



September 8, 2020

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Re: Notice of Intent to prepare an Environmental Impact Statement for Training and Public Land Withdrawal Extension, Fort Irwin, California

Dr. Housman;

Thank you for the opportunity to submit scoping comments on the proposal to modernize training and improvement of training infrastructure at Fort Irwin. Scoping comments included in this letter are submitted by Defenders of Wildlife (Defenders) on behalf of its 1.8 million members and supporters in the U.S., including 279,000 in California; and the Desert Tortoise Council (Council).

Defenders is a national conservation organization founded in 1947 and dedicated to protecting all wild animals and plants in their natural communities. To this end, we employ science, public education and participation, media, legislative advocacy, litigation, and proactive on-the-ground solutions to impede the accelerating rate of extinction of species, associated loss of biological diversity, and habitat alteration and destruction.

The 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 management and regulatory agencies on matters potentially affecting desert tortoises within their geographic ranges.

### **Project Background Information**

The Fort Irwin National Training Center (NTC) consists of approximately 753,537 acres of federal land in the Mojave Desert of San Bernardino County, California. The United States Army intends to prepare an environmental impact statement (EIS) to analyze potential impacts from modernization of training and improvement of training infrastructure at Fort Irwin. Training changes are required

to support new training doctrine that focuses on large Army formations operating against near-peer adversaries.

Approximately 110,000 acres of Fort Irwin training land areas are public lands withdrawn from all types of appropriation and reserved for military purposes under Public Law 107–107 (2001). This public land withdrawal terminates on December 28, 2026. The Army has identified a continuing military need for the land beyond the termination date and intends to request Congress to extend the withdrawal and reservation for military purposes for at least 25 years; or in the alternative, for an indefinite period until there is no longer a military need for the supporting land. Upon a separate application by the Army, the Bureau of Land Management (BLM) will file in the Federal Register a separate notice of withdrawal extension application. This EIS will be submitted to Congress to support the legislative request for extension of this withdrawal and reservation. The document will also serve as the EIS that will analyze training changes proposed for the withdrawn federal land.

The EIS will analyze alternatives, which consist of different magnitudes of implementation, and the No Action Alternative, under which there would be no modernization or improvement to training activities conducted at Fort Irwin. The No Action Alternative would also include the possibility that public land withdrawal extension would not occur and that portions of the installation would return to the public domain (i.e., public land). The Proposed Action includes an increase in training activities that reflects new mission requirements and improvement of training infrastructure on these lands.

For Fort Irwin's Western Training Area (WTA), the EIS will consider a range of medium to heavy intensity training alternatives. In terms of withdrawal, the alternatives include extension of the current withdrawal and reservation for 25 years or indefinitely until there is no longer a military need for the land. All military activities under consideration would be conducted within the boundaries of the installation. Resource areas that may be impacted include air quality, airspace, traffic, noise, water resources, biological resources, cultural resources, socioeconomics, utilities, land use, and solid and hazardous materials and waste. Impacts to these resources may occur from changing the scope or magnitude of military training activities within the current Fort Irwin boundaries.

Actions proposed include establishment of and improvements to training infrastructure such as trail networks, communications systems, radar systems, training areas, urban training sites, air operations infrastructure, and live-fire ranges. The analysis will also consider the potential for cumulative environmental effects. Significant impacts could occur to biological and cultural resources.

Under the Proposed Action, Fort Irwin will continue to operate as a multipurpose installation that serves a broad customer base. Activities anticipated at Fort Irwin include:

1. Changes in Training Activities

- Maneuver Training
- Sustainment Training
- Increased use of the WTA

2. Training Infrastructure Modifications

- Increase Live Weapons Training Capabilities
- Improve Urban Operations Sites
- Improve Communication Capabilities
- Create new simulated Chemical, Biological, Radiological, Nuclear Training Facilities

- Forward Arming and Refueling Points & Ready Ammunition Storage Areas
- Driver Training
- Land Navigation
- Radar System Upgrades
- Land Management (Integrated Training Area Management)

3. Training Range Improvements

4. Manix Trail Maintenance

Defenders and the Council submit the following scoping comments on the proposed activities:

**1. Increased use within the Western Training Area (WTA):** The 61,776 acre WTA was added to Fort Irwin through federal legislation on December 21, 2002. The entire area is within the Superior-Cronese Critical Habitat Unit (CHU) for the threatened Agassiz's desert tortoise (*Gopherus agassizii*). According to the U.S. Fish and Wildlife Service (USFWS)<sup>1</sup>, use of the WTA for increased training would require the translocation of approximately 1,100 adult and sub-adult desert tortoises off the site and onto adjacent lands owned by the Army and public lands managed by the BLM. Some desert tortoises (hatchlings and juveniles) would remain within the area because they would not be detected during capture and translocation activities. Translocation would include mandatory monthly monitoring of approximately 660 individual desert tortoises which will continue for a period of five years. The primary purpose of this monitoring is to determine the effects of translocation on both resident and translocated desert tortoises, including movements of individuals and mortality. It is important to note that the Army has not used the WTA for any training activities since it was added to Fort Irwin in 2002.

The USFWS reported that the average density of adult desert tortoises in the Superior-Cronese CHU documented during line-distance sampling surveys in 2019 was 1.9/km<sup>2</sup> (4.9/mi<sup>2</sup>), which is significantly less than the minimum viable density of 3.9/km<sup>2</sup> (10/mi<sup>2</sup>) reported in the initial 1994 recovery plan for the desert tortoise<sup>2</sup>. The trend in density and the overall population have been in significant decline since line distance sampling began in 2004<sup>3</sup>. The population of adult desert tortoises in the Western Mojave Recovery Unit is now less than 50% of what existed in 2004.

According to Leitner<sup>4</sup>, the WTA supports a significant population of Mohave ground squirrel (*Xerospermophilus mohavensis*) based on numerous field surveys dating back to 1977. The species was first state-listed as threatened in 1971 by the California Fish and Game Commission. The WTA was surveyed from 2006-2007 in support of future planning by the Army for expanded training activities. Those surveys resulted in 36 individual Mohave ground squirrel (MGS) captured at 10 of 12 protocol trapping grids distributed throughout the WTA (Leitner 2009). Leitner identified the Coolgardie Mesa-Superior Valley area as a Mohave ground squirrel Core Area in his 2009 status report.

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<sup>1</sup> Biological Opinion for the Proposed Addition of Maneuver Training Lands at Fort Irwin, California (8-8-09-F-43R)

<sup>2</sup> U.S. Fish and Wildlife Service. 1994. Desert Tortoise (Mojave Population) Recovery Plan. U.S. Fish and Wildlife Service, Portland, OR. Pp. 73, plus appendices.

<sup>3</sup> Allison, L.J. and A.M. McLuckie. 2018. Population trends in Mojave desert tortoises (*Gopherus agassizii*). *Herpetological Conservation and Biology* 13(2):433–452.

<sup>4</sup> Leitner, P. 2009. Current status of the Mohave ground squirrel. *Transactions of the Western Section of The Wildlife Society* 44:11-29.

The Draft EIS (DEIS) should analyze and disclose the direct, indirect and cumulative impacts of past, current and future activities likely to occur in the action area, with an emphasis on the desert tortoise and its critical habitat; and the MGS. Field surveys for these two species should conform to the most recent survey instructions and protocols. For the desert tortoise they are in the USFWS 2009 Field Manual<sup>5</sup> and the 2019 Pre-project Survey Protocol.<sup>6</sup> For MGS they are in the 2003 Mohave Ground Squirrel Survey Guidelines published by the California Department of Fish and Wildlife (CDFW).<sup>7</sup>

Due to significant and ongoing declines in the desert tortoise population within the Western Mojave Recovery Unit, including the Superior-Cronese CHU where the proposed activities would occur, we recommend that the Army include specific actions to promote the recovery of the desert tortoise in the action area in addition to proposed activities described in the scoping notice (i.e., modernization of training and improvement of training infrastructure, including moderate to heavy intensity training activities in the WTA).

We offer the following actions for the Army to consider as part of its proposed action to promote the recovery of the desert tortoise in the Western Mojave Recovery Unit and mitigate the adverse impacts of the proposed activities in the WTA:

- Contribute to the National Fish and Wildlife Foundation/Desert Managers Group raven control fund based on acres disturbed for non-renewable energy projects or activities, and specify those funds support raven in the Superior-Cronese and Fremont-Kramer Critical Habitat Units in the Western Mojave Recovery Unit.
- Install and maintain protective fence around large blocks of Army-acquired Catellus and BLM-managed public lands, and close and rehabilitate vehicle routes within habitat enclosed by the fenced boundary.
- Acquire the Ord Mountain allotment livestock grazing permit, remove cattle from the allotment and request the BLM allocate all forage to wildlife and permanently retire the allotment.
- Fund two BLM law enforcement rangers for five years that are dedicated to enforcing off-road vehicle area and route closures in the Superior-Cronese and Fremont-Kramer CHUs.
- Fund and implement both desert tortoise and MGS regional monitoring surveys within the WTA at regular intervals (3-5 years) to determine how new military maneuvers are affecting distributions and densities of these covered species.
- Fund other studies, such as USFWS' distance sampling program, to monitor regional trends of tortoises (and MGS if studies are identified by CDFW) to determine population trends in the Western Mojave Recovery Unit.

We also recommend that the DEIS include impact mitigation measures for the MGS due to the importance of WTA acreage for the species, as well as conservation measures as part of the Army's proposed actions. Impact mitigation and conservation measures could include the following:

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<sup>5</sup> [https://www.fws.gov/nevada/desert\\_tortoise/dt/dt\\_manuals\\_forms.html](https://www.fws.gov/nevada/desert_tortoise/dt/dt_manuals_forms.html)  
[https://www.fws.gov/nevada/desert\\_tortoise/documents/manuals/MojaveDesertTortoisePre-projectSurveyProtocol\\_2019\\_v2.pdf](https://www.fws.gov/nevada/desert_tortoise/documents/manuals/MojaveDesertTortoisePre-projectSurveyProtocol_2019_v2.pdf)

<sup>7</sup> <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83975&inline>

- Install and maintain fence around large blocks of Army-acquired Catellus and BLM public lands, and close and rehabilitate vehicle routes within the fenced boundary.
- Acquire the Cantil Common or Monolith-Cantil allotment (domestic sheep) grazing permits and request the BLM allocate all forage to wildlife and permanently retire the allotment.

**2. Increased use within the Eastern Training Area (ETA):** The 46,438-acre ETA was added to Fort Irwin through federal legislation on December 21, 2002. The scoping notice in the Federal Register did not specify what training activities and infrastructure enhancements would occur in the area, so we are providing general comments about wildlife species that should be addressed in the DEIS. The ETA is not designated as critical habitat for the desert tortoise. The Army has used the ETA for a minor amount of training since approximately 2006.

The ETA was generally described by the USFWS in the 2012 biological opinion issued to Fort Irwin<sup>8</sup> as:

*“The ETA includes the South Avawatz Mountains in its southernmost portion. The eastern portion of the parcel is a large alluvial fan that slopes to the east and is crossed by numerous small braided washes. The Army has used the eastern expansion area to set up logistics operations and Forward Arming and Refueling Points for Army aviation units. Additionally, several access routes have been and are being improved for ease of access to the eastern expansion area.”*

*“Desert tortoises within the [ETA] are generally confined to the area where the alluvial fan joins the mountainous areas to the west of the alluvial fan (Everly 2012b). The alluvial fan downslope from this area is extremely rocky. The alluvial fan is also somewhat below elevations at which desert tortoises most frequently occur and thus may be hotter and receive less rainfall than areas to the east. These factors may be responsible for desert tortoises being largely restricted to the upper alluvial fan where, presumably, temperatures are cooler and rainfall more abundant.”*

An estimated 288 adult desert tortoises were determined to occupy the ETA based on field surveys performed in 2003 by Charis Professional Services Corporation under contract with the Army. It should be noted that terrain in the ETA is much more rugged than in the WTA, which limits access to many of the areas currently occupied by the desert tortoise.

The ETA also includes habitat in the Avawatz Mountains occupied by desert bighorn sheep (*Ovis canadensis nelsoni*). The estimated population in the entire Avawatz Mountains is 50-100 according to the CDFW.<sup>9</sup> The ETA borders the Avawatz Mountains Wilderness to the north and the Soda Mountains Wilderness to the south, forming a large block of protected habitat that sustains bighorn sheep throughout the area. A priority of the CDFW is to restore habitat linkages for desert bighorn sheep between the South Soda Mountains and Soda Mountains Wilderness, which would be achieved by constructing a wildlife crossing bridge over Interstate 15. Discussions are underway with the California Department of Transportation to have a wildlife crossing bridge installed as part of the mitigation for impacts of the Desert Xpress high speed railroad that would be located within the I-15 median strip.

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<sup>8</sup> Biological Opinion for the Proposed Addition of Maneuver Training Lands at Fort Irwin, California (8-8-11-F-38R), dated April 27, 2012.

<sup>9</sup> <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=43852&inline>

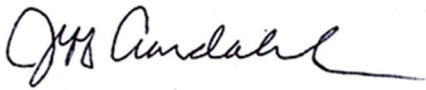
The DEIS should analyze the impact of ongoing and any proposed increases in training and infrastructure improvements in the ETA on desert tortoises and desert bighorn sheep. We also recommend that the Army manage its current and planned activities in the ETA to allow for desert bighorn sheep to move freely through the area, and that any security fences currently installed or planned in the future accommodate such movements.

The Army could additionally contribute to the conservation of this species by funding the installation of rainwater catchments to provide water for bighorn sheep at strategic locations identified by the CDFW and in coordination with the BLM if the water sources would be located on public lands.

## Conclusion

Defenders and the Council hope our comments and recommendations are useful to the Army when it prepares the DEIS for proposed activities. We believe the Army has opportunities to not only mitigate for adverse impacts to the desert tortoise, Mohave ground squirrel and desert bighorn sheep, but to also include species conservation actions in its proposed activities. Please contact us at the contact information listed below if you would like to discuss our letter further, or explore additional opportunities relative to special status species wildlife management in the affected area.

Sincerely,



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