



DESERT TORTOISE COUNCIL

4654 East Avenue S #257B
Palmdale, California 93552

www.deserttortoise.org
eac@deserttortoise.org

Via email only

27 July 2018

Michael Perry, Supervising Planner
San Bernardino County Flood Control District
Environmental Management Division
825 East Third Street, Room 123
San Bernardino, California 92415-0835
Email: Michael.Perry@dpw.sbcounty.gov

RE: Environmental Impact Report for the San Bernardino County Master Storm Water System Maintenance Programs

Dear M. Perry,

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.

We appreciate this opportunity to provide comments on the above-referenced project. Given the location of the proposed project in habitats likely occupied by Agassiz's desert tortoise (*Gopherus agassizii*) (synonymous with "Mojave desert tortoise"), our comments pertain to enhancing protection of this species during activities authorized by the San Bernardino County Flood Control District (District).

We are impressed with the depth of consideration that has been given in this document to the conservation of the desert tortoise and other species at risk. We are especially grateful that appropriate survey work will be performed prior to activities and that authorized biologists will be present to oversee any work that has the potential to impact tortoises and tortoise habitat.

We advocate that a worker education program will be administered and that a 15-mile per hour speed limit will be implemented during all construction, maintenance, and operations activities. It may be prudent to post the speed limit should members of the public begin using any construction-enhanced access roads.

If tortoises are encountered during construction, operations, and maintenance activities, we expect that the District would be obligated to determine the project “may affect” tortoises and initiate consultation with the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) or authorize the project under an existing small-project biological opinion. Alternatively, authorized biologists and/or biological monitors would take steps, without handling tortoises, to avoid all tortoises. Please be sure that the Bureau of Land Management (BLM), USFWS, and CDFW all authorize experienced biologists before enlisting them to implement protective measures.

Finally, please be sure that no facilities or construction activities serve to attract ravens into the area or provide raven nesting opportunities that would not exist but for the project.

We appreciate this opportunity to provide input and trust that our comments will further protect tortoises during authorized project activities. We are willing to offer additional input and information about desert tortoise conservation methods if desired. Herein, we ask that the Desert Tortoise Council be identified as an Affected Interest for this and all other District projects that may affect species of desert tortoises, and that any subsequent environmental documentation for this particular project is provided to us at the contact information listed above.

Regards,



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