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Contact: Nick Jensen, California Native Plant Society, (916) 443-2677 njensen@cnps.org
Ileene Anderson, Center for Biological Diversity, (323) 490-0223,
ianderson@biologicaldiversity.org
Nasrat Esmaty, Defenders of Wildlife, (202) 772-0268, NEsmaty@defenders.org
Ed La Rue, Desert Tortoise Council, (760) 964-0012, eac@deserttortoise.org
Terry Frewin, Sierra Club, (805) 966-3754, terrylf09@gmail.com

Lawsuit Targets Federal OK of Off-Road Routes, Grazing Threatening Imperiled Species in California Deserts

SAN FRANCISCO— Environmental groups [sued](#) the Interior Department, U.S. Bureau of Land Management and U.S. Fish and Wildlife Service today for authorizing damaging activities in the California Desert Conservation Area, including a vast network of off-road vehicle routes in the West Mojave Desert. The routes are driving [desert tortoises](#) and other threatened and endangered species closer to extinction and destroying these protected public lands.

“The fragile plants and animals rely on federal officials to protect them from grazing, off-road vehicles and other damage to their homes in these beautiful deserts,” said Ileene Anderson, a senior scientist at the Center for Biological Diversity. “It’s heartbreaking to see our public lands torn up by a massive network of dirt routes that fragment habitat and destroy sensitive desert ecosystems while the agencies do nothing to stop it. We’re hopeful a judge will force federal officials to do their jobs and safeguard these rare, vulnerable wildlife that depend on California’s deserts to survive.”

Today’s complaint — filed by the Center for Biological Diversity, Desert Survivors, Sierra Club, California Native Plant Society, Defenders of Wildlife and Desert Tortoise Council — says the federal agencies failed to adequately consider potential environmental damage before approving the West Mojave Route Network Project and plan amendments in 2019.

The agencies also failed to protect endangered and threatened species and their habitats and ignored federal laws requiring that damage to public lands from off-road vehicle routes be minimized.

“Changes in management are necessary to prevent further declines in the critically endangered desert tortoise,” said Terry Frewin of the Sierra Club. “The BLM’s abdication of legal requirements and Fish and Wildlife Service’s failure to use the best available science have set up an unnecessary crisis for these species already teetering on the brink of extinction.”

The lawsuit also challenges the Fish and Wildlife Service’s biological opinion for the West Mojave Route Network Project and plan amendments, which are replete with inaccuracies and ignore important scientific information. For example, the biological opinion ignores the severe ongoing declines in density and abundance of desert tortoise populations and doesn’t consider ways to help the tortoise recover and thrive.

“The BLM and U.S. Fish and Wildlife Service must formally recognize the rapidly declining status of the desert tortoise in the West Mojave and proactively protect residual populations, not provide for more

unrestricted recreational vehicle opportunities in fragile desert tortoise habitats,” said Ed LaRue of the Desert Tortoise Council.

In March 2020 the Desert Tortoise Council, Defenders of Wildlife and the Desert Tortoise Preserve Committee submitted a petition to the California Fish and Game Commission to upgrade the Mojave desert tortoises state listing from threatened to endangered status. The commission is scheduled to vote on the petition in October.

Under the West Mojave plan, the BLM approved more than 6,000 miles of dirt routes for off-road vehicle use (approximately one-quarter of the way around the Earth’s circumference) across 3 million acres. The desert tortoise population has now declined to unsustainable levels in the western Mojave Desert, in large part because of direct and indirect impacts from off-road vehicles.

“Public agencies need to be held accountable for their management decisions, especially when those decisions impact already sensitive ecosystems and species on the brink of extinction,” said Nick Jensen, conservation program director for the California Native Plant Society. “The BLM’s land management actions in the western Mojave could mean the difference between losing imperiled species like the Lane Mountain milk vetch forever or preserving them for generations to come. We hope that the BLM does right by the species and habitats under its care.”

Off-road vehicle use and cattle grazing allowed under the West Mojave plan and the new plan amendments threaten other critically endangered plants and animals, including two rare plants (the [Lane Mountain milk vetch](#) and triple-ribbed milkvetch), three birds (the [least Bell’s vireo](#), [southwestern willow flycatcher](#) and [yellow-billed cuckoo](#)) and the [arroyo toad](#).

Plan amendments adopted as part of the 2019 decision cover the entire California Desert Conservation Area, and could harm other listed species including the [Peninsular bighorn sheep](#), a critically endangered marsh bird called the Yuma Ridgway’s rail, and one of the world’s most critically endangered mammals — the endangered Amargosa vole.

“The BLM and FWS have put threatened desert tortoises in a precarious situation. With 95% of the species’ population lost since congressional establishment of the California Desert Conservation Area in 1976, tortoise populations are so small they can’t sustain themselves and are on a path to extinction, especially in the West Mojave,” said Jeff Aardahl, senior California representative with Defenders of Wildlife. “Yet the BLM approved increased off-road vehicle use and continued livestock grazing, and the FWS granted BLM authorization to kill up to eight desert tortoises annually for the next five years due to being crushed by off-highway vehicle use on public lands.”

The groups filing today’s lawsuit are represented by the Stanford Environmental Law Clinic and the Center for Biological Diversity.



Mojave desert tortoise. Photo credit, U.S. Fish and Wildlife Service [Image is available for media use.](#)

The [Center for Biological Diversity](#) is a national, nonprofit conservation organization with more than 1.7 million members and online activists dedicated to the protection of endangered species and wild places.

The [California Native Plant Society \(CNPS\)](#) is a statewide, nonprofit organization with more than 10,000 members distributed across 35 local chapters. The mission of CNPS is to conserve California native plants and their natural habitats, and to increase the understanding, appreciation, and horticultural use of native plants. CNPS works closely with decision-makers, scientists, and local planners to advocate for well-informed policies, regulations, and land management practices.

Defenders of Wildlife is dedicated to the protection of all native animals and plants in their natural communities. With nearly 2.2 million members and activists, including 323,000 in California, Defenders of Wildlife is a leading advocate for innovative solutions to safeguard our wildlife heritage for generations to come. For more information, visit defenders.org/newsroom and follow us on Twitter [@Defenders](#).

Desert Survivors is a nonprofit organization of desert lovers committed to experiencing, sharing, and protecting desert wilderness and the rare and fragile biological resources in the California and Nevada deserts. Desert Survivors recognizes that the places will not remain wild unless we give others the opportunity to experience their rugged beauty.

The mission of the [Desert Tortoise Council](#) is to assure the perpetual survival of viable populations of desert tortoises throughout their historical ranges. It focuses on conservation of three tortoise species

*in the southwestern United States and northwestern Mexico, currently recognized as *Gopherus agassizii*, *Gopherus morafkai*, and *Gopherus evgoodei*.*

The [Sierra Club](#) is a national nonprofit organization of over 732,000 members dedicated to exploring, enjoying, and protecting the wild places of the earth; to practicing and promoting the responsible use of the earth's ecosystems and resources; to educating and enlisting humanity to protect and restore the quality of the natural and human environment; and to using all lawful means to carry out these objectives