



**DESERT TORTOISE COUNCIL**

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**Via email only**

25 October 2022

Attn: Angelita Bullets, District Manager  
Las Vegas Field Office, Bureau of Land Management  
4701 N Torrey Pines Drive  
Las Vegas, NV, 89130  
[abullets@blm.gov](mailto:abullets@blm.gov)

RE: Endorsement for Cactus Springs Area of Critical Environmental Concern in Clark and Nye Counties, Nevada

Dear Ms. Bullets,

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 desert tortoise species. Established in 1975 to promote conservation of tortoises in the deserts of the southwestern United States and Mexico, the Council routinely provides information and other forms of assistance to individuals, organizations, and regulatory agencies on matters potentially affecting desert tortoises within their geographic ranges.

While recently opposing the development of the proposed Bonanza Solar Project on 5,100± acres<sup>1</sup>, we learned that Basin and Range Watch and Western Watersheds Project (Proponents) have nominated a 58,000± acre area in Clark and Nye counties, Nevada as the Cactus Springs Area of Critical Environmental Concern (ACEC), a portion of which is threatened by this latest solar development. In their formal nomination letter<sup>2</sup>, Proponents have demonstrated to our satisfaction the importance of this area for the conservation and recovery of Mojave desert tortoise (*Gopherus agassizii*) to help offset the significant degradation and loss of public lands managed by the Bureau of Land Management (BLM) to solar development throughout southern Nevada.

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<sup>1</sup> <https://www.dropbox.com/s/aq4f0dvhng717eh/Bonanza%20Solar%20Variance%20Evaluation.9-14-2022.pdf?dl=0>

<sup>2</sup> <https://www.dropbox.com/s/jmwqp9v0jslkm0u/Cactus%20Springs%20ACEC%20Nomination.pdf?dl=0>

Identified as “Priority One Desert Tortoise Connectivity Habitat in the Indian Springs Valley,” Proponents indicate “Based on current knowledge and data, the area highlighted in this nomination has been identified by the [U.S.] Fish and Wildlife Service as the most critical desert tortoise connectivity corridor in Southern Nevada. This connectivity corridor is located within the Indian Springs Valley which connects the Amargosa and Pahrump Valleys on the west and north sides of the Spring Mountains and connects them to the Las Vegas Valley on the east side.” Further, “The area has very low disturbance compared to other Mojave Desert regions and is located within the modeled Least Cost Connectivity Corridor, which represents high value contiguous desert tortoise habitat that connects established desert tortoise conservation areas. This high value contiguous habitat maintains genetic and demographic connectivity between wilderness areas, national park lands, wildlife refuges and critical habitats.”

Proponents indicate that the Bonanza Solar Project is one of three large-scale solar projects, along with South Ridge Solar and Kawich Solar, proposed within this ecologically-important region. They also report that two transmission projects are pending in the area, including Greenlink West and Gridliance, the latter of which would be to upgrade an existing 235 kV line. While we agree with the Proponent’s assertion that the new ACEC “...would be a long-term solution to maintain the ecological integrity of this connectivity corridor” and an “...alternative to approval of Right of Way Applications for existing and alternative additional energy proposals,” we believe there are other compelling reasons to establish this new ACEC. The Proponent’s nomination letter describes, for example, numerous other common and uncommon biological resources that would benefit from establishing this new ACEC.

Equally important, the extensive solar development on public lands throughout southern Nevada under authority of the Final Programmatic Environmental Impact Statement for solar development in six western states [(BLM and DoE 2012; herein “Solar PEIS”)] has decimated tortoise populations to such an extent that it is time for the BLM to counteract these losses, and take this opportunity to protect important tortoise habitats by designating this new ACEC. This action is warranted due to the numbers of tortoises displaced, occupied habitats lost, and habitat connectivity severed under authority of the obsolete Solar PEIS on both BLM-managed lands and tribal lands. Certified in 2012, the Solar PEIS Record of Decision (ROD) is outdated and no longer efficacious, as it predates significant findings between 2014 (Allison and McLuckie 2018) and 2022 (USFWS 2020, 2021, 2022a, and 2022b), documenting the ubiquitous declines of tortoises throughout most of the listed range. The Council contends these data document a changed circumstance that warrants reinitiation of Section 7 Consultation with the U.S. Fish and Wildlife Service to reassess the Solar PEIS.

For these and other reasons, we wholeheartedly support the Proponent’s nomination of the 58,000± acre Cactus Springs Area of Critical Environmental Concern.

Respectfully,



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

Cc. Glen Knowles, Field Supervisor, Southern Nevada Field Office, [glen\\_knowles@fws.gov](mailto:glen_knowles@fws.gov)

## Literature Cited

- Allison L.J. and McLuckie, A.M. 2018. Population trends in Mojave desert tortoises (*Gopherus agassizii*). *Herpetological Conservation and Biology*. 2018 Aug 1;13(2):433-52.
- [BLM and DOE] U.S. Bureau of Land Management and U.S. Department of Energy. 2012. Final Programmatic Environmental Impact Statement for Solar Energy Development in Six Southwestern States. FES 12-24, DOE/EIS-0403. Washington, D.C.: U.S. Bureau of Land Management and U.S. Department of Energy. <http://solareis.anl.gov/documents/fpeis>.
- [USFWS] U.S. Fish and Wildlife Service. 2020. Range-wide Monitoring of the Mojave Desert Tortoise (*Gopherus agassizii*): 2019 Annual Reporting DRAFT. Report by the Desert Tortoise Recovery Office, U.S. Fish and Wildlife Service, Reno, Nevada. 42 pages.
- [USFWS] U.S. Fish and Wildlife Service. 2021. Status of the desert tortoise and its critical habitat. Report by the Desert Tortoise Recovery Office, U.S. Fish and Wildlife Service, Reno, Nevada. Dated 8 March 2021. 27 pages.
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