



DESERT TORTOISE COUNCIL

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Via email only

5 June 2022

Attn: Gabriel R. Garcia, Max Wiegmann, Nicole Montoya, Marty Dickes

Bureau of Land Management

Bakersfield Field Office

35126 McMurtrey Ave., Bakersfield, CA 93308

mwiegmann@blm.gov, ggarcia@blm.gov, nmontoya@blm.gov, mdickes@blm.gov

RE: Notice of Proposed Action: Grazing in the Kiavah and Bright Star Wilderness Areas

Dear Mr. Garcia, Mr. Wiegmann, Ms. Montoya, and Mr. Dickes:

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.

It is likely that the Bakersfield office of the BLM is unaware that the Council has persistently asked to be identified as an Affected Interest and/or Interested Party for all projects that may affect tortoises. But we know without a doubt that the Ridgecrest office is fully aware of this request, as it appears in dozens of letters we've submitted to that office over the past four or five years. In fact, for your information, I've footnoted a letter submitted to the District Manger of the California Desert Conservation Area on November 17, 2019 asking for this consideration¹. Despite our persistence, Ron Berger of the Desert Tortoise Preserve Committee (DTPC), not the BLM, forwarded an email he'd received from Mr. Wiegmann on May 6, 2022 to us on May 11, 2022.

¹ <https://www.dropbox.com/s/mlwe60a9lchxy56/BLM%20CDCA%20District%20Manager%20DTC%20as%20an%20Affected%20Interest.11-7-2019.pdf?dl=0>

Given a recent vacation and my desert fieldwork as a biologist, I am only now discovering that comments are due today. Given these circumstances and the above explanation, we trust that our comments will be received even though they are being submitted after close of business on the due date of June 5, 2022.

We appreciate this opportunity to provide comments on the above-referenced projects. We understand that the eastern parts of the Rudnick Common Allotment occur in habitats occupied by Mojave desert tortoise (*Gopherus agassizii*) (synonymous with Agassiz's desert tortoise). Since it is not clear from the two Notices of Proposed Actions provided by DTPC, dated April 4, 2022 that tortoises occur, if tortoises will be affected by the Proposed Actions, herein we ask that the Desert Tortoise Council be considered an Affected Interest for these actions and that you provide us with the environmental assessment(s) when available.

Mojave desert tortoise is now on the list of the world's most endangered tortoises and freshwater turtles. It is in the top 50 species. The International Union for Conservation of Nature's (IUCN) Species Survival Commission, Tortoise and Freshwater Turtle Specialist Group, now considers Mojave desert tortoise to be Critically Endangered (Berry et al. 2021). As such, 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), a current population size of fewer than 50 individuals, or other factors." It is one of three turtle and tortoise species in the United States to be critically endangered. For this and other reasons, it is vitally important that BLM implement every available measure to avoid or minimize impacts to this imperiled species.

Respectfully,



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

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>