



**DESERT TORTOISE COUNCIL**

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**via California State Parks comment portal and email**

April 25, 2020

Sixto J. Fernandez, Grants Manager  
Grants and Cooperative Agreements Program  
California State Parks  
Off-Highway Motor Vehicle Recreation Division  
1725 23rd Street, Suite 200  
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[Sixto.Fernandez@parks.ca.gov](mailto:Sixto.Fernandez@parks.ca.gov)

RE: Letter of Support for the Grant Program: GCA-19, Agency: NPS – Joshua Tree National Park, Project: Restoration Plan for Joshua Tree (Federal ID 53-0197094)

Dear Mr. Fernandez:

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 these species. Established in 1975 to promote conservation of tortoise species in the deserts of the southwestern United States and Mexico, the Council routinely provides information to individuals, organizations, and regulatory agencies on matters potentially affecting desert tortoises within their geographic ranges.

This is a Letter of Support to fund the Preliminary Grant Application submitted by the National Park Service (NPS) for Joshua Tree National Park (JOTR) for development of a comprehensive management/treatment plan (Plan) for existing illegal off-highway motor vehicle (OHV) incursions under the Grants and Cooperative Agreements Program – 2019-2020. The Grants and Cooperative Agreements Program (Grants Program) supports the planning, acquisition, development, maintenance, administration, operation, enforcement, restoration, and conservation of trails, trailheads, areas, and other facilities associated with the use of OHVs, and programs involving OHV safety or education.

Funding this request would enable JOTR to create a comprehensive work plan with guidelines for restoration treatments, mapping OHV damage, signage, and outreach to prevent future damage. This Plan would be implemented in an area with a population of federally and State-threatened Agassiz's desert tortoise (*Gopherus agassizii*) (synonymous with "Mojave desert tortoise") and its habitat.

Below are the reasons why we strongly request that you fund this grant application:

1. JOTR has a history of completing projects funded by California State Parks OHV grants program. California State Parks Off-highway Motor Vehicle Recreation Grants program funded a JOTR grant application, G16-05-01-R01, for an individual project that was successfully implemented.

2. As an indication of its intent to produce a comprehensive work plan, JOTR has conducted preliminary work on OHV use within its boundary including data collection to determine the locations and extent of illegal incursions in JOTR. JOTR has mapped 265 miles of OHV incursions from 708 occurrences.

3. The amount/extent of illegal OHV incursion stresses the need for restoration, education, and enforcement of OHV activity in JOTR. The land status within JOTR is mostly designated wilderness or areas managed for natural and cultural resources. While there are approximately 207 miles of public roads within JOTR, including 141 miles of dirt roads, the 265 miles of illegal incursions demonstrate that there are more miles of illegal incursions in JOTR than there are miles of legal roadways. OHV damage has become widespread and frequent in JOTR. Consequently, there is an urgent need to effectively reduce/eliminate these incursions, educate the public, and restore damaged resources.

4. JOTR is requesting funding to develop a comprehensive plan for effective management of illegal OHV incursions. Rather than tackling each illegal OHV incursion on a case-by-case basis, JOTR has decided that the best approach is the development (and ultimately implementation) of a comprehensive management plan based on the collection and assessment of data on the types and locations of illegal OHV incursions.

5. JOTR would produce a product — a comprehensive management plan with three chapters. Chapter 1 would contain detailed written restoration treatment specifications and maps for OHV damage hot spots. Chapter 2 would describe a patrol plan. Chapter 3 would be a written outreach strategy focused on changing the behavior of visitors so that future OHV damage is prevented, and restored areas are protected from future damage.

6. JOTR's product incorporates an interdisciplinary approach of restoration, education, engineering, and enforcement to ensure its success.

7. The comprehensive management plan includes monitoring. The application includes language that staff would "map new incursions and monitor treatments using a GPS data collection device." This monitoring would provide data on the effectiveness of the restoration treatments and physical barriers and the implementation of the education/outreach/patrol plan.

8. JOTR's comprehensive management plan may serve as a template for other land management agencies/organizations to use in the development/revision of their management of OHV use within their jurisdictions.

9. JOTR's grant application identifies special status species and special management areas that would ultimately benefit from implementation of its comprehensive management plan. Within its 800,000 acres, 83% is wilderness. JOTR preserves habitat for the desert tortoise, fully protected golden eagle, two species of federally listed plants, 46 plant species considered rare by the State of California, and for sensitive desert bighorn sheep. JOTR also preserves historic resources, including paleontological sites, more than 838 documented archeological sites, 160 historic structures, and 5 cultural landscapes. In addition, the California Fish and Game Commission will decide in June whether to accept the California Department of Fish and Wildlife's recommendation and declare the Joshua tree (*Yucca brevifolia*) a candidate for listing.

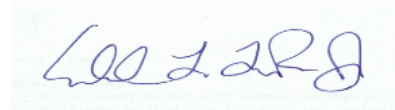
10. Some of the most apparent threats to the Mojave desert tortoise are those that fragment and degrade habitats, such as OHV activity (USFWS 2011). The desert tortoise takes 15 to 20 years to reach sexual maturity, has a large home range and low recruitment rate, and has crucial habitat components (e.g., soils for burrowing, native herbaceous vegetation for nutrition, and woody plant cover for protection from temperature extremes and predation, etc.). Degradation and destruction from illegal OHV incursions result in tortoise and tortoise habitat components taking decades or longer to recover from these incursions (Boarman 2002, Lovich and Bainbridge 1999). Piecemeal, short-term restoration efforts to "fix" illegal OHV incursions do not result in a long-term benefit to the tortoise, its habitat, or other desert species with similar needs. A comprehensive management plan to restore desert habitat for the long term is needed. JOTR's comprehensive management plan is such an approach.

11. JOTR is within the Colorado Desert Recovery Unit for the desert tortoise (USFWS 2011) and is a Tortoise Conservation Area (TCA) (BLM 2016). It is adjacent to the Pinto Mountain TCA and designated critical habitat for the tortoise (USFWS 1994). Thus, development of a comprehensive management plan to restore tortoise habitat and deter illegal OHV incursions will, when implemented, benefit the tortoise in JOTR and provide linkages to other areas designated for the long-term conservation of the federally- and state-threatened tortoise and other special status species including the golden eagle, burrowing owl, and American badger, among others.

12. We are disheartened that a "Restoration Planning" grant application receives few points in the grant application process. As the application from JOTR mentions, the absence of a comprehensive management plan to address all the impacts (e.g., to air, noise, soils, water, vegetation, wildlife, and cultural resources) from illegal OHV incursions will result in short-lived success at reducing these incursions and no success for environmental restoration/protection. Successful planning is the foundation of successful implementation. If the effects to natural and cultural resources were considered in the points awarded for Restoration Planning projects, we estimate that the JOTR grant application would receive an additional 18 points for the *Natural and Cultural Resources* section alone. We urge the Grants and Cooperative Agreement Program managers to revise the point system to reflect the importance of this planning need.

For the above stated reasons, we believe that the Preliminary Grant Application by the National Park Service from Joshua Tree National Park for the “Restoration Plan for Joshua Tree” should be fully funded.

Regards,



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

### **Literature Cited**

- Boarman, W.I. 2002. Threats to Desert Tortoise Populations: A Critical Review of the Literature. U.S. Geological Survey, Western Ecological Research Center, San Diego Field Station, San Diego, CA. Prepared for West Mojave Planning Team, Bureau of Land Management. [https://www.fws.gov/nevada/desert\\_tortoise/documents/misc/tortoise\\_threats\\_boarman\\_usgs\\_2002.pdf](https://www.fws.gov/nevada/desert_tortoise/documents/misc/tortoise_threats_boarman_usgs_2002.pdf)
- [BLM] U.S. Bureau of Land Management. 2016. Record of Decision for the Land Use Plan Amendment to the California Desert Conservation Plan, Bishop Resource Management Plan, and Bakersfield Resource Management Plan for the Desert Renewable Energy Conservation Plan (DRECP). Dated September 2016. Sacramento, CA.
- Lovich, J.E., and D. Bainbridge. 1999. Anthropogenic Degradation of the Southern California Desert Ecosystem and Prospects for Natural Recovery and Restoration. Environmental Management Vol. 24, No. 3, pp. 309–326.
- [USFWS] U.S. Fish and Wildlife Service. 1994. Determination of critical habitat for the Mojave population of the desert tortoise. 59 Federal Register 5820-5866.
- [USFWS] U.S. Fish and Wildlife Service. 2011. Revised recovery plan for the Mojave population of the desert tortoise (*Gopherus agassizii*). U.S. Fish and Wildlife Service, Pacific Southwest Region, Sacramento, California. 222 pp.