

**West Mojave Plan
Task Group 1 Meeting
August 9, 2000
Green Tree Inn, Victorville**

Attendees

Task Group: Ileene Anderson, Marge Balfour, Ray Bransfield, Marie Brashear, David Charlton, Paul Condon, Michael Connor, Paul W. Davis Jr., Mike Dekeyrel, Tom Egan, Clarence Everly, Art Gleason, Bob Harik, Becky Jones, Mark Hagan, Jeanette Hayhurst, Shirley Hibbetts, Gerry Hillier, Marcy Holbrook, Peter Kiriakos, Paul Kober, Lois Landrum, Steve Lilburn, Lisa Northrup, Lorelei Oviatt, Douglas Parham, Bob Parker, Tim Read, Bob Rudnick, Bob Sackett, Iain Scarr, Randy Scott, Debbie Sebo, Rick Sebo, Bill Standard, Bob Strub, Karen Terry, Donna Thomas, Robert Vandervalk, Barbara Veale, Ed Waldheim, Barry Wetherby.

West Mojave Team Staff: Bill Haigh, Chuck Bell, Ed LaRue, Valery Pilmer.

Introduction:

Bill Haigh opened the meeting and presented a proposed agenda as follows:

- Steering Committee Recommendations
- Tortoise Subcommittees
- Mojave Ground Squirrel Preview

Steering Committee Recommendations:

Bill Haigh went over his memorandum to the Super Group dated August 2, 2000 regarding the Steering Committee meeting results and invited discussion and direction on the following:

- Plan Structure. Bill Haigh introduced the concept of referring collectively to the management areas of the West Mojave Plan as the West Mojave Plan Habitat Conservation Area (HCA). The component parts of the HCA would be referred to by the name of the species, followed by "Conservation Area" (e.g. Mohave Ground Squirrel Conservation Area). He also noted that the conservation area established for the desert tortoise would be referred to as the Tortoise DWMA (Tortoise Desert Wildlife Management Area) to maintain consistency with other regional plans being prepared within the range of the desert tortoise. Bill also noted his own recommendation that areas proposed for conservation of multiple species be called by the geographic name, followed by "Conservation Area" (e.g. Pisgah Crater Conservation Area).

The Task Group concurred with the general structure for the plan as presented.

- Tortoise Strategy- Management Areas. Bill Haigh described the management area structure recommended by the Steering Committee to replace the three-tiered approach outlined in the September 1999 Evaluation Report. This proposed structure provides for Tortoise DWMA's as recommended in the Evaluation Report. Conservation and recovery of the tortoise would be the management goal within the DWMA's. In addition, portions of the region outside the Tortoise DWMA's would be identified for heightened biological review should projects locate within them. These would include a Biological Transition Area (BTA) adjacent to the Tortoise DWMA's, and two Special Review Areas (SRA) consisting of regions not appropriate for Tortoise DWMA status but still containing relatively high tortoise populations. The management goal within the BTAs and Special Review Areas would focus on take avoidance rather than on long term conservation.

The following clarifications were made during discussion that followed Bill's presentation:

- ▶ The BTA's and SRA's encompass a much smaller area than the Managed Use Area proposed in the Evaluation Report. In addition, the BTA's and SRA's would not be subject to the 5% development cap proposed for the Managed Use Area.
- ▶ The BTAs and SRAs are not proposed to be maintained for long term tortoise conservation.
- ▶ Randy Scott clarified that for San Bernardino County, the review process for development within BTAs and SRAs would be similar to the existing review process, while incidental take areas outside of the DWMA's, BTAs and SRAs would have a revised and considerably streamlined process.
- ▶ DWMA boundaries are those developed by Task Group 1 at its last meeting.
- ▶ The DWMA, BTA and SRA boundaries are working draft boundaries that may be changed as details of management within these boundaries is defined.
- ▶ Ray Bransfield clarified that in order to issue a 10(a) permit for the tortoise, USFWS must find that the impact to the tortoise has been minimized to the maximum extent practicable. He believes that in order to meet this "permit issuance criteria" some heighten level of review (take avoidance) must be given to areas outside the DWMA's where good populations of tortoise are known to exist. He indicated that a review loop is needed so that if tortoises are not found in areas where clearance surveys are required, the requirement can be dropped.

Additional comments and concerns were expressed during the discussion as follows:

- ▶ Concern was expressed that the BTAs and SRAs make the plan too complicated. Others commented that the proposed HCP will replace existing procedures for enforcing the Endangered Species Act, and therefore needs to be fairly specific to achieve the overall objective of streamlining the 10(a) and 2081 permitting process.
- ▶ Pete Kiriakos commented on behalf of the Sierra Club that the BTAs and SRAs need to include conservation in addition to take avoidance measures. He stated

that since the DWMAs are primarily on federal land, the cities and counties need to look at some conservation on private land as well.

- ▶ Marie Brashear commented that conservation on federal land has merit since money can be spent on measures that help the tortoise rather than on compensating private property owners.
- ▶ Ray Bransfield commented that money is best spent on acquiring land and implementing conservation measures within the DWMAs.

Bill Haigh asked the group whether the concept outlined could be generally agreed to by the group. **The group agreed to the general concept outlined with the caveat and understanding that things can change as the process moves forward.**

- Tortoise Strategy - Biological Goals. Bill Haigh commented that the biological goals outlined in the Evaluation Report were endorsed by the Steering Committee. **He asked the group to take a look at these goals and provide any comments back to him by e-mail by August 23, 2000.**

Gerry Hillier commented that Objective 1 for Goal 2 regarding lambdas was difficult to understand. Bill indicated that he will take this as the first comment on the goals and asked Ed LaRue to look at this and describe what is intended in terms that are easily understood.

- Tortoise Surveys. Bill Haigh asked Lorelei Oviatt to outline the Steering Committee recommendation regarding tortoise surveys. Lorelei indicated that since clearance surveys will be required in some areas, the process could be streamlined by setting a standard fee and committing to perform the surveys within a pre-set time frame. She indicated that the plan could develop the streamlined approach to clearance surveys, and that the certainty of cost was very important to the development community. The following points were made during the discussion:

- ▶ There are different types of surveys. We need to be clearer regarding what kind of survey will be required, presence/absence survey or clearance survey.
- ▶ Some felt the cost of surveys are primarily market driven and should not be set.
- ▶ Ed LaRue indicated that approximately 4 acres can be surveyed by a trained biologist in 1 hour.
- ▶ Paul Condon provided a local example where it took 90 days to obtain a clearance survey.
- ▶ Ray Bransfield indicated that establishing a standard survey protocol is a good idea.

It was agreed that these surveys would be called Tortoise Clearance Surveys. Bill Haigh appointed Ed LaRue to work on this issue.

- Acreage Table. Bill Haigh points out the revised acreage tables on pages 7 and 8 of his August 2nd memo. Ed LaRue questioned some of the numbers and Bill indicated that we will have our GIS person double check them to ensure accuracy. Bill also commented that if anyone would like to see additional tables, let him know.

Tortoise Subcommittees:

Bill Haigh indicated that the Steering Committee has found it very helpful and productive to establish small subcommittees to develop and bring back recommendations to the Steering Committee. He recommended that Task Group 1 adopt this same process, and that the membership of the subcommittees include 1) a member of a regulatory agency; 2) a permittee; 3) an individual interested in the land or resources. He also asked that each subcommittee work directly with the agency(s) providing oversight to the activity they are discussing to ensure that their proposals (1) can be implemented by that agency and (2) are in conformance with statutes, ordinances, regulations and agency policy.

Ed Waldheim expressed concern that the Steering Committee seemed to be doing the primary work on the plan as opposed to the task groups. He commented that the interests of CORVA are very different than CA4WDC and feels that one person cannot represent the interests of all recreationists. Bill Haigh and others indicated that CORVA should go over the recommendations made to date by the Recreation Subcommittee, and appoint an individual to sit down with the other subcommittee members to discuss and make revisions as appropriate and agreed to. Note is also made that other recreation groups (i.e. equestrian and hunting groups) should be contacted for comment.

The group broke for lunch at 12:30PM and reconvened at 1:30PM.

The following comments were made regarding the subcommittee process:

- Time needs to be worked into the process in order to digest the reports from the subcommittees.
- Subcommittees could deal with disagreements by formatting reports as follows: 1) Issues and points agreed to; 2) Alternative approaches to issues or points where some disagreement occurred; 3) Listing of unresolved issues and reasons why resolution could not be achieved.
- Gerry Hillier asked how Fort Irwin issues should be considered. Bill Haigh responded that we should await further direction from Washington.
- Subcommittee reports should state where measures are to apply (for example, within DWMA, BTA, remainder).
- Guzzlers should be considered by the Ground Disturbance group.
- Utility and road maintenance to be considered by the tortoise survey group.

Bill Haigh asked for volunteers and the following subcommittee assignments were made. A name

in bold indicates the primary contact person for the subcommittee.

| <u>Subcommittee</u> | <u>Participants</u> | <u>Representing</u> |
|------------------------------|---|---|
| Agriculture | Lorelei Oviatt Mike Connor Bob Rudnick Donna Thomas | Kern County Desert Tortoise Council Rancher Eastern Kern County Resource Conservation District |
| Allowable Ground Disturbance | Lorelei Oviatt Ed Waldheim Tim Read | Kern County CORVA BLM |
| Biological Transition Areas | Lisa Northrup Paul Condon Peter Kiriakos | San Bernardino County California City Sierra Club |
| Cattle Grazing | Mike Connor Dave Fisher (Invited) Larry Morgan Bob Rudnick | Desert Tortoise Council Rancher BLM Rancher |
| Clearance Surveys | Ed LaRue Shirley Hibbetts Peter Kiriakos | West Mojave Team Enviro Check Sierra Club |
| Fencing (Permanent) | Jeri Ferguson Karen Terry Bob Strub Gerry Hillier | Cal4Wheel Drive Clubs CalTrans Trona residents San Bernardino County |
| Head Starting | Becky Jones Mark Hagan Bob Parker Ed Waldheim | Calif Fish and Game Department of Defense BLM CORVA |
| Minerals | Gene Kuleza Ray Bransfield Mike Rauschkolb | Riverside Cement US Fish & Wildlife Service US Borax |

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|------------|--|--|
| | Rob Waiwood Bob Harik | BLM Mines Exploration |
| Monitoring | Dave Widell Bob Sackett Gerry Hillier Mike Ahrens Ed LaRue | CA Dept of Parks & Rec. Dist 37 Desert Vipers San Bernardino County BLM West Mojave Team |
| Recreation | Jeri Ferguson Ileene Anderson Harold Johnson Dave Wash Ed Waldheim | CA4WDC California Native Plant BLM BLM CORVA |

The group decided not to form a subcommittee for raven management. **Ed LaRue was appointed to ensure that the proposed Raven Management Plan is consistent with raven management contained in the other BLM regional plans currently under development.**

Next Meeting:

The next meeting was set for 9:30 AM on Wednesday, October 4, 2000 at the Green Tree Inn.

Subcommittee reports are due to Bill Haigh by Friday, September 22 and will be mailed to committee members on Monday, September 25.

Mohave Ground Squirrel Preview:

Ed LaRue provided an overview of the Mojave Ground Squirrel Evaluation Report. He indicated that the chapter is complete and awaiting final sign-off by the California Department of Fish and Game (CDFG). This sign-off is expected within a day or two. Official release of the chapter will be made as soon as possible. The chapter will be posted on the web site, and will also be e-mailed out to committee members. It has taken from late May till now to get consensus on the Chapter from CDFG, and to complete the final CDFG review. Ed provided a handout titled "Comparison of Management Areas and Prescriptions between the Desert Tortoise and the Mohave Ground Squirrel" and reviewed the handout with those present.

Ed mentioned what is probably the most critical difference between the proposed strategy and existing management, the change in survey requirements. Presently, pre-construction surveys must be conducted on private lands prior to construction, and can be done only during a very narrow window of time; if the window is missed, a project developer must wait until the following year. The new strategy would establish a Mohave Ground Squirrel Conservation Area on public

lands and, as a tradeoff, drop the requirement for pre-construction surveys on private lands.

The following points were made during the discussion of this item:

- What happens to the remainder of the plan if a jurisdiction refuses to implement proposed provisions such as the proposed “zoning for the life of the plan” east of Big Rock Creek in L.A. County?
- Kern County does not require a permit for someone to graze sheep on private property. How does the plan proposed to deal with this?
- West Mojave Team Staff need to provide a breakdown of public and private land in the proposed MGS Conservation Area.
- 100,000 scale maps of the MGS Conservation Area will be available at the October Task Group 1 meeting.