



**DESERT TORTOISE COUNCIL**

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**Via email only**

12 September 2023

Attn: Tracy Stone-Manning, Director, Bureau of Land Management

Attn: Jeremy Bluma, Acting Division Chief, National Renewable Energy Coordination Office

1849 C Street NW

Washington, DC 20240

[tstonemanning@blm.gov](mailto:tstonemanning@blm.gov), [jbluma@blm.gov](mailto:jbluma@blm.gov)

RE: Support for the Nomination of Desert Tortoise Habitat Linkages as Areas of Critical Environmental Concern by the Defenders of Wildlife

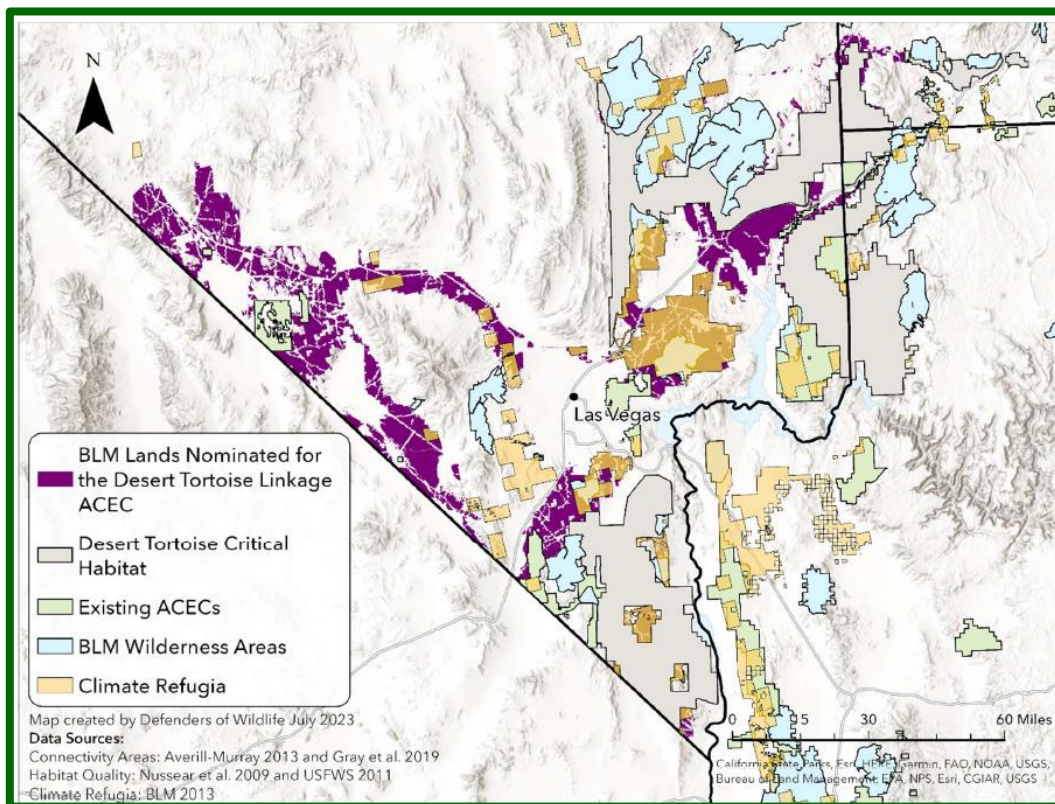
Dear Director Stone-Manning,

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.

Herein, the Council would like to express our support for the nomination by Defenders of Wildlife (Defenders) of the Desert Tortoise Habitat Linkages Areas of Critical Environmental Concern (ACECs) in northwestern Arizona, southern Nevada and southwestern Utah for consideration in the development of the Programmatic Environmental Impact Statement to Evaluate Utility-Scale Solar Energy Planning and Amend Resource Management Plans for Renewable Energy Development (Utility-Scale Solar Energy PEIS). In their letter of 16 August 2023, Defenders indicated that the intent of this nomination is "...to help stem the decline and contribute to the recovery of the threatened desert tortoise (*Gopherus agassizii*), which was listed as a threatened species under the Endangered Species Act in 1990 [USFWS 1990] and for which critical habitat was designated in 1994 [USFWS 1994a]." This nomination is entirely complimentary to our mission statement given above, and which we fully support.

We understand from Defenders nomination documents that California is excluded from the nomination because their “...scoping comments submitted to BLM recommended excluding the Desert Renewable Energy Conservation Plan (DRECP) area from the planning area for the Utility-Scale Solar Energy PEIS, and the range of the desert tortoise in California is confined to the DRECP area. BLM subsequently announced that the DRECP area will be excluded from the PEIS analysis area.”

**Map 2:** ACEC Nomination Lands showing designated Wilderness, existing ACECs and Climate Change Refugia (Source: Defenders of Wildlife, August 16, 2023 nomination letter)



Our Ecosystems Advisory Committee (EAC) of the Council has been proactive for many years advocating for tortoise conservation in California, Arizona, Nevada, and Utah where the federally-listed Mojave population of Agassiz’s desert tortoise occurs. In the past 10 years the EAC has written 186 comment letters for projects in California, 85 in southern Nevada, 47 in western Arizona, and 29 in southern Utah for projects that would adversely affect desert tortoises if developed, which most of them have been developed. Most of these projects have occurred on public lands managed by the BLM, and in all three states the creation and effective management of these ACECs would contribute substantially to tortoise conservation to partially offset the recent unprecedented loss of occupied tortoise habitats, mostly to solar development.

We fully support Defenders in that part of the nomination cover letter indicating “Management for the ACECs should prioritize Mojave desert tortoise recovery actions and eliminate future discretionary habitat disturbances (e.g., energy leasing and development, new routes or motorized vehicle areas, mineral sales), include a recommendation for a mineral withdrawal, restrict future rights-of-way grants to existing footprints, disallow disposal and prioritize grazing permit retirements, where applicable.”

We appreciate this opportunity to provide our support for this nomination. We have been very concerned with the unprecedented development of public lands managed by the BLM for solar development throughout southern Nevada, where thousands of acres of desert tortoise habitat have been lost to solar arrays and their infrastructure resulting in the displacement of hundreds of desert tortoises and the long-term loss of occupied habitats and habitats identified for connectivity between populations. Given the tortoise-centric function of pertinent ACECs to support conservation and recovery of tortoises, and ubiquitous declines in tortoise populations throughout most of the range of this federally-listed species (Allison and McLuckie 2018), we believe that creation of the Desert Tortoise Habitat Linkages Areas of Critical Environmental Concern will provide an important tool to help conserve and recover this imperiled species.

We remind BLM that the Desert Tortoise Recovery Plan - Mojave Population (USFWS 1994b) included the need to manage connecting habitats or linkage habitats among the areas that BLM designated as ACECs for the tortoise. This need was reaffirmed in the Revised Recovery Plan for the Mojave Desert Tortoise (USFWS 2011). Although it has been 29 years since this conservation need was stated in the 1994 Recovery Plan, BLM has not yet implemented this recovery measure in Nevada, Utah, and Arizona. Given the recent issuance of Guidance for Federal Departments and Agencies on Ecological Connectivity and Wildlife Corridors by the Council on Environmental Quality (2023) that focuses on the importance of habitats that provide connectivity or linkages between populations, we assert it is more than appropriate for BLM to designate and manage the proposed ACECs for the Mojave desert tortoise.

Respectfully,



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

### **Literature Cited**

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