

Tortoise Tracks

The Desert Tortoise Preserve Committee, Inc.

Winter 1997, 17:3

TRACEY BROWN TO GIVE ANNUAL BANQUET PRESENTATION

Tracey Brown, an expert on the natural history, behavior and physiology of the desert horned lizard, will be the featured speaker at the Desert Tortoise Preserve Committee's Annual Meeting and Banquet in Victorville on Saturday, January 10, 1998.

Ms. Brown did her undergraduate work at the University of California, Berkeley, and prepared a senior honors thesis on past and recent distributions of the coast horned lizard in northern California. After graduating from Berkeley in 1991, she started working with Dr. Ken Nagy at UCLA. Since then she has focused her research on the physiology and ecology of horned lizards at Fort Irwin. Tracy has worked with other reptiles doing survey projects at Fort Irwin including looking at the effects of military training exercises on reptile distribution and biology. She is also part of a research project comparing the effects of size versus age in small desert tortoises and adult parrot-beaked African tortoises. She expects to complete her dissertation on desert horned lizards and graduate with a Ph.D. in June of 1998.

Ms. Brown presented some of her research findings at a Fort Irwin symposium last April and made quite an impression on two of our Board members! We anticipate a colorful slide presentation and a lively discussion on everything you ever wanted to know about horny toads.

Dinosaur of the Desert

Life of the Horned Lizard

Make your reservations early for Ms. Brown's presentation at the Annual Meeting and Banquet. Send in your check and reservation form now.

ANNUAL MEETING AND BANQUET

The Desert Tortoise Preserve Committee, Inc. will host the annual meeting of the corporation and banquet on Saturday, January 10, 1998 at the Green Tree Inn in Victorville. The meeting of the corporation is open to all members and to the general public.

The afternoon meeting offers an opportunity to meet other Committee members and the current Board of Trustees. Hear first-hand about the Committee's accomplishments during 1997 and plans for 1998.

If you cannot make the annual meeting in the afternoon, we hope you will plan to join us in the evening for the social hour, dinner and a program by Tracey Brown on the desert horned lizard.

Schedule of events for January 10, 1998:

Annual Meeting 2:00 - 5:00 p.m.

Social Hour 5:00 - 6:00 p.m.

Dinner and Program 6:00 - 9:30 p.m.

A reservation form for the banquet and program with directions to the Green Tree Inn in Victorville can be found on page 7. Please note that reservations must be received by December 31, 1997.

MOJAVE GROUND SQUIRREL STATUS UPDATE

GAINING GROUND

The Amicus Journal, Fall 1997 - Volume 19, No. 3

Twenty-six years ago, the Mojave ground squirrel was one of the first animals to be listed under the California Endangered Species Act. But if the California Fish and Game Commission had its way in court, the Mojave ground squirrel would have had the dubious distinction of being the first species to be taken off that list long before it was out of danger. Fortunately, the Commission lost its case.

This threat to the squirrel and the ecosystem it inhabits goes back to 1993, when Kern County asked the Commission to take the squirrel off the list. The County claimed that the animal's presence on the list hurt the economy by preventing construction and development. The Commission agreed.

In response, the National Resources Defense Council, as part of a broad coalition of environmental groups, took the Commission to court, arguing that the delisting was unsupported by the scientific evidence and had not been subjected to the state's mandatory environmental impact review process.

First in the trial court and again in California's Court of Appeal, NRDC and the coalition successfully championed the squirrel's case and won protection for its 7,000-square-mile habitat just north of Los Angeles. But the Commission and Kern County appealed yet again. In July, California's highest court upheld the ruling and the squirrel will retain its listing. (California Supreme Court)

CHRYSLER CORPORATION AD FOR JEEP AND EAGLE DEALERS DETRIMENTAL TO DESERT TORTOISE

Members of the Desert Tortoise Preserve Committee and members of your Board of Trustees have received numerous complaints from the public about a television advertisement seen on several Los Angeles and Bakersfield stations. The ad opens with a sequence with a rabbit (a black-tailed hare) and is followed by another of a 4WD vehicle driving through desert country. The vehicle stops, the driver's door is opened and a live desert tortoise appears to be dropped to the ground and bounces with a resounding thump. The tortoise then moves forward toward a chalked finish line and the advertising statements begin.

The Desert Tortoise Preserve Committee and many of our supporters, members of the California Turtle and Tortoise Clubs, the Desert Tortoise Council, government agencies and taxpayers have contributed hundreds of thousands of dollars over the last 30 years to educate the public about appropriate treatment of wild desert tortoises. A substantial portion of our work is being undermined by a single corporate advertisement.

One of our members called the Customer Relations Manager at Chrysler Corporate Headquarters on November 13 regarding this ad. The person responding to the complaint was not particularly responsive to our concerns, but did admit that Chrysler Corporation had received numerous complaints regarding dropping the tortoise out of the vehicle. Chrysler stated that the tortoise was a dummy (which some of us question) and that callers were satisfied when they were told that the tortoise used was a dummy. The representative said that Chrysler was unaware that the desert tortoise is a federally and California State listed species; that they were unaware of the plight of the tortoise and the threat posed by human handling and vehicles. Chrysler Corporation had not considered that their message might promote rough and inhumane treatment of desert tortoises and wildlife in general and would directly counter extensive, expensive (to us) and ongoing public education efforts regarding protection of this threatened species. They had not considered their ad would be in direct conflict with the goals of the Endangered Species Act of 1973 (as amended), and would portray use of sport utility vehicles as environmentally damaging and reckless. They had not, at that time, considered withdrawing the commercial.

We are deeply concerned about the detrimental, subliminal messages imbedded within this advertisement which imply:

- That desert tortoises can be dropped out of vehicles, sustain a 1 to 3 foot drop, and suffer no harm.
- The desert tortoise can be collected in the desert, transported by just anyone, and then be dropped (relocated) at another site.
- Threatened species, such as tortoises, do not need special consideration and treatment, particularly by large corporations.

- Large corporations are above the law and can violate the Endangered Species Act (federal and state).

- Large corporations can use ignorance of the law as a defense while condoning cheating to win a race.

Take Action Now

Contact Chrysler Corporation directly and express your concern. Ask that the ad be stopped and replaced with an educational announcement about protecting the species to make up for the damage done. Also ask that corporate producers and promoters of such ads adhere to the letter of the law and the general appearance of appropriate behavior regarding protection of threatened species and not depict environmentally damaging activities.

Call Chrysler Corporate Headquarters

Write to Chrysler and the U.S. Fish and Wildlife Service and express your concerns at the following addresses:

Chrysler Corporate Offices:

Mr. Jamie Jameson, Advertising Manager
Corporate Marketing Department
Chrysler Corporation
1000 Chrysler Drive, Code: 485-05-73
Auburn Hills, Michigan 48326
(Telephone # 248-576-5741)

and

Mr. Kyle Lentz, District Manager
Chrysler Corporation
7700 Irvine Center Drive, Suite 300
Irvine, CA 92618
(Telephone # 714-450-5100)

Contact the U.S. Fish and Wildlife Service. Send a cover letter requesting immediate agency action along with a copy of your letter(s) to Chrysler to:

Supervisor, Ventura Office
U.S. Fish and Wildlife Service
2493 Portola Road, Suite B
Ventura, CA 93003

and

Regional Director
U.S. Fish and Wildlife Service, Region I
911 NE 11th Avenue
Portland, OR 97232-4181

LWCF APPROPRIATIONS FOR DESERT TORTOISE HABITAT ACQUISITION

The Land and Water Conservation Fund (LWCF) was established by Congress in 1964, to provide funds for the acquisition of public lands. Each year \$700 million is deposited in the fund, primarily from oil and gas leasing and royalties. The LWCF Act directed Congress to allocate money, through an annual appropriation process, for the purchase of land, water, and wetlands in our national parks, forests, wildlife refuges, and other resource lands. By law, any revenue deposited in the fund that is not appropriated by Congress is retained and available for expenditure in subsequent fiscal years.

In the past, the California Desert District of the Bureau of Land Management (BLM) has received Congressional appropriations for desert tortoise habitat acquisition. The Desert Tortoise Preserve Committee (DTPC) has expended nearly \$2 million in privately raised matching funds from 1984 to 1996 to acquire about 3,500 acres of desert tortoise habitat within and near the Desert Tortoise Natural Area in eastern Kern County and at Pilot Knob in San Bernardino County. However, starting in fiscal year (FY) 1994, Congress abandoned this highly successful program that has attracted significant public support and the BLM ceased receiving Congressional appropriations from the LWCF for desert tortoise land acquisition. Since FY 1994, the BLM has received a disproportionate share of LWCF funding for Kangaroo Rat habitat acquisition in the Santa Rosa Mountains and Otay Mountains, receiving priority as directed by the Department of Interior. The DTPC's active acquisition efforts within the DTNA, which involves purchasing land from landowners and re-selling land to the BLM in order to recycle funds, has as a result been severely impaired. The FY 1997 Department of Interior Appropriations bill appropriation was only \$100 million in LWCF funds to the four federal land management agencies (BLM \$10 million; NPS \$30 million; USFWS \$30 million; and USFS \$30 million). Of that only \$8,000 went towards the direct purchase of desert tortoise habitat within the DTNA. Due to the lapse in Congressional commitment, the DTPC has been forced to impose a moratorium on habitat acquisition starting last year. Efforts in direct acquisition to acquire inholdings and provide education and scientific support at the DTNA annually now remains underutilized.

Current measures are needed to increase the visibility of the desert tortoise program and revive Congressional-BLM funding of land acquisition at the DTNA in particular, and for desert tortoise Critical Habitat, in general. Tortoise habitat acquisition need not be positioned as a competitive factor among other important habitat acquisition programs, but rather as a co-equal concern. FY 99 requests are sent to the Secretary of the Interior at the beginning of June 1998. Habitat acquisition within the DTNA is high priority within the West Mojave Coordinated Management Plan (WMCMP), but the completion of the plan remains in the future. The DTPC

and its membership need to focus efforts for FY 99 in a three-pronged approach: 1) increasing visibility among BLM policy makers and political representatives; 2) increasing BLM ranking points for the DTNA; 3) and simultaneously developing a FY 99 BLM funding request for desert tortoise land acquisition in conjunction with the staff of BLM Ridgecrest Resource Area, California Desert District and California State offices; and establishing a liaison with the USFWS 's Coordinator for Land Acquisition Priority.

Last year, the LWCF Coalition, of which the DTPC is a member, and the Committee for American Outdoors, an advocacy group for spending LWCF revenues as mandated, officially merged into the "American Heritage and Recreation Campaign" to restore and strengthen the LWCF by securing the funding necessary for land acquisition, conservation and outdoor recreation. Until 1980, allocations from the LWCF generally matched annual revenues. Since then, inadequate annual appropriations, averaging only \$245 million have resulted in forfeited acquisition opportunities or in significantly increased purchase costs. Although an \$11 billion credit has accrued on paper, deficit spending has consumed these funds. Recouping this lost revenue will require a reordering of congressional budget priorities. The American Heritage and Recreation Campaign is focused on raising public awareness of the LWCF while continuing to work for LWCF appropriations and specific legislative initiatives for restoring LWCF habitat acquisition funding. Unfortunately, recently a new bill under consideration concerning Department of Interior appropriations would allow an unspecified amount of the annual \$700 million in LWCF funds to be used, for the first time ever, for the operations and maintenance needs of the four federal land management agencies. While those needs are no doubt important ones, this de facto amending of the original LWCF stature, poses a serious threat to the integrity of the fund and its ability to address our ongoing natural resource protection needs.

Concerned members of the DTPC are urged to contact the following to express support for LWCF funding for land acquisition of desert tortoise habitat within the DTNA and additional desert tortoise Critical Habitat throughout the its range.

- Lee Delaney, Area Manager, BLM Ridgecrest Resource Area, 300 S. Richmond Rd., Ridgecrest, CA 93555

-Henri Bisson, District Manager, BLM Desert District Office, 6221 Box Springs Blvd., Riverside, CA 92507

- Tim Salt, Acting District Manager, BLM Desert District Office, 6221 Box Springs Rd., Riverside, CA 92507

- Ed Hasty, State Director, BLM, 2800 Cottage Way, Sacramento, CA 95825

- Pat Sea, Director, Bureau of Land Management, Washington, D.C. 20240

- John Garamendi, Deputy Secretary of the Interior (*and lead proponent of Riverside County - Kangaroo rat habitat acquisition efforts*), Washington, D.C. 20240

- Bob Armstrong, Assistant Secretary of the Interior, Washington, D. C. 20240

FEATURING VOLUNTEERS

Annual Fall DTNA Work Party The annual Fall Work Party on November 8 was attended by 13 volunteers. Prior work party veterans, first-timers and participating Bureau of Land Management staff included Bob Brooks, Letty Brooks, Dan Fowler, Chuck Hemingway, Debby Main, Catherine O'Riley, Bob Parker, David Raich, Peter Ruddock, Joyce Schlacter, Loretta Scott, Mary Shepherd, and Laura Stockton. Four of the volunteers, who came down from the San Francisco Bay area, are affiliated with Desert Survivors; three are BLM staff members from the Ridgecrest Resource Area Office; four are DTPC members; one is a local California City resident; and Debby, who was visiting with the Brooks', came all the way from Bellingham, Washington.

Prior to the Work Party BLM Ranger, Dan Fowler had patrolled the entire fence line to assess the necessary repairs. (Thank you, Dan.)

Starting at the Interpretive center, the crew divided into two teams lead by BLM biologists Bob Parker and Joyce Schlachter. While enjoying perfect weather conditions and good company, one team did fence repairs and replaced signs along 8 miles of the DTNA's east boundary fence. The other team did the same along 9.5 miles of fence on the south and west boundaries.

A big thank you to the Work Party participants for your dedication and a job well done.

DESERT TORTOISE COUNCIL'S 23RD ANNUAL MEETING AND SYMPOSIUM SCHEDULED FOR APRIL 1998

The Desert Tortoise Council will host its twenty-third Annual Symposium on Friday, Saturday, and Sunday, April 3-5 at the InnSuites Hotel in Tucson, Arizona. A field trip is scheduled for Monday, April 6.

InnSuites is located at 475 N. Granada, just off Interstate 10. Refer to the address when making reservations, as there is more than one InnSuites in Tucson. The room rate is \$69 plus tax, single or double occupancy, about \$10 under government per diem. You must mention you are with the Desert Tortoise Council to get this rate. Make your reservations early as they will only hold the block of rooms until 30 days prior to the Symposium. The toll free reservation number for InnSuites is 800-446-6589.

Contact Marc Sazaki for Symposium reservation forms by calling 916-654-5061 or by writing to:

Desert Tortoise Council
1616 40th Street
Sacramento, CA 95819-4035

Registration fees vary depending on whether you are a student, a member, non-member or register late. Register prior to March 4 for the early registration discount.

The call for papers has already been issued. You can request a copy by contacting Dr. Kristin H. Berry at 951-697-5361.

EXCERPT FROM THE DTNA NATURALIST REPORT

Tortoise Observations - This past spring, from 8 March through 25 May, the naturalist on site at the Natural Area, Interpretive Center reported a total of 109 individual tortoise sightings by the naturalist and visitors. The naturalist observed 50 tortoises (41 marked and nine unmarked). Twenty-four of those tortoises were seen in March, 25 in April, and one in May. Visitors reported an additional 59 sightings. The naturalist observed one carcass and a visitor reported seeing one carcass. No tortoises, observed by the naturalist this spring, exhibited symptoms of URTD; all seemed healthy and alert.

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