

**MEMORANDUM**

To: Jennifer Guigliano  
Lyndon Quon  
CC: Sara Head  
Kimberly McCormick

From: Alice Karl

Date: September 21, 2008

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This is the response to Judy Hohman's and Julie Vance's requests in the 25 August workshop requesting more information on the translocation activities, including the site for any desert tortoises moved from the Beacon site. It also takes into consideration Data Request 78 in Data Request #2. Even though this latter request is directed toward burrowing owls, the same issues would apply to desert tortoises. So, while we don't want to respond to Data Request 78 with vocabulary about tortoises, I think it's important to be sensitive to Susan's concerns in the context of our response to Judy's and Julie's concerns.

Just to reiterate our conference call discussions, we don't want to term this "translocation" or "relocation". This will prompt the agencies to call for a formal translocation plan, which would be a detailed plan including monitoring and a subsequent study that would have to be approved by all resource agencies. Given the situation at Beacon, where we have argued that the site, while possibly hosting a transient tortoise or two, is not useful tortoise habitat, then we don't want to offer a formal translocation plan.

Suggested Response:

It is anticipated that if any tortoises are observed on the Beacon Plant Site during clearance surveys, these animals would be near the site's border, either in the extreme south near the wash (the only vegetative cover on the site in the south) or in the northwest. Any animals found in the open would probably be very near the Plant Site boundary, where there is tortoise habitat immediately outside. Because of the highly degraded and discontinuous vegetation in the wash and the undesirable biotic and abiotic features existing on the remainder of the Plant Site, it is unlikely that even the border areas of the Plant Site would be included in any observed tortoise's home range. If they were to comprise a very small part of a tortoise's home range, any such areas certainly would be outside the tortoise's core use area. By moving tortoises outside the Plant Site boundary to the nearest habitat, the Project would be maintaining tortoises within their home range, not translocating them. The tortoises would merely be excluded from undesirable areas. There would be no effect on the population.

Sites where tortoise exclusion would occur would be on Beacon land, but outside the Project perimeter fence. In the south or southeast, where the re-routing of Pine Tree Wash would occur, it is understood that any exclusion to that area would be prior to the grading of the wash. However, it is anticipated that tortoises moved there would immediately seek a familiar burrow, possibly outside the wash area. Since monitoring would be continuous for the wash construction, no tortoise would be harmed during that construction. All tortoises moved, whether from the Plant Site, during fence construction, or during construction for linear facilities, would be monitored to ensure their safety. All handling would be conducted within the constraints detailed in DT2 and DT3 of the AFC.

Following the completion of the Pine Tree Wash re-routing, the wash will be revegetated to provide habitat in which tortoises and other species may construct burrows.