie if you have questions: [fusari@ucsc.edu](mailto:fusari@ucsc.edu).

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**SIGN UP NOW!!**

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**The Current Board of Directors of the  
Desert Tortoise Council**

|                         |                |
|-------------------------|----------------|
| Senior Co-Chair         | Bob Turner     |
| Junior Co-Chair         | Doug Duncan    |
| Junior Co-Chair Elect   | Pete Woodman   |
| Corresponding Secretary | Pat von Helf   |
| Treasurer               | Mike Coffeen   |
| Products Manager        | Tom Egan       |
| Immediate Past Co-Chair | Becky Jones    |
| Board Member            | Tracy Bailey   |
| Board Member            | Kristin Berry  |
| Board Member            | Kristen Murphy |
| Board Member            | Dan Pearson    |
| Board Member            | Lori Rose      |
| Board Member            | Glenn Stewart  |

|                   |                                |
|-------------------|--------------------------------|
| Newsletter Editor | <a href="#">Doug Duncan</a>    |
| Webmaster         | <a href="#">Michael Connor</a> |

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**Council and Executive Board Activities**

Submitted comments on:

1. Fort Irwin expansion SDEIS: June 15, 2004;
2. USFWS raven management Environmental Assessment scoping: August 13, 2004;
3. NOPA for 10 grazing allotments (NOPA-CA-690-04-02) from BLM, Needles Field Office: August 23, 2004;
4. California high speed rail draft program EIR/EIS: August 27, 2004;
5. Environmental Assessment for renewal of eight cattle grazing allotment leases by the BLM Barstow Field Office: August 31, 2004;
6. Environmental Assessment for renewal of six grazing leases for ephemeral sheep grazing operations by the Barstow Field Office: August 31, 2004;
7. Environmental Assessment livestock grazing authorizations” (CA-650-2004-36), Allotment names: Cantil Common, Monolith Cantil, Boron, Bissell, Antelope Valley, Warren, Spangler Hills, Hansen Common, Lava Mountain, Rudnick Common, and Walker Pass Common sheep allotments; BLM Ridgecrest Field Office: 9/20/04.

The Ethics Workshop moderated by Jeff Ogata was held June 19, 2004, in Riverside.

A contract to hire Kyle C. Kreischer to facilitate review of EIS and other documents.

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Desert Tortoise Council  
c/o Doug Duncan  
P.O. Box 331  
Tucson, AZ 85702

Check one:  MEMBERSHIP APPLICATION/RENEWAL  CHANGE OF ADDRESS  
DATE: \_\_\_\_\_ EMAIL ADDRESS: \_\_\_\_\_  
NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_  
*(Please Print)* *(Include Area Code)*  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

Regular (\$15.00 per year)  Organization (\$55.00 per year)  
 Contributing (\$50.00 per year)  Lifetime (\$300 or more)  
 Student (\$10.00 per year- Requires endorsement of student's advisor or Major Professor)

NEWSLETTER FORMAT:

Mailed paper copy  Pdf file via e-mail  E-mail notice for web page viewing

Make check or money order payable to the Desert Tortoise Council  
and **send** with this application

to: **Desert Tortoise Council, P.O. Box 5685**  
**Sun City West, AZ 85376-5685**

*The Desert Tortoise Council does not release its membership list*

[www.deserttortoise.org](http://www.deserttortoise.org)