



## DESERT TORTOISE COUNCIL

4654 East Avenue S #257B  
Palmdale, California 93552

[www.deserttortoise.org](http://www.deserttortoise.org)  
[ed.larue@verizon.net](mailto:ed.larue@verizon.net)

1 November 2016

San Bernardino County Planning Commission  
County Government Center  
385 N. Arrowhead Avenue, 1st Floor  
San Bernardino, CA 92415

Via email to Planning Commission Secretary: [luscustomerservice@lus.sbcounty.gov](mailto:luscustomerservice@lus.sbcounty.gov)

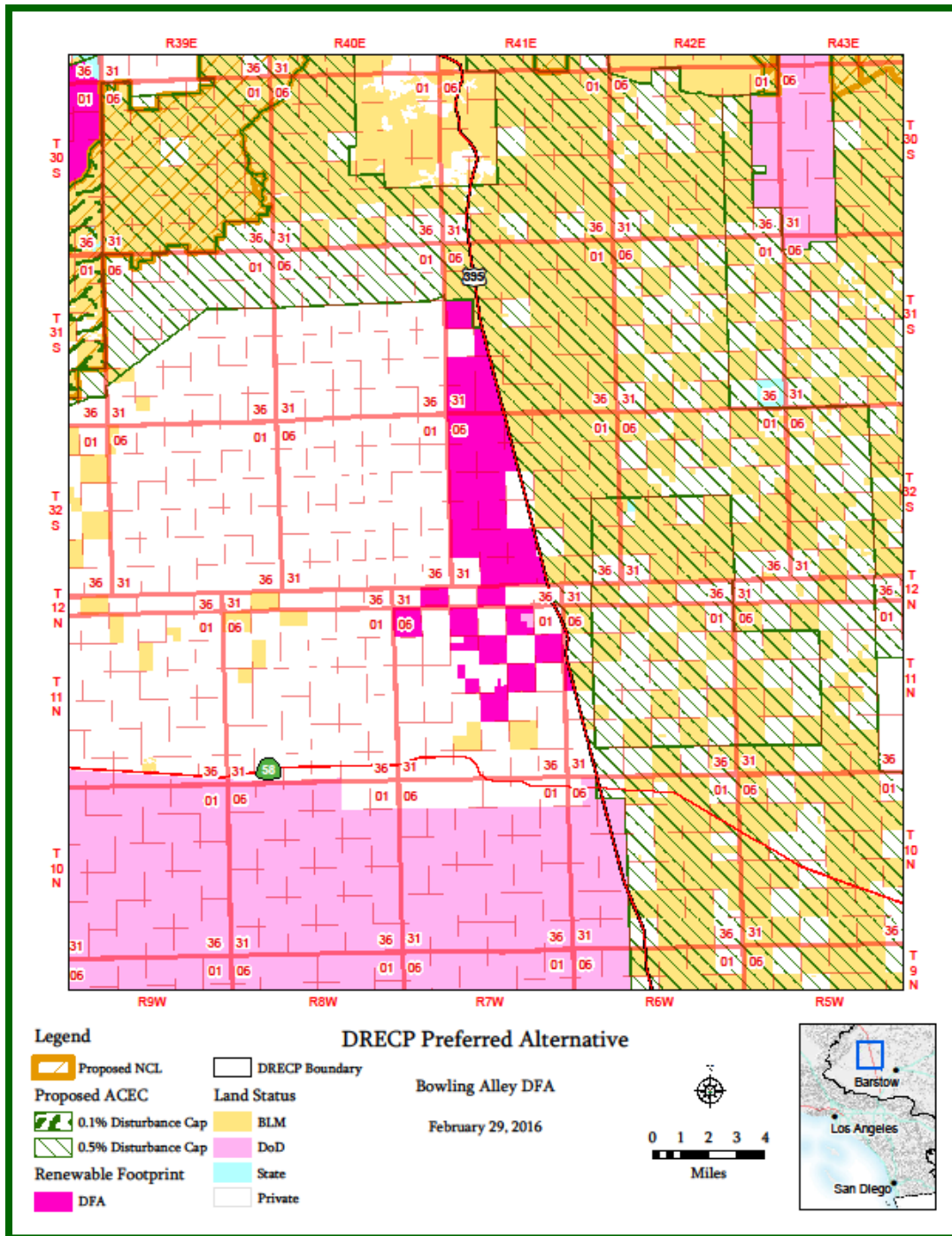
Re: Renewable Energy and Conservation Element of the San Bernardino County General Plan

Dear Commissioners Weldy, Allard, Smith, Rider, and Mathews,

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

Thank you for the opportunity to provide comments on the proposal to incorporate a new Renewable Energy and Conservation Element (RECE) in the San Bernardino County (County) General Plan. As given in our mission statement above, whereas the Council is mainly concerned with the protection of desert tortoises in their wild habitats, we recognize that protection of the Mohave ground squirrel (MGS), which is found entirely within the range of the desert tortoise, would also support our mission.

Herein, we urge the County to drop from consideration the 40-square mile± area referred to as the "North of Kramer Junction" Development Focus Area (DFA), which, pending additional scientific data, was tentatively identified in the Bureau of Land Management's (BLM) Desert Renewable Energy Conservation Plan (DRECP) Land Use Plan Amendment (LUPA). About half of the area is comprised of private lands under the jurisdiction of the County and the other half is public land managed by the BLM (see bright pink areas in the map on next page).



Board member, Ed LaRue, is also a member of the Mohave Ground Squirrel Technical Advisory Group (MGS TAG), which met on October 25 and 26, 2016 to discuss the importance of this area, colloquially referred to as the “Bowling Alley.” Among other agenda items, the MGS TAG considered the attached technical report, which is dated today. Their review was essential in finalizing the report, which was completed yesterday, and is the only reason it is being submitted so late in your planning process.

In its comment letter to the BLM on the DRECP, dated 23 February 2015, the Council urged the BLM to maintain the northern part of the Bowling Alley as a portion of the Mohave Ground Conservation Area (MGS CA), which was designated as such in the BLM's Record of Decision issued on the West Mojave Plan in 2005. Despite its 2005 decision, our 2015 request, and the absence of any data on MGS occurrence, the BLM in the DRECP removed this portion of the MGS CA from the Area of Critical Environmental Concern (ACEC) and tentatively identified it as a DFA.

We understand the function of DFAs as described in the DRECP LUPA has the following 11 criteria. Following each stated criterion, we provide a brief description as to whether or not it would be satisfied by establishing the Bowling Alley (BA) as a DFA.

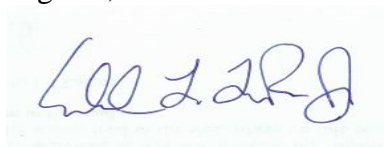
1. Disturbed or contaminated lands.
  - a. *As per the attached report, the BA is in near pristine condition, and is neither disturbed nor contaminated.*
2. Less ecologically intact lands.
  - a. *The BA is comprised of ecologically intact lands, as evidenced by the presence of 11 covered species, and particularly the MGS and desert tortoise, throughout the area.*
3. Non-critical habitat or crucial habitat linkage area.
  - a. *Although the DRECP removed the northern half of this area from MGS CA status, the California Department of Fish and Wildlife (CDFW) refers to this region as the "North of Edwards Key Population Center" in its draft conservation strategy (CDFW 2016, not yet available to the public). This designation indicates that it is among the areas requiring highest priority protection for conservation and recovery of the MGS.*
4. Not legislatively or legally protected lands.
  - a. *Many of the BLM lands in the BA were acquired for conservation purposes under the Land Tenure Adjustment Project initiated by Edwards Air Force Base in the early 1990's (personal communication from Tom Egan of Defenders of Wildlife to LaRue in October 2016).*
5. Few focal or covered species dependent upon lands.
  - a. *The attached report identifies 11 covered species in the BA, including desert tortoise and MGS, which are both resident, listed species. Most of the MGS captured in 2016 (i.e., 10 of 13) occurred in the BLM-County, checkerboard lands in the southern part of the BA.*
6. More fragmented ownership.
  - a. *The northern half of the BA, which the Council has urged the BLM to maintain as a portion of the MGS CA, has been consolidated in BLM ownership (pink areas in the map on page 2 of this letter), with more land ownership fragmentation to the south.*

7. Proximity to transmission lines/grid/local communities needing electricity.
  - a. *Of these 11 criteria in support of DFAs, this is the ONLY ONE that is fully satisfied.*
8. Not immediately adjacent to residential areas.
  - a. *The nearest residential communities are Boron and Hinkley, which are respectively located 8 miles west and 20 miles east.*
9. Away from crucial military or commercial flight areas.
  - a. *The entire area is in a flight path of Edwards Air Force Base.*
10. Not previously acquired for the protection of imperiled species, benefit of military training or long-term conservation.
  - a. *As noted above, much of the area was acquired through the Air Force's Land Tenure Adjustment Project and, until the DRECP LUPA, was designated as a conservation area for the MGS throughout the northern half.*
11. Minimal impact to currently permitted or authorized uses.
  - a. *The main conflicting authorized use of the area is two ephemeral sheep grazing allotments managed by the BLM. Although sheep grazing causes major, localized ecological impacts, the loss of the area to renewable energy development would be far more severe and irreversible than sheep grazing.*

Based on the 11 criteria given above in support of establishing DFAs, we note that only two (criteria 7 and 11, partially) are supported. We trust that the new data provided in the attached report will convince the County that the North of Kramer Junction Development Focus Area would result in very serious, significant impacts to Mohave ground squirrels, desert tortoises, and numerous other special status species that we now know occur in these areas but which, except for the attached study, have not been previously identified. Again, we urge the County to drop this area from further consideration as a Development Focus Area

Please consider the Desert Tortoise Council as an Affected Party in this and any other projects affecting the desert tortoise in San Bernardino County.

Regards,

A handwritten signature in blue ink, appearing to read "Ed L. LaRue, Jr.", is written on a light blue rectangular background.

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