

**DESERT TORTOISE COUNCIL**

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**Via email only**

Date: 12 August 2024

To: The Honorable Pete Buttigieg  
United States Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Re: 2024-2026 Wildlife Crossings Pilot Program (WCPP) Grant for the Coyote Springs Wildlife Crossings project

Dear Secretary Buttigieg,

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.

The Mojave desert tortoise is among the top 50 species on the list of the world's most endangered tortoises and freshwater turtles. The International Union for Conservation of Nature's (IUCN) Species Survival Commission, Tortoise and Freshwater Turtle Specialist Group, now considers the Mojave desert tortoise to be Critically Endangered (Berry et al. 2021), "... based on population reduction (decreasing density), habitat loss of over 80% over three generations (90 years), including past reductions and predicted future declines, as well as the effects of disease (upper respiratory tract disease/mycoplasmosis). *Gopherus agassizii* (sensu stricto) comprises tortoises in the most well-studied 30% of the larger range; this portion of the original range has seen the most human impacts and is where the largest past population losses have been documented. A recent rigorous rangewide population reassessment of *G. agassizii* (sensu stricto) has demonstrated continued adult population and density declines of about 90% over three generations (two in the past and one ongoing) in four of the five *G. agassizii* recovery units and inadequate recruitment with decreasing percentages of juveniles in all five recovery units."

This status, in part, prompted the Council to join Defenders of Wildlife and Desert Tortoise Preserve Committee (Defenders of Wildlife et al. 2020) to petition the California Fish and Game Commission in March 2020 to elevate the listing of the Mojave desert tortoise from Threatened to Endangered in California. In its status review, California Department of Fish and Wildlife (CDFW) (2024) stated: “At its public meeting on October 14, 2020, the Commission considered the petition, and based in part on the Department’s [CDFW] petition evaluation and recommendation, found sufficient information exists to indicate the petitioned action may be warranted and accepted the petition for consideration. The Commission’s decision initiated this status review to inform the Commission’s decision on whether the change in status is warranted.”

Importantly, in their April 2024 meeting, the California Fish and Game Commission voted unanimously to uplist the tortoise from threatened to endangered under the California Endangered Species Act based on the scientific data provided on the species’ status, declining trend, numerous threats, and lack of effective recovery implementation and land management. Among other things, this determination may be interpreted to mean that the Mohave desert tortoise population in California is deemed by the California Fish and Game Commission to be closer to extinction than when it was listed as threatened in 1989.

We are writing this letter in support of an application made by the Nevada Department of Transportation (NDOT) for the U.S. Department of Transportation (DOT), Federal Highway Administration (FHWA) – 2024-2026 Wildlife Crossings Pilot Program (WCPP) Grant for the Coyote Springs Wildlife Crossings project.

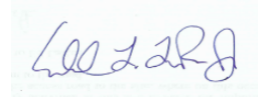
The Coyote Springs Wildlife Crossings project would construct tortoise fencing along approximately 34 miles of US 93 adjacent to critical habitat designated by the U.S. Fish and Wildlife Service for the threatened Mojave desert tortoise under the Federal Endangered Species Act (FESA). This stretch of highway is the last segment of the species’ critical habitat to remain un-fenced in Southern Nevada. In addition, 61 wildlife crossings will be installed to facilitate connectivity for the desert tortoise and other wildlife. Tortoises and other wildlife-vehicle collisions are negatively impacting recovery efforts for the tortoise through direct mortality and providing wildlife roadkill subsidies as food for tortoise predators. These food subsidies increase the abundance of tortoise predators (e.g., Common raven (*Corvus corax*), coyote (*Canis latrans*)) in the area and result in increased predation on tortoises and other wildlife species. Thus, this proposed work will aid in mitigating those impacts by keeping tortoises safely away from roads and high traffic areas, and reducing food subsidies from roadkill and predation. Though vehicle collisions with small animals may not seem to pose significant risks to human safety, near-accidents, attempts to avoid hitting small animals, and attempts to move animals off the roadway pose risks not considered in general vehicle-wildlife interactions.

This project has a high priority for implementation under the Revised Recovery Plan for the Mojave Population of the Desert Tortoise (USFWS 2011), as the Recovery Plan identifies it under “2. Protect Existing Populations and Habitat” as recovery actions “2.5. Restrict, designate, close, and fence roads,” and “2.11. Connect functional habitat.” In addition, it is identified more broadly under “1. Develop, Support, and Build Partnerships to Facilitate Recovery.” Thus, this project would provide a substantial contribution toward recovery of the tortoise in Nevada.

This proposed work presents an obtainable strategy, proven to be successful in other areas, to reduce wildlife-transportation conflicts, reduce road-mortalities for tortoises, improve safety, and refine how we manage and recover this threatened species. This project is supported by many agencies and organizations, including the Council, to aid in the continued recovery of the desert tortoise population in Southern Nevada.

The completion of the Coyote Springs Wildlife Crossings would provide many tangible benefits to the desert tortoise population within Southern Nevada and other wildlife species that are experiencing greater levels of predation by common ravens and coyotes. We respectfully ask for you to give full and fair consideration to NDOT's application. We appreciate this opportunity to support this important project and trust that implementation of NDOT's fencing and culvert project will help protect tortoises and other wildlife for many years to come.

Respectfully,



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

### **Literature Cited**

[USFWS] U.S. Fish and Wildlife Service. 2011. Revised Recovery Plan for the Mojave Population of the Desert Tortoise (*Gopherus agassizii*). U.S. Fish and Wildlife Service, California and Nevada Region, Sacramento, California.  
<https://www.fws.gov/sites/default/files/documents/USFWS.2011.RRP%20for%20the%20Mojave%20Desert%20Tortoise.pdf>