Tortoise Tracks

The Desert Tortoise Preserve Committee, Inc.

Spring 2010 30:1

Long-term Fencing Goal Completed at Harper Lake Road

Harper Lake Road Project

In December of 2009 the Desert Tortoise Preserve Committee (DTPC) accomplished the long-term goal of completing the installation of desert tortoise exclusion fencing along Harper Lake Road in San Bernardino County, California. The completion of the Harper Lake Road Fencing Project is the result of a successful multi-agency effort to ensure compliance of mitigation conditions under federal and state permits.

Project History

Decades before the current land rush for renewable energy siting, of which we've heard so much over recent months, Solar Electric Generating Systems (SEGS) had been granted approval to build three separately owned facilities making up nine solar fields in the western Mojave Desert. One of these facilities, composed of SEGS VIII and IX, was built at Harper Dry Lake, north of Highway 58, between Kramer Junction and Barstow, California. This site, the largest solar power plant in the world, was only accessible via Harper Lake Road. The projects were certified in 1989 and 1990 by all of the major resource agencies involved in the permitting of energy projects (i.e. U.S. Fish and Wildlife Service, the California Energy Commission, the California Department of Fish and Game, and the Bureau of Land Management). The agencies had an interest in strict compliance under mitigation commit-



ments for these solar projects which included the installation of protective fencing along Harper Lake Road and the construction of wildlife culverts to allow the safe passage of animals under the road which would have increased traffic due to the construction and maintenance of SEGS VIII and IX.

Five years after the construction of the solar facilities, mitigation measures had not been implemented. After the SEGS VIII & IX solar plants were constructed, the owners of the facility undertook a financial reorganization that may have resulted in default of permit conditions important for the protection of the desert tortoise and its habitat. Other reason cited for non-compliance with

required implementation was the difficulty of tracking down and working with numerous private land owners to obtain permission to fence their properties. In 1995, the DTPC working with appropriate agencies, assumed mitigation responsibilities to protect local desert tortoise population. The DTPC's assumption of fencing and monitoring duties demonstrated the need for non-governmental organizations to collaborate with federal and state agencies in permitting decisions. But for the DTPC's role in fencing and monitoring Harper Lake Road, the road and traffic impacts associated with the new solar plants would not have been adequately mitigated.

Goals and Accomplishments

The DTPC achieved three major Continued on page 2-3



goals at Harper Lake Road. First, by conducting three years of monitoring of wildlife/road interactions, the DTPC developed an understanding of the use of road culverts which portions of the road were most frequently used for wildlife crossings. Based on monitoring data, the DTPC constructed a wildlife culvert at the location most frequently used by wildlife to cross Harper Lake Road. Next, the DTPC constructed tortoise-proof fencing as well as specially designed tortoise-proof gates which facilitated both protection for the tortoise and respect for private property owner's rights to access their land. The DTPC's ability to complete the fencing project was enabled by a road encroachment permit issued by the San Bernardino County Department of Transportation. The encroachment permit was not only a practical solution to fencing areas where private owners were unwilling to grant an easement, but also a means to involve local government planning departments in the overall conservation goals of the project. Often times, county and city governments are not actively involved in furthering federal and state environmental permits conditions. By involving San Bernardino County, the DTPC's creative use of the road encroachment permit for environmental protection may serve as a model for involving local government jurisdictions in environmental protection activities.

The implementation of this project occurred in four phases

between 1997 and 2009 and included: conducting initial and ongoing monitoring of wildlife; the construction of a wildlife culvert in 2004; and three phases of desert tortoise exclusion fencing installation and gate construction (1997, 1999, and 2009) along the eastern and western sides of Harper Lake Road for a total project area of almost 12 linear miles!

Special thanks to the DTPC Board of Trustees, Mr. Jun Lee DTPC Land Acquisition Specialist, Marc Sazaki and Steve Munro of the California Energy Commission, Ray Bransfield of the U.S. Fish and Wildlife Service (USFWS), Tom Egan of the Bureau of Land Management's Cadastral Survey and Barstow Resource Office, Becky Jones and Tonya Moore of the California Department of Fish and Game, Mark Bratton USFWS Authorized Biologist, Donald Bowman of the San Bernardino County Department of Transportation, Sun Coast Advisors, Golden State Fence, Our Valley Fence Company, and Merrell Johnson Engineering.



The Current Situation

The completion of this project could not have come at a better time to adequately protect the desert tortoise. The Abengoa Mojave Solar project proposed to be constructed on private land just south of the existing SEGS VIII and IX is expected to be in operation by 2013. Plant construc-



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The Desert Tortoise Preserve Committee, Inc. Founded 1974

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tion alone will dramatically increase the use of Harper Lake Road as 1,200 construction jobs are expected to be generated in the short term. Secretary of the Interior Ken Salazar and California Governor Arnold Schwarzenegger visited Harper Lake Road on March 22, 2010 and toured the existing SEGS facility "now owned by NextEra" calling it a prime example of the future of renewable energy production for the nation.

The DTPC considers Harper Lake Road to be a story of successful partnerships and hopes this project serves as an example of long-term dedication to the preservation of the desert tortoise. For more information on the Governor's visit to Harper Lake Road visit (http://www.doi.gov/news/pressreleases/Secretary-Salazar-Gov-Schwar-

Special thanks to the following for their contributions to the DTPC:

Guy Moinerny Bevann Moisi Thomas Grose Arthur Lillund Inland Empire Chapter of the CTTC Joanne Nissen Ellen Werback lim & Marilin Henke Donald Beldin David Sandoval Martin & Nancy Thomas Janette Evans Ed Bradley Bruce & Cynthia Gaya Debra Beckett Robert Meyers Desert Rose Garden Club Lee & Mary Parsons Catherine H. & Ted M. Williams Anita Gryska

Donations were made in the names of the following individuals:

Jací Pappas Laura Stockton Drs. Jim & Judí Sarkisian

A special donation was made in the memory of:

Emma Spaulding

Calendar of Events



July 7-12, 2010: A symposium "Head-starting Turtles-Learning from Experience" will be part of the joint meeting of Ichthyologists & Herpetologists held in Providence, Rhode, Island.

July 16-17, 2010: The San Diego Turtle and Tortoise Society is hosting the 2010 Annual Turtle and Tortoise Show and Plant Sale at Balboa Park in Casa del Prado in room 101 in San Diego, California. Visit www.sdturtle.org for more information.

August 5-6, 2010: The Southwest Partners for Reptile and Amphibian Conservation (PARC) annual meeting will be held in Fort Collins, Colorado. For more information visit www.swparc.org

August 14, 2010: The California Turtle and Tortoise Club Inland Empire Chapter Annual Turtle and Tortoise Show will be held from 10:00 AM-4:00 PM at the Redlands Senior Citizen Center, in Redlands, California. For more information visit www.tortoise.org/inlandempire.

October 16-17, 2010: The Desert Tortoise Preserve Committee is hosting our annual Fall Work Party at the Desert Tortoise Natural Area. For more information e-mail dtpc@pacbell.net or call (951) 683-3872.

Highlights of the 35th Annual **Desert Tortoise Preserve Committe**

General Meeting and Banquet

by Stephanie Pappas

It is hard to believe that The Desert Tortoise Preserve Committee celebrated its 35th Annual General Meeting and Banquet this year. The committee was thrilled to see many familiar faces and several new individuals attend both the annual meeting and banquet. This year marked one of the largest numbers of attendees in the past decade. The committee would like to thank all of you, that joined us, for your dedication and ongoing support. Protecting the desert tortoise and the ecosystem in which it lives is clearly a goal which all of those attending the meeting and banquet share in common.

2010 Annual Meeting

During the annual meeting attendees heard about our major success stories, financial stability, achievements in 2009 and our goals for 2010. Several of our partners presented information on our collaborative efforts and their organizations.

Laura Stockton, Treasurer of the DTPC provided an overview of 2009 income, expenses, assets, and liabilities. Total income for 2009 was \$175,443 and came from General Income, including dues and sales (\$165,444), and Grants and Special Donations (\$10,000). Expenses for 2009 totaled \$175.868 and included Program Services (\$43,453), General/ Administrative (\$38,395), Fund-raising (\$574), Education/ Stewardship (\$25,219), and Land Acquisition (\$68,154). Assets in 2009 totaled \$11,185,179 and included Unrestricted Cash Assets (\$227,167), Temporary Restricted Accounts (\$614,732), Permanently Restricted Accounts (\$1,517,623), and other Assets (Land) (\$8,825,657).

Both, Jun Lee from Lee Law Firm the DTPC mitigation and land acquisition consultant and Melissa Nicholson, our Office Administrator and Preserve Manager reported on the DTPC's long-term Harper Lake fencing achievement and other accomplishments in 2009.

The Harper Lake Fence Project was completed in December of 2009 and is



Artist Joan Woodson (It) and Ginny Stigen (rt), President of San Diego Turtle and Tortoise Society

a major accomplishment for the DTPC. The Harper Lake Road Fence Project started 15 years ago and includes a 12 mile long fence (with tortoise fencing) on both sides of Harper Lake, with access gates and a culvert. The DTPC completed the project within the \$489,300 budget. (Complete cover story page 1).

The DTPC continued habitat improvement projects at "Camp C" involving vertical and horizontal mulching and water micro-catchments. We have been closely monitoring the effectiveness of these restoration treatments and attendees at the meeting were shown before and after pictures at "Camp C" and given preliminary data on this important project.

Invasive mustard continues to be a priority of the DTPC. In 2009 volunteers and members of the DTPC assisted with removal of this invasive plant species at Cache Creek in the southwestern portion of the Desert Tortoise Natural Area (DTNA).

The Chuckwalla Preserve Complex Habitat Management Plan was updated and approved by the Board. It has been sent to the agencies (Bureau of Land Management (BLM), California Department of Fish and Game (CDFG), and the United States Fish and Wildlife Service) for review. Comments are still pending. In 2009, the DTPC became a member of the Coachella Valley Conservation Commission Reserve Management Oversight Committee because of our ownership of land within the Chuckwalla Desert Wildlife Management Area (DWMA).

We also completed a daunting task of updating and finalizing our Statement of Qualifications required by the CDFG to serve as a habitat mitigation agent.

The DTPC gave 9 educational presentations and attended 12 community outreach events in 2009 continuing our on going efforts to educate the public on the importance of protecting the desert tortoise and the habitat in which it lives. We were also proud to announce that 1,200 visitors came to the Desert Tortoise Natural Area in 2009.

The DTPC goals for 2010 include updating the Desert Tortoise Natural Area Habitat Management Plan, applying for Off Highway Motor Vehicle Recreation Division Grants, redesigning our education program, recruiting new Board members and volunteers, removing more invasive mustard at the DTNA, continuing habitat improvements and monitoring at Camp C, and on going mitigation and land acquisition activities with a special focus on solar energy projects and the feasibility for large-cale mitigation.

Robert Pawelek, Resources Branch



Chief for the Ridgecrest BLM, provided an overview of BLM's management actions at the DTNA and goals for 2010. He gave an excellent update on Ranger activities, OHV permits issued in 2009, and discussed the BLM's solar and wind project review process.

Casey Burns, a Biologist, from the Natural Resource Conservation Service (NRCS), gave an overview of the 2009 Wildlife Habitat Incentives Program (WHIP) accomplishments at the DTNA. He discussed how the DTPC and NRCS have worked together to implement the WHIP project including habitat improvements, adaptive management, and research and monitoring at "Camp C". An overview of the NRCS mission was given which was of particular note as the agency is celebrating its 75th anniversary. The NRCS was established by Congress in 1935 as the Soil Conservation Service (SCS) and has become a conservation leader ensuring private lands are conserved and restored. They help landowners with conservation planning and creating healthy ecosystems. To learn more about the NRCS visit, http://www.nrcs.usda.gov.

Our final speaker was Pat Smith (Lt.), Executive Director of Earthshare California. Pat provided an overview of

Earthshare's mission and its long-term member's partnership with the DTPC. Pat shared the importance of this workplace giving program and the benefits it brings to environmental conservation organizations, like the DTPC. Pat also discussed Earthshare of California's achievements in 2009 and a few goals they are striving for in 2010.

2010 Annual Banquet

At this years banquet we had one of our most exciting fund raising events. Several pieces of beautiful art work were donated and our guests seemed delighted with the prospect of taking these items home. Prehaps the most interesting item of the evening was the gigantic paper mache torotise which Ginny Stigen, President of the San Diego Turtle and Tortoise Socieity took



home with her. As you can see this item was not easy to fit in the car to get it home. What a

unique, creative piece of art work. We thank artist, Joan Woodson, for her special donation to the DTPC.

After dinner our guests enjoyed our featured speaker Richard Dicky, a well noted photographer, who took our guest through an incredible journey of scenic desert landscapes of mountains and valleys painted with wildflowers that captured your imagination and inspired all of us to become better photographers.

2010 Award Recipients

Small Photo Plaques were presented to Carrie Woods and Shelly Ellis of the BLM Ridgecrest Office. Carrie (rt Col. 3) started working at the BLM just over two years ago. Since then she has been an excellent advocate for the desert tortoise and worked tirelessly with the



DTPC on a variety of issues. She has been especially instrumental in helping plan our spring and fall work par-

fall work parties. She brings positive energy into all of her interactions which makes working with her a true pleasure.

Shelley has been insturmental in coordinating the strong relationship between the DTPC and the BLM. Last year, it was evident that she sought out creative ways in which the DTPC and the BLM could work together. For example, Shelley Ellis successfully secured \$38,400 of mitigation fees that BLM was holding since 1991 and engaged the DTPC under a MOU to acquire between 10 and 15 acres of Mohave ground squirrel habitat with the use of these funds.

The Large Photo Plaque was awarded to Casey Burns. Casey (top center) is an individual that has provided insight and planning to the DTPC since 2005 in efforts to accomplish a very difficult goal of restoring desert habitat. The challenge of restoring habitat completely devoid of vegetation and highly compacted from years of off highway vehicles is unfathomed by most of us but not Casey. Our successes at "Camp C" would not be notable without Casy's on going dedication and enthusiasm.

Golden Tortoise Award went to Steve Munro (top lt) who has been an advocate for the DTPC within the California Energy Commission. He was instrumental Continued on page 7

An Apology...

The Desert Tortoise Preserve Committee (DTPC) sends a sincere apology to Hector Villalobos, Field Manager of the Bureau of Land Management's (BLM) Ridgecrest Field Office. We inadvertantly overlooked Hector Villalobos speaking at our annual meeting about the partnership between the BLM and the DTPC. He had planned to provide an update on some of the management activities implemented by the BLM in 2009. We also extend our apology to the banquet attendies for this oversite as the information that Hector would have shared is of great interest to all. As a result, we are publishing Hectors notes for the benfit of our membership and other readers of Tortoise Tracks.

Updates from BLM Field Manager Hector Villalobos

The Desert Tortoise Natural Area: The BLM is a partner in management at the Desert Tortoise Natural Area (DTNA) and a portion of the salary for the short-term Naturalist each spring comes from the BLM's Challenge Cost Share Funding. Funding in the amount of \$10,500 is available for the spring of 2010. The BLM will be submitting a request for similar funding for 2011.

Solar Energy Applications in tortoise habitat: Solar Millennium and BLM are in the process of writing an EIS for the Brown's Road proposed solar thermal plant. During spring surveys 69 tortoises were located on the site. Calculated tortoise density on this site is greater than the densities found in DWMAs based on the surveys. A translocation plan is being written by the CEC, USFWS, CDFG, and BLM that will be implemented if the project is approved.

Wind Energy Applications: BLM has had dozens of applications for meteorological towers that precede applications for wind turbines, depending on what the data reveals. A CDC Plan Amendment will be completed to identify what areas are suitable for development of alternative energy. Public input will be requested during the process.

Rand Mountain Management Area (RMMA) Phase I:The BLM is still in Phase I of the RMMA Education and Permit Program. The focus of this phase is outreach and education. Permits are free. The BLM with help from the Student Conservation Association (SCA), Friends of Jawbone, and the California City PD have conducted outreach in and around the RMMA on weekends with a high frequency of visitation. Over 19,000 permits have been dispersed. Approximately 80% of OHVers are in possession of a permit when contacted by law enforcement. With the implementation of Phase I, two corridors were re-opened in a closed area and are now monitored for compliance. Monitoring has been performed by BLM Rangers, Recreation staff, and volunteers. From November 1, 2008 until January 19, 2010, 139 days of monitoring were conducted. A total of 15 fence cuts were found along the corridor fence on ten different days. Off-route and cross country travel, as shown by fresh OHV tracks, continues to occur sporadically, mostly during holiday weekends. Kiosks (11) have been updated and maintained and designated routes have been graded and signed.

Rand Mountain Management Area (RMMA) Phase II: Phase II, anticipated to take effect in October of 2010, will require the user to complete an education program and purchase a permit.

While this project is still in final planning stages, the main components have been agreed upon. Users will be allowed to review the educational material online or by using a printed course booklet and then be required to take a quiz. Visitors who successfully complete the quiz can purchase a permit that comes with an armband to be worn so it is visible to passing law enforcement. Until Phase II is developed, Phase I will be in effect and original permits will remain valid. Funding was recently secured to develop Phase II of the program. A new Outdoor Recreation Planner has just come on board and a California State Parks Off-Highway Motor Vehicle Recreation (OHMVR) Education grant was obtained to aid in the implementation of Phase II.

Student Conservation Association (SCA) crews: SCA crews are restoring routes in the Jawbone ACEC, the Rand Mountains, and the El Paso Wilderness. The Rands Crew has restored 75 illegal incursions since November 2009.

Ranger Enforcement: The BLM has been able to use Rangers from other areas for holidays. The Kern County Sheriffs Department and other BLM non-law-enforcement staff assist with monitoring when available.

El Paso Tortoise Study: A team of biologists under contract from USGS (Dr. Kristin Berry) completed studies in the El Paso Range to identify heath, age structure, and density of tortoises. The project will help with route designation in the El Pasos.

Grazing Permit Environmental Assessments: BLM has completed Environmental Assessments (EAs) for the Walker Pass Lacy-Cactus-McCloud, and Pilot Knob cattle allotments. The proposed action for the Pilot Knob allotment is relinquishment. The Lava Mountain sheep EA is being rewritten. The rest of the grazing permit EAs have been completed, but some are being protested.

Wildlife Guzzlers: BLM, Quail Unlimited, and Desert Survivors are continuing to check guzzlers for potential drowning hazards to tortoises and other wildlife. Escape ramps can be slick, preventing tortoises and other wildlife from escaping after accidentally falling inside. Volunteers are placing wire mesh on the ramps to allow better traction for escaping wildlife.

Sheep grazing: There will be 8 or 9 operators in the Ridgecrest area. The season goes from approximately March 15-June 1, 2010. We anticipate 25-30 bands of sheep with 800 ewe-lamb pairs per band. For turn-out, forage must be 230 lb/acre outside a Desert Wildlife Management Area (DWMA) and 350 lb/acre inside a DWMA.

Tortoise Interpretive Panels: Volunteers have started installing interpretive panels at trailheads in the Rademachers. They will place at least 3 sets consisting of 2 displays, 1 about the wild desert tortoise and 1 about pet tortoises. This has been funded partly by the BLM's Take It Outside Initiative to educate youth about nature. If the DTNA would like a set, BLM will donate them.

"Gypsum Queen": A plan for a gypsum mine on the SW side of Koehn Lake has been submitted to BLM and is currently in the NEPA process. The USFWS has issued stipulations that they feel will prevent adverse impacts to the tortoise. An EA will address additional concerns, and there will be a public comment period.

DESERT TORTOISE PRESERVE COMMITTEE			
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in crafting hallmark mitigation projects that involved our organization, projects such as: the High Desert Power Project; Southern California Gas Company; Kern River Gas Transmission Company; Blythe Energy and many more. His consistent stewardship of mitigation, monitoring, and permit compliance issues for large scale energy projects is exemplified in his 16 year oversight of the recently completed Harper Lake Road Fencing Project.

Our famous **Walking Stick** award was given to **Ileene Anderson**, Biologist and Public Lands Deserts Director, for the Center of Biological Diversity this year. She is an individual that fits conservation causes with elegance and grace. She spear heads the greatest challenges and controversy relating to biodiversity of the desert and our precious desert tortoise. However, she is also focused on many conservation projects in Tejon Ranch, the Santa Clara River Watershed, and other areas in California. She is in the public eye and actively in the media focusing on the importance of species survival and protecting the ecosystems in which they live. She understands the importance of biodiversity, the impact of greenhouse gas emissions, and urbanization. Her dedication to be the voice of the public's land and so many threatened species is admirable.

The DTPC also had three **Special Awards** this year. **Jun Lee** (pg 5 top rt) the DTPC's long-term mitigation consultant was honored for his dedication and commitment to this organization. He worked side by side with Steve Munro in the 16 year project at Harper Lake. His ability to see long term projects through from beginning to end is remarkable. His patience in

dealing with land mitigation and acquisition, his stamina to complete tedious regulator projects and documents, his ability to fulfill all the expectations given to us from government agencies, and those given to him from the committee are mind boggling. The entire committee thanks Jun for all his superior, phenomenal work and especially the completion of the Harper Lake Project last year.

Two Certificates of Appreciation Awards were given to people that we often forget to take the time to thank, the people that are closest to us in our every day lives. These individuals see the dedication of the DTPC Board of Trustees and they support our efforts in so many ways. Both Ray Butler and

John Keough were honored this year for all they do.

Ray (rt) has dedicated endless hours as a Financial Committee member, assisting in overseeing the investment decisions. He has performed endless financial re-

search for the Committee providing sound advice and excellent judgement. He is always cheerful and a fun loving person dedicated to several other conservation organizations.

John is a generous, easy going individual that has a fondness for the desert tortoise and the wilderness. This year he was instrumental in assisting the DTPC with remodeling our educational discovery centers to make them portable, donating a portion of the supplies and his time. Over the years these two individuals have done so much and we thank them both for all their support.

THE DESERT TORTOISE YOU TO ATTEND OUR

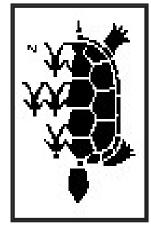
FALL WORK PARTY!!

The dates for the event are October 16-17, 2010!

If you are interested in participating please

call (951) 683-3872 or e-mail the DTPC at

<a href="mailto:callto:



Activities will includes
Maintaince of Restoration Area
Collection of Vertical Mulch
Planting & Seeding
Desert Clean-up
Optional Camping

This work party will provide a great opportunity for individuals to learn more about and land restoration and some of the techniques that are currently being employed by the DTPC to improve the habitat at the DEPC to improve the habitat at the



Dr. Kristin Berry (tt) and Photographer Richard Dicky (tt)

Desert Tortoise Preserve Committee 35th Annual General Meeting and Banquet





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