DESERT TORTOISE COUNCIL
3807 Sierra Highway #6-4514
Acton, CA 93510
www.deserttortoise.org
eac@deserttortoise.org

Via email only

31 May 2023

Captain Searcy
Attn: NEPA/SERRET
Environmental Affairs
Box 788110
Twentynine Palms, CA 92278-8110
smb-plms-isdea@usmc.mil

RE: Draft Supplemental Environmental Assessment (SEA) and Unsigned Mitigated Finding of No Significant Impact (Mitigated FONSI) for Ongoing and Future Military Training, Support Operations, and Resource Management Marine Corps Air Ground Combat Center

Dear Captain Searcy,

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 that the Marine Air Ground Task Force Training Command (MAGTFTC) email to us 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 that the Marines contacted the Council directly about the availability for public comment on these National Environmental Policy Act (NEPA) documents. In addition, we appreciate this opportunity to provide comments on the above-referenced project. Given the

location analyzed by the SEA that contains habitats occupied by Mojave desert tortoise (*Gopherus agassizii*) (synonymous with Agassiz's desert tortoise), our comments pertain to enhancing protection of this species during activities carried out by the Marine Corps Air Ground Combat Center (MCAGCC) 29 Palma, which we assume will be added to the Decision Record for this project as needed. Please accept, carefully review, and include in the relevant project file the Council's following comments and attachments for the proposed project.

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), as it is a "species that possess an extremely high risk of extinction as a result of rapid population declines of 80 to more than 90 percent over the previous 10 years (or three generations), population size fewer than 50 individuals, other factors." It is one of three turtle and tortoise species in the United States to be critically endangered. 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.

Description of the Proposal

The Marine Air Ground Combat Center (Combat Center) is located at 29 Palms, California. The Combat Center affords units the opportunity to practice combined-arms tactics in a realistic and challenging live-fire environment, on a scale unlike any other Marine Corps installation. Marine Corps warfighting doctrine centers on maneuver warfare, where combinations of task-organized units seek to exploit enemy gaps through combined-arms operations. This concept is based on rapid, flexible, and opportunistic decision-making. The Combat Center supports the scalable Marine Air Ground Task Force (MAGTF), which incorporates the command element, ground combat element, aviation combat element, and logistics combat element.

The Combat Center is in the Mojave Desert of San Bernardino County, California, and bounded by Twentynine Palms (south), Interstate 40 (north), Amboy Road (east), and BLM public land (north, east, and west). The project area primarily includes the Combat Center (761,000 acres), desert tortoise translocation sites, and Recovery and Sustainment Partnership (RASP) Initiative focal areas within the Western Mojave Recovery Unit.

The Marine Air Ground Task Force Training Command (MAGTFTC) has prepared a Supplemental Environmental Assessment (SEA) in response to current and emerging requirements (Marine Corps Force Design 2030 initiative). In this SEA, MAGTFTC evaluates and proposes – (1) ongoing and future actions; (2) changes to ongoing actions; (3) increased mitigation; and (4) efforts to improve and streamline regulatory compliance.

Purpose and Need for the Proposal

MAGTFTC continually evaluates Combat Center operations to ensure Marines obtain realistic training. MAGTFTC anticipates the following needs to support existing and emergent requirements:

- Increased off-route, dispersed movement throughout the training areas (excluding Restricted Areas), with lighter vehicles, during exercises and maneuver training.
- Increased live-fire (e.g., rocket artillery) and target use throughout the training areas.
- Increased sustainment training (e.g., dispersed resupply operations).
- Resolving limitations on rotary-wing and tilt-rotor operations throughout the training areas.
- Resolving airfield congestion consistent with the Expeditionary Advanced Base Operation (EABO) and stand-in forces focus of Force Design 2030.

To facilitate these changes and address the effects of ongoing training, MAGTFTC would address the following Support Operation and Resource Management needs:

- Improving the Combat Center route network.
- Modernizing fixed ranges to increase training capacity.
- Improving Range Control's ability to track movement in the training areas.
- Improving desert tortoise management to offset the effects from training.
- Addressing invasive plant populations to offset the effects from training.
- Resolving potential land use conflicts (actual and apparent).

MAGTFTC has acknowledged that its actions (e.g., maneuver training) adversely affect the tortoise at the Combat Center and has continued to implement research, mitigation, and monitoring (e.g., translocation, raven management, etc.) to off-set effects (cited in the SEA – e.g., USFWS 2012, USFWS 2017, USFWS 2022a, USMC 2005a, and MAGTFTC 2022a), including operating Tortoise Research and Captive Rearing Site (TRACRS) for nearly 20 years (USMC 2005a) and the increased mitigation under the RASP Initiative per this SEA.

Comments

The Council appreciates the long history of efforts by MAGTFTC to effectively manage effects of training activities on the Mojave desert tortoise populations within the Combat Center. As identified in the SEA, these include:

- Desert Tortoise Management Plan (UCR Herbarium 1996);
- INRMP for Fiscal Years 2002 to 2006 (MCAGCC 2001);
- INRMP for Fiscal Years 2007 to 2011 (MCAGCC 2007);
- Desert Tortoise Management Plan (Kiva Biological Consulting 2004);
- INRMP for Fiscal Years 2012 to 2016 (MCAGCC 2013);
- INRMP for Fiscal Years 2018 to 2024 (MCAGCC 2019) (update underway); and
- Biological Opinion for Basewide Training and Routine Maintenance (USFWS 2002); and
- Biological Opinions for Land Acquisition and Airspace Establishment to Support Large-scale
- Marine Air Ground Task Force Live-fire and Maneuver Training (USFWS 2012 and 2017).

These efforts have resulted in an on-going program to assess and monitor impacts, develop mitigation, reducing effects, and implement more creative solutions including the desert tortoise translocation project under the 2017 Supplemental Environmental Impact Statement (SEIS) with no significant effect from translocating 1,000 to 1,200 tortoises. This includes implementing a

long-term monitoring program (MAGTFTC is in year 6 of its 30-year monitoring commitment). This on-going monitoring will benefit other similar desert tortoise recovery efforts throughout the Mojave Desert and adjacent ranges.

The Council supports proposals to replace the 50 existing general minimization measures (Appendix B) with 11 concise conservation measures (CM) (Appendix C) as an effort to consolidate existing direction and improve enforceability. This includes proposals to include increased desert tortoise mitigation under the Recovery and Sustainment Partnership (RASP) Initiative (CM-1 and CM-10) to offset the effects from ongoing and future actions. Specifically, MAGTFTC proposes population augmentation via head starting and additional translocation (CM-4 and CM-10). As explained under CM-10, MAGTFTC would coordinate with the USFWS to relocate tortoises to areas currently designated for tortoise conservation (e.g., area with low populations) and may include authorized areas on BLM-managed land. The intent is to increase the tortoise population in areas outside the Combat Center that have been designated critical for the survival and recovery of the species (e.g., critical habitat). Increased coordination and consultation with the (USFWS) will facilitate this effort as well as the effective use of monitoring and adaptive management to resolve potential issues in the health and survivability of relocated desert tortoises.

Invasive Species

The Council requests that additional emphasis be placed on control of invasive plant species in the final SEA. As identified in the draft SEA, MAGTFTC presently conducts limited eradication of non-native invasive plant species and weeds in the built environment but not in the training areas. Surveys conducted in the training areas show that between 2015 to 2021, known infestations increased from 6,561 to 8,446 acres. Additional measures in the draft SEA are focused on use of herbicides with limited use of measures such as hand-pulling in areas of sensitive species and cultural sites.

The prolific spread of invasive plant species is recognized as a major contributing factor to the decline of Mojave desert tortoise populations, in terms of the loss of nutritional food sources and the proliferation of fires brought on by fire-prone weed plant species. We request a more detailed analysis of how the proposal contributes to the spread and proliferation of nonnative invasive plant species and how this spread/proliferation would affect the desert tortoise and its habitats (including the frequency and size of human-caused fires). We urge development and implementation of a more robust management and monitoring plan that would reduce the transport to and spread of nonnative seeds and other plant propagules within and throughout the project area. This plan would include additional analysis of the effects of herbicide use within habitat of the Mojave desert tortoise and other sensitive species, as well as effective mitigation to address effects. In addition, we recommend more on the ground action to re-establish native annual and perennial plant species in tortoise habitat that is managed for the tortoise or habitat not subject to ongoing disturbance from Marine Corps activities.

Effects of Roads

The proliferation of roads throughout the Mojave Desert is another contributing factor to the precipitous decline in desert tortoise populations throughout this region. In the final SEA, please

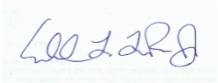
include an additional analyses of the five major categories of primary road effects to the tortoise and special status species: (1) wildlife mortality from collisions with vehicles; (2) hindrance/barrier to animal movements thereby reducing access to resources and mates; (3) degradation of habitat quality; (4) habitat loss caused by disturbance effects in the wider environment and from the physical occupation of land by the road; and (5) subdividing animal populations into smaller and more vulnerable fractions (Jaeger et al. 2005a, 2005b, Roedenbeck et al. 2007). In addition, please include additional measures to address road proliferation and monitor effects.

Monitoring and Adaptive Management

In Chapter 5, Mitigation and Monitoring of the SEA, please summarize, in greater detail, measures to be taken to monitor and initiate adaptive management actions, as needed, involving Mojave desert tortoise populations and other sensitive species. This includes identifying the existing mitigation and monitoring plans for all direct, indirect, and cumulative effects to the tortoise and its habitats with identified commitments, with schedules, to implement mitigation commensurate to impacts to the tortoise and its habitats. For all plans, existing and those specific to this SEA, we recommend identification of specific success criteria, including monitoring to collect data to determine if success criteria are being met, and identify an adaptive management process to ensure success criteria are met, as necessary. This summary will allow for a better understanding of ongoing and future efforts to address effects on Mojave desert tortoises and their habitat.

We appreciate this opportunity to provide comments on this draft SEA and trust they will help protect tortoises during resulting authorized activities. We also appreciate past coordination between the DTC and the Environmental Affairs Division on issues of mutual concern, including providing program updates at previous Desert Tortoise Symposiums. Herein, we reiterate that the Desert Tortoise Council wants to be identified as an Affected Interest for this and all other projects funded, authorized, or carried out by the MAGTFTC that may affect species of desert tortoises, and that any subsequent environmental documentation for this project is provided to us at the contact information listed above. 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.
Ecosystems Advisory Committee, Chairperson
Desert Tortoise Council

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.

Jaeger, J. 2005a. Does the configuration of road networks influence the degree to which roads affect wildlife populations? International Conference on Ecology and Transportation 2005 Proceedings, Chapter 5 - Integrating Transportation and Resource Conservation Planning - Landscapes and Road Networks, pages 151-163. August 29, 2005.

Jaeger, J., J. Bowman, J. Brennan, L. Fahrig, D. Bert, J. Bouchard, N. Charbonneau, K. Frank, B. Gruber, and K. Tluk von Toschanowitz. 2005b. Predicting when animal populations are at risk from roads: an interactive model of road avoidance behavior. Ecological Modelling 185 (2005) 329–348.

Roedenbeck, I., L. Fahrig, C. Findlay, J. Houlahan, J. Jaeger, N. Klar, S. Kramer-Schadt, and E.van der Grift. 2007. The Rauischholzhausen Agenda for Road Ecology. Ecology and Society 12(1): 11. http://www.ecologyandsociety.org/vol12/iss1/art11/