



**DESERT TORTOISE COUNCIL**

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**Via email only**

Date: 22 January 2024

Attn: Amanda Moore  
Bureau of Land Management  
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Attn: Maria Camacho, TLMA Commission Secretary  
Riverside County Transportation and Land Management Agency Planning Department  
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RE: Sapphire Linear Facility Routes (DOI-BLM-CA-D060-2024-0003-EA, CACA105858937)

Dear Ms. Moore,

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.

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."

We appreciate this opportunity to provide comments on the above-referenced project. Given the location of the proposed project in habitats potentially occupied by Mojave desert tortoise (*Gopherus agassizii*) (synonymous with Agassiz's desert tortoise), our comments include recommendations intended to enhance protection of this species and its habitat during activities

authorized by the Bureau of Land Management (BLM), which we recommend be added to project terms and conditions in the authorizing document (e.g., right of way grant, etc.) as appropriate. Please accept, carefully review, and include in the relevant project file the Council's following comments and attachments for the proposed project.

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 Council to join Defenders of Wildlife and Desert Tortoise Preserve Committee (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 from Threatened to Endangered in California. The decision is still pending at the time of this writing.

We appreciate that the BLM contacted us directly on 12/19/2023, which enabled Ed LaRue to attend the informative webinar conducted on 1/9/2024. Although many of our scoping questions were answered during the webinar, Ms. Moore recommended that we reiterate some of our questions and concerns in a formal comment letter, as BLM did not treat the webinar as a platform to receive formal comments.

Another of the BLM presenters, when asked if the BLM could identify the Council as an Affected Interest to Riverside County, BLM responded that it would be our responsibility to contact Riverside County to ensure we were notified when the public scoping period for comments for the environmental impact report (EIR) is available. However, we note on page 6 of the Plan of Development (POD) that the draft environmental impact report was apparently published in October 2023 without the benefit of Council review. As such, we have included the Riverside County Transportation and Land Management Agency Planning Department as a recipient of this comment letter and are informing them herein to include the Desert Tortoise Council as an Affected Interest for this and other projects in Riverside County that may impact desert tortoises.

Unless otherwise noted, the following page numbers reference the 76-page POD provided on BLM's eplanning website, submitted by EDF Renewables Development, Inc. on behalf of Sapphire Solar, LLC. (Proponent), and dated December 2023.

Page 1 indicates that the Proponent submitted an "...application for a Right-of-Way (ROW) grant from Bureau of Land Management (BLM) to construct, operate, maintain, and decommission the Linear Facilities and Routes (Project) associated with the Sapphire Solar Facility, a solar and battery storage development proposed on adjacent private lands. As the solar facility is located wholly on private lands it will not be discussed further, except where necessary, in this Plan of Development (POD)."

Further, “This POD describes the construction, operations, maintenance and decommissioning of two routes and Linear Facilities (hereafter referred to as ‘Linear Facility Routes’ or ‘LFRs’) totaling approximately 41 acres located on BLM administered lands designed to support the proposed private solar development, located on 1,082 acres of adjacent private lands, equaling a combined total of 1,123 acres. The focus of this POD is the proposed Linear Facility Routes because they are the only components of the Sapphire Solar Facility located on BLM lands.”

The Council expressed its concerns during the webinar, asking if the BLM and Riverside County were not piecemealing this connected project by identifying the 41 acres of LFRs on public lands as one project and the 1,082 acres proposed for the solar project on private as a second project, when in fact one would not occur without the other. We recall a 70-mile water pipeline constructed between Hesperia and Landers, CA in the early 1990s where only two linear miles passed through public lands managed by the BLM, yet the entire project came under federal review because the BLM authorized the project (e.g., “fund, *authorize*, or carry out” to form a federal nexus), and a Section 7 biological opinion was issued for the entire pipeline, not just those two linear miles.

Pursuant to Section 1508.25 of the Council on Environmental Quality’s (CEQ) regulations (40 CFR 1508.25), any environmental assessment (EA) must cover the entire scope of a proposed action, considering all connected, cumulative, and similar actions in one document. Pursuant to Section 1506.1(a) of these regulations, an agency action cannot “[l]imit the choice of reasonable alternatives” before reaching a final decision in a published [Record of Decision] (ROD). These regulations ensure agencies will prepare a complete environmental analysis that provides a “hard look” at the environmental consequences of all proposed actions instead of segmenting environmental reviews (Novack 2015). The Council is concerned that the proposed LFRs and solar site are being segmented by their separate analyses.

Please be sure that the EA clearly explains the relationship and respective responsibilities between the BLM and Riverside County. For example, if tortoises or their sign are found on the solar site at the time of construction, would the 1,082 acres on private lands be authorized under Section 10(a)(1)(B) of the Federal Endangered Species Act (FESA), and would that trigger the need for a formal consultation with the U.S. Fish and Wildlife Service (USFWS) Section 7 of FESA and subsequent issuance of a biological opinion? Similarly, if tortoises were impacted by construction, maintenance, and/or decommissioning of the LFR, would that trigger the need for a 10(a)(1)(B) for the solar site? Since the LFRs would not be constructed *but for* development of the solar site, it is not clear to us how the BLM and County can separate these interconnected projects from one another or why the current approach is being taken.

The December 2023 biological resources technical report documents that Ironwood Consulting (2023) performed surveys in 2022 on both the LFR and the solar site. Although only two tortoise carcasses were found during these surveys, the site has not been enclosed in a perimeter fence (to our knowledge) to preclude tortoises from entering the site. We see in Figure 4-4 that burrows with burrowing owl (*Athene cunicularia*) sign were found in eight locations, in Figure 4-5 that 27 inactive and active kit fox (*Vulpes macrotis arsipus*; DKF) dens were found onsite, and that “...evidence of American badgers was recorded within the Solar Project” (page 44 in Ironwood Consulting 2023).

DKF is protected under the California Code of Regulations, Chapter 5, section 460 (14 CCR § 460). California Fish and Game Code prohibits “take” of DKF for any reason. We request that the Draft EA include information on the methodology to be implemented to minimize or avoid impacts to DKF. While the Project site has been previously disturbed, the presence of DKF indicates that there has been some element of natural recruitment and reclamation of desert habitat on-site. DKF populations can fluctuate over time; therefore, presence/absence in any one year is not necessarily a reliable indicator of DKF potential to occur on a site, repeat surveys may be warranted. Additionally, over time DKF may be attracted to the project site due to the type and level of ground-disturbing activities and the loose, friable soils resulting from intensive ground disturbance. As a result, it is likely that DKF will occur at the time of development.

Without appropriate avoidance and minimization measures for DKF, potentially significant impacts associated with the project’s construction could include den collapse, inadvertent entrapment, reduced reproductive success, reduction in health and vigor of young, and direct mortality of individuals. Habitat loss and fragmentation from the rapid expansion of industrial buildings, large-scale industrial solar, and wind energy development are the primary threats to DKF (Kadaba et al. 2013). The DKF populations are closely connected with creosote bush scrub communities (McGrew 1979), which are present north of the Project site. DKF are also able to adapt to open habitats including creosote flats and grasslands (Rodrick and Mathews 1999). As a result, project activities have the potential to significantly impact the local populations of DKF.

To evaluate potential project-related impacts to DKF, California Department of Fish and Wildlife (CDFW) recommends conducting the following evaluation of the project site and including the following measures in the MND:

- CDFW recommends assessing the presence/absence of DKF and their dens by conducting further surveys both on, and within 200 feet of the project site well in advance of the project. Pre-construction surveys are also recommended, and CDFW advises conducting these surveys in all areas of potentially suitable habitat no less than 14 days and no more than 30 days prior to the beginning of ground-disturbing activities.
- If dens are found during surveys, CDFW recommends implementing no-disturbance buffers, in accordance with USFWS’s “Standardized recommendations for protection of the San Joaquin kit fox prior to or during ground disturbance” (USFWS 2011). Specifically, if DKF are found occupying atypical (i.e., manmade structure) den sites, a 50-foot no-disturbance is recommended around the occupied den structure. If potential dens are found during surveys, CDFW advises implementing a 50-foot no-disturbance buffer around these structures as well. Consultation with CDFW and implementation of a 100-foot no-disturbance buffer around dens that are used or known to have been used at any time in the past by DKF, are found during pre-construction surveys. If a natal or pupping den is found during surveys, consultation with CDFW is recommended.

So, although the proposed solar site is mostly comprised of fallow agricultural lands, the presence of kit foxes and badger signs indicate that there has been recent use by at least these two special status species. The lifetime home range for the Mojave desert tortoise is more than 1.5 square miles (3.9 square kilometers) of habitat (Berry 1986) and may make periodic forays of more than 7 miles

(11 kilometers) at a time (Berry 1986). It is therefore vital that qualified biologists perform tortoise clearance surveys of the entire site (USFWS 2009) and that if any evidence of living tortoises is found, the Proponent acquire necessary permits. If tortoises or their sign are found by clearance surveys on either the LFRs *or* the solar facility, the BLM must ensure that its formal consultation with the USFWS addresses *all* project impacts and not just those associated with the LFRs. Stated take limits in the biological opinion, for example, would need to be applied to the *entire* project and not *just* the LFRs portion of it.

We note that Ironwood (2023) did find two tortoise carcasses during their protocol surveys of the LFRs. These findings prompt us to inform the BLM that the CDFW has deemed habitats to be suitable and potentially occupied when carcasses are the only evidence of tortoises that are found within a project area (Becky Jones, CDFW biologist, retired, personal communication). These findings also suggest that tortoises or their sign are likely to be found in adjacent areas because the carcasses found in fallow agricultural fields, even if they are more than four years old, are evidence that local habitats recently supported tortoises and still may.

Although Ironwood (2023) uses the term “Action Area” to describe existing solar development in the region (see Figure 1-1 in their report), our understanding is that “action area” is a formal codified term. The “action area” is defined in 50 Code of Federal Regulations 402.2 and the USFWS Desert Tortoise Field Manual (USFWS 2009) as “all areas to be affected directly or indirectly by proposed development and not merely the immediate area involved in the action” (50 Code of Federal Regulations §402.02). Thus, the 100% coverage survey area is larger than the project footprint/project site. CDFW has adopted the USFWS’s 100% coverage survey as the methodology to use (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281283-reptiles>) to determine tortoise presence/use of the action area.

We note on page 6 of Ironwood (2023) that the survey was confined to “...100 percent (full) coverage for the approximately 1,200-ac combined survey area,” which is about the same size as the 1,082 acres proposed for development of the combined project. It is not obvious from our reading that Ironwood (2023) performed the 30-, 60-, 90, 120-, and 150-meter buffer transects in adjacent areas required by CDFG (2012) for western burrowing owls. We believe that the action area should have included enough undeveloped lands in adjacent areas, particularly to the north, to ascertain the potential for tortoise immigration onto the site.

Ironwood (2023) reports “...the proposed Easley Solar Project would is [sic, = “be?”] located directly adjacent to the Proposed Action,” which we interpret to mean the project, which would occupy all adjacent areas except to the north (Figure 1-1 in Ironwood), has not yet been developed. We ask that the Draft EA provide a table of findings of all tortoise surveys on the adjacent proposed and existing solar projects, which include Easley, Athos, Oberon, and Desert Harvest Solar, perhaps among others. Have any signs of living tortoises been found on any of these sites? We believe that documenting the presence or absence of tortoises on the adjacent solar projects will help determine the potential for tortoise immigration onto the site. This would be part of the cumulative impact analysis required of all EAs.

It is important that BLM does not authorize take of tortoises at the federal level that facilitates violation of the California Endangered Species Act (CESA) at the state level. Often in EAs for projects where tortoises are to be handled, BLM will advise federally-authorized biologists to move tortoises out of harm's way, which cannot be legally accomplished without CDFW's incidental take authorization under Section 2081 of CESA. So, the BLM must ensure that the Proponent obtains *all* necessary permits before any take can occur on either of the connected projects, and not just those authorizations pertinent to its federal regulatory requirements but also those required by CESA.

We request that BLM require the project proponent to comply with BLM's (2021a) Mitigation Manual (MS-1794) and Mitigation Handbook (H-1794-1; BLM 2021b). The Mitigation Manual and Handbook provide policy and guidance on implementing mitigation to address impacts to resources from public land uses. Specifically, we request that the project Proponent mitigate for all direct and indirect impacts of the proposed Project to the tortoise and tortoise habitat and implement effectiveness monitoring and adaptive management.

Figure 3 at the end of the POD is encumbered with enough overlays that we cannot tell if the LFRs would be developed alongside existing routes or if they would be cross-country through lands without existing routes. We ask that the Draft EA include clear aerial views of the project and surrounding area that clearly show existing roads, and that alternative ROWs be identified that coexist with maintained roads or at least avoid being developed through undeveloped lands.

Page 1 explains that "The Linear Facility Routes would include both above ground and below ground components, new poles, electrical lines, access road, spur roads, temporary pulling and tensioning stations, and other associated infrastructure..." When a webinar participant asked if the Proponent could keep all facilities underground, the BLM responded that it was not sure if that was possible, and that the current project envisions 160-foot, self-weathering, monopoles. We would like to see an alternative that analyzes the impacts of an underground LFR versus what we expect will be the preferred alternative of aboveground facilities.

The reason for our concern is the likely potential to create new nesting and perching opportunities for common ravens, which are known predators of both juvenile and adult tortoises. Perhaps the use of monopoles would discourage nesting and perching on the BLM's piece of the project, but this is one example where the dichotomization of the single project into two projects is problematic. Even if the LFRs could be constructed underground where no new structures would be available to ravens, they would supply and/or transmit electricity to or from the solar site to the grid. Given information associated with other recent solar photovoltaic projects, we know that panels attract birds that crash into them because they resemble bodies of water, and ravens may then feed on these bird carcasses that would not have died but for the project. Similarly, the LFRs may not promote pooling of water, but cleaning the solar panels likely requires large amounts of water that may pool on the ground and be used by ravens.

Given these concerns, the Council asserts that Draft EA must analyze if this new use would result in an increase of common ravens and other predators of the desert tortoise in the region. Future operations must include provisions for monitoring and managing raven predation on tortoises as a result of the proposed action. The monitoring and management plan must include reducing human

subsidies for food, water, and sites for nesting, roosting, and perching to address local impacts. The Proponent must contribute to the National Fish and Wildlife Foundation's Raven Management Fund for regional and cumulative impacts. It is very important that the LFRs use transmission towers that prevent raven nesting. For example, the tubular design – perhaps self-weathering monopoles – are preferable to lattice towers of those with horizontal cross arms that provide nesting opportunities.

According to Appendix A of Common Raven Predation on the Desert Tortoise (USFWS 2010), “The BLM’s biological assessments and the USFWS’ biological opinions for the California Desert Conservation Area (CDCA) plan amendments reiterate the need to address the common raven and its potential impacts on desert tortoise populations.” Please ensure that all standard measures to mitigate the local, regional, and cumulative impacts of raven predation on the tortoise are included in the Draft EA, including developing a raven management plan for this specific project – both the LFRs and the associated solar field. USFWS (2010) provides a template for a project-specific management plan for common ravens. This template includes sections on construction, operation, maintenance, and decommissioning (including restoration) with monitoring and adaptive management during each project phase (USFWS 2010).

Table 3-3 on page 13 of Ironwood (2023) indicates that there are 7.8 acres of Desert Dry Wash Woodland and 32.3 acres of Ephemeral Dry Wash, however, there is no evidence that a jurisdictional waters analysis was performed. A jurisdictional waters analysis should be performed for all potential impacts to washes, streams, and drainages, including both manmade features (e.g., Artificial Wetland/Artificial Open Water/Non-Native Riparian described in Ironwood 2023). As part of the permitting process prior to ground disturbance, a Streambed Alteration Agreement must be acquired, if deemed necessary by CDFW.

When during the webinar we asked the BLM what the affected area would be in their cumulative effects analysis, we were told that a BLM team has yet to determine the extent of that area. Please see *Grand Canyon Trust v. F.A.A.*, 290 F.3d 339, 345-46 (D.C. Cir. 2002) in which the court ruled that agencies must analyze the cumulative impacts of actions in environmental assessments. We request that BLM write the Draft EA to include a section that analyzes the cumulative impacts of the proposed action following the guidelines given below.

The Draft EA should include an analysis of all impacts on the tortoise/critical habitat within the region, including an up-to-date list of future state, federal, and private actions affecting the tortoise species on state, federal, and private lands.

In the cumulative effects analysis, please ensure that the Council on Environmental Quality’s (CEQ) “Considering Cumulative Effects under the National Environmental Policy Act” (1997) is followed. BLM refers to this document in its NEPA Handbook (BLM 2008). BLM’s analysis should include CEQ’s eight principles when analyzing the cumulative effects of the proposed action on the tortoise and its critical habitat/habitats. CEQ states, “Determining the cumulative environmental consequences of an action requires delineating the cause-and-effect relationships between the multiple actions and the resources, ecosystems, and human communities of concern. The range of actions that must be considered includes not only the project proposal but all connected and similar actions that could contribute to cumulative effects.” The analysis “must

describe the response of the resource to this environmental change.” Cumulative impact analysis should “address the *sustainability* [emphasis added] of resources, ecosystems, and human communities.” For example, the Draft EA should include data on the likelihood that the tortoise population in the Colorado Desert Recovery Unit will be sustained into the future given its status and trend.

CEQ’s eight principles are listed below:

**1. Cumulative effects are caused by the aggregate of past, present, and reasonable future actions.**

The effects of a proposed action on a given resource, ecosystem, and human community, include the present and future effects added to the effects that have taken place in the past. Such cumulative effects must also be added to the effects (past, present, and future) caused by all other actions that affect the same resource.

**2. Cumulative effects are the total effect, including both direct and indirect effects, on a given resource, ecosystem, and human community of all actions taken, no matter who (federal, non-federal, or private) has taken the actions.**

Individual effects from disparate activities may add up or interact to cause additional effects not apparent when looking at the individual effect at one time. The additional effects contributed by actions unrelated to the proposed action must be included in the analysis of cumulative effects.

**3. Cumulative effects need to be analyzed in terms of the specific resource, ecosystem, and human community being affected.**

Environmental effects are often evaluated from the perspective of the proposed action. Analyzing cumulative effects requires focusing on the resources, ecosystem, and human community that may be affected and developing an adequate understanding of how the resources are susceptible to effects.

**4. It is not practical to analyze the cumulative effects of an action on the universe; the list of environmental effects must focus on those that are truly meaningful.**

For cumulative effects analysis to help the decision maker and inform interested parties, it must be limited through scoping to effects that can be evaluated meaningfully. The boundaries for evaluating cumulative effects should be expanded to the point at which the resource is no longer affected significantly or the effects are no longer of interest to the affected parties.

**5. Cumulative effects on a given resource, ecosystem, and human community are rarely aligned with political or administrative boundaries.**

Resources are typically demarcated according to agency responsibilities, county lines, grazing allotments, or other administrative boundaries. Because natural and sociocultural resources are not usually so aligned, each political entity actually manages only a piece of the affected resource or ecosystem. Cumulative effects analysis on natural systems must use natural ecological boundaries and analysis of human communities must use actual sociocultural boundaries to ensure including all effects.



**6. Cumulative effects may result from the accumulation of similar effects or the synergistic interaction of different effects.**

Repeated actions may cause effects to build up through simple addition (more and more of the same type of effect), and the same or different actions may produce effects that interact to produce cumulative effects greater than the sum of the effects.

**7. Cumulative effects may last for many years beyond the life of the action that caused the effects.**

Some actions cause damage lasting far longer than the life of the action itself (e.g., acid mine damage, radioactive waste contamination, species extinctions). Cumulative effects analysis needs to apply the best science and forecasting techniques to assess potential catastrophic consequences in the future.

**8. Each affected resource, ecosystem, and human community must be analyzed in terms of its capacity to accommodate additional effects, based on its own time and space parameters.**

Analysts tend to think in terms of how the resource, ecosystem, and human community will be modified given the action's development needs. The most effective cumulative effects analysis focuses on what is needed to ensure long-term productivity or sustainability of the resource.

The CEQ recognizes synergistic and interactive effects as a part of cumulative effects analysis (Principal #6). The Council requests that BLM implement Principal #8 specifically with respect to the Chuckwalla Tortoise Conservation Area's (TCA's) tortoise population (i.e., the sustainability of the tortoise in these areas), and Principals #6 and #7 for the tortoise when conducting its analysis in the Draft EA of the proposed action. This would include the impacts of environmental contaminants/metals from past, current, and future activities on the tortoise and tortoise habitats, particularly critical habitats.

We request that the Draft EA include these eight principles in its analysis of cumulative impacts to the Mojave desert tortoise, and address the sustainability of the tortoise in TCAs. The Draft EA should include an analysis of all proposed mitigation and how its implementation during all phases of the proposed action (including monitoring for effectiveness and adaptive management) would result in "no net loss in quantity and quality of Mojave desert tortoise habitat...and using offsite mitigation (compensation) for unavoidable residual habitat loss."

We anticipate that with increased human use for these events, there will be increased food and trash present. The BLM should implement mitigation measures that prevent the attraction of tortoise predators such as common ravens and coyotes to the project area. For regional and cumulative impacts, the BLM should require the Proponent to participate in an effort to address regional and cumulative impacts from common raven predation. For example, in California, the Proponent should contribute to the National Fish and Wildlife Foundation's Raven Management Fund to help mitigate regional and cumulative impacts. Unfortunately, this Fund, which was established in 2010, has not revised its per acre payment fees to reflect increased labor and supply costs during the past decade to provide for effective implementation. The National Fish and Wildlife Foundation should revise the per-acre fee.

BLM should also demonstrate in the Draft EA that it is fully complying with its policies on Special Status Species, Mitigation, Habitat Connectivity, and Advancing Science – a strategy that describes BLM to be “science-informed,” that “enables managers and staff to apply science in decision making and adaptive management, at every level and in every program” concerning the tortoise (BLM 2021a, 2021b, 2021c, 2022).

In addition, we request that BLM add this project and its impacts to a database and geospatial tracking system for special status species, including Mojave desert tortoises, that track cumulative impacts (e.g., surface disturbance, paved and unpaved routes, linear projects, invasive species occurrence, herbicide/pesticide use, wildfires, etc.), management decisions, and effectiveness of mitigation for each project. Without such a tracking system, BLM is unable to analyze cumulative impacts to special status species (e.g., desert tortoises) with any degree of confidence.

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 Council wants to be identified as an Affected Interest for this and all other projects funded, authorized, or carried out by the BLM 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 ask that you notify the Desert Tortoise Council at [eac@deserttortoise.org](mailto:eac@deserttortoise.org) of any proposed projects that BLM may authorize, fund, or carry out in the range of any species of desert tortoise in the southwestern United States (i.e., *Gopherus agassizii*, *G. morafkai*, *G. berlandieri*, *G. flavomarginatus*) so we may comment on it to ensure BLM fully considers actions to conserve these tortoises as part of its directive to conserve biodiversity on public lands managed by BLM.

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

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