

CHAPTER ONE

INTRODUCTION

1.1 OVERVIEW

The West Mojave Plan (Plan) is a habitat conservation plan and federal land use plan amendment that (1) presents a comprehensive strategy to conserve and protect the desert tortoise, the Mohave ground squirrel (MGS) and over 100 other sensitive plants and animals and the natural communities of which they are a part, and (2) provides a streamlined program for complying with the requirements of the California and federal Endangered Species Acts (CESA and FESA, respectively).

The Plan is being prepared through the collaborative effort of cities, counties, state and federal agencies having jurisdiction over lands within the region. The Plan will allow streamlined project permitting at the local level, equitable sharing of costs among participants, and shared stewardship of biotic resources. The collaborators include:

- **Local Jurisdictions:** The cities of Adelanto, Barstow, California City, Hesperia, Lancaster, Palmdale, Ridgecrest, Twentynine Palms, and Victorville, and the towns of Apple Valley and Yucca Valley; the Counties of Inyo, Kern, Los Angeles and San Bernardino; and the Indian Wells Valley Water District.
- **State of California:** The California Department of Fish and Game and California Department of Transportation (Caltrans)
- **Federal:** The Bureau of Land Management and the United States Fish and Wildlife Service.

These agencies and local jurisdictions are cooperating with a variety of non-governmental organizations, including businesses, environmental organizations, user groups and others with a stake in the future management of the planning area, to develop the West Mojave Plan. Over 100 non-governmental organizations (NGO) have participated in this process. Representatives of the agencies, jurisdictions and NGOs comprise the West Mojave *Supergroup*.

1.1.1 Site Location and Description

The 9,359,070-acre planning area is located to the north of the Los Angeles metropolitan area (See Maps 1-1 and 1-2 and Table 1-1). The Plan's conservation program applies to both public and private lands within this area. These lands include 3,263,874 acres of BLM-administered public lands, 3,029,230 acres of private lands and 102,168 acres of lands administered by the State of California. The Plan will be consistent with the integrated natural resource management plans that have been adopted for 2,667,445 acres of military lands, and with programs being implemented on nearly 300,000 acres of lands within Joshua Tree National Park.

**Table 1-1
Land Ownership in Planning Area**

LAND OWNERSHIP	APPROXIMATE ACRES	APPROXIMATE PERCENTAGE
Private Landowners Counties and Cities	3,029,230	32
State of California	102,168	1
State Lands Commission	71,059	
Department of Parks and Recreation	27,166	
Department of Fish and Game	3,943	
Federal Government		
Department of the Interior	3,503,300	37
National Park Service	292,689	
Bureau of Indian Affairs	167	
Bureau of Land Management	3,263,874	
Forest Service	2,356	
Department of Defense	2,667,445	29
TOTAL	9,359,070	100

1.1.2 Environmental Impact Statement

The West Mojave Plan is a major federal action that has attracted a high level of public interest and participation. The Bureau of Land Management (BLM) would adopt the Plan through amendment of its California Desert Conservation Area (CDCA) Plan and approval of other actions called for by the West Mojave Plan. To comply with the National Environmental Policy Act, preparation of an environmental impact statement is necessary, and must be completed prior to a BLM decision to approve and adopt the Plan's conservation strategy.

This Environmental Impact Report and Statement (EIR/S) is intended to serve as BLM's NEPA compliance document for the West Mojave Plan and CDCA Plan Amendment. It is a broad-scope analysis of a proposed habitat conservation plan and six other alternatives, including the No Action Alternative. All subsequent environmental analyses for land-use proposals in the planning area could be tiered to the EIR/S.

A Notice Of Intent To Prepare A West Mojave Plan and Environmental Impact Statement was published in the Federal Register on December 5, 1991. This Notice announced the holding of public scoping meetings in January 1992. Meetings were held at the following locations: Ridgecrest (January 6, 1991), Barstow (January 7, 1991), Twentynine Palms (January 8, 1991), Bakersfield (January 9, 1991), Victorville (January 13, 1991), Lancaster (January 14, 1991), and Riverside (January 15, 1991). These meetings initiated the West Mojave planning process.

A federal *Revised Notice of Intent to Prepare West Mojave Plan and Environmental Impact Statement* was published in the Federal Register in May 2002. This notice announced the holding of seven additional NEPA scoping meetings. Those meetings were held at the following locations: Palmdale (June 26, 2002), San Bernardino (June 27, 2002), Victorville (June 28,

2002), Ridgecrest (July 1, 2002), Lone Pine (July 2, 2002), Pasadena (July 9, 2002) and Yucca Valley (July 10, 2002). At these meetings the suggested conservation strategy developed by the West Mojave Supergroup and its task groups was discussed and comments accepted. Comments received during scoping area available for public review at the BLM's California Desert District Office, Moreno Valley, California.

1.1.3 Program Environmental Impact Report

The County of San Bernardino and the City of Barstow are acting as co-lead agencies under the California Environmental Quality Act (CEQA) and are responsible for preparation of the portions of the document that pertain to state environmental review procedures. Because local jurisdictions may adopt the plan by enacting ordinances and/or amending land use plans, compliance with CEQA is required under California regarding actions taken by state agencies or local governments.

This EIR has been prepared in conformance with CEQA (California Public Resources Code 00 21000 et seq.), California CEQA Guidelines (California Code of Regulations, Title 14, 00 15000 et seq.), and the County and City local CEQA Guidelines. The EIR is intended to serve as an informational document for the public agency decision-makers and the general public regarding the characteristics and objectives of the proposed project, potential environmental impacts, recommended mitigation measures and reasonable alternatives to the project.

The EIR has been prepared as a Program EIR consistent with CEQA Guidelines Section 15168, which reads in part:

- (a) General. A program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:
- Geographically,
 - As logical parts in the chain of contemplated actions,
 - In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or
 - As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

Various advantages of use of a program EIR and its use with later activities are discussed further in the Guidelines Section 15168 (b)(c). This EIR is intended to serve as the foundation environmental document for review of subsequent actions within the West Mojave planning area for all related state agency and local jurisdiction discretionary approvals required to implement the proposed Plan. A list of agencies and jurisdictions that may use the plan as well as the actions that may be taken by those entities are displayed in Table 1-2.

Scope of the EIR: The scope of the EIR has been established through the various public meetings that have been held by the BLM over the last 10 years, but more extensively since 1997 when a re-structured planning effort was initiated by the participating agencies, led by the BLM. More recently, by the CEQA co-lead agencies conducted public scoping as required by CEQA to

[Click here for Map 1-1](#)

[Click here for Map1-2](#)

ensure that issues affecting the local jurisdictions and affected communities were addressed. The renewed planning effort by the BLM, as described in Sections 1.4.3 through 1.4.6, established a “Super Group” of interested stakeholders and a Steering Committee. In addition, Task Groups were convened that were open to any interest group or member of the public, which functioned as working groups to develop key elements of the plan. As described above, the BLM conducted formal scoping meetings pursuant to NEPA requirements during June and July of 2002. Subsequently, the CEQA co-lead agencies were identified and public scoping meetings as required by the CEQA Guidelines, were conducted to provide additional opportunities for the public to comment on the issues to be addressed in the EIR/S. The CEQA public scoping meetings were held during the public comment period for the Notice of Preparation of the EIR covering the plan. Written comments received in response to the NOP were also considered in establishing the scope of the EIR/S.

On December 27, 2002, a *Notice of Preparation of Environmental Impact Report for the West Mojave Plan on 6.4 Million Acres Located In California Desert Conservation Area* (NOP) was published by the San Bernardino County Land Use Services Department and the Kern County Planning Department. The NOP indicated that the counties would be coordinating the development of a programmatic EIR for the West Mojave Plan as co-lead agencies. The Notice of Preparation announced the holding of three CEQA scoping meetings. These meetings were held at the following locations: Bakersfield (January 9, 2003), Ridgecrest (January 10, 2003), and San Bernardino (January 16, 2003).

Due to additional interest in San Bernardino County’s role as co-lead agency, on January 24, 2003 the County of Kern and the County of San Bernardino released an *Extension Of Comment Period And Addition Of Second Public Scoping Meeting In San Bernardino County*. The additional scoping meeting was held in Victorville on February 5, 2003.

A Revised NOP was issued on April 9, 2003, which indicated that the City of Barstow would join San Bernardino County as co-lead agency instead of Kern County. Following the announcement by Kern County on March 10, 2003, that it no longer would act in the capacity of CEQA co-lead agency, the City agreed to serve in that capacity to represent the various cities that may participate in the West Mojave Plan.

Appendix U presents a summary of the comments received on the NOP and during the public scoping meetings. The issues to be addressed and the areas of controversy surrounding the West Mojave Plan are listed in the Section 1.4.1 of this document.

1.1.4 Incidental Take Permits

To allow the incidental take of federally listed species on private lands, the United States Fish and Wildlife Service (USFWS) would issue incidental take permits to local jurisdictions under the authority of Section 10(a)(1)(B) of FESA (Section 10(a) permits). To allow incidental take of state-listed species, the California Department of Fish and Game (CDFG) would issue incidental take permits to local jurisdictions under the authority of Section 2081 of CESA

(Section 2081 permits). The Plan would function as the “habitat conservation plan” (HCP) required by FESA as a precondition to the issuance of its Section 10(a) permit, and would indicate how the permit issuance criteria for both the Section 10(a) and Section 2081 permits would be met. The term of those permits would be thirty years.

The permits would allow the incidental take (that is, they would “cover”) 58 species, including 17 birds, 10 mammals, 5 reptiles and 26 plants. In addition, conservation programs would be incorporated into the BLM’s CDCA Plan that would address 63 species, including 19 birds, 10 mammals, and 34 plants.

1.1.5 EIR/S Organization

The EIR/S is organized into the following parts:

- **Chapter One - Introduction** provides an overview of the Plan, the reasons for its preparation, applicable statutes, regulations, and policies, and the history of the planning process.
- **Chapter Two - Alternatives** describes the seven alternative conservation strategies examined in detail by this document. A tabular comparison of these alternatives is provided. This chapter also describes other suggested strategies that were discussed during the planning process but ultimately eliminated from detailed consideration by the EIR/S.
- **Chapter Three - Affected Environment** describes those aspects of the natural and human environment that are likely to be affected by the adoption of the alternatives described in Chapter 2. These include the region’s biological, recreation and cultural resources, a social and economic profile of the western Mojave Desert, energy production and transmission, and a discussion of motorized vehicle access to public lands.
- **Chapter Four - Environmental Consequences** presents an analysis of the effects that adoption of each of the alternatives could have on the natural and human environment.
- **Chapter Five** addresses the relationship between local short-term uses of the environment and the maintenance and enhancement of long-term productivity, irreversible and irretrievable commitments of resources, growth inducing effects, energy consumption and conservation, environmental justice considerations, and effects found not to be significant. It includes references cited, a list of preparers and a table of acronyms.
- **Chapter Six** presents a summary of comments received during the scoping process.
- **Appendices** that include supporting technical materials and studies.

1.1.6 Use of EIR/S by Agencies and Jurisdictions

The EIR/S would be used by many of the collaborating agencies and local jurisdictions in making decisions concerning the West Mojave Plan. These entities are listed in Table 1-2 along with the possible uses of the EIR. Public agencies (i.e., Responsible and Trustee Agencies) that may use this EIR in their decision-making or permit processing, will consider the information in this EIR along with other information that may be presented during the CEQA process. The role

of a state or local public entity acting as a responsible agency under CEQA is described in Section 15096 of the CEQA Guidelines.

**Table 1-2
Agencies and Jurisdictions Expected to use EIR/S During Decision-making Process**

AGENCY/JURISDICTION	STATUS	POTENTIAL USE(S) OF THE EIR/S
Bureau of Land Management	NEPA Lead Agency	CDCA Amendment
San Bernardino County	CEQA Co-Lead Agency NEPA Cooperating Agency	Plan adoption and other implementing actions
Kern County	CEQA Responsible Agency NEPA Cooperating Agency	Plan adoption and other implementing actions
Inyo County	CEQA Responsible Agency	Plan adoption and other implementing actions
Fish and Wildlife Service	NEPA Cooperating Agency	Section 7 Consultation & Section 10a(1B) Permit
California Department of Fish and Game	CEQA Responsible and Trustee Agency	Incidental Take Permit per Section 2080
Caltrans	CEQA Responsible Agency	Plan adoption and other implementing actions
Adelanto	CEQA Responsible Agency	Plan adoption and other implementing actions
Apple Valley	CEQA Responsible Agency	Plan adoption and other implementing actions
Barstow	CEQA Co-Lead Agency	Plan adoption and other implementing actions
California City	CEQA Responsible Agency	Plan adoption and other implementing actions
Hesperia	CEQA Responsible Agency	Plan adoption and other implementing actions
Lancaster	CEQA Responsible Agency	Plan adoption and other implementing actions
Palmdale	CEQA Responsible Agency	Plan adoption and other implementing actions
Ridgecrest	CEQA Responsible Agency	Plan adoption and other implementing actions
Twentynine Palms	CEQA Responsible Agency	Plan adoption and other implementing actions
Victorville	CEQA Responsible Agency	Plan adoption and other implementing actions
Yucca Valley	CEQA Responsible Agency	Plan adoption and other implementing actions
Indian Wells Valley Water District	CEQA Responsible Agency	Adopt Plan

Per CEQA, the term “responsible agency” includes all public agencies other than the lead agency having discretionary approval power over the project. Responsible Agency means a public agency that proposes to carry out or approve a project, for which a lead agency is preparing or has prepared an EIR or negative declaration. Trustee Agency means a state agency having jurisdiction by law over natural resources affected by the project that are held in trust for the people of California. Per NEPA, “cooperating agency” means an agency (including, by agreement, a local agency) having jurisdiction by law or special expertise with respect to any environmental impact involved in a major federal action.

1.2 PURPOSE AND NEED

The West Mojave planning area is rich in biological diversity because of its varied vegetation communities and landforms and because of its location adjacent to the Transverse Ranges, the Sierra Nevada, the Colorado Desert and the Great Basin. With its proximity to the rapidly growing cities of the Los Angeles basin, the West Mojave planning area is subject to increasing demand for community development, recreation and resource utilization. One result is an increasing loss of species habitat.

Loss or degradation of species habitat along and beyond the urban interface can lead to the listing of plants and animals as threatened or endangered by the USFWS and/or the CDFG. USFWS has listed thirteen western Mojave species; CDFG has listed eleven; six are listed by both agencies (see Table 1-3). It was the listing of the desert tortoise by USFWS and CDFG in 1990 and 1989, respectively, that was the impetus for the preparation of the West Mojave Plan. Several dozen other plants and animals are at risk of listing in the next few decades, unless proactive conservation steps are taken.

**Table 1-3
Special Status Species Summary**

CATEGORY	LISTED	PROPOSED	OTHER	TOTAL
Fish	1	0	0	1
Amphibians	3	0	0	3
Reptiles	1	0	4	5
Birds	7	1	29	37
Mammals	1	0	13	14
Plants	8	0	55	63
TOTAL	21	1	101	123

Because species are interdependent, the steps necessary to conserve species cannot be taken in isolation. Species exist naturally as members of a network of varying connections to other species and their habitats. The inherent interdependence of species and ecosystems makes it difficult to protect any given plant or animal without taking into account factors that may apply to many species. Both species and natural communities must be considered.

Once a species is listed, federal agencies such as the BLM are required to ensure that declining populations *recover* to levels sufficient to ensure their long-term survival. Any new development project on public lands that may affect a listed species can proceed only after the agency “consults” with USFWS and receives a biological opinion finding that the project would not jeopardize the continued existence of the species in the wild. Once recovery is attained, the species can be delisted.

CESA and FESA impose special requirements on private lands as well. In most cases, persons may not *take* a species listed as threatened or endangered. This protection extends to the listed species’ habitat. Take is permitted, however, if a landowner obtains an incidental take permit. Such permits are required from the agency that listed the species (USFWS and/or

CDFG). Obtaining these permits can be a time-consuming and expensive process. Permitting delays will only increase if unattended biological problems lead to more species being listed.

This situation has led to two unmet needs, for: (1) a regional biological strategy to conserve plant and animal species and their habitats and prevent future listings; and (2) an efficient, equitable and cost-effective process for complying with threatened and endangered species laws.

The purpose of the West Mojave Plan is to satisfy both of these needs. The Plan includes a conservation strategy which would allow state and federal land management agencies to implement their mandates under FESA and CESA to recover listed species and their habitats, and to conserve natural communities. At the same time, it proposes a streamlined program which would significantly reduce the time and expense involved in obtaining biological opinions and incidental take permits.

1.3 RELATIONSHIP BETWEEN THE WEST MOJAVE PLAN AND THE EXPANSION OF FORT IRWIN

The National Training Center at Fort Irwin provides a battlefield environment for training brigade-sized units of the United States Army. It is the Department of the Army's premier combat training center. Due to changes in technology and tactics, the Army has sought to include additional lands within the boundaries of the installation to enable it to conduct training that meets the future combat needs of the Army. To this end, the Army has been examining possible base expansion scenarios for more than a decade.

In December 1996 the BLM, as lead federal agency due to its role as administrator of public lands likely to be included in any base expansion, published a draft Environmental Impact Statement titled "Army's Land Acquisition Project for the National Training Center, Fort Irwin California, and Proposed Amendment to the California Desert Conservation Area Plan." The DEIS examined several potential alternative base expansion scenarios, and was released for a 90-day public review.

In December 2001, Congress enacted the Fort Irwin Military Land Withdrawal Act. This statute withdrew approximately 110,000 acres of public lands adjacent to Fort Irwin and transferred jurisdiction from BLM to the Army. While the purpose of the transfer was to provide the lands necessary for expanded training at Fort Irwin, the Army was precluded from using the lands for that purpose until it completed the steps necessary to comply with NEPA and the federal endangered species act. Completion of these steps will require the preparation of a supplemental draft EIS (SDEIS) and a final EIS, and a Section 7 consultation with USFWS. Fort Irwin has assumed federal lead responsibility for preparation of the base expansion SDEIS, because the critical NEPA question has become the use of these lands by Army rather than their transfer to Army. The supplemental draft EIS will be published in 2003.

The Fort Irwin Military Land Withdrawal Act requires that "the analysis [of the Fort Irwin

base expansion] shall be coordinated, to the extent practicable and appropriate, with the review of the West Mojave Coordinated Management Plan that, as of the date of the enactment of this Act, is being undertaken by the Bureau of Land Management.” Accordingly, the preparation of this draft EIR/S has been coordinated with the Army’s base expansion planning team so that the information presented in each document is consistent and the potential and cumulative impacts of the projects are adequately addressed.

1.4 HISTORY OF THE PLANNING PROCESS

1.4.1 Planning Issues

The issues to be addressed by the West Mojave Plan have been identified through a ten-year public involvement process that began with a first round of scoping meetings (held in January 1992), increasingly frequent Supergroup meetings, several dozen meetings of task groups established by the Supergroup between December 1999 and May 2002, a final round of NEPA scoping meetings held in June and July 2002, and most recently concluding with CEQA scoping meetings held in January and February 2003 and an opportunity to comment on the Notice of Preparation for the EIR. A summary of the most important issues is presented in Table 1-4.

**Table 1-4
Planning Issues**

ISSUE	DISCUSSION
Desert Tortoise	Identify conservation areas and adopt conservation strategies that minimize take on private land and recover populations on public land.
Mohave Ground Squirrel	Identify conservation areas and adopt conservation strategies that minimize take on private land and recover populations on public land.
Other Listed and Sensitive Species	Adopt conservation strategies that minimize take on private land, recover populations on public land, and prevent future listings of unlisted species.
Streamlined Endangered Species Act Compliance	Develop a streamlined process that would allow applicants for city, county, state and federal permits and authorizations to accelerate existing costly and time-consuming permit issuance procedures.
Motorized Vehicle Access Network for Public Lands	Provide appropriate motorized vehicle access to public lands for commercial, recreational and other purposes in a manner that is compatible with species conservation.
Expansion of Fort Irwin	Develop conservation strategies that will be effective even if expanded military training programs are implemented on lands transferred in 2001 to Fort Irwin.
Standards and Guidelines for Public Lands	Develop rangeland standards for managing ecosystem health and guidelines for managing domestic livestock uses.
Regional Economic Growth	Promote economic growth within the planning area.

1.4.2 1992 Memorandum of Understanding

The West Mojave planning process was formally initiated in 1992 by the execution of a *Memorandum of Understanding By and Between the U.S. Bureau of Land Management and the Undersigned Participating Agencies* (MOU; see Appendix A). Recognizing that CESA and FESA direct the parties to “protect certain species of concern and their habitats from adverse effects resulting from public and private development and actions” and acknowledging that “the private sector cannot now be assured that project review will be timely or that mitigation, compensation, and other requirements will be consistent among the participating agencies” (MOU, page 1), the MOU identified the following “Purposes of the Plan”:

1. Protection of Species of Concern: To conserve and protect species of concern and the ecosystem on which they depend within the western Mojave Desert.
2. Provide Equity in Regulation: To provide a comprehensive means to coordinate and standardize mitigation and compensation requirements so that public and private actions will be regulated equally and consistently, reducing delays, expenses, and regulatory duplication. It is intended that the Plan will eliminate uncertainty in developing private projects and will prescribe a system to ensure that the costs of compensation/mitigation are applied equitably to all agencies and parties.
3. Reduce Cumulative Impacts: To prescribe mitigation measures for private development and agency actions to lessen or avoid cumulative impacts to the species of concern and eliminate, whenever possible, case-by-case review of impacts of projects when consistent with the mitigation and compensation requirements prescribed by the Plan. [MOU, page 2]

The MOU provided that the Plan “will function as the Habitat Conservation Plan for the [incidental take] permit applications” by participating local governments.

1.4.3 1997 Equitable Precepts

In mid-1997 the participating agencies, led by the BLM, restructured the planning process to ensure (1) greater public participation in developing a conservation strategy that would meet the needs of the participants, and (2) collection and use of the best science reasonably available, including recent field surveys. As a first step in this restructuring, on September 10, 1997, the West Mojave Supergroup adopted Equitable Precepts to guide the preparation of the West Mojave Plan. These consisted of the Mission Statement and Principles set forth below:

Mission Statement

The West Mojave Plan will provide an improved and streamlined process which minimizes the need for individual consultations with the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG) while providing better science for species conservation.

The [West Mojave] Plan will allow projects to be approved and signed-off rapidly. Project proponents will know the mitigation measures that will be required of them before the project is presented to the local government or, in the case of public land, presented to the state or federal agency.

Principles

1. The ultimate goal of the [West Mojave] Plan will be based on specified measures to enable project proponents to comply with the requirements of CESA and FESA.
2. The [West Mojave] Plan will be equitable, predictable and compatible with local, state and federal agency permitting procedures so as to be easily administered.
3. The mitigation strategy will be responsive to the needs and unique characteristics of the many diverse industries and activities in the program area on both public and private land while allowing compatible growth.
4. Project proponents shall have a choice of utilizing the conservation program or working directly with the CDFG or USFWS to address Endangered Species Act compliance.
5. The [West Mojave] Plan will incorporate realistic fiscal considerations, with identified sources, i.e. federal, state, local, public and private.
6. The [West Mojave] Plan will ensure that no one group of desert users will be singled out to disproportionately bear the burden of the [West Mojave] Plan implementation.
7. The [West Mojave] Plan will have the flexibility to respond to future legislative, regulatory and judicial requirements.

1.4.4 Data Base

The West Mojave Plan is based upon the best science reasonably available. To meet this standard, data were reviewed to identify pertinent life history information, assess threats to covered species, and provide the most appropriate management prescriptions to address those threats. Where existing information was considered incomplete, species experts were consulted to fill in the data gaps. The planning team consulted 8 botanists, 13 ornithologists, 3 mammalogists, and 4 herpetologists to ensure that data for those taxa were the most complete and accurate information available. For the desert tortoise, this meant collecting and digitizing existing transect data and performing new surveys over approximately 3,615 square miles that had not been recently surveyed. Previous planning for Mohave ground squirrel conservation (Remple 1991, Clark 1993) and recent studies (Leitner and Leitner 1989, 1990, 1996a, 1996b; Leitner et al. 1995, 1997) were important for designing reserves and determining appropriate management prescriptions. New field surveys were conducted in the spring of 2001 for sensitive birds and plants.¹

Biological data for the Plan were obtained from a variety of sources. The data were compiled, analyzed, and stored to support various components of the Plan preparation and implementation process. The sources of data include known location information for covered species and habitats. These data were compiled from various sources, including the following:

- California Natural Diversity Data Base (NDDB) records. Data from the NDDB were from 1999 and have been updated periodically since then.

¹ See Chapter 3 for a more detailed discussion of these data.
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- CDFG, BLM, Army and USFWS data.
- Data collected from biologists knowledgeable about the plan area and/or a given species. This included records from consultants and non-profit organizations (e.g. California Native Plant Society, Point Reyes Bird Observatory, Mojave Desert Bird Club).
- Data from individual biologists obtained during planning meetings.
- Location data from voucher specimens held in museums and herbaria.
- Published records and species distribution information from peer-reviewed journal articles, where information on species has been described at an appropriate scale.
- Presence-absence tortoise survey data resulting from studies required by county and local government since the 1990 listing.

Dr. William Boarman prepared a survey of the threats adversely affecting the desert tortoise for the West Mojave planning effort. This was the peer-reviewed *Threats to the Desert Tortoise: A Critical Review of the Scientific Literature* (attached as Appendix J). Dr. Boarman's threats analysis was instrumental in identifying potential conservation measures to address each known threat adversely affecting the tortoise.

Species Accounts: For each plant or animal addressed by the Plan, a *Species Account* was prepared. A wildlife biologist or botanist possessing recognized expertise concerning the species in question authored each of these documents. The accounts described the general status, habitat, life history, distribution, biological goals, and threats faced by each species, as well as a detailed bibliography. All species accounts were peer reviewed. GIS maps were created for each species showing known occurrences and general distribution, and all cited papers and reports were obtained and copies filed.

Current Management Situation: In March 1999, a report was published detailing the *Current Management Situation of Special Status Species in the West Mojave Planning Area* (CMS). This report identified existing policies and management actions being applied by each of the participating agencies with respect to each of the species being addressed by the Plan.

Geographic Information System Database: A digital library of over 300 geographic data layers was assembled, displaying biological, political, topographic and other critical planning information.

Motorized Vehicle Access Network Field Survey: Between September 2001 and March 2002, thirteen field crews inventoried nearly 8,000 miles of motorized vehicle access routes within the western Mojave Desert. Both four wheel drive and motorcycle crews participated in the survey. Routes were recorded using global positioning system technology. The nature of the route (graded gravel, good dirt, motorcycle trail) was recorded, and nearly two-dozen types of pertinent desert features mapped (including campsites, mines, trailheads, and water sources). This information was transferred into the planning team's digital GIS library. In addition, data collected by BLM field survey crews in 1985 and 1987, and during the preparation of BLM management plans for areas of critical environmental concern between 1980 and the late 1990s, was digitized and stored in the GIS database. This data was supplemented by data digitally

collected from aerial photography taken in 1995 and 1996, and covering most public lands within the planning area.

1.4.5 Biological Evaluation

Following the assembly of the database, a “Biological Evaluation” was conducted in a series of meetings between March 1998 and June 2000. Participants included biologists from the West Mojave planning team, USFWS, CDFG and invited experts. Biologists evaluated the effectiveness of current management, identified management shortfalls, and suggested measures to address those shortfalls. Evaluation meetings were structured around the following seven questions:

- How important is the planning area to the species as a whole?
- Does the planning area contain essential habitat for the species to complete its life history?
- Why was the species placed on the special status list? What is the concern?
- Is current management adequate to protect the species?
- Is the geographical size and location of conservation areas adequate to protect the species? If not, what additional areas need to be committed to assure protection of the species?
- Is the management of proposed conservation areas adequate to protect the species? If not, what management improvements could be implemented to assure protection of the species within the target conservation areas?
- Is management of lands outside conservation areas adequate to protect the species? If not, what management improvements could be implemented to assure protection of the species outside conservation areas?

An Evaluation Report addressing the Desert Tortoise, mammals, birds, fish, reptiles and amphibians was published on September 22, 1999 and distributed to the Supergroup. A Mohave ground squirrel Evaluation Report was completed and distributed on September 14, 2000. Finally, an Evaluation Report addressing rare plants was completed and distributed on October 15, 2001.

1.4.6 Task Groups Develop the Conservation Strategy

In November 1999, the West Mojave Supergroup established four task groups to develop components of the West Mojave Plan. Task group members were not appointed; rather, any organization or individual could attend and participate in a task group meeting. All meetings were open to the public and, at one time or another, a representative of nearly every Supergroup entity attended a task group session. Task groups were not established to make decisions for the participating agencies and jurisdictions, nor were they intended to function as formal appointed advisory bodies. Rather, the task groups provided an informal public forum to allow collaborative interagency and stakeholder planning and information gathering, as an extension of public scoping efforts. These Task Groups included:

- Task Group 1, Conservation Strategy
- Task Group 2, Motorized Vehicle Access Network
- Task Group 3, Regulatory Issues
- Task Group 4, Plan Implementation

A 14-member Steering Committee was established by the Supergroup to resolve deadlocks and provide guidance to the task groups.

Task groups met 47 times between December 1999 and May 2002. On two occasions task groups deadlocked on issues. Six meetings of the Steering Committee successfully resolved these deadlocks.

Numerous issues were too complex or controversial to resolve at a single task group meeting. In such cases, subcommittees composed of volunteers were asked to discuss the issue and return with a proposed solution at the following task group meeting. Task Group 1 formed over a dozen subcommittees that dealt with issues as diverse as the expensive tortoise fencing program, desert recreation, mitigation fees and compensation structure, and “best management practices” to apply as standard take-avoidance measures. To assist Task Group 2 and the route designation process, two subcommittees were formed: a field survey advisory group and a route designation technical committee. A subcommittee might meet once or, once established, be recalled on numerous occasions to address difficult issues. Over 50 subcommittee meetings were held in addition to task group meetings.

As the task group process evolved, certain issues would emerge that would result in considerable public interest or controversy, including the design of the motorized vehicle access network and the role of equestrians in desert planning. When this occurred, public information meetings were held throughout the desert on an irregular basis. About a dozen of these meetings, attended by up to 250 persons, were held during the task group process. Many persons who first became involved through these meetings later joined one or another of the task groups.

1.4.7 Public Review of EIR/S

A 90-day public review is being provided for this EIR/S. Public hearings will be held at several locations. Following the completion of the review, written and oral comments received from the public will be considered and addressed in a Final EIR/S.

1.5 NECESSARY DECISIONS AND APPROVALS

1.5.1 Agency and Jurisdiction Decisions and Approvals

Bureau of Land Management Implementation of the West Mojave Plan on public lands would require approval of the Plan by the BLM's California State Director through a Record of Decision (ROD). This approval process would include the amendment of the CDCA Plan to ensure consistency with the provisions of the West Mojave Plan. By executing the ROD, BLM will adopt both the West Mojave Plan and any necessary CDCA Plan amendments. The amendments that would be necessary to implement each alternative are listed in Chapter 2, beginning with Section 2.2.10, the amendments associated with Alternative A.

The West Mojave Plan Record of Decision would also amend 25 existing Area of Critical Environmental Concern (ACEC) management plans, and would serve as the ACEC management plan for 14 newly-designated ACECs. These new and revised ACEC management plans may be found in Appendix D.

The BLM Record of Decision will be issued after the final environmental impact report and statement is published, and after any protests are submitted and resolved.

Cities and Counties: Adoption of the West Mojave Plan by cities and counties would not require amendments to local jurisdiction general plan land use elements. Modifications of city and county conservation elements may occur, however, to provide reference to the West Mojave Plan and associated conservation strategies. Certain jurisdictions may also amend their zoning and development ordinances to provide consistency with the HCP's conservation strategies. Local jurisdictions adopting the West Mojave Plan would need to adopt a fee ordinance in order to implement the mitigation fee described in Chapter 2.

Measures applicable to each jurisdiction are identified in Appendix B.

United States Fish and Wildlife Service: For the West Mojave Plan's streamlined FESA compliance procedures to be implemented, USFWS would have to issue an incidental take permit under Section 10(a) of FESA to the participating cities and counties, and to Caltrans. This could include the issuance of "no surprises" assurances for unlisted species. A biological opinion prepared pursuant to Section 7 of FESA would have to be issued to the BLM and any other participating federal agencies.

California Department of Fish and Game: CDFG would issue an incidental take permit under Section 2081 of CESA to the participating cities, counties and Caltrans.

1.5.2 Relationship to Statutes, Regulations and Policies

All decisions and approvals would be consistent with applicable federal and California

statutes, regulations and policies, including but not limited to the following:

- Federal Endangered Species Act
- California Endangered Species Act
- National Environmental Policy Act
- California Environmental Quality Act
- California Planning Statutes
- Federal Land Policy and Management Act
- National Historic Preservation Act
- California Desert Protection Act
- Clean Water Act
- Clean Air Act
- Wilderness Act
- Taylor Grazing Act
- Sikes Act
- Mining and Minerals Policy, and National Materials and Minerals Research and Development Acts
- Mining, Mineral Leasing, Material Disposal and Reclamation Acts
- Federal Executive Orders and Congressional Mandates

1.5.3 Relationship to Other Regional Plans

Southern California and southern Nevada are the sites of a number of important regional planning efforts, many of which are addressing the same issues that are being considered by the West Mojave Plan (see Map 1-2). These include regional habitat conservation plans, natural community conservation plans and federal land use plans and amendments. In fact, most of the land surface between Las Vegas, Nevada and San Diego, California lies within the scope of an ecosystem-planning program.

The following is a brief summary of major planning efforts being undertaken immediately adjacent to or within the West Mojave planning area.

Coachella Valley Multiple Species Conservation Plan (CVMSCP): The lead for this plan is the Coachella Valley Association of Governments. The planning area includes most of the urban and urbanizing area of the Coachella Valley as well as the Santa Rosa Mountains, within Riverside County, and lies adjacent to and southeast of the West Mojave planning area. The plan is primarily addressing issues of urbanization, but, as the area is within the CDCA, some decisions will also amend the CDCA Plan. As part of this planning effort, BLM has prepared a CDCA plan amendment applicable to CVMSCP's federal lands. This plan will serve as a habitat conservation plan, so decisions will apply to federal, state, and private lands. Both CVMSCP and the West Mojave Plan are developing conservation strategies for species whose range overlaps both planning areas. These include the management of the Little San Bernardino Mountains gilia, the triple-ribbed milkvetch, the Whitewater ACEC (including its bighorn sheep issues) and, to a minor

degree, the desert tortoise. A Record of Decision for the BLM Coachella Valley CDCA Plan Amendments was signed in December 2002.

Northern and Eastern Mojave Plan (NEMO): The BLM's NEMO plan addressed recovery of the desert tortoise and management of a few additional species of concern on public lands. NEMO addressed only BLM programs, and only the BLM's CDCA Plan was amended; private lands and other federal agencies were not affected. The NEMO planning area lies to the northeast of the western Mojave Desert, in the area that generally lies between Death Valley National Park and the Mojave National Preserve. The most important cross-boundary issues that affect both NEMO and West Mojave involve the management of a small Mojave ground squirrel population northeast of Trona, and ensuring that CDCA Plan Amendments are consistent. A Record of Decision for NEMO was signed in December 2002.

Northern and Eastern Colorado Plan (NECO): The NECO plan, like NEMO, primarily concerned the management of BLM lands located to the east and southeast of the West Mojave planning area, although a broader-based planning program was conducted in collaboration with the Marine Corps, the National Park Service and local governments. NECO's decisions affected federal lands only. The most important cross-boundary issues that affect both NEMO and West Mojave involve the management of the Mojave fringe toed lizard (two thirds of the known range lies within the West Mojave, and one third within NECO), as well as ensuring that CDCA Plan Amendments are consistent. A Record of Decision for NECO was signed in December 2002.

Southern California Province Forest Plan: This plan is being prepared by four National Forests located in Southern California, including the Angelus and San Bernardino National Forests, which are adjacent to and south of the West Mojave planning area. Decisions reached by the Southern California Province Plan will affect National Forest lands only. The most important cross-boundary issues that affect both the Forest Service planning efforts and the West Mojave Plan involve the development of the Carbonate Habitat Management Strategy; developing conservation programs for the San Diego horned lizard, the short-joint beavertail cactus, the gray vireo and the arroyo toad; and the development of motorized vehicle access networks.

Military Integrated Resource Management Plans (INRMPs): Each of the five military bases located within the West Mojave planning area has prepared, or is preparing, an INRMP to guide the management of natural resources on each base. The INRMPs affect military lands only. The most important cross-boundary issues that affect both the West Mojave Plan and INRMPs follow: (1) For Edwards Air Force Base, management of the desert tortoise, Mohave ground squirrel, alkali mariposa lily, desert cymopterus and Barstow woolly sunflower; (2) for China Lake Naval Air Weapons Station, the management of the desert tortoise, Mohave ground squirrel, Townsend's big-eared bat, bighorn sheep, and Inyo California towhee; (3) for Fort Irwin, management of desert tortoise and the Lane Mountain milkvetch; (4) for the Marine Corps Air Ground Combat Center at Twentynine Palms, the management of the desert tortoise, California leaf-nosed bat, bighorn sheep, Mojave fringe-toed lizard and white-margined beardtongue; and (5) for the Marine Corps Logistics Base near Barstow, the management of the desert tortoise.