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**Via email only**

September 26, 2024

To: Matthew Poonamallee  
Senior Environmental Scientist (Specialist)  
Dept. Parks and Recreation, OHMVR Division  
[matthew.poonamallee@parks.ca.gov](mailto:matthew.poonamallee@parks.ca.gov)

Re: Onyx Ranch State Vehicular Recreation Area Draft Wildlife Habitat Protection Plan

Dear Mr. Poonamallee,

The Desert Tortoise Council (DTC) 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 DTC routinely provides information and other forms of assistance to individuals, organizations, and regulatory agencies on matters potentially affecting desert tortoises within their geographic ranges.

The Desert Tortoise Preserve Committee (DTPC) is a non-profit organization formed in 1974 to promote the welfare of the desert tortoise in its native wild state. DTPC members share a deep concern for the continued preservation of the tortoise and its habitat in the southwestern deserts and are dedicated to the recovery and conservation of the desert tortoise and other rare and endangered species inhabiting the Mojave and western Sonoran deserts. The DTPC has a long track record of protecting desert tortoises and their habitat through land acquisition, preserve management, mitigation land banking, and educational outreach.

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.”

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 DTC to join Defenders of Wildlife and DTPC (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 (tortoise) from Threatened to Endangered in California. In its status review, California Department of Fish and Wildlife (CDFW) (2024a) stated: “At its public meeting on October 14, 2020, the Commission considered the petition, and based in part on the Department’s [CDFW] petition evaluation and recommendation, found sufficient information exists to indicate the petitioned action may be warranted and accepted the petition for consideration. The Commission’s decision initiated this status review to inform the Commission’s decision on whether the change in status is warranted.”

Importantly, in their April 2024 meeting, the California Fish and Game Commission (CDFW 2024b) voted unanimously to uplist the tortoise from threatened to endangered under the California Endangered Species Act based on the scientific data provided on the species’ status, declining trend, numerous threats, and lack of effective recovery implementation and land management. Among other things, this determination means that the Mohave desert tortoise population in California is deemed by the California Fish and Game Commission to be closer to extinction than when it was listed as threatened in 1989. The only status more dire than “endangered” is “extinct,” and the state of California has formally determined based on its status review (CDFW 2024a) that the desert tortoise is closer to extinction than it was in 1989.

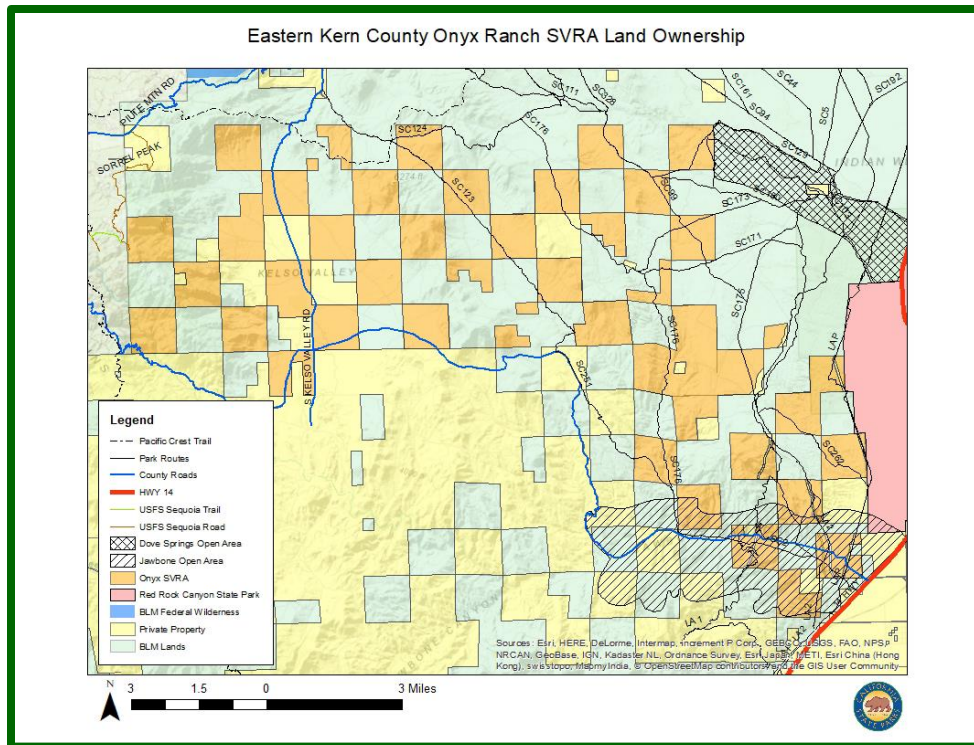
The DTC and DTPC learned about this project through a third party on August 26, 2024, later asked the California State Parks Off-Highway Motor Vehicle Recreation Division (OHVMRD) to identify us as “affected interests,” were contacted by OHVMRD with an opportunity to participate on September 3, 2024, and were able to attend the virtual public meeting on September 9, 2024.

Unless otherwise noted, page numbers and text cited in this letter are taken from a document entitled, “Eastern Kern County Onyx Ranch State Vehicular Recreation Area,” dated 2024. It is our understand that this document represents a draft of the WHPP, that OHVMRD will use public comments to amend the draft WHPP, and will circulate the final WHPP to affected interests to inform them of how comments did or did not result in changes reflected in the final document. Unfortunately, the current title of the document does not identify the purpose of the document. We suggest that the title be changed to “Wildlife Habitat Protection Plan for the Eastern Kern County Onyx Ranch State Vehicular Recreation Area.”

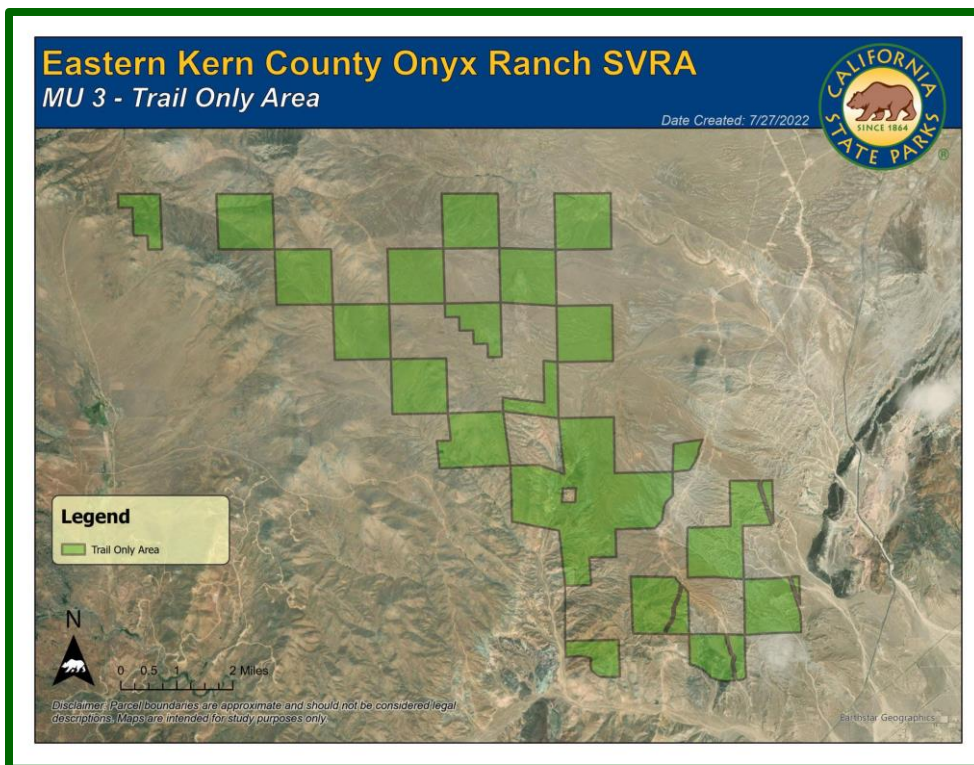
On page 6, we read, “The goal of the 2024 Eastern Kern County Onyx Ranch (Onyx) State Vehicular Recreation Area (Onyx SVRA, the Park) Wildlife Habitat Protection Plan (WHPP) is to present the full picture of an SVRA’s wildlife and habitat management effort and is to act as a dynamic working document that provides land managers with guidance for the management of habitat, along with short-and long-term habitat goals and the methods to achieve these goals. Each WHPP utilizes scientific literature, expert opinion, and staff expertise in setting goals and describing land management activities. The scope of a WHPP encompasses the full spectrum of land management and visitor use activities that affect wildlife habitat at an SVRA. It includes existing settings, goals and objectives, management actions, and a plan for why and when management actions are implemented, among other items.”

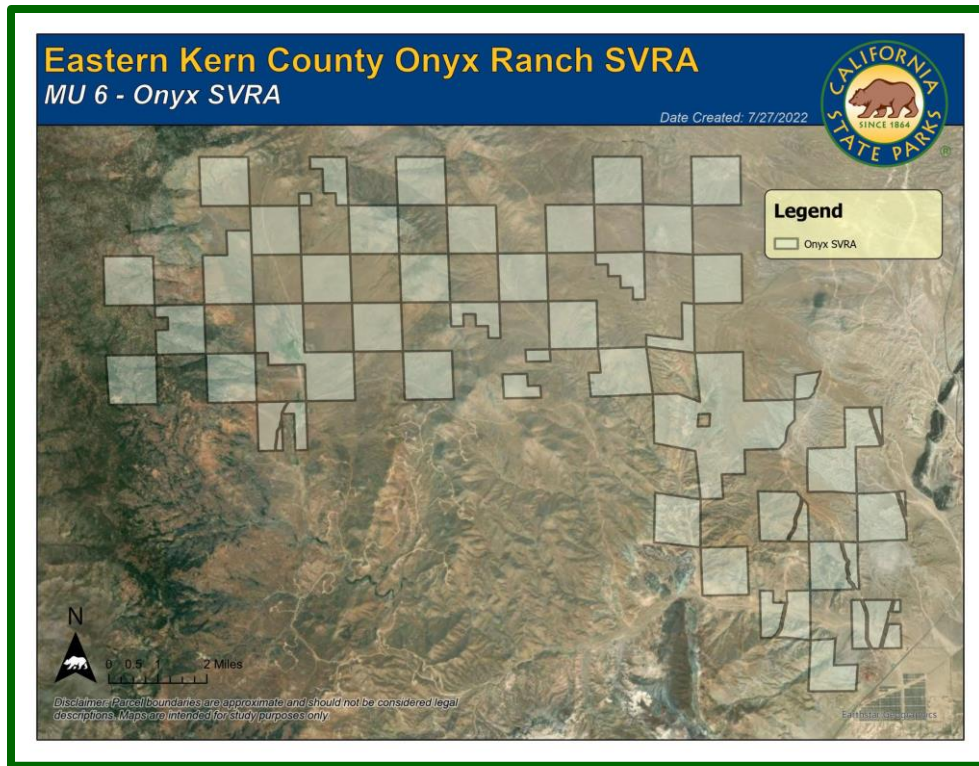
We read, also on page 6, that “Onyx SVRA does not currently have an approved General Plan. Once a General Plan is completed, the WHPP will be amended, if needed, to be consistent with the General Plan.” Please note herein that the DTC and DTPC would like to receive the draft General Plan when available so that we may make comments that strengthen conservation of the desert tortoise within the Park. We also read on page 7 that the WHPP will be updated every five years, and as identified “affected interests,” ask that DTC and DTPC receive these and any other updated materials for opportunities to comment.

Page 9 describes the area as, “Onyx SVRA is a 26,403-acre off-highway vehicle (OHV) recreation area owned and managed by CDPR [California Department of Parks and Recreation] and located in Eastern Kern County, where the Mohave Desert meets the southern end of the Sierra Nevada mountain range (Figure 3). Onyx SVRA acreage consists mostly of one-square mile parcels distributed in a checkerboard pattern, intermixed with land owned and managed by the United States Bureau of Land Management (BLM). Most of the BLM land is also managed as an OHV recreation area. The Park is approximately 40 miles southwest of Ridgecrest, California and 21 miles northeast of Mojave, California. The main access to Onyx SVRA is via Jawbone Canyon Road off State Route 14. Within the park boundaries, there are approximately 21 miles of CDPR-managed trails, all of which are accessible by 4x4 vehicles. The Pacific Crest Trail (PCT) crosses a northwestern parcel of Onyx SVRA. Adjacent land use includes a wind farm to the southwest, Red Rock Canyon State Park to the northeast, and cattle grazing to the west. In addition to BLM land, some private parcels are owned within the checkerboard land ownership pattern that includes Onyx SVRA (Figure 4),” which is reproduced on the next page.



As per Figure 10 below, our specific comments will pertain to the MU 3-Trail Only Area portion of the SRVA and the eastern portions of MU 6, including southeastern areas that extend beyond MU-3 (see MU 6 map on the next page):





With regards to the MU 3- Trail Only Area (page 27), we read, “This area is designated for trail only OHV use and often requires erosion and fence repair. There are 17.2 miles of trails within this MU which were inherited when the property was acquired.” As given below, we have many concerns with how the BLM manages its overlapping vehicle Open Area versus how CDPR plans to, which appears to be more proactive. How will recreation vehicle users recognize when they are passing from public lands with essentially unrestricted vehicle use onto State lands where restricted vehicle use is intended, and how will this be enforced? Please include this information in the final WHPP including monitoring efforts to determine the effectiveness of CDPR’s management.

With regards to vehicle recreation (page 15), “Jawbone Canyon Open Area is over 8,500 acres of mostly BLM land, but there are 3,064 acres of parcels owned by Onyx SVRA. Additionally, Dove Springs Open Area is approximately 3,600 acres of mostly BLM land, with a very small overlap with the northeast parcel of Onyx SVRA. In areas where park parcels fall within or overlap with the BLM designated Open Riding Areas, *the state parcels maintain the designated use standards of the Open Riding Areas* [emphasis added],” we note that the term, “Open Riding Areas,” is NOT a technical term used by the BLM as implied in the statement. “Open Areas,” without “Riding,” is the accepted term. We suggest using consistent terms for clarification purposes.

Aside from semantics, our main concern here is with the italicized statement, “... *the state parcels maintain the [BLM’s] designated use standards of the Open Riding Areas...*” To our knowledge, except for requiring helmets, the BLM has minimal, if any, use, operations, or law enforcement standards in its designated Open Areas. There are no speed limits; no requirements for vehicles to remain on established trails, so that cross country vehicle travel is unrestricted; no restrictions to the types of vehicles, except that they must display Green Sticker decals; no publicly available documents reporting monitoring use within designated Open Areas; limited law enforcement staff assigned to Open Area

management, including organized events such as "King of the Hammers;" no requirement for users to report injured or crushed tortoises; etc. We read on page 9 that "...there are approximately 21 miles of CDPR-managed trails," but we are unaware of any such BLM-managed trails in designated Open Areas. In any case, we request that OHVMRD takes a much more proactive approach to vehicle management on its State lands than the BLM does on our public lands.

With regards to grazing statements made on pages 17 and 18, we are dismayed to read that while the BLM (2020) is cited as concluding that "Grazing in desert tortoise habitat may increase competition for forage and has the risk of trampling individuals and crushing burrows (BLM 2020)," the WHPP then minimizes this impact by providing the following pro-grazing statements without acknowledging there are numerous publications on the adverse impacts of grazing on desert tortoises and their habitats:

- "In some instances, careful, highly managed cattle grazing can achieve a management target, either by benefiting a species, reducing vegetation structure, or changing fire behavior (Davies et al. 2015, Hayes et al. 2003)" [see pages 75 through 79 of the WHPP for these and other cited references].
- "For example, grazing can benefit native wildlife by reducing invasive grasses (Barry et al. 2015, Geramano 2011) [note that *Geramano* is misspelled, and should be *Germano*; it is spelled correctly on page 77 in Section 9]."
- "Rangeland Health Studies and implementation of the BLM standards will safeguard habitat in the Park during the grazing lease."

With respect to the literature cited in the draft WHPP that supports grazing, for the first bullet, the research conducted by Davies et al. (2015) was in eastern Oregon in vegetation and climate conditions very different than found in the western Mojave Desert of the Park. The Hayes et al. (2003) citation is a paper that analyzes the impacts of grazing on mesic grasslands in California. These grasslands are not present in the Park. The authors clearly state in this paper the "clear negative effects of grazing in arid systems." The Park is in an arid ecosystem.

For the second bullet, the Barry et al. (2015) paper discusses annual rangelands in California, that is, rangelands dominated by annual plants. The vegetation associations in the Park are not annual rangelands so this citation is not relevant. Additionally, Barry et al. (2015) make this statement with no supporting data in the publication. Germano et al. (2011) conducted their research and made their recommendations from data collected in the San Joaquin Valley, not the western Mojave Desert where the Park is located. The Park has a different climate, soils, and vegetation composition than the San Joaquin Valley. We conclude that the references use in the WHPP to support grazing in the Park are not relevant and do not support grazing. We request that they be removed from the final WHPP.

Both the original Recovery Plan for the desert tortoise (USFWS 1994) and the Revised Recovery Plan (USFWS 2011) identified cattle grazing as a significant impact to tortoises and their habitats and encouraged withdrawal from then-designated Desert Wildlife Management Areas, which are now referred to as "Tortoise Conservation Areas" or "TCUs" (BLM 2016). With regards to the

first two bullets, USFWS (2011) states, “Livestock grazing (sheep and cattle as well as horses and burros) is known to have direct and indirect impacts on desert tortoises and their habitats through trampling that results in direct mortality, either while above ground or in burrows, and degradation of vegetation and soils, *including the spread of non-native plants or the displacement of native plants* (Brooks 1995; Avery 1998; Boarman 2002)” [emphasis added; See U.S. Fish and Wildlife Service (2011) for literature cited in the text].

Although we understand that OHVMRD intends to implement BLM’s Rangeland Health Standards on Park lands, we also understand that BLM’s management of cattle in the area may affect proper functioning of the WHPP. With regards to the third bullet, it is our understanding that BLM has not kept pace with mandated requirements to perform Rangeland Health Studies, or effectively implemented remedial activities to address impact problems. It would be appropriate for the WHPP to document if Rangeland Health Studies on adjacent BLM lands have been performed and identify remedial actions, if any, taken to address impacts.

We have serious concerns about the scientific validity and relevance of applying the results of BLM’s Rangeland Health Standards to Park management. When developing and implementing Rangeland Health Standards, we have not found information on how BLM “connects the dots” between areas meeting standards for rangeland health/livestock grazing and areas meeting the ecological needs of wildlife, particularly species of special concern and protected under the California Endangered Species Act (CESA) such as the endangered Mojave desert tortoise. OHVMRD should provide citations from the scientific literature that the Land Health Evaluation (LHE) and Desired Plant Community (DPC) methods that BLM implements are collecting and analyzing relevant data that the endangered tortoise, other endangered or threatened species, and other species of special concern require for persisting in the Park.

This would include but is not limited to data on the species composition, frequency/abundance, and phenology/structure of annual and perennial plants that tortoises consume to ensure these species are available and providing the necessary nutrition and water requirement for all size classes of tortoises. The current LHE and DPC studies implemented by BLM do not collect these data. Rather these studies focus on general soils and perennial vegetation parameters with the plant species focused on livestock forage needs. We request that the methodology used to safeguard wildlife habitat in the Park includes methods that are developed to safeguard the special needs of threatened and endangered species and species of special concern, including the tortoise, so that management of the Park does not contribute to the ongoing precipitous decline of the tortoise in the western Mojave Desert (USFWS 2015, 2016, 2018, 2019, 2020, 2022a, 2022b).

It concerns us that in making these three bulleted, pro-grazing statements, the WHPP is misleading the public that grazing may ostensibly benefit the environment as implied by the first bullet. If the OHVMRD is truly committed to providing scientifically sound information in the final WHPP (which it claims will occur by having “the Natural Resource Division (NRD) [make a] Best Available Science determination” on page 8), we provide the footnoted link to an annotated bibliography (Berry et al 2016) that lists only peer-reviewed, scientifically credible literature on all forms of impacts associated with vehicles and, pertinent to this particular discussion, grazing<sup>1</sup>. In that document, there are 81 specific references to how grazing adversely affects desert tortoises

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<sup>1</sup> <https://www.dropbox.com/scl/fi/cf3ualp4gh7bt4gvaahs4/Berry-s-Annotated-Bibliography.2016.pdf?rlkey=pmanila40f5bz9ji7lt1vguci&dl=0>

and their habitats. Chapter 10, Section III specifically annotates impacts associated with grazing. In Chapter 10, Section IV, which reports on “Invasive or Alien Annual Plants,” there are several dozen papers that document how domestic livestock grazing results in the proliferation of these plants, which is overwhelming contrary information to what is attributed to the Barry and Germano references.

We request that the draft WHPP should be substantially revised to be considered final. The analysis of the effects of various uses of the Park (e.g., livestock grazing) should include *relevant* data from peer-reviewed scientific publications. The analysis should include the effects on the biological resources of the Park including the soils, vegetation, and wildlife, with an emphasis on threatened and endangered species and those of special concern. A science-based monitoring plan should be implemented to determine whether the management actions implemented are effective in meeting their desired outcomes, and if not, management actions should be changed promptly to achieve these outcomes for wildlife habitat.

With regards to hunting (page 18), we read, “Hunting is popular in the area, especially for chukar and quail, and permitted within the SVRA and surrounding BLM parcels (CDPR 2013).” The USFWS (1994) reported that “Between 1981 and 1987, 40 percent of desert tortoise found dead on a study plot in Fremont Valley, CA [which is found less than 10 miles east of the Park] were killed by gunshot or vehicles travelling cross-country or on trails.” To address such impacts, the WHPP should include hunter education as part of its conservation strategy, which may not discourage intentional vandalism but may teach hunters to check under their vehicles before driving away to be sure they don’t crush a tortoise seeking shade beneath their trucks.

We request that the second table on page 20 be augmented by including the West Mojave Coordinated Management Plan (West Mojave Plan; BLM 2005, 2006). Like the Desert Renewable Energy Conservation Plan (DRECP; BLM 2016) that *is* included in the table, the record of decision for the West Mojave Plan (BLM 2006) also amended the California Desert Conservation Area Plan (CDCA Plan; BLM 1980) in ways that were not entirely replaced by the DRECP. There are pertinent parts of both plans that are still applicable to management of BLM lands within the Park area.

Under desert tortoise (page 45), please note that the following sentence needs to be changed as indicated to be accurate: “Desert tortoise (*Gopherus agassizii*) is federally **listed as threatened** and state listed as ~~threatened~~ **endangered** (CDFW ~~2017~~ **2024b**).” The reference is provided in the Literature Cited section of this letter. The California Fish and Game Commission upgraded the State listing to endangered in April 2024. This change also needs to be made on page 205 in Appendix 1.

Note that the IUCN designation for the tortoise in the Appendix 1 table on page 205 is incorrect. Whereas it identifies the IUCN status as “Vulnerable,” that is the designation for the Sonoran desert tortoise (*Gopherus morafkai*). As provided in fourth paragraph of this letter, the IUCN lists the Mojave desert tortoise as “Critically Endangered.” Please make this correction in the final WHPP, and ensure that management of the Park reflects the urgent need to manage it for the tortoise and other special status species.



On page 46, you indicate “A survey for desert tortoise in 2012 detected presence in the eastern parcels north of the Jawbone Canyon OHV Open Area where there is good habitat and the rugged topography (badlands) limits OHV access,” which is attributed to (Leatherman Bioconsulting, Inc. 2012). This is not the only survey that has been performed in the region to describe tortoise densities in the area (see next paragraph). In the absence of surveys, OHV MRD is encouraged to review models that estimate tortoise densities based on variable factors (Nussear 2009, Gray et al. 2019).

At the bottom of page 45 and top of page 46, we read, “In the most densely populated areas, one tortoise may be found per 2.5 acres. Typically, current tortoise densities are closer to one tortoise per 100 acres (USFWS 2014).” Owing to precipitous recent declines (Allison and McLuckie 2018), we recommend that you revise this information with data given in USFWS (2022b). For your use, we also provide links to Berry et al. (2008, 2014, 2020a, 2020b) and Keith et al. (2008) in the literature section, each of which report on tortoise densities in the Plan area, on Red Rock Canyon State Park, and in adjacent areas.

The information given for Objective 1 for conserving desert tortoises (page 51), which lists three ways in which desert tortoise habitat may be degraded, states that, “All but 46 acres of the entire 29,654 acres of MU 3” comprise tortoise habitat; says, “Preventing new off-trail OHV use within the entire MU 3 will conserve the habitat;” and that data collected in 2023 and 2024 will be used to develop S.M.A.R.T. (“specific,” “measurable,” “achievable/attainable,” “realistic,” and “timely”) format principles by 2025.

The one management action given in Table 3 (page 59) is to “Repair and install fence lines.” The two management actions intended to achieve Objective 1 are given in Table 4 (page 62), and include (1) “Prevention and naturalization of unauthorized and redundant trails through placement of straw bales, signage, fencing, and/or vertical mulching” and (2) “Maintenance of existing fence lines.” We caution against the use of straw bales, as they often carry seeds of invasive and nonnative weed species, which should not be introduced into the Plan area by management actions that are intended, in part, to eliminate such species.

In the absence of a map, we are unsure where any of these management actions would be implemented or where existing fencing occurs. As stated above, one of our major concerns is the interfaces between CDPR and BLM lands, and how relatively lax vehicle management on BLM lands will continue to facilitate adverse habitat impacts that undermine more restrictive management on State lands. May we assume that only the existing 21 miles of CDPR-managed trails are to be maintained and that all others are to be discontinued by the use of straw bales, signage, fencing, and/or vertical mulching? The final WHPP should document existing law enforcement and discuss how future enforcement personnel will be used and perhaps supplemented to achieve the goals and objectives of the WHPP.

Under desert tortoise monitoring (page 69), we read, “Onyx SVRA will be surveyed in 2024 as part of a larger study on desert tortoise demographics on public and state lands in the western Mojave Desert.” It is our understanding that this information is erroneous; due to OHV MRD administrative and budgeting issues, tortoise surveys intended for 2023 and 2024 were delayed and are now planned beginning in 2025. Please correct this information in the draft WHPP and be sure that the results of these surveys are published in the final WHPP. Please be sure results of these studies are used to derive specific management actions to facilitate the objective to conserve desert tortoises.

Similar to our concerns expressed above about the three bullets published in the draft WHPP, the following statement is both misleading and inaccurate: “Multiple stressors are known to impact desert tortoise and its habitat, including OHV recreation, but the importance of these impacts on populations at the landscape level is not well understood.” We believe that the importance of these impacts is well documented in both the original and revised Recovery Plans (USFWS 1994 and 2011), in Dr. Berry’s annotated bibliography (see Chapter 10, Section VI on Off-Road Vehicles), and in many of the papers included in the footnoted bibliography<sup>2</sup>, which includes 148 references describing recreational vehicle impacts that we provide for the benefit of OHVMRD in completing its final WHPP.

With regards to the following statement (page 69), “...limited region-wide data exists on the causes of these declines and the relative contribution of different anthropogenic activities,” we refer OHVMRD to Berry et al. (2008, 2014, 2020a, 2020b), Keith et al. (2008), and Tuma (2016).

With regards to tortoise monitoring (page 69), we question whether three years of data collection (including data collected in 2024 that were not made available in the draft WHPP) will be sufficient to develop a statistically robust baseline to which future studies may be compared. Nor does the draft WHPP identify if future surveys will be performed or commit OHVMRD to perform them, which should be clarified in the final WHPP. Such surveys and other actions are needed to collect relevant data to determine whether the objectives of the WHPP are being achieved.

We find that the five bullets given on page 69 list *what* will be measured (e.g., establish ranges, estimate densities, determine burrow locations, quantify habitats, and identify stressors) but there are no methods presented for *how* these variables will be measured. When we checked Appendix 3 for more information on how tortoises would be monitored, we found survey methods for common reptiles there, but there is no mention of tortoises in Appendix 3. Is this an oversight, or does OHVMRD believe that sufficient information is given on page 69 to explain how tortoises will be monitored? We recommend coordinating with the USFWS’s Desert Tortoise Recovery Office to help determine that best methods to implement for monitoring tortoises. We also ask that Appendix 3 be modified in the final WHPP to provide information missing from the body of the WHPP as to how tortoises would be monitored, which is the function of that appendix.

Regarding the review process outlined in Section 7.2.1 on page 73, an effective review process should involve outside entities, perhaps including universities and other agencies. Based on our review of the draft WHPP, we do not believe that the best available science has been used, and have endeavored to provide additional resources that would help OHVMRD improve the final WHPP. Has NRD already been consulted to ensure that the best available science was used to develop the draft WHPP, or is that review to be applied to the final WHPP? If they are to review the final WHPP, what latitude is there to develop a post-final WHPP? Except for mention of the NRD, Section 7.2.1 describes internal review methodologies, only. If not already, we ask that, at a minimum, knowledgeable scientists from the following agencies be asked to review the draft WHPP so that their comments may improve the final version: CDFW, U.S. Geological Survey, USFWS Desert Tortoise Recovery Office, and BLM.

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<sup>2</sup> <https://www.dropbox.com/scl/fi/bl221ei0ved0tmridfts5/Road-Impacts-Bibliography.pdf?rlkey=91w1zlkjzc7w6ifi4tn7h8yrv&dl=0>

We appreciate this opportunity to provide the above comments and trust they will help protect tortoises during any resulting authorized activities. Herein, we reiterate that the DTC and DTTC want to be identified as Affected Interests for this and all other projects funded, authorized, or carried out by the CDPR that may affect desert tortoises, and that any subsequent environmental documentation for this project is provided to us at the contact information listed above. Additionally, we request that you notify the DTC ([eac@deserttortoise.org](mailto:eac@deserttortoise.org)) and DTTC ([roger.dale@tortoise-tracks.org](mailto:roger.dale@tortoise-tracks.org)) of any future proposed projects that CDPR may authorize, fund, or carry out in the range of the desert tortoise in California.

Please 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



Roger Dale  
President  
Desert Tortoise Preserve Committee, President

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### Literature Cited

Allison L.J. and A.M. McLuckie. 2018. Population trends in Mojave desert tortoises (*Gopherus agassizii*). *Herpetological Conservation and Biology*. 2018 Aug 1;13(2):433-52. [http://www.herpconbio.org/Volume\\_13/Issue\\_2/Allison\\_McLuckie\\_2018.pdf](http://www.herpconbio.org/Volume_13/Issue_2/Allison_McLuckie_2018.pdf)

Berry, K.H., K. Keith, and T. Bailey. 2008. Status of the Desert Tortoise in Red Rock Canyon State Park. *California Fish and Game* 94(2):98-118. [https://www.dropbox.com/scl/fi/2c8nbc1h1ixtnzhsau47/2008-Berry-et-al\\_Status-of-Desert-Tortoises\\_Red-Rock-Cyn-State-Park.pdf?rlkey=kvlrvmkasz6dxgtw4ien9cm2&dl=0](https://www.dropbox.com/scl/fi/2c8nbc1h1ixtnzhsau47/2008-Berry-et-al_Status-of-Desert-Tortoises_Red-Rock-Cyn-State-Park.pdf?rlkey=kvlrvmkasz6dxgtw4ien9cm2&dl=0)

- Berry, K.H., L.M. Lyren, J.L. Yee, and T.Y. Bailey. 2014. Protection benefits desert tortoise (*Gopherus agassizii*) abundance: The influence of three management strategies on a threatened species. *Herpetological Monographs*, 28(1):66-92. 2014.  
<https://meridian.allenpress.com/herpetological-monographs/article-abstract/28/1/66/188924/Protection-Benefits-Desert-Tortoise-Gopherus>
- Berry, K.H., Lyren, L.M., Mack, J.S., Brand, L.A., and Wood, D.A. 2016. Desert tortoise annotated bibliography, 1991–2015: U.S. Geological Survey Open-File Report 2016-1023, 312 p.  
<https://www.dropbox.com/scl/fi/cf3ualp4gh7bt4gvaahs4/Berry-s-Annotated-Bibliography.2016.pdf?rlkey=pmanjla40f5bz9ji7lt1vgucj&dl=0>
- Berry, K.H., J. Yee, L. Lyren, and J. Mack. 2020a. An uncertain future for a population of desert tortoises experiencing human impacts. *Herpetologica*, 76(1), 2020, 1–11.  
[https://www.dropbox.com/scl/fi/1zuqiwcjpp4xb0nz346xa/2020\\_Berry-et-al\\_An-Uncertain-Future.pdf?rlkey=a5wccv1itppz65mxgndi2dcrg&dl=0](https://www.dropbox.com/scl/fi/1zuqiwcjpp4xb0nz346xa/2020_Berry-et-al_An-Uncertain-Future.pdf?rlkey=a5wccv1itppz65mxgndi2dcrg&dl=0)
- Berry, K.H., J. Yee, T. Shields, and L. Stockton. 2020b. The catastrophic decline of tortoises at a fenced natural area. *Wildlife Monographs* 205:1–53; 2020; DOI: 10.1002/wmon.1052.  
[https://www.dropbox.com/scl/fi/oqjer6sb29ozympyggmza/2020\\_Berry\\_et-al\\_Catastrophic\\_Decline\\_of\\_Tortoises-at-a-Fenced-Natural-Area.pdf?rlkey=vcddxplrp9lwdxc0df7rdfxj7&dl=0](https://www.dropbox.com/scl/fi/oqjer6sb29ozympyggmza/2020_Berry_et-al_Catastrophic_Decline_of_Tortoises-at-a-Fenced-Natural-Area.pdf?rlkey=vcddxplrp9lwdxc0df7rdfxj7&dl=0)
- 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>
- [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.
- [BLM] U.S. Bureau of Land Management. 2005. Final Environmental Impact Report and Statement for the West Mojave Plan, a Habitat Conservation Plan and California Desert Conservation Area Plan Amendment. Dated January 2005. Moreno Valley, CA.
- [BLM] U.S. Bureau of Land Management. 2006. Record of Decision: West Mojave Plan, an Amendment to the California Desert Conservation Area Plan 1980. Dated March 2006. Sacramento, CA.
- [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.
- [BLM] Bureau of Land Management. 2020. Re: Receipt of Donation Letter for Rudnick Common Allotment #05008.

- [CDFW] California Department of Fish and Wildlife. 2024a. Status Review for Mojave Desert Tortoise (*Gopherus agassizii*). Report to the California Fish and Game Commission. California Department of Fish and Wildlife, 715 P Street, Sacramento, CA 95814. 228 pp. with appendices. <https://fgc.ca.gov/CESA#adt>
- [CDFW] California Department of Fish and Wildlife. 2024b. News Release - California Fish and Game Commission Holds Hybrid Meeting, April 23, 2024. <https://wildlife.ca.gov/News/Archive/california-fish-and-game-commission-holds-hybrid-meeting11>
- 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](https://defenders.org/sites/default/files/2020-03/Desert%20Tortoise%20Petition%203_20_2020%20Final_0.pdf)
- Gray, M.A., B.G Dickson, K.E. Nussear, T.C. Esque, and T. Chang. 2019. A range-wide model of contemporary, omni-directional connectivity for the threatened Mojave desert tortoise, *Ecosphere* 10(9)e02847. 10.1002/ecs2.2847.
- Keith, K., K.H. Berry, and J. Weigand. 2008. When desert tortoises are rare: testing a new protocol for assessing status. *California Fish and Game* 94(2):75-97. [https://www.dropbox.com/scl/fi/nbaqkmzdyrnpvnormllnr/2008-Keith-et-al\\_When-tortoises-are-rare\\_Testing-a-new-protocol.pdf?rlkey=431xk1h4hmzhrxkvqgfbwjd6&dl=0](https://www.dropbox.com/scl/fi/nbaqkmzdyrnpvnormllnr/2008-Keith-et-al_When-tortoises-are-rare_Testing-a-new-protocol.pdf?rlkey=431xk1h4hmzhrxkvqgfbwjd6&dl=0)
- Leatherman Bioconsulting, Inc. 2012. Desert Tortoise Survey of Renewable Resources Property Acquisition Project, Kern County, CA.
- Nussear, K.E., T.C. Esque, R.D. Inman, L. Gass, K.A. Thomas, C.S.A. Wallace, J.B. Blainey, D.M. Miller, and R.H. Webb. 2009. Modeling habitat of the desert tortoise (*Gopherus agassizii*) in the Mojave and parts of the Sonoran Deserts of California, Nevada, Utah, and Arizona. U.S. Geological Survey Open-File Report 2009-1102, 18 p. <https://pubs.usgs.gov/of/2009/1102/ofr20091102.pdf>
- Tuma, M.W., C. Millington, N. Schumaker, and P. Burnett. 2016. Modeling Agassiz's Desert Tortoise Population Response to Anthropogenic Stressors. *Journal of Wildlife Management* 80(3):414–429. <https://wildlife.onlinelibrary.wiley.com/doi/abs/10.1002/jwmg.1044>
- [USFWS] U.S. Fish and Wildlife Service. 1994. Desert tortoise (Mojave population) Recovery Plan. U.S. Fish and Wildlife Service, Region 1, Portland, Oregon. 73 pages plus appendices. [https://ecos.fws.gov/docs/recovery\\_plan/940628.pdf](https://ecos.fws.gov/docs/recovery_plan/940628.pdf)

- [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, California and Nevada Region, Sacramento, California.  
<https://www.fws.gov/sites/default/files/documents/USFWS.2011.RRP%20for%20the%20Mojave%20Desert%20Tortoise.pdf>
- [USFWS] U.S. Fish and Wildlife Service. 2015. Range-wide Monitoring of the Mojave Desert Tortoise (*Gopherus agassizii*): 2013 and 2014 Annual Reports. Report by the Desert Tortoise Recovery Office, U.S. Fish and Wildlife Service, Reno, Nevada.  
<https://www.fws.gov/sites/default/files/documents/USFWS.2015%20report.%20Rangewide%20monitoring%20report%202013-14.pdf>
- [USFWS] U.S. Fish and Wildlife Service. 2016. Range-wide Monitoring of the Mojave Desert Tortoise (*Gopherus agassizii*): 2015 and 2016 Annual Reporting. Report by the Desert Tortoise Recovery Office, U.S. Fish and Wildlife Service, Reno, Nevada.  
<https://www.fws.gov/sites/default/files/documents/USFWS.2016%20report.%20Rangewide%20monitoring%20report%202015-16.pdf>
- [USFWS] U.S. Fish and Wildlife Service. 2018. Range-wide Monitoring of the Mojave Desert Tortoise (*Gopherus agassizii*): 2017 Annual Reporting. Report by the Desert Tortoise Recovery Office, U.S. Fish and Wildlife Service, Reno, Nevada.  
<https://www.fws.gov/sites/default/files/documents/USFWS.2018%20report.%20Rangewide%20monitoring%20report%202017.pdf>
- [USFWS] U.S. Fish and Wildlife Service. 2019. Range-wide Monitoring of the Mojave Desert Tortoise (*Gopherus agassizii*): 2018 Annual Reporting. Report by the Desert Tortoise Recovery Office, U.S. Fish and Wildlife Service, Reno, Nevada.  
<https://www.fws.gov/sites/default/files/documents/USFWS.2019%20report.%20Rangewide%20monitoring%20report%202018.pdf>
- [USFWS] U.S. Fish and Wildlife Service. 2020. Range-wide Monitoring of the Mojave Desert Tortoise (*Gopherus agassizii*): 2019 Annual Reporting. Report by the Desert Tortoise Recovery Office, U.S. Fish and Wildlife Service, Reno, Nevada. 42 pages.  
[https://www.fws.gov/sites/default/files/documents/2019\\_Rangewide%20Mojave%20Desert%20Tortoise%20Monitoring.pdf](https://www.fws.gov/sites/default/files/documents/2019_Rangewide%20Mojave%20Desert%20Tortoise%20Monitoring.pdf)
- [USFWS] U.S. Fish and Wildlife Service. 2022a. Range-wide Monitoring of the Mojave Desert Tortoise (*Gopherus agassizii*): 2020 Annual Reporting. Report by the Desert Tortoise Recovery Office, U.S. Fish and Wildlife Service, Reno, Nevada.  
<https://www.fws.gov/sites/default/files/documents/USFWS.2022%20report.%20Rangewide%20monitoring%20report%202020.pdf>
- [USFWS] U.S. Fish and Wildlife Service. 2022b. Range-wide Monitoring of the Mojave Desert Tortoise (*Gopherus agassizii*): 2021 Annual Reporting. Report by the Desert Tortoise Recovery Office, U.S. Fish and Wildlife Service, Reno, Nevada.  
<https://www.fws.gov/sites/default/files/documents/USFWS.2022%20report.%20Rangewide%20monitoring%20report%202021.pdf>