

DESERT TORTOISE COUNCIL

3807 Sierra Highway #6-4514

Acton, CA 93510

www.deserttortoise.org

eac@deserttortoise.org

Via email only

Date: December 14, 2023

Attn: John Hildebrand
Planning Director
County of Riverside
4080 Lemon Street
Riverside, CA 92501
jhildebrand@rivco.org

RE: Delete Eastern Coachella Valley Area Plan Policy 2.3 during the next Foundation Component General Plan Amendment cycle

Dear Director Hildebrand,

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.

Both our physical and email addresses are provided above in our letterhead for your use when providing future correspondence to us. When given a choice, we prefer to receive emails for future correspondence, as mail delivered via the U.S. Postal Service may take several days to be delivered. Email is an "environmentally friendlier way" of receiving correspondence and documents rather than "snail mail."

We appreciate this opportunity to provide comments leading to the deletion of the Eastern Coachella Valley Area Plan (ECVAP) Policy 2.3 during the next Foundation Component General Plan Amendment (GPA) cycle. Since much of eastern Riverside County occurs in habitats occupied by Mojave desert tortoise (*Gopherus agassizii*) (synonymous with Agassiz's desert tortoise), we are very concerned that use of this policy could conceivably eliminate important habitats for the desert tortoise and threaten local populations with extirpation.

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. The decision is still pending at the time of this writing.

In 2015 and again in 2018, we submitted letters to Riverside County strongly opposing the Paradise Valley Specific Plan in Shaver's Valley. That massive development proposal, which would have eliminated almost 5,000 acres of U.S. Fish and Wildlife Service (USFWS)-designated Critical Habitat for Agassiz's desert tortoise, was made possible by Eastern Coachella Valley Area Plan (ECVAP) Policy 2.3, which had been added to the County's General Plan in 2003. For the reasons given below, we believe that deletion of Policy 2.3 will avoid future attempts to plan and implement such ill-conceived projects.

The impracticality of Policy 2.3, as well as its inconsistency with current County and state policies, was clearly evaluated by the County through its consideration of the Paradise Valley Specific Plan proposal. In 2019, the Board of Supervisors found unanimously that "the Project cannot meet all of the findings required in order to adopt a Foundation Amendment, an Entitlement/Policy General Plan Amendment, and to establish consistency with the Eastern Coachella Valley Area Plan, which prevents the ability to make the required findings for the Specific Plan and Change of Zone."

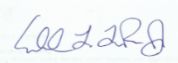
The Board Resolution denying the project cited numerous ways in which the proposed development in Shavers Valley was unable to meet the requirements of Policy 2.3, and was inconsistent with the Riverside County Vision and the Vision Statement, and inconsistent with the General Plan. It is inconceivable that any other "new town" development in Shavers Valley would avoid these inconsistencies and conflicts; thus, the logical conclusion is that Policy 2.3 itself is inconsistent with the Riverside County Vision and other elements of the General Plan, and should be deleted.

Policy 2.3 countenances significant urban development in a remote, environmentally sensitive area. From a public policy and good planning perspective, there are many reasons why such development is wholly inappropriate. Of particular importance are:

- Projects such as Paradise Springs would have impacted essential tortoise habitats, including USFWS-designated Critical Habitat and important Core Habitats and Core Linkage Areas for tortoises identified in the Coachella Valley Multispecies Habitat Conservation Plan.
- Threats to lives and property from the types of events recently experienced in the California desert, including Tropical Storm Hilary and the massive York wildfire.
- Lack of necessary infrastructure and public and private facilities and services to support urban development without massive investments and inefficiencies; as well as profound challenges to provide emergency personnel, including medical, and services to respond to an increasingly likely natural disaster in Shavers Valley and other areas.
- Diversion of scarce County resources needed by existing underserved communities by instead serving a remote and inappropriate project.
- Inconsistency with the CVMSHCP Conservation Goals and Objectives, and major adverse impacts to the adjacent, federally-protected areas of Joshua Tree National Park and the Mecca Hills Wilderness.
- Unavailability of assured long-term reliable water supplies in a mega-drought era in which California must adapt to diminishing water supplies from the Colorado River basin and Northern California by significantly reducing water consumption.
- Development in such a remote area rather than adjacent to existing urban development would cause significant commuting for work, shopping, medical needs, etc., with major impacts on air quality and climate change.

We urge the County to delete ECVAP Policy 2.3, and look forward to working with the County on this important matter. We would appreciate being notified when the County initiates a Foundation Component GPA so we can continue to be involved in planning that will proactively protect desert tortoises and their habitats. Additionally, we ask that you respond in an email that you have received this comment letter so we can be sure our concerns have been registered with the appropriate personnel and office for this project.

Respectfully,



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

cc: Juan C. Perez, Chief Operating Officer, jcperez@rivco.org
Charissa Leach, Assistant CEO, cleach@rivco.org
V. Manuel Perez, 4th District Supervisor, District4@rivco.org

Literature Cited

Berry, K.H., L.J. Allison, A.M. McLuckie, M. Vaughn, and R.W. Murphy. 2021. *Gopherus agassizii*. The IUCN Red List of Threatened Species 2021: e.T97246272A3150871. <https://dx.doi.org/10.2305/IUCN.UK.2021-2.RLTS.T97246272A3150871.en>

Defenders of Wildlife, Desert Tortoise Preserve Committee, and Desert Tortoise Council. 2020. A Petition to the State of California Fish And Game Commission to move the Mojave desert tortoise from listed as threatened to endangered. Formal petition submitted 11 March 2020. https://defenders.org/sites/default/files/2020-03/Desert%20Tortoise%20Petition%203_20_2020%20Final_0.pdf.