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California Energy Commission

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09-RENEW EO-1

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Sent via email and U.S. Mail

RE: Additions to the National Conservation Lands and Lands with Wilderness Characteristics in the Draft Desert Renewable Energy Conservation Plan and Environmental Impact Statement

Please accept and fully consider these comments and recommendations on the draft Desert Renewable Energy Conservation Plan (DRECP) and Environmental Impact Statement (EIS) on behalf of The Wilderness Society (TWS) and California Wilderness Coalition (CalWild). Our organizations have a longstanding investment in the protection and conservation of public lands in the California Desert. We applaud the work that BLM has done to incorporate National Conservation Lands additions and lands with wilderness characteristics in the draft DRECP and provide the following comments and recommendations on these important units and other areas that are deserving of protection. We appreciate your consideration of these comments and welcome any questions or feedback you may have.

I. National Conservation Lands Additions

This year, BLM celebrates the fifteenth anniversary of the establishment of the National Landscape Conservation System (National Conservation Lands). This system is comprised of the nation's newest collection of protected public lands. The National Conservation Lands bring together approximately 30 million acres of BLM lands, trails and rivers designated for protection by Congress or the President. Managed by the BLM, the units of National Conservation Lands represent the crown jewels of the BLM, a network of some of the last places to experience the beauty, history and adventure of the American West.

We appreciate the unique opportunity that the agency has to formally add units to the National Conservation Lands through special provision in the Omnibus Public Land Management Act of 2009 (Omnibus). The Omnibus makes the National Conservation Lands a permanent system of public lands conservation with the stated purpose "to conserve, protect, and restore nationally significant landscapes that have outstanding cultural, ecological, and scientific values for the benefit of current and future generations." 16 U.S.C. § 7202(a). As acknowledged in the draft

plan at II.3.2.2.1, the Omnibus defines the lands to be included in the system as “public land within the California Desert Conservation Area administered by the Bureau of Land Management for conservation purposes.” 16 U.S.C. § 7202(b)(2)(D). Rather than individually identifying those areas in the CDCA that would become part of the National Conservation Lands, Congress deferred to the BLM to decide which lands in the CDCA would be classified as “administered for conservation purposes” and added to the system.

While the statutory directive in the Omnibus does not require BLM to identify National Conservation Lands through a land use planning process, such as the DRECP, we appreciate the opportunity to engage through the DRECP to help identify those conservation lands of the California Desert that will become part of the National Conservation Lands. We believe that BLM’s Preferred Alternative in the draft plan represents a thoughtful approach by the BLM to identify areas with nationally significant ecological, cultural or scientific values, connect habitat and areas of ecological diversity and integrity and protect important cultural and botanical resources. We also support BLM’s recognition of the scenic and recreational values of many of these lands. We appreciate and support the rationale for protecting the subareas as National Conservation Lands in the Preferred Alternative. The following comments provide recommendations for improving the management of the National Conservation Lands in the DRECP as well as other areas that should be added to the National Conservation Lands in this process.

A. BLM should clarify in the DRECP that National Conservation Lands additions cannot be reversed through agency action; and can only be undone by Congress.

The 2009 Omnibus provides that the National Conservation Lands “shall include each of the following areas administered by the Bureau of Land Management,” which explicitly includes “public land within the California Desert Conservation Area administered by the Bureau of Land Management for conservation purposes.” 16 U.S.C. § 7202(b). This includes lands that BLM is currently administering for conservation purposes, such as existing ACECs, DWMA’s and other conservation areas, as well as those lands identified through this planning effort. Once identified, these lands are part of the National Conservation Lands and the statute makes no provision for them to be altered – similar to the other designated lands identified, such as wilderness, national monuments, national conservation areas, wild and scenic river segments, national scenic or historic trail segments, and other identified special areas. The only arguable exception is wilderness study areas (WSA), which are designated pending review by Congress. Per BLM, “Until Congress makes a final determination on a WSA, the BLM manages these areas to preserve their suitability for designation as wilderness.”¹ Once again, this does not give the BLM unfettered authority to change the status of lands designated as part of the National Conservation Lands.

Further, the purpose of formalizing the National Conservation Lands in the Omnibus is to turn an existing administrative structure into something permanent. The legislation explicitly makes the National Landscape Conservation System permanent. Consequently, creating a category of designation within the National Conservation Lands that can be administratively removed would undercut, and indeed contravene, the purpose of the legislation that BLM is fulfilling.

¹ http://www.blm.gov/wo/st/en/prog/blm_special_areas/NLCS/wilderness_study_areas.html

In addition, we note that Congress regularly provides direction to agencies to clarify or identify aspects of conservation areas, which does not undercut their permanence. For example, the 2009 Omnibus, for the Dominguez-Escalante National Conservation Area, provided: “[a]s soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of the Conservation Area and the Wilderness...” and that “[t]he Map and legal descriptions filed under subsection (a) shall have the same force and effect as if included in this subtitle.” Public Law 111-11, Section 2404. Similar language appears in relation to the Wild Monongahela Wilderness (Public Law 111-11, Section 1001(b)) and other provisions of the Omnibus. The 2009 Omnibus also provided for the designation of Potential Wilderness, such as the Roaring River Potential Wilderness Area, providing that:

On the date on which the Secretary publishes in the Federal Register notice that the conditions in the potential wilderness area designated by subparagraph (A) are compatible with the Wilderness Act (16 U.S.C. 1131 et seq.), the potential wilderness shall be—

- (i) designated as wilderness and as a component of the National Wilderness Preservation System; and
- (ii) incorporated into the Roaring River Wilderness.

Public Law 111-11, Section 1202(c). Similar language appears in relation to the Kimberling Creek Potential Wilderness (Public Law 111-11, 1103(d)) and other provisions of the Omnibus. Once made, these designations are unquestionably permanent even though the affected agency must first identify areas or conditions that justify its status after the legislation has been passed.

The establishment of national monuments is a parallel situation that supports the foregoing interpretation of the Omnibus as it applies to identification of National Conservation Lands. Under the Antiquities Act of 1906, Congress delegated its authority to designate national monuments on federal public lands to the President for “the proper care and management of the objects to be protected.” 16 U.S.C. § 431. This is analogous to the Congressional direction to the Executive branch in the Omnibus to include “public land within the [CDCA] administered by the [BLM] for conservation purposes.”

Congress gave the President the authority to establish national monuments, but not the authority to repeal the designation.² For example, when the proposal to repeal the Castle-Pinckney National Monument was sent to President Franklin Roosevelt in 1938, the Attorney General wrote a legal opinion stating the following:

The grant of power to execute a trust, even discretionally, by no means implies the further power to undo it when it has been completed. A duty properly performed by the Executive under statutory authority has the validity and sanctity which belong to the statute itself, and, unless it be within the terms of the power conferred by that statute,

² See, Mark Squillace, *The Monumental Legacy of the Antiquities Act of 1906*, 37 GA. L. REV. 473, 550-567 (2003), for a more in depth discussion of the President’s lack of authority to abolish or modify national monuments under the Antiquities Act.

the Executive can no more destroy his own authorized work, without some other legislative sanction, than any other person can.³

The same is true when applied to the delegation of authority under the Omnibus. The BLM has been given the authority to identify and designate BLM lands in the CDCA for conservation purposes, but it has not been given the power to abolish or reduce those areas once established.

The management direction for the National Conservation Lands is also instructive. Secretarial Order 3308 speaks to the management of the National Landscape Conservation System. The Order states in the pertinent part that “BLM shall ensure that the components of the NLCS are managed to protect the values for which they were designated, including, where appropriate, prohibiting uses that are in conflict with those values.” The 15-Year Strategy for the Conservation Lands reinforces this by stating the “conservation, protection, and restoration of the NLCS values is the highest priority in NLCS planning and management, consistent with the designating legislation or presidential proclamation.” National Conservation Lands Strategy, p. 8.⁴ BLM Manual 6100 also provides direction on how the National Conservation Lands should be managed, stating: ‘As required under the Omnibus Act of 2009, the BLM will manage NLCS units to “conserve, protect, and restore nationally significant landscapes.”’ Manual 6100, p. 1-5.⁵

Recommendation: The Omnibus establishes the status of the National Conservation Lands units and does not envision the BLM being able to change that status. Therefore, once the agency designates lands within the CDCA as part of the National Conservation Lands, the BLM cannot change that status through land use plan revisions or amendments. Interpreting these designations otherwise would undermine the purpose of the National Conservation Lands. The fact that BLM is using the ongoing DRECP planning process to identify applicable lands does not mean that the designations are somehow subject to future planning or change the permanence of their status as part of the National Conservation Lands. As a result, we strongly urge BLM to expressly provide within the DRECP that National Conservation Lands designations are permanent in the sense that these designations cannot be undone except through an act of Congress.

B. All National Conservation Lands additions should be recommended and evaluated for a mineral withdrawal.

As mandated by the Omnibus, BLM must manage the National Conservation Lands “in a manner that protects the values for which the components of the system were designated.” 16 U.S.C. § 7202(c). Any uses that are incompatible with the protection of the values of the National Conservation Lands should be prohibited. BLM also has the authority to recommend to the Secretary of the Interior that additions to the National Conservation Lands be withdrawn from mineral development to ensure that these units are adequately protected as required by law.

³ 39 Op. Att’y Gen. 185, 187 (1938) (quoting 10 Op. Att’y Gen. 359 (1862)). There have been no proposals by a President to repeal a national monument since this Opinion was published.

⁴ http://www.blm.gov/style/medialib/blm/wo/Communications_Directorate/public_affairs/news_release_attachments.Par.16615.File.tmp/NLCS_Strategy.pdf

⁵ http://www.blm.gov/style/medialib/blm/wo/Information_Resources_Management/policy/blm_manual.Par.64370.File.dat/6100.pdf

Although the National Landscape Conservation System is a diverse network of varying management regimes, one common management thread among National Conservation Lands is the withdrawal from mining activity.⁶ Mining withdrawals are important tools to ensure that the integrity of conservation units is not jeopardized by harmful activities in the future. Just as the National Conservation Lands are excluded from renewable energy development in the draft DRECP, these lands should also be proposed for mineral withdrawal so that the Secretary of the Interior has the chance to study these areas for their compatibility with mining.

Unfortunately, the Preferred Alternative in the draft plan does not recommend that the National Conservation Lands be withdrawn from mining. Instead, these areas are recommended to be treated as “controlled” or “limited” locatable mineral use areas in the CDCA. 43 C.F.R. § 3809.11. *See*, draft plan at II.3.2.2.1.1. However, the draft plan proposes the following approach for Alternatives 2, 3 and 4:

- The BLM would develop priority list of subareas for potential withdrawal.
- Initiate segregation of one subregion annually and complete mineral withdrawal review process (within 2-year time frame for each subregion).

Mining for locatable minerals is inherently incompatible with protection of the National Conservation Lands. The National Conservation Lands additions under all alternatives should be recommended for withdrawal from this use in the DRECP and fully considered by BLM in this process. If BLM does not recommend all of the National Conservation Lands additions for withdrawal in the DRECP, it should commit to a phased approach where all of the subareas are eventually analyzed for potential withdrawal. BLM should commit to completing one subarea per year starting with the highest priority areas.

Recommendations: In order to adequately protect the National Conservation Lands additions from the damage that mining could cause, BLM should consider recommending all of these units for withdrawal of locatable minerals, with the exception of rockhounding and casual use prospecting, as those terms are defined by the BLM. If BLM does not recommend all of the National Conservation Land additions for withdrawal of locatable minerals, it should develop a priority list of the National Conservation Lands units for potential withdrawal and initiate segregation of one subregion annually to complete the mineral withdrawal review process. Withdrawal proposals should be completed within the 2-year segregation timeframe.

⁶ The exception to this general rule is for wilderness study areas. FLPMA provided that mineral surveys be conducted before the agency made recommendations for wilderness designation and that existing mining and mineral leasing continue in the manner and degree as these activities were occurring prior to October 21, 1976. 43 U.S.C. § 1782. FLPMA also states that “Unless previously withdrawn from appropriation under the mining laws, such lands shall continue to be subject to such appropriation during the period of review unless withdrawn by the Secretary under the procedures of section 204 of this Act for reasons other than preservation of their wilderness character.” *Id.*

C. BLM should clarify the intent behind disturbance caps for the additions to the National Conservation Lands.

In the draft plan, BLM sets limits for development in National Conservation Lands, ranging from 0.25% to 1% of the total authorized disturbance, depending on the alternative. Draft plan at II.3.2.2.1.1. As we understand it, we support the intent behind the disturbance caps for the National Conservation Lands. We appreciate BLM considering the cumulative past, present and future disturbance as part of the disturbance cap. However, BLM should clarify how the disturbance caps are supposed to operate through more specific provisions in the plan.

First, as provided in the draft plan, the definition of disturbance caps does not limit the type of disturbance that may occur and fall under the cap. Rather, it is currently ambiguous as to whether BLM intends to allow for new disturbance not currently contemplated in the plan that could be authorized so long as it falls under the disturbance cap. BLM should clarify that activities under the disturbance cap only apply to allowable uses, such as valid existing rights or other authorized development. BLM should make it explicit that human-caused disturbances from recreational activities should also be part of the disturbance cap.

Second, we request that the DRECP clarify that BLM must determine the baseline disturbance level for National Conservation Lands where further disturbance is contemplated, and that the agency cannot authorize any further disturbance if the cap is hit unless and until a net benefit of mitigation or restoration has occurred in the area, bringing the total disturbance back down under the cap. Only after restoration reduces the degree of existing disturbance below the appropriate cap should further permissible disturbances be contemplated by the BLM.

Recommendation: While we support the idea of disturbance caps for the National Conservation Lands with the appropriate provisions, BLM has not provided sufficient enough detail for consistent application of disturbance caps. We strongly urge the agency to add the following requirements for disturbance caps:

- Caps should apply to allowable uses only as set out in the DRECP for National Conservation Lands.
- BLM should commit to determining the existing level of disturbance in each area prior to authorizing any further disturbance. This information should be transparent and readily-available to the public.
- BLM should specify what happens when the cap is hit and how it intends to prevent disturbance from going over the cap.
- BLM should state how it will enforce the disturbance caps.
- BLM must clarify that the percentage of the acreage of ACEC and/or National Conservation Lands means a percentage of each separate unit and not ACECs and/or National Conservation Lands as a whole.
- BLM should show what disturbance means for each area in the amount of acreage as well as baseline information on current disturbance by each area in the DRECP. BLM should propose a range from 0% to 1% of a cap per area based on past, present and future disturbance as well as sensitivity of the resources to disturbance before contemplating further disturbance.

D. ACEC designations should be retained where they overlap with National Conservation Lands.

When developing a land use plan, FLPMA mandates that BLM “*give priority* to the designation and protection of areas of critical environmental concern.” 43 U.S.C. § 1712(c)(3) (emphasis added). ACECs are areas “where special management is required (when such areas are developed or used or where no development is required) to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources, or other natural systems or processes.” *Id.* § 1702(a).

The draft plan states that if there is overlap of National Conservation Lands and ACECs, “it is the BLM’s expectation that it will identify these areas solely as National Conservation Lands. In general, the National Conservation Lands will be managed as larger ecoregional units to protect landscape-wide values, while the ACECs are targeted towards area specific values. However, the site-specific protections of the individual ACEC units complement the broader landscape protections and would be carried forward for particular areas or zones within the broader National Conservation Lands to ensure that the individual values are protected.” Draft plan at II.3.2.2.1.1.3.

A critical aspect of the statutory language cited above is FLPMA’s requirement that BLM “give priority” to ACEC designation *and* protection. 43 U.S.C. § 1712(c)(3). This cannot be overlooked when thinking about ACECs in the context of the draft plan. Even though BLM is proposing to manage National Conservation Lands at the landscape-level, it still must prioritize designation and protection of ACECs within National Conservation Lands. This means National Conservation Lands cannot subsume ACECs, but are another layer of overlapping management.

Overlapping designations are common in BLM land use planning, including for the National Conservation Lands. For example, just a few of these include:

- Perry Mesa and Larry Canyon ACECs in the Agua Fria National Monument
- High Rock Canyon and Soldiers Meadows ACECs in the Black Rock Desert—High Rock Canyon Emigrant Trails NCA
- Cow Creek ACEC in the Upper Missouri River Breaks National Monument
- Appelton-Whittell ACEC in the Las Cienegas NCA
- Scotch Creek and Oregon Gulch ACECs in the Cascade-Siskiyou National Monument
- Vekol Valley Grassland ACEC in the Sonoran Desert National Monument
- Watermelon Mountains ACEC in the Ironwood Forest National Monument
- San Rafael RNA, San Pedro River RNA and St. David Cienega RNA ACECs in the San Pedro Riparian NCA

In the RMP for the Monticello Field Office, BLM responded to resistance to layering designations in the following appropriate way:

“Layering” is planning. Under FLPMA’s multiple use mandate, BLM manages many different resource values and uses on public lands. Through land use planning BLM sets goals and objectives for each of those values and uses, and prescribes actions to

accomplish those objectives. Under the multiple use concept, BLM doesn't necessarily manage every value and use on every acre, but routinely manages many different values and uses on the same areas of public lands. The process of applying many individual program goals, objectives, and actions to the same area of public lands may be perceived as "layering". BLM strives to ensure that the goals and objectives of each program (representing resource values and uses) are consistent and compatible for a particular land area. Inconsistent goals and objectives can lead to resource conflicts, failure to achieve the desired outcomes of a land use plan, and litigation. Whether or not a particular form of management is restrictive depends upon a personal interest or desire to see that public lands are managed in a particular manner. All uses and values cannot be provided for on every acre. That is why land use plans are developed through a public and interdisciplinary process. The interdisciplinary process helps ensure that all resource values and uses can be considered together to determine what mix of values and uses is responsive to the issues identified for resolution in the land use plan. Layering of program decisions is not optional for BLM, but is required by the FLPMA and National BLM planning and program specific regulations.

Monticello Proposed RMP, Response to Comments, at 7-48.

Recommendation: In order to meet the statutory requirement of prioritizing the designation and protection of ACECs, BLM must clearly outline the boundaries of each ACEC in the DRECP, and apply special management to protect the values identified for each of the ACECs. BLM will not meet its duty under FLPMA to prioritize ACECs if the designation is subsumed by overlapping National Conservation Lands; and layering to protect the meaning of both designations is consistent with applicable law and policy.

E. All National Conservation Lands should be VRM Class I or II, with minimal exception.

Visual and scenic resources are an important component of the National Conservation Lands. The general principles for management of the National Conservation Lands state that "[t]he BLM recognizes that NLCS units encompass some of the West's most scenic and iconic landscapes and will emphasize the conservation, protection, and restoration of these scenic values." Manual 6100 at 1.6(A)(7). More specifically, "[t]he BLM will designate visual resource management classes for all NLCS units through its land use planning process, and manage them accordingly, in order to ensure protection of scenic values and the aesthetic character of the landscape, to the extent consistent with the designating legislation or proclamation and other applicable law." Manual 6100 at 1.6(M)(3).

The draft plan specifically discusses the National Conservation Lands overlapping with all four VRM classes:

NLCS: The management of these lands that have nationally significant ecological, cultural, and scientific values would offer additional protection of intactness and scenic quality, particularly to the VRI Class I, II, III, and IV lands (3.6 million acres) with which they coincide. Draft Plan at IV.20.3.2.2.2

While most of the National Conservation Lands additions are designated as VRM Class II in the Preferred Alternative, there are a few National Conservation Lands additions that are designated as VRM Class III and even Class IV. There are VRM Class III designations over National Conservation Lands additions in several of the subareas. The only place where there appear to be VRM Class IV designations over National Conservation Lands additions is in the Lake Cahuilla subarea adjacent to the North Algodones Dunes Wilderness Area.

Due to the conservation-oriented designation of the National Conservation Lands, these areas should be protected from moderate or heavy modifications of the scenic resources on the landscape. The only exception where a Class III may be acceptable might be for grandfathered uses, such as existing utility transmission corridors that may allow for additional facilities in units of the National Conservation Lands and mining on valid existing rights.

Recommendation: To be consistent with current policy regarding the National Conservation Lands, BLM should be designating National Conservation Lands additions as either VRM Class I or II. The only exception to this rule may be for existing grandfathered uses, such as transmission corridors and rights-of-way, where additional facilities may be permitted.

F. Recreation on National Conservation Lands

The BLM's approach is limited to using the language in the Omnibus to describe the types of values for which individual units of the National Conservation Lands. The Omnibus specifically states that lands administered for *conservation* purposes in the CDCA would be part of the National Conservation Lands and ONLY identifies "ecological, cultural, and scientific values" for these units. While the Federal Land Policy and Management Act, including the portion addressing the California Desert Conservation Area, identifies a broader range of values, the designation of units as part of the National Conservation Lands will ultimately be the governing standard for key values and management. This is consistent with FLPMA's exception to the multiple use and sustained yield where public land has been dedicated to specific uses through other laws.⁷

However, we recognize that experiencing the National Conservation Lands is a vital part of management for the system. As BLM policy states: "National Conservation Lands are part of an active, vibrant landscape where people live, work and play. They offer exceptional opportunities for recreation, solitude, wildlife viewing, exploring history, scientific research, and a wide range of traditional uses." BLM policy (Manual 6100 at 1.6(M)(1)) also ensures that the National Conservation Lands "will be available for a variety of recreation opportunities, to the extent consistent with the designating legislation or proclamation and other applicable law." While the BLM cannot administratively change the governing law in the DRECP, the agency can acknowledge the importance of recreation in these lands, how recreational access is in many instances essential to appreciating the ecological, cultural, and scientific values for which

⁷ 43 U.S.C. § 1732(a) provides that "the Secretary shall manage the public lands under principles of multiple use and sustained yield . . . *except that where a tract of such public land has been dedicated to specific uses according to any other provisions of law it shall be managed in accordance with such law.* (emphasis added).

individual units are designated, and how recreation can be addressed in making travel management decisions.

Recommendation: We propose that the BLM use the following language in the section pertaining to Comprehensive Trails and Travel Management within NCLs (Section II.3.2.2.1.1):

Comprehensive Trails and Travel Management
Future travel management planning will emphasize travel on routes that provide for the enjoyment and enhancement of the ecological, cultural, and scientific values for which individual units are designated, or necessary administrative access to conserve, protect and restore area values. **Recreation and providing access to experience the values of the National Conservation Lands will be an important consideration in travel planning.**

G. National Conservation Lands area-specific recommendations

We applaud the BLM for its generally thorough analysis of lands within the CDCA for potential designation as National Conservation Lands. We support all of the lands recommended by the BLM in the Preferred Alternative for addition to the National Conservation Lands system. However, there are many important land units in the CDCA that are not recommended for inclusion as National Conservation Lands units in the Preferred Alternative. Some of these lands are outside the DRECP boundary but within the CDCA.⁸ In other areas, we propose expanding on the concept of connectivity between desert land masses to ensure sufficient desert land conservation as climate change further impacts key desert habitats and movements by desert plants and animals including Joshua trees, Mohave ground squirrel, desert bighorn sheep and other iconic species.

1. Specific areas meeting the criteria for National Conservation Lands but excluded from BLM's Preferred Alternative

We ask the BLM to improve the Preferred Alternative of the DRECP by including the following places, in their entirety, in the National Conservation Lands.

The lands described below meet the criteria set forth by the BLM for adding National Conservation Lands units in the CDCA to the NLCS. These criteria include three primary criteria and five additional criteria which are:

“Ecological

- Species habitat – High quality habitat for multiple native species; or critical habitat for a federally listed species
- High level of ecological diversity
- Illustrates a significant natural value or phenomenon that is exemplary in the physiographic region

⁸ In fact, we could not find a map of proposed National Conservation Lands outside of the DRECP planning area but within the CDCA in the DRECP. We had to get the data from the BLM State Office in order to make the attached map, which was prepared by Greg Suba of the California Native Plant Society. See Attachment A.

Cultural

- Contains a nationally significant prehistoric or historic cultural site that is eligible for the National Register of Historic Places.
- Contains a nationally significant cultural landscape that provides context and setting for historic properties or is of religious or cultural importance to Indian Tribes.

Scientific

- Area that has been the focus for significant scientific study or has a natural or cultural value, natural process, or other occurrence of high scientific value for potential future study.

Development pressure – Area has natural or cultural values representative of other areas under development pressure, or adjoins DFAs.

Landscape intactness – Relatively undisturbed features, unmodified natural environment of fairly large size, and not impacted by numerous developments (e.g. absence of extensive road network, multiple physical facilities such as communication sites, power lines etc.)

Scenic quality – Higher levels of scenic quality as determined by the BLM Visual Resources Inventory process.

BLM jurisdiction – Primarily large blocks of BLM lands (may include interspersed lands managed by other agencies for conservation purposes).

Landscape Linkages – Habitat and landscape-scale linkages to existing National Conservation Lands and other conservation units such as Wilderness Areas, Wilderness Study Areas, Wild and Scenic Rivers, National Trails, etc.
The Preferred Alternative emphasizes habitat connectivity and cultural-botanical

DEIR/DEIS at II.3, 315-316.

Our proposed additions to BLM's National Conservation Lands in the CDCA are listed in alphabetical order. Please note that on the maps included below, proposed National Conservation Lands under the Preferred Alternative are shown with yellow diagonal lines, and our recommended additions to the National Conservation Lands are shown in red or blue.

Argos (Route 66)

The Argos area, consisting of approximately 10,450 acres, is located in San Bernardino County, southwest of Ludlow. According to the California Department of Fish and Wildlife's (CDFW) Natural Diversity Database (NDD), the area is habitat for the Alverson's foxtail cactus,



American badger, burrowing owl, desert tortoise, Emory's crucifixion thorn, Le Conte's thrasher, Mojave fringe-toed lizard, and white-margined beardtongue flower.⁹ CDFW recognizes the area as a wildlife migration corridor and data from the agency indicates that it has eight distinct plant communities.¹⁰ Due to its close proximity to historic Route 66, the area is also an important part of the Route 66 viewshed. While most of the area is included in National Conservation Lands under the Preferred Alternative, we request that the area shown in red be included as well in order to fully protect the area and its important values.

Ash Hill (Route 66)

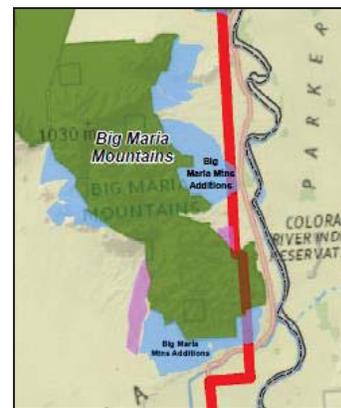
The Ash Hill area, consisting of approximately 19,150 acres, is located in San Bernardino County, south of Ludlow. According to the CDFW's NDD, the area is habitat for Alverson's foxtail cactus, American badger, burrowing owl, desert tortoise, desert bighorn sheep, Emory's crucifixion-thorn, Le Conte's thrasher, and the Mojave fringe-toed lizard.¹¹ The area also has five distinct plant communities.¹² Archaeologists have found Native American artifacts¹³ and remains of Ice Age animals in this area.¹⁴



The region is also an important part of the Route 66 viewshed, due to its close proximity to the route. While most of the area is included in National Conservation Lands under the Preferred Alternative, we request that the area shown in red be included as well in order to fully protect the area and its important values.

Big Maria Mountains

The Big Maria Mountains are located in Riverside County, north of Blythe. CalWild surveyed the region and identified several roadless areas that are contiguous with the Big Maria Mountains Wilderness. These areas, shown in blue, have a combined acreage of 17,260 acres. According to the CDFW's NDD, the Big Maria Mountains area is habitat for several endangered species, including the elf owl, Gila woodpecker, gilded flicker, western yellow-billed cuckoo and Yuma clapper rail. The area is also habitat for the desert tortoise and



⁹ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

¹⁰ GIS analysis completed by Kurt Menke of Bird's Eye View GIS on 12/10/13.

¹¹ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

¹² Menke, 12/10/13.

¹³ <http://www.jstor.org/discover/10.2307/27825521?uid=3739560&uid=2&uid=4&uid=3739256&sid=21103278388277>

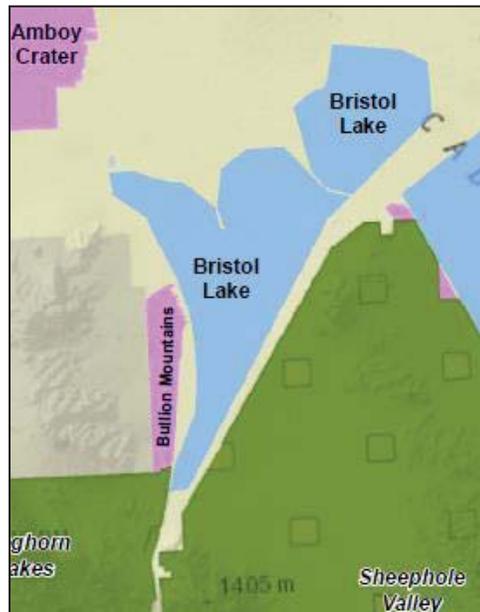
¹⁴

<http://books.google.com/books?hl=en&lr=&id=tfUGeBLNip0C&oi=fnd&pg=PR9&dq=%22ludlow+cave%22+and+%22san+bernardino+county%22&ots=fhKXPV6r7T&sig=WGkM1HSyG52WZkdoGwo2KqumXPc#v=onepage&q=%22ludlow%20cave%22%20and%20%22san%20bernardino%20county%22&f=false>

numerous other species that are protected or of special concern.¹⁵ The region is also noted for its cultural resources. For example, the BLM notes that “Important site complexes have been recorded on the flanks of the Big Marias and aboriginal trails are known to run into the mountains from both the east and west.”¹⁶ Furthermore, the southeastern portion of the Big Maria Mountains is less than two miles away from the famous Blythe intaglios. The Big Maria Mountains Wilderness area abuts a sizable proposed DFA proposed in the Preferred Alternative. We therefore recommend that lands in this region identified by us as qualifying for NCL designation within the Riverside East SEZ that was designated as part of BLM’s Western Solar Plan (Solar PEIS) be classified as non-development zones within the SEZ. With respect to the proposed East Riverside DFA, which expands upon the original SEZ, proposed DFA boundaries should be modified to exclude any lands that qualify for NCL designation.

Bristol Lake

The Bristol Lake area, consisting of approximately 39,540 acres, is located in San Bernardino County, south of Amboy and Cadiz. According to the CDFW’s NDD, this area is habitat for the cheeseweed owlfly, desert beardtongue, desert bighorn sheep, desert tortoise, Harwood’s eriastrum, Mojave fringe-toed lizard, and Orocopia Mountains spurge.¹⁷ According to the BLM, the dunes around the ancient lake bed are also home to the Mojave fringed-toed lizard.¹⁸ The area has seven distinct plant communities. The CDFW also recognizes the area as a wildlife corridor.¹⁹ Scientists consider the sediments in Bristol Lake to be important in determining the structural, hydrological, and paleo-climatic development of the Mojave region since the Pliocene.²⁰ This key natural area would make an excellent addition to the NLCS and should be included as National Conservation Lands.



Cadiz Valley/Iron Mountains

The Cadiz Valley-Iron Mountains region, consisting of approximately 188,540 total acres, is located in both San Bernardino and Riverside Counties, south of the town of Cadiz. The region is undoubtedly one of the most scenic and undeveloped areas remaining in the California desert. In fact, the region includes the



¹⁵ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

¹⁶ USDI-BLM, *California Wilderness Study Report*, Part 4, Volume 6, Big Maria Mountains CDCA-321, page 6.

¹⁷ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

¹⁸ http://www.blm.gov/ca/pdfs/cdd_pdfs/fringe1.PDF

¹⁹ Menke, 12/10/13.

²⁰ Michael R. Rosen, “Sedimentology, Stratigraphy, and Hydrochemistry of Bristol Dry Lake, California, USA,” in EH Gierlowski-Kordes and KR Kelts, eds., *Lake basins through space and time: AAPG Studies in Geology* 46, page 597.

largest remaining unprotected roadless area in southeastern California. According to the CDFW's NDD, the Iron Mountains area is habitat for desert bighorn sheep, desert tortoise, Emory's crucifixion-thorn, Harwood's eriastrum, hepatic tanager, Mojave fringe-toed lizard and prairie falcon.²¹ In 1999, a Gila monster was also seen in the area.²² The region has 12 distinct plant communities, including wetlands, and the CDFW recognizes the area as a wildlife migration corridor.²³ Desert bighorn sheep have been found to migrate between the Iron Mountains and the Old Woman Mountains to the east, and scientists have noted the importance of maintaining this migratory path in order to ensure the continued viability of bighorn in the region.²⁴ Only the northern portion of the Cadiz Valley-Iron Mountain region is included in the National Conservation Lands in the Preferred Alternative. It is critically important that, with the exception of salt mines, the Colorado River Aqueduct and other developments, the remainder of this highly scenic, ecologically important and still largely wild region be included as well. If the portion indicated in red on the map above is also added to the National Conservation Lands, then this area will be fully represented in the system.

Danby Lake area

The Danby Lake area, consisting approximately 35,600 acres, is located in San Bernardino County, north/northeast of the intersection of Highways 62 and 177. The area is dominated by Danby Dry Lake. According to the CDFW's NDD, the area is habitat for desert bighorn sheep, Harwood's eriastrum, Harwood's milk-vetch, hepatic tanager, prairie falcon, slender cottonheads and small-flowered androstephium.²⁵ The area contains five distinct plant communities, including wetlands that are important to migratory birds. The CDFW recognizes the area as a wildlife migration corridor.²⁶ This region is of utmost importance to local indigenous people. This area abuts Ward Valley, a sacred area for five local Native American tribes. Ethnographic accounts tell of trails, including the "Salt Song Trail" that followed the Colorado River, passed east through the Chemehuevi Valley and connected early Native Americans with water sources at Mopah Spring and the salt mines at Danby Lake.²⁷ The Lake's ancient shoreline has also yielded several meteorite fragments.²⁸ If the portion indicated in red on the map above for Cadiz Valley/Iron Mountains is also added to the National Conservation Lands, then this area will be fully represented in the system.

²¹ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

²² [http://www.bioone.org/doi/abs/10.3160/0038-3872\(2007\)106%5B39:AHOGMH%5D2.0.CO%3B2](http://www.bioone.org/doi/abs/10.3160/0038-3872(2007)106%5B39:AHOGMH%5D2.0.CO%3B2)

²³ Menke, 12/10/13.

²⁴ Epps, Clinton W., "Status of bighorn sheep in California," *Desert Bighorn Council Transactions*, Volume 47, page 24.

²⁵ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

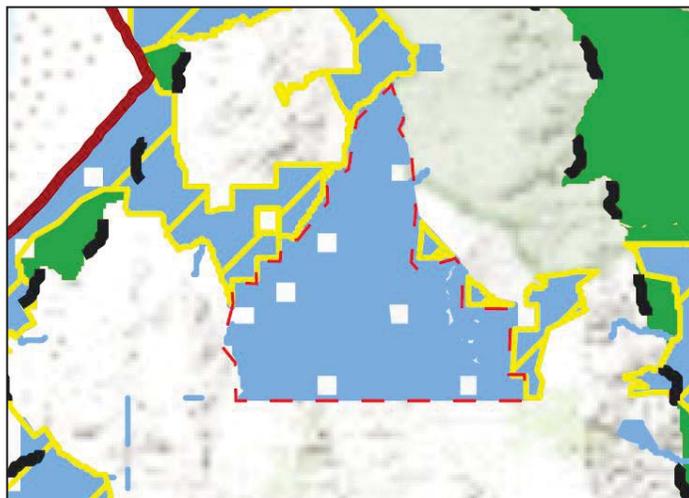
²⁶ Menke, 12/10/13.

²⁷ <http://www.scahome.org/publications/proceedings/Proceedings.24Musser-Lopez1.pdf>

²⁸ <http://www.starcatching.com/mets.htm?danbydrylake>

Lower Centennial Flat

Lower Centennial Flat is located in Inyo County, about 13 miles east/northeast of Olancho. According to the CDFW's NDD, Lower Centennial Flat is habitat for Joshua tree, black-chinned sparrow, Brewer's sparrow, caespitose evening-primrose, Coso Mountains lupine, Costa's hummingbird, curved-pod milk-vetch, Darwin Mesa milk-vetch, Death Valley sandpaper-plant, Dedecker's clover, desert bird's beak, golden eagle, gray cryptantha, Great Basin onion, intermontane lupine, Inyo hulsea, Inyo



onion, Inyo rock daisy, King's eyelash grass, Le Conte's thrasher, Lincoln rockcress, loggerhead shrike, Mohave ground squirrel, Mojave fish-hook cactus, Mono County phacelia, Pinyon Mesa buckwheat, pinyon rockcress, prairie falcon, Tidestrom's milk-vetch, Townsend's big-eared bat, Watson's oxytheca and yellow warbler.²⁹ This area also provides a habitat connection for bighorn sheep populations between the Coso Range and mountain ranges to the north.³⁰ While Lower Centennial Flat is proposed as a Mohave ground squirrel ACEC in the DRECP it is also worthy of National Conservation Lands designation. A recent study in Joshua Tree National Park provides strong evidence that Joshua tree regeneration at higher elevations reflects the population's response to climate change (Barrows et al. 2012). Greg Suba, Conservation Program Director for the California Native Plant Society, has noted that the many young Joshua trees present throughout Centennial Flat are likely 10-15 years old and could be exhibiting a similar response to climate change, underscoring the importance of conserving Joshua tree in this transitional habitat at the northwestern periphery of its range. When TWS staff visited the region on January 17, 2015, and CalWild staff visited the area on January 28, 2015, we were struck by the significant number of young Joshua trees in the area, especially as we drew closer to the Coso Range where a mature Joshua tree forest also thrives. The Timbisha Shoshone Tribe now owns 640 acres in this area. Although the Timbisha Shoshone Tribe was federally recognized in 1983, they did not receive a land base. In 2000, the Timbisha Homeland Act was signed into law, which authorized the Secretary of Interior to take into trust over 7,000 acres of land for the Tribe, including the 640 acres at Centennial Flat. The rock group U2 photographed the area heavily and used the pictures to adorn the cover of their 1987 album, *Joshua Tree*.³¹ This area was originally proposed for renewable energy and associated transmission development by Inyo County as part of its Renewable Energy General Plan Amendment (REGPA), but the County dropped its proposal due to substantial objection by the public and local tribes. If the portion

²⁹ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

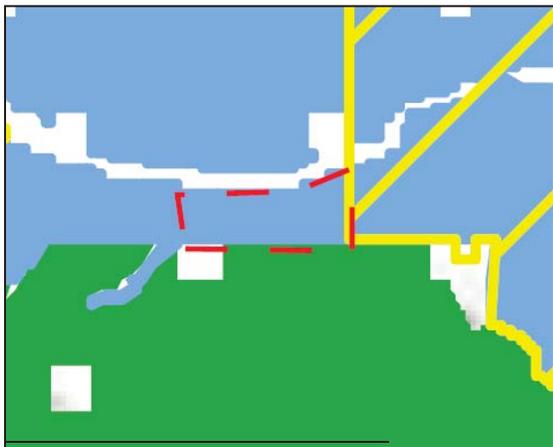
³⁰ While bighorn sheep have not been documented moving into and out of the Coso Range since China Lake Naval Weapons Center constructed a perimeter fence around the base after 9/11/2001, they were seen near Little Lake about ten years ago which attests to their continuing presence in the greater region. Dr. John Wehausen, pers. comm., 2/19/2015.

³¹ <http://basementgeographer.com/just-where-is-u2s-joshua-tree/>

indicated in red on the map above is also added to the National Conservation Lands, then this area will be fully represented in the system.

Mule Mountains

The Mule Mountains area, consisting of a total of approximately 24,580 acres, is located in Riverside County, north/northwest of Palo Verde and south/southwest of Blythe. According to the CDFW's NDD, the area is habitat for the endangered Gila woodpecker, and many other species, including Abrams' spurge, American badger, bitter hymenoxys, black-tailed gnatcatcher, burrowing owl, California leaf-nosed bat, California mellitid bee, cave myotis, Colorado River cotton rat, Colorado Valley woodrat, Couch's spadefoot, Crissal thrasher, desert beardtongue, desert tortoise, dwarf germander, Emory's crucifixion-thorn, gravel milk-vetch, Harwood's eriastrum, Harwood's milk-vetch, hoary bat, Le Conte's thrasher, loggerhead shrike, merlin, Mojave fringe-toed lizard, pallid bat, pallid San Diego pocket mouse, pink fairy-duster, prairie falcon, Townsend's big-eared bat and vermilion flycatcher.³² The area has been designated as critical habitat for the desert tortoise and it contains eight distinct plant communities.³³ The area also has extensive woodlands along its washes. These woodland thickets are a haven for songbirds and other creatures. There is also some evidence that bighorn sheep use the mountains.³⁴ Due to its remoteness, this area is also considered one of the best locations for astronomy studies in the low desert. We request that roadless portions of the Mule Mountains that overlap with the original Riverside East SEZ be classified as non-development areas within the SEZ/DFA. Any roadless portions of the Mule Mountains that are outside the original SEZ boundaries but within expanded East Riverside DFA boundaries should be excluded from the proposed DFA and managed as National Conservation Lands. These lands are indicated in blue on the map at right.



Palen-McCoy/Rice Valley

This area, consisting of approximately 23,800 acres, is located in Riverside and San Bernardino Counties, to the north of the existing Palen/McCoy Wilderness. According to the CDFW's NDD, this area is habitat for Abrams' spurge, Alverson's foxtail cactus, California leaf-nosed bat, desert bighorn sheep, desert tortoise, Emory's crucifixion-thorn, Harwood's eriastrum, Harwood's milk-vetch, Las Animas colubrine, pallid bat, prairie falcon,

³² http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

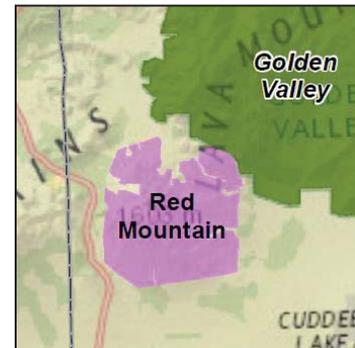
³³ Menke, 12/10/13.

³⁴ Clinton W Epps, "Population Processes in a Changing Climate: Extinction, Dispersal, and Metapopulation, Dynamics of Desert Bighorn Sheep in California" (Ph.D. diss., University of California, Berkeley, 2004), page 19.

slender cottonheads and small-flowered androstephium.³⁵ The area contains seven distinct plant communities, including ecologically important ironwood thickets. The area is also recognized as a wildlife migration corridor by the CDFW.³⁶ While the vast majority of the region is covered by National Conservation Lands in the DRECP Preferred Alternative, if the portion indicated in red on the map at left is also added to the National Conservation Lands, then the area will be fully represented in the system.

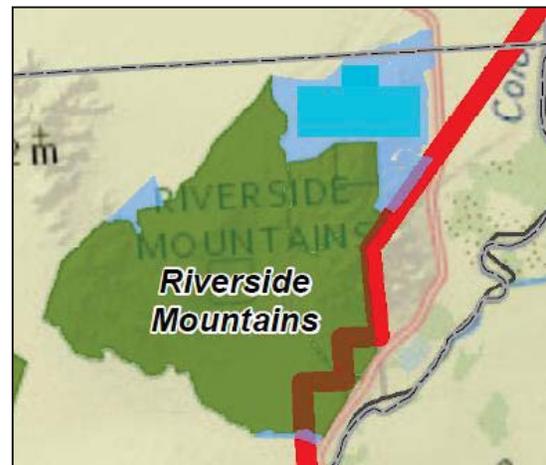
Red Mountain

The Red Mountain area is located in San Bernardino County, east of Johannesburg. According to the CDFW's NDD, the Red Mountain area is habitat for the Barstow woolly sunflower, desert cymopterus, desert tortoise, long-eared owl, Mojave ground squirrel, Mojave fish-hook cactus, and solitary blazing star.³⁷ The area is an important part of California's mining history. Nearby Atolia was the sight of a tungsten mine that was established in 1905 and officially ceased operations in 2007. Numerous ruins remain from this mine and other abandoned mines in the area. Red Mountain itself is largely roadless, and deserves protection given that most of the non-wilderness BLM lands in that portion of the desert are heavily roaded. The proposed National Conservation Lands unit is shown in purple on the map at right.



Riverside Mountains

The Riverside Mountains area, consisting of approximately 5,360 acres, is located in both Riverside and San Bernardino Counties, north of Blythe. According to the CDFW's NDD, this area is habitat for several endangered species -- the elf owl, Gila woodpecker, and western yellow-billed cuckoo.³⁸ The area is also habitat for the American badger, California barrel cactus, California leaf-nosed bat, cave myotis, Crissal thrasher, desert tortoise, elf owl, foxtail cactus, gilded flicker, prairie falcon, Townsend's big-eared bat, pallid bat, vermilion flycatcher, and white desertsnailed.³⁹ The area contains seven distinct plant communities.⁴⁰ This area's close proximity to the Colorado River increases the probability that it possesses critical cultural resources. CalWild identified a roadless area contiguous with the existing Riverside Mountains Wilderness and we



³⁵ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

³⁶ Menke, 12/10/13.

³⁷ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

³⁸ Ibid.

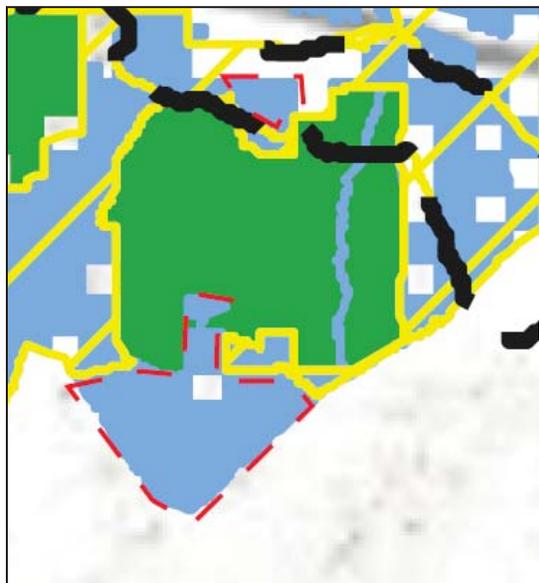
³⁹ Ibid.

⁴⁰ Menke, 12/10/13.

request that the BLM include the roadless area (shown here in blue) in the National Conservation Lands.

Rodman Mountains

The Rodman Mountains area, consisting of a total of approximately 18,400 acres, is located in San Bernardino County, south/southeast of Newberry Springs. According to the CDFW's NDD, the Rodman Mountains area is habitat for Boyd's monardella, creamy blazing star, Darlington's blazing star, desert bighorn sheep, desert tortoise, golden eagle, Mojave menodora, Mojave monkeyflower, prairie falcon and purple-nerve cymopterus.⁴¹ This area is designated critical habitat for the desert tortoise and is recognized a wildlife migration corridor by the CDFW.⁴² It also contains nine distinct plant communities.⁴³ The Rodman Mountains are an extremely important stronghold for the imperiled desert tortoise. Desert tortoise population surveys found a density of 3.8 tortoises per square kilometer in the Rodman Mountains in 2008.⁴⁴ This was the fourth highest population density found of the 17 sites sampled in the Mojave Desert (densities in the 17 sites ranged from five per square kilometer to 0.4).⁴⁵ In 2009, the Rodman Mountains were found to have a population density of 7.1 tortoises per square kilometer, which was the fifth highest of the 15 sites sampled in the Mojave Desert.⁴⁶ CalWild staff visited this area in early 2014 and encountered petroglyphs there. While the vast majority of the region is covered by National Conservation Lands in the DRECP Preferred Alternative, if the portion indicated in red on the map above is also added to the National Conservation Lands, then the area will be fully represented in the system.



as

Rose Valley/McCloud Flat

The Rose Valley/McCloud Flat area is located in Inyo County, north of Little Lake. The BLM surveyed this area and determined it to have wilderness characteristics. According to the CDFW's NDD, the area is habitat for the endangered Owens Valley checkerbloom, Amargosa beardtongue, American badger, black-tailed gnatcatcher, Booth's evening-primrose, Brewer's sparrow, burrowing owl, Coso Mountains lupine, Costa's hummingbird, creamy blazing star, Darwin Mesa milk vetch, desert bighorn sheep, desert bird's-beak, desert tortoise, golden eagle, gray cryptantha, Kern Canyon clarkia, Kern ceanothus, Le Conte's thrasher, loggerhead shrike, Mohave ground squirrel, northern harrier, northern sagebrush lizard, Owens Valley vole, pallid bat, Panamint kangaroo rat, Pinyon Mesa buckwheat, prairie falcon, San Emigdio blue butterfly,

⁴¹ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

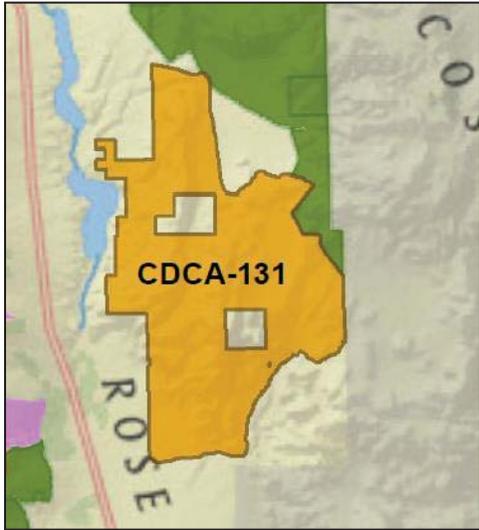
⁴² Menke, 12/10/13.

⁴³ Ibid.

⁴⁴ USFWS, Range-Wide Monitoring of the Mojave Desert Tortoise (*Gopherus agassizii*): 2008 AND 2009, Reporting Prepared by Linda Allison, Desert Tortoise Monitoring Coordinator, September, 2012, page 57.

⁴⁵ Ibid.

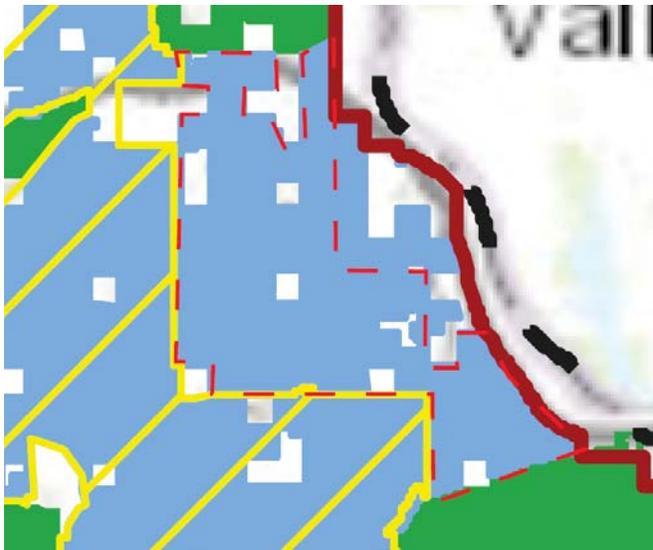
⁴⁶ USFWS, page 58.



sanicle cymopterus, silver-haired bat, Swainson’s hawk, Townsend’s big-eared bat, winged cryptantha and Wong’s springsnail.⁴⁷ Scholarly reports conclude that the introduction of the bow and arrow to North American indigenous people likely occurred in the Rose Valley area.⁴⁸ Similar to the Coso Range, the Rose Valley area constitutes an extremely significant cultural landscape, with many important cultural and historical resources and sites. Fossil Falls was once a major village site for local tribes, with much evidence of occupation remaining today, and the Little Lake-Fossil Falls area is probably the densest site for Indian rock art in the Highway 395 corridor. While the majority of the area shown in yellow as CDCA-131 at left is covered by National Conservation Lands in the DRECP Preferred Alternative, we request

that appropriate additional portions of the area be included as well to better protect its superlative values.

Sacramento Mountains



The Sacramento Mountains are located in San Bernardino County, south/southwest of Needles. The region is noted for its fascinating rock formations and diverse terrain. Despite their proximity to Needles and the Colorado River and the presence of four-wheel drive routes in the area, the Sacramento Mountains are still somewhat undiscovered by visitors. While the area is accessed by vehicle routes, CalWild identified six roadless areas in the Sacramento Mountains with a combined size of 81,570 acres. According to the CDFW’s NDD, this area is habitat for the endangered Arizona Bell’s vireo, Gila woodpecker,⁴⁹ desert bighorn sheep, desert

tortoise, Le Conte’s thrasher, mountain plover, narrow-leaved psorothamnus, pallid bat, prairie falcon, spiny-hair blazing star, vermilion flycatcher and yellow-breasted chat.⁵⁰ A portion of the region has also been designated critical habitat for the desert tortoise.⁵¹ While the majority of the region is covered by National Conservation Lands in the DRECP Preferred Alternative, if the

⁴⁷ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

⁴⁸ Yohe, Robert M., “THE INTRODUCTION OF THE BOW AND ARROW AND LITHIC RESOURCE USE AT ROSE SPRING (CA-INY-372),” *Journal of California and Great Basin Anthropology*, Vol. 20, No. 1, pp. 26-52 (1998).

⁴⁹ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

⁵⁰ Ibid.

⁵¹ Menke, 12/10/13.

portion indicated in red on the map above is also added to the National Conservation Lands, then this unique and deserving area will be fully represented in the system.

Silurian Valley/Kingston Range/Silurian Hills

The Silurian Valley/Kingston Range/Silurian Hills region is located in San Bernardino County, south of Dumont Dunes OHV Area and east of Highway 127. According to the CDFW's NDD, species that have habitat in this area include the black-tailed gnatcatcher, Borrego milk-vetch, Brewer's sparrow, burrowing owl, California horned lark, Clark Mountain buckwheat, desert bighorn sheep, desert pincushion, desert tortoise, golden eagle, Great Basin onion, Le Conte's thrasher, loggerhead shrike, Mojave fringe-toed lizard, New York Mountains cryptantha, pallid bat, Providence Mountains milk-vetch, ribbed cryptantha, small-flowered androstephium, Tidestrom's milk-vetch, white bear poppy and winged cryptantha.⁵² Silurian Valley provides an essential hydrologic link in the Amargosa Watershed. Salt Creek drains the extensive basin formed by Silurian Valley, capturing relatively high amounts of run-off



from the entire south and west slopes of the Kingston Range (through Kingston Wash) and the east face of the very high Avawatz Mountains. The relatively large amount of water flowing through the aquifers here becomes apparent at the large and well-watered Salt Spring. Only a few miles below Salt Spring, Salt Creek meets the Amargosa River on its journey to Death Valley. Designating this region as National Conservation Lands would protect the critical hydrologic resources of the Amargosa watershed. Furthermore, the Silurian Valley is now something that is quite rare: A relatively undisturbed California desert landscape. From the Boulder transmission lines in the south to Ibex Pass in the north, there are few signs of modern industrial development. The Old Spanish Trail passed through Silurian Valley. This Trail is an important part of our nation's history. The Old Spanish Trail became the fifteenth national historic trail when Congress adopted it and President George W. Bush signed the bill in December, 2002. The Old Spanish Trail linked two provinces of Mexico, separated by such difficult topography and climatic extremes that, despite attempts beginning as early as 1776, a route was not successfully opened until 1829.⁵³ The route was then combined with other existing trails, and this allowed for international trade between the United States and Mexico via Santa Fe.⁵⁴ While the majority of the region is covered by National Conservation Lands in the DRECP Preferred Alternative, if the portion indicated in red on the map above is also added to the National Conservation Lands, then this scenic, ecological and cultural jewel will be fully represented in the system. A decision to add these lands to BLM's National Conservation Lands

⁵² http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

⁵³ http://www.oldspanishtrail.org/learn/trail_history.php

⁵⁴ Ibid.

will also be consistent with BLM’s recent decision to deny a variance application for solar development in this area due to its superlative values.

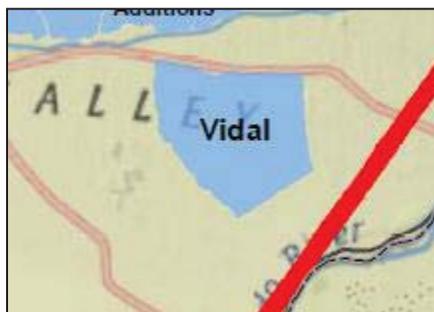
Valley Mountain

The Valley Mountain area, consisting of approximately 15,060 acres, is located in San Bernardino County, northeast of Twentynine Palms. According to the CDFW’s NDD, species that have habitat in the area include the burrowing owl and desert tortoise.⁵⁵ The region has six distinct plant communities, which include the barrel cactus and smoke trees.⁵⁶ The area is in a rapidly-urbanizing region with a very high average road density. Valley Mountain and the adjacent Cleghorn Lakes Wilderness form an island of roadless open space that can help to serve as a wildlife connection between protected areas such as the Pinto Mountains Wilderness and Joshua Tree National Park to the south. The area is shown in blue at right.



Vidal

The Vidal area, consisting of approximately 7,520 acres, is located in San Bernardino County, west of Parker. According to the CDFW’s NDD, the area is habitat for the endangered Yuma clapper rail and the endangered western yellow-billed cuckoo.⁵⁷ It is also habitat for the American badger, and desert tortoise.⁵⁸ CalWild’s surveyor witnessed about a dozen burro deer in the area when he visited. The area is designated critical habitat for the desert tortoise and it contains four distinct plant communities.⁵⁹ One can also find ecologically-significant ironwood thickets in some of this area’s many washes. These woodlands teem with songbirds (including the beautiful western bluebird) and other life. The area’s close proximity to the Colorado River increases the probability that it contains important cultural resources. As the only roadless area between the Whipple Mountains Wilderness and Riverside Mountains Wilderness, Vidal can help to provide habitat connections in an increasingly fragmented region. The area is shown in blue at left.



⁵⁵ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

⁵⁶ Menke, 12/10/13.

⁵⁷ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

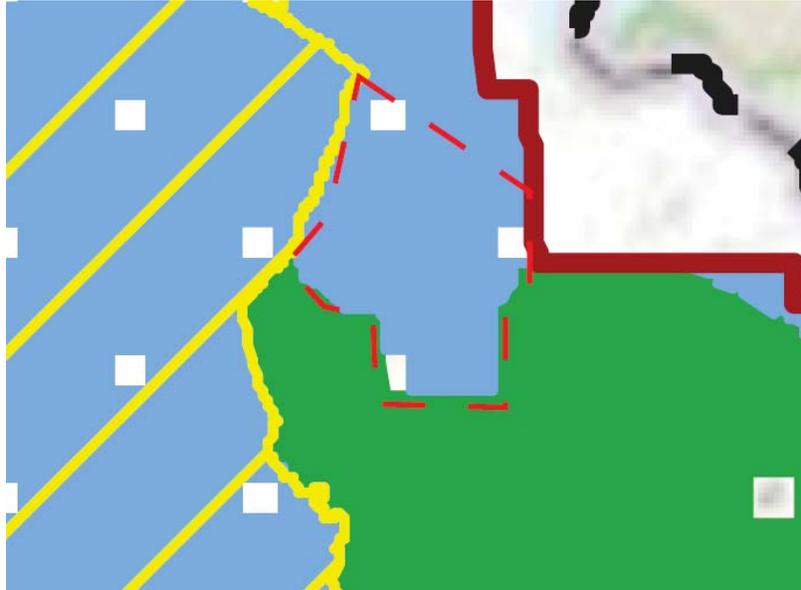
⁵⁸ Ibid.

⁵⁹ Menke, 12/10/13.

Whipple Mountains

The Whipple Mountains area, consisting of a total of approximately 103,670 acres, is located in San Bernardino County, northwest of Parker. CalWild staff surveyed the region and identified eleven roadless areas that are either near, or adjacent to, the existing Whipple Mountains Wilderness. According to the

CDFW's NDD, the area is habitat for several endangered species, including the Arizona bell's vireo, California black rail, elf owl, Gila woodpecker, gilded flicker, western yellow-billed cuckoo and Yuma clapper rail.⁶⁰ The area also provides habitat for the American badger, bald eagle, Bendire's thrasher, brown-crested flycatcher, California leaf-nose bat, cave myotis, Colorado River cotton rat, Colorado Valley woodrat, Crissal thrasher, desert bighorn



sheep, desert tortoise, loggerhead shrike, northern cardinal, pallid bat, Townsend's big-eared bat, vermilion flycatcher, western mastiff bat, white desert snail, yellow-breasted chat and Yuma myotis.⁶¹ The Whipple Mountains provide superior nesting and foraging habitat for several raptors including the prairie falcon, golden eagle, red-tailed hawk, and Cooper's hawk.⁶² Most of the eleven roadless areas units in this region are critical habitat for the desert tortoise.⁶³ The CDFW also recognizes this area as a wildlife migration corridor.⁶⁴ The region hosts many types of plants and plant communities, including Abrams' spurge, Arizona pholistoma, Aven Nelson's phacelia, bare-stem larkspur, bitter hymenoxys, Cove's cassia, creosote bush scrub, Darlington's blazing star, desert beardtongue, desert pincushion, Emory's crucifixion-thorn, glandular ditaxis, iron wood, Kofa barberry, palo verde, smoke tree, small-flowered androstephium, spear-leaf matelea, spiny-hair blazing star, wand-like fleabane daisy, and many types of cactus, Arizona fishhook, foxtail, prickly pear, saguaro and Wiggins' cholla.⁶⁵ Several portions of this area extend into the Chemehuevi Valley, known ancestral land for early Native Americans. The area is very close to the Colorado River and the Colorado River Reservation. Ethnographic accounts tell of trails, including the "Salt Song Trail" that followed the Colorado River and passed through

⁶⁰ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

⁶¹ Ibid.

⁶² California BLM description of Whipple Mountains Wilderness

http://www.blm.gov/ca/st/en/fo/needles/wilderness/whipple_mountains.html

⁶³ US Fish and Wildlife Service Critical Habitat portal <http://ecos.fws.gov/crithab/>

⁶⁴ Menke, 12/10/13.

⁶⁵ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

the Chemehuevi Valley.⁶⁶ Ethnographies suggest as many as four trails traversed these lands and went directly through the Whipple Mountains from the Turtle Mountains to the Colorado River.⁶⁷ Several trails over the Whipples from Chemehuevi Valley to Parker have been described by Native American tribal members in interviews.⁶⁸ A portion of the Whipple Mountains is designated as an ACEC and, according to the BLM's 1989 description, "The area contains a large series of sensitive cultural resources."⁶⁹ A private report lists the following cultural resources found within the ACEC: rock shelters, caves, trails, and habitation sites, as well as mythological and religious sites important to the Mohave.⁷⁰ While the majority of the region is covered by National Conservation Lands in the DRECP Preferred Alternative, if the portions indicated in red on the map above are also added to the National Conservation Lands, then this critically important wild land will be fully included in the system.

White Mountains/Deep Springs Valley

This area incorporates the lower eastern slopes of the White Mountains that abut remote Deep Springs Valley. While the BLM has recommended some portions of this area for National Conservation Lands, including Antelope Spring, other areas surveyed by BLM (see Attachment A) were not recommended for National Conservation Lands designation. We believe additional public lands in this area should be recommended. At a minimum, additional National Conservation Lands should include White Mountain City (historic mining ruins with petroglyphs indicative of previous Native American occupation),⁷¹ and any additional habitat for the threatened black toad that is on public lands.

H. Areas BLM has proposed for National Conservation Lands in the Preferred Alternative

We would like to thank the BLM for recommending the following areas for National Conservation Lands designation in the Preferred Alternative.

Afton Canyon

This stretch of the Mojave River is famous for its outstanding scenery and important riparian habitat where such sensitive species as the desert bighorn sheep find refuge.

Amargosa River Region

The Amargosa Basin contains one of the two largest assemblages of endemic and rare species in North America—desert fish, rare plants, mammals, and birds. The Amargosa River is truly a ribbon of life and one of the natural wonders that serves to make the California desert such a special place.

⁶⁶ Musser-Lopez, Ruth Arlene and Steve Miller, *ARCHAEOLOGICAL TRAILS AND ETHNOGRAPHIC TRAILS: CAN THEY MEET?*, SCA Proceedings, Volume 24, 2010, pages 6, 7, 8.

⁶⁷ *Ibid*, p. 13.

⁶⁸ James E. Snead, Clark L. Erickson, J. Andrew Darling, *Landscapes of Movement*, 2009, Pages 95-97

⁶⁹ <https://archive.org/details/areasofcriticale33unit>

⁷⁰ Kaldenberg, Russell L., *A CONSTRAINTS STUDY OF CULTURAL RESOURCE SENSITIVITY WITHIN THE CALIFORNIA DESERT*, 2008.

⁷¹ <http://www.ghosttowns.com/states/ca/whitemountaincity.html>

Amboy Crater

This 250' high symmetrical volcanic cinder cone is a favorite of visitors to the desert due to the area's fascinating geology and outstanding scenery. The area also provides habitat for many species, including the Mojave fringe-toed lizard and desert bighorn sheep.

Avawatz Mountains

Numerous springs feed lush desert oases that provide water to bighorn sheep, bobcats and other species. Reminders of thousands of years of Native American history abound. Members of the Shoshone Nation continue to visit the area for spiritual and cultural purposes.

Ayers Rock

This area, listed on the National Register of Historic Places, includes three pictograph panels carved into a monolith. In pre-contact times the area served as a camp and ceremonial site.

Big Morongo Canyon

The area is especially high in plant and wildlife diversity due to its location within a transition zone between the Mojave and Colorado Deserts. The area includes an oasis and marsh that is one of the ten largest cottonwood and willow riparian habitats in California. The Audubon Society has also identified it as one of the most important avian habitat areas in California.

Black Lava Buttes/Flat Top Mesa

This area contains abundant petroglyphs and other reminders of a long history of use by Native Americans.

California Valley

This lovely and remote region provides a critical habitat connection between the Nopah Range, Kingston Range and Pahrump Valley for such sensitive species as the desert tortoise.

Castle Mountains

The Castle Mountains area, surrounded by the Mojave National Preserve, is a critical linkage between the Piute Mountains and the New York Mountains. The high-quality desert habitat of the Castle Mountains ensures the long-term survival of the Joshua tree woodlands and many wildlife species found here, including desert bighorn sheep, which use the area as both a habitat and a wildlife corridor between the water-poor Piute Mountains and the wetter New York Mountains.

Chemehuevi Valley

This area is designated critical habitat for the desert tortoise and it provides a home for other species such as desert bighorn sheep and golden eagle as well. Biologists have determined that it is still feasible to create migration corridors between the Chemehuevi Valley tortoise population and other populations in the region.

Chicago Valley

Chicago Valley is a critically important part of the Amargosa watershed, which supports numerous rare and endemic plants and animals. The area is also a critically important Native American cultural site.

Chuckwalla Bench

The area is habitat for the endangered elf owl and is designated critical habitat for the desert tortoise. The flora on the Bench is one of the richest in the Colorado Desert within California, with at least 158 plant species occurring here. The Chuckwalla Bench, being easily accessible via the historic Bradshaw Trail, also provides one of the most rewarding recreational experiences in the Colorado Desert.

Coso Range

This spectacular mountain range south of Owens Lake is noted for its extensive high-elevation Joshua tree forest (habitat that is even more important during a period of climate change), outstanding views of the Sierra Nevada, endangered species habitat and Native American rock art.

Dublin Hills

These hills are habitat for the critically endangered Amargosa vole. They are also a treasure trove of geological intrigue -- geode beds, petrified wood, and a long and rich mining history.

Fossil Falls

This geologically and culturally rich site illustrates the how the erosional forces of the Owens River polished and sculpted the volcanic rock in this area. This region is not only a scenic wonder, but also a favorite among geology enthusiasts. Extensive lithic scatters and rock rings reveal a long history of Native American use. The area also provides unique interpretive opportunities and includes a popular hiking trail.

Indian Pass/Milpitas Wash/Palo Verde Mountains

The Milpitas Wash provides critical habitat for numerous species -- the desert tortoise, mountain lion, long-eared owl, leaf nose bat, Merriam and desert kangaroo rat, long tail and little pocket mice, Bullock's and hooded orioles, towhees, white-crowned sparrow, Brewer's sparrow, warbler, black-headed grosbeak, diamondback rattler and the endangered Gila woodpecker. The area also supports the largest Sonoran Desert woodland in North America.

Indian Wash

This series of intricately-braided washes in Imperial County drains the rugged Indian Pass Wilderness and the colorful Cargo Muchacho Mountains. The washes shelter thickets of ironwood, palo verde and other riparian trees and shrubs that provide a welcome refuge for songbirds, burro deer and other species seeking a respite from the often sparsely-vegetated Colorado Desert.

Inyo Mountains (eastern slope)

This area borders Death Valley National Park and contains important lower elevation alluvial fans that flow from the steep canyons of the Inyo Mountains.

Juniper Flats

The public lands portion of this area is habitat for Joshua trees, and pinyon, juniper and oak woodlands. Juniper Flats has historically been a cultural center for Native Americans and early

American loggers and miners, and contains an historic access route. The Pacific Crest National Scenic Trail skirts the southern portion of Juniper Flats for several miles. We also support the proposed Granite Mountain corridor ACEC which will add further protection to the lands around Juniper Flats.

Little Cowhorn Valley

This area situated below Little Cowhorn Valley is west of Death Valley National Park, en route to Eureka Valley from Big Pine. It occupies a steep alluvial fan and contains a particularly dense Joshua tree woodland; Scott's orioles, cactus wrens and other species that thrive in Joshua tree woodlands are found here. This Joshua tree woodland is one of the northernmost groves of Joshua trees in the California desert.

Malpais Mesa-Conglomerate Mesa-Santa Rosa Flat

This area contains an extensive "nursery" of young Joshua trees across the extensive Santa Rosa Flat and other lands nearby. Staff and local experts affiliated with the California Native Plant Society believe the Santa Rosa Flat area will become increasingly important to Joshua tree recruitment in an era of climate change.

Middle Knob

This area is habitat for the endangered California condor and includes a very scenic section of the Pacific Crest National Scenic Trail. The area preserves something that is becoming quite rare: A wild and roadless portion of the Tehachapi Mountains.

Mojave Trails/Route 66

The most scenic and historic part of Route 66 arguably lies between Ludlow and Fenner. Thousands of visitors, from all over the world, flock to visit this area each year. In wet years the Mojave Trails region contains some of the most extensive wildflower blooms in the California desert.

Olancha Dunes

This area, consisting of active sand dunes, is remarkable for the large, old growth greasewood shrubs (*Sarcobatus vermiculatus*) that grow atop these ancient dunes. The dunes provide habitat for the endangered least Bell's vireo and Owen's Valley checkerbloom. It is also habitat many other species, including the golden eagle, western snowy plover, mountain plover, yellow breasted chat, Owens Valley vole, Mohave ground squirrel, pallid bat, Yuma myotis, sanicle cymopterus and short-pedicelled cleomella.

Orocopia Mountains

The region is a striking landscape of open valleys, ridges, and dramatically colored and eroded canyons, primarily created by the San Andreas Fault. The canyons and washes are deep and often extremely long, with exposed walls shaded in red, brown, yellow and black. A species of plant new to science, *Euphorbia jaegeri* (Orocopia Mountains spurge), was recently found in the Orocopia Mountains and only one other location.⁷² The area has been designated critical habitat for the desert tortoise.

⁷² <http://scholarship.claremont.edu/aliso/vol30/iss1/2/>

Palen Lake

This area is habitat for many species including the burrowing owl, desert bighorn sheep, desert tortoise and golden eagle. The lake shore is also the site of several ancient Native American communities.

Panamint Valley

The area is habitat for the endangered Inyo California towhee, and other species, including desert bighorn sheep, golden eagle, and Mohave ground squirrel. The Wildrose Wash area is recognized as wildlife migration corridor, and because of its proximity to Death Valley National Park and the Surprise Canyon Wilderness, likely helps to buffer these areas and maintain habitat connections between these wild areas and other wild lands across the Panamint Valley.

Panamint Valley also is home to the popular ghost town of Ballarat and the recently designated Nadeau Recreation Trail.

Patton Military Camps

These camps are an important part of our nation's history and we are quite pleased that the BLM is working to preserve them for future generations to appreciate. The Patton camps serve as a reminder of the tremendous accomplishments of America's "Greatest Generation."

Pinto Mountains

The combined Pinto Mountains, Joshua Tree National Park and Chuckwalla Mountains tortoise population is one of only a few in the entire range of the species that includes more than 10,000 individuals.⁷³ A population minimum of 10,000 per population is considered critical for the continued viability of the desert tortoise.⁷⁴

Ragtown

The area, with its multi-colored sands and rocks, is an important scenic backdrop for the historic Route 66. In addition, John Sutter discovered gold in this area (Bagdad-Chase) in about 1898, 50 years after the discovery at Sutter's Mill.⁷⁵

Rainbow Basin/Owl Canyon

This area, due to its unusual formations and multicolored sands and rocks, is one of the most scenic areas in California's deserts. It is designated as an ACEC due to its landscape features and paleontological resources.

Shadow Valley

This area contains a northward extension of the famous Cima Dome pygmy Joshua tree forest. As such, it harbors dense populations of desert tortoise; the southern portion of Shadow Valley is part of the Ivanpah DWMA, an area where tortoise conservation has been prioritized. It is also a frequently-used forage area for raptors such as golden eagles and prairie falcons, and is a migration corridor linking the Kingston Range and Clark Mountain.

⁷³ Averill-Murray, Roy C., "CONSERVING POPULATION LINKAGES FOR THE MOJAVE DESERT TORTOISE (GOPHERUS AGASSIZII)," *Herpetological Conservation and Biology* 8(1), page 2.

⁷⁴ Ibid.

⁷⁵ Miller, Richard, Ghost Towns of California: Remnants of the Mining Days, 2008, p. 44.

Ship Mountains

This area is critical habitat for the desert tortoise and is recognized as a wildlife migration corridor. The area is also an extremely important sacred and symbolic place for indigenous people. The Chemehuevi and other neighboring tribes have traveled Mojave trails, including those leading from the Ship Mountains to and from the Old Woman Mountains, for thousands of years.

Short Canyon

More than 290 species of plants inhabit this area. It is a region frequented by neotropical migratory birds after wintering in Central and South America and for wintering birds who move out of the Sierra Nevada from December through March. In wet springs Short Canyon contains one of the best wildflower blooms in the desert.

Silurian Valley

We thank the BLM for proposing to place a significant portion of Silurian Valley in National Conservation Lands. Please see our discussion as to why we believe the area proposed for National Conservation Lands designation by BLM should be expanded to include the entire Silurian Valley, including the Silurian Hills.

Slate Range

The Slate Range area is one of the largest unprotected wild areas remaining in the California desert. The mountains rise steeply above the Panamint Valley and contribute significantly to the legendary beauty of the region. Watching the sun rise behind the Slates is a very special experience.

Sperry Hills/Kingston Range

The western Sperry Hills provide a vital habitat corridor between the Kingston Range and the protected areas of Death Valley National Park. The Sperry Hills have also yielded fossilized camel prints.⁷⁶ The area serves as an important scenic backdrop for Highway 127, the “gateway” to Death Valley National Park, as well as the Old Spanish National Historic Trail. According to the Timbisha Shoshone Tribe, this area is important to local Native American tribes and indigenous trails can be found there.

Trona Pinnacles

This area is an awe inspiring geologic wonder. The 500 plus tufa pinnacles rise as high as 140 feet to create an unusual and beautiful scenic area.

White Mountains (eastern slope)/Cottonwood Creek

The areas recommended for National Conservation Lands abut a large Forest Service roadless area in the White Mountains. It contains important lower elevation habitat. However, please see our discussion as to why we believe that additional areas in the White Mountains/Deep Springs Valley area should also be placed in National Conservation Lands.

⁷⁶ <http://biology.fullerton.edu/Dept/facilities/dsc/pdf/2006makingtracks.pdf#page=51>

Whitewater River

This riparian habitat hosts the endangered southwest willow flycatcher and Bell’s vireo, and numerous other species. The area is an important wildlife corridor between the San Bernardino and San Jacinto Mountains.

II. Lands with Wilderness Characteristics

BLM now has current guidance requiring updating its inventory of lands with wilderness characteristics and considering protection of those values. FLPMA requires the BLM to inventory and consider lands with wilderness characteristics during the land use planning process. 43 U.S.C. § 1711(a); *see also Ore. Natural Desert Ass’n v. BLM*, 625 F.3d 1092, 1099 (9th Cir. 2010) (“In other words, wilderness characteristics are among the ‘resource and other values’ of the public lands to be inventoried under § 1711.”). Manuals 6310 and 6320 contain mandatory guidance on implementing that requirement. Wilderness inventories are to be done on a *continuing* basis and relevant citizen-submitted data is to be evaluated (BLM Manual 6310.04 (C)(1)). This includes the “necessary forms for each area” including photo logs, route analysis forms and inventory area evaluations (Manual 6310, Appendices A-D). Manual 6310 reiterates that, “[r]egardless of past inventory, the BLM must maintain and update as necessary, its inventory of wilderness resources on public lands.” Manual 6320 requires BLM to consider lands with wilderness characteristics in land use planning, both in evaluating the impacts of management alternatives on lands with wilderness characteristics and in evaluating alternatives that would protect those values.

A. Inventory of Lands with Wilderness Characteristics should be transparent, complete, and accurate – in compliance with Manual 6310.

1. Actions needed to comply with applicable law and guidance.

Section III.14 of the draft plan, evaluating the Affected Environment, addresses “BLM Land Designations, Classifications, Allocations, and Lands with Wilderness Characteristics.” In discussing the inventory conducted under the plan, this section does **not** reference Manual 6310 – although it does refer to applicable sections of FLPMA and BLM’s Land Use Planning Handbook. *See*, draft plan, pp. III.14-38 – III.14-40. The lack of reference to Manual 6310 must be corrected and BLM must confirm that it is using and complying with the current policy guidance.

As noted above, FLPMA and Manual 6310 require BLM to update its inventory, including during planning processes like the DRECP. However, BLM did not inventory the entire DRECP planning area for wilderness characteristics. Rather, “BLM completed a wilderness characteristics inventory for those lands that could potentially be impacted within Development Focus Areas (DFAs) proposed under the Plan.” Draft plan, p. III-14-39. This inventory identified approximately 638,000 acres of lands with wilderness characteristics (Table III.14-V⁷⁷), and we appreciate BLM’s efforts to conduct a significant inventory within the planning area. However,

⁷⁷ Other acreages appear in the draft plan – i.e., 643,000 acres at p. II.3-422; 633,000 acres at p. II.4-57. A consistent number should be identified by BLM.

the inventory is clearly not complete and does not fulfill BLM's obligations under Manual 6310 and FLPMA to maintain a current inventory of lands with wilderness characteristics. The Preferred Alternative provides that BLM will "[c]omplete an inventory of areas for proposed development that do not have an updated wilderness characteristics inventory." Draft plan, p. II.3-423. This approach is insufficient. In order to comply with its obligations under FLPMA and Manual 6310, BLM should inventory potential lands with wilderness characteristics, regardless of whether they are within areas proposed for development. We strongly support BLM completing its inventory of lands with wilderness characteristics as part of the DRECP, making the inventory available for public input and incorporating the results into the final plan.

Further, the manual specifically references consideration of new information "including wilderness characteristics information submitted by the public." BLM Manual 6310.04(C)(1)). CalWild has submitted information that meets the standards set out in Manual 6310 and BLM should evaluate this data, as well as the specific comments on BLM inventory set for the below, and incorporate that data into a final inventory of lands with wilderness characteristics.

Further, BLM's inventory procedures require that necessary forms are completed for each area (included as appendices to Manual 6310), and that a Permanent Documentation File for each area is developed and updated (BLM Manual 6310.06 (B)(4)). Proper documentation of inventory findings is to include relevant narratives, maps, photographs, new information and any other relevant information (BLM Manual 6310.06 (A)). This information should be published online, or otherwise released to the public as soon as documentation files are complete, and BLM should respond to new information and comments submitted on preliminary inventory findings. Instruction Memorandum 2013-106⁷⁸ provides additional guidance regarding public and cooperating agency involvement in the LWC inventory and planning process. The IM instructs that BLM field offices should make finalized and signed wilderness characteristics inventory findings available to the public "as soon as practicable after their completion and before the inventory data is used to inform decisions." Unfortunately, BLM has yet to post its inventory on the DRECP website or the DRECP Gateway on Databasin. BLM can and should post its current inventory data on the DRECP site and DRECP Gateway so it can be easily accessed; and BLM can also continue to post updates to the inventory as it completes the inventory and evaluates the information provided by CalWild.

We recognize the enormity of the undertaking of inventorying this planning area and strongly support the agency's ongoing efforts to complete an inventory, update it based on additional data and comments, and make it readily available.

Recommendations: BLM must conduct a thorough inventory of the planning area in explicit compliance with Manual 6310 that addresses the entire planning area. BLM must evaluate the inventory data presented by CalWild and incorporate this data into its inventory. Further, BLM must make its inventory data available to the public as it completes the inventory and incorporate comments provided on that inventory into the final plan. Finally, BLM should expand its

⁷⁸ Available online at:

http://www.blm.gov/wo/st/en/info/regulations/Instruction_Memos_and_Bulletins/national_instruction/2013/IM_2013-106.html

inventory of lands with wilderness characteristics based on the specific recommendations set out below.

2. Specific Inventory Unit Comments

As a framework for our specific comments, we highlight some governing principles for accurate inventories.

- a. Assessment of wilderness characteristics should not be overly conservative and should look at apparent naturalness and the standalone opportunities of each unit.

BLM Manual 6310 directs, “avoid an overly strict approach to assessing naturalness.” BLM Manual 6310.06 (C)(2)(b)(ii)(2). BLM is to assess *apparent naturalness*, which the manual distinguishes from natural integrity, meaning that naturalness determinations should be based on whether an area looks natural to the average visitor regardless of ecosystem health. Features listed in Manual 6310 that may be considered “substantially unnoticeable” and thus have no effect on apparent naturalness include trails, spring developments, fencing, stock ponds, and certain types of linear disturbances. Furthermore, the manual specifically states that “undeveloped ROWs and similar undeveloped possessory interests (e.g., mineral leases) are not treated as impacts to wilderness characteristics because these rights may never be developed” BLM Manual 6310.06(C)(3)(d).

Impacts to naturalness must be documented to allow the public to adequately review and understand said impacts. BLM should not only photograph and map substantially noticeable human impacts located within the boundaries of a wilderness inventory unit, but should describe in the associated narrative how these impacts, either individually or cumulatively, detract from the apparent naturalness of the unit as a whole. BLM Manual 6310 also requires Route Analysis forms for boundary roads and for routes that are considered to be substantially noticeable impacts to naturalness. These Route Analysis forms are critical to provide the public with the rationale behind naturalness and unit boundary determinations.

We note that Manual 6310 emphasizes the importance of the word “or” in determining whether an area possess outstanding opportunities for solitude **or** a primitive and unconfined type of recreation:

Determine if the area has outstanding opportunities for solitude or a primitive and unconfined type of recreation. The word “or” in this sentence means that an area only has to possess one or the other. The area does not have to possess outstanding opportunities for both elements, nor does it need to have outstanding opportunities on every acre, even when an area is contiguous to lands with identified wilderness characteristics. In most cases, the two opportunities can be expected to go hand-in-hand. An outstanding opportunity for solitude, however, may be present in an area offering only limited primitive recreation potential. Also, an area may be so attractive for primitive recreation that it would be difficult to maintain an opportunity for solitude.

BLM Manual 6310.06 (C)(2)(c).

The manual provides important detailed information for making determinations as to outstanding opportunities, including that BLM should not compare the lands in question with other parcels. *Id.* Each area should be evaluated on its own merits, regardless of whether its qualities are perceived to be common or typical of a planning area, or how it compares to other wilderness-quality lands.

Furthermore, Manual 6310 plainly states that “an area can have wilderness characteristics even though every acre within the area may not meet all the criteria” BLM Manual 6310.06 (C)(3)(e). BLM should assess the overall qualities of an area, and not disqualify primarily natural areas based on minimal impacts.

Supplemental values should be documented, such as important habitat and other elements of ecosystem integrity. However, the presence or absence of those elements should not affect an area’s naturalness for purposes of lands with wilderness characteristics inventory according to Manual 6310.

- b. Boundary delineation should be used to define LWC areas, including through adjusting units and cherry-stemming.

BLM Manual 6310 states that the “boundary [for a wilderness characteristics inventory unit] is usually based on the presence of wilderness inventory roads” but can also be based on changes in property ownership or developed rights-of-way. Wilderness inventory roads are further defined as those roads that are “improved and maintained by mechanical means to insure relatively regular and continuous use... A route that was established or has been maintained solely by the passage of vehicles would not be considered a road for the purposes for wilderness inventory, even if it used on a relatively regular and continuous basis” (BLM Manual 6310.07). As stated above, Route Analysis forms are required to document that routes used as boundaries meet the criteria for wilderness inventory roads.

Where substantially noticeable human impacts do occur within a potential LWC unit, BLM should make an attempt to cut them out of the unit, either through the cherry-stemming of wilderness inventory roads or by cutting out sub-sections of the potential unit entirely, in order to determine if a smaller area can be identified that still meets the size criteria but that doesn’t contain substantially noticeable impacts such as wilderness inventory roads, well pads, or other features. Manual 6310 directs BLM to define the area to “exclude wilderness inventory roads and other substantially noticeable human-caused impacts,” and that “lands located between individual human impacts should not be automatically excluded” (BLM Manual 6310.06 (C)(3)).

- c. Manageability considerations should not be part of determining whether lands have wilderness characteristics.

Section 201 of FLPMA requires BLM to maintain on a continuing basis an inventory of all public lands and their resources and other values, which includes wilderness characteristics. BLM Manual 6310 directs the agency to meet this obligation by maintaining and updating as

necessary its inventory of wilderness resource on public lands. BLM must inventory all potential lands with wilderness characteristics, regardless of potential manageability of those characteristics. This inventory serves as the information base from which BLM makes land use decisions, and therefore must precede planning decisions.

The inventory process should not be conflated with management of lands with wilderness characteristics. BLM should not eliminate areas from inventory because they may be difficult to manage; rather those areas should be inventoried and the full results of those inventories—including road determinations, photographs, and maps detailing the locations of the photographs—should be released for public review and verification. If BLM finds them to possess wilderness characteristics, then BLM can decide whether or how to manage those characteristics. Potential manageability for wilderness characteristics does not affect BLM’s obligation to maintain an accurate inventory of wilderness resources on the public lands.

d. Additional lands with wilderness characteristics

As is noted above, in order to understand the potential impacts of the DRECP on wilderness resources, CalWild launched its own LWC survey in 2013. CalWild’s inventory was completed on January 26, 2014. The survey:

- Followed the protocols and definitions described in BLM Manual 6310 (Conducting Wilderness Characteristics Inventory on BLM Lands);
- Identified 39 areas covering 1,140,488 acres that met the definition of LWC; and
- Was described in 1,168 pages of photographs, maps and other materials that documented the size, naturalness, outstanding opportunities for either solitude or primitive and unconfined recreation and supplemental values of each area.

This information and associated GIS data was submitted to the BLM California State Office on January 28, 2014, and it was shared with BLM California Desert District staff on January 31, 2014. On March 19, 2014, CalWild submitted a letter to California Desert District Manager Teri Raml requesting that the BLM “review our material and use it to inform the preferred alternative in the DRECP.” A copy of the letter was also submitted to BLM State Director Jim Kenna.

Below, we describe additional areas that meet the criteria to be identified as lands with wilderness characteristics. Some of these areas were incorrectly evaluated by BLM and some are additional areas identified by CalWild. We also reserve the right to continue to submit comments as BLM updates its inventory.

Lands identified by CalWild as LWC in 2013-2014⁷⁹

CalWild LWC	Acreage
Argos	10,448
Ash Hill	19,149
Big Maria Mountains Additions	17,257
Bighorn Mountain Additions	11,434
Bristol Lake	39,535
Chemehuevi Valley North	15,461
Chemehuevi Valley South	14,301
Chuckwalla Mountains Additions	59,298
Coso Range Additions	14,161
Danby Lake	35,606
Dublin Hills	14,391
Hollow Hills Additions	6,631
Iron Mountains-Cadiz Valley	188,538
John Muir Additions	2,352
Kingston Range Additions	30,121
Knight Canyon	10,566
Little Chuckwalla Mountains Additions	14,058
Mule Mountains	24,577
Newberry Mountains Additions	5,571
Nopah Range Additions	18,982

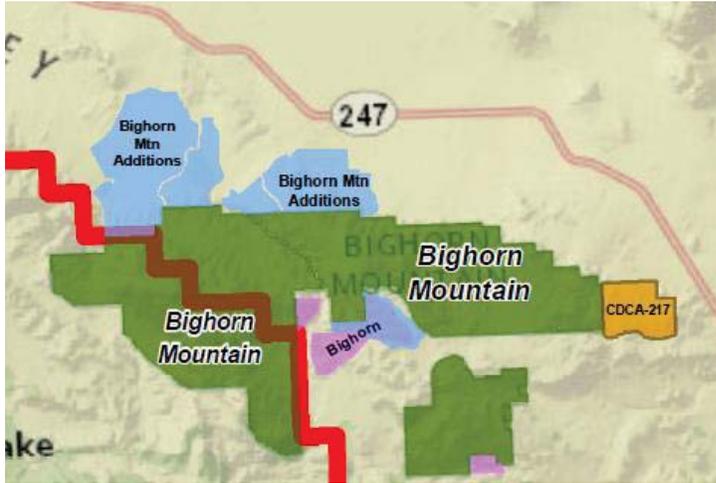
⁷⁹ CalWild did not survey roadless areas proposed for protection as wilderness, potential wilderness, or national monuments in Senator Dianne Feinstein's California Desert Conservation and Recreation Act given the unlikelihood that these areas would be threatened with development. CalWild also did not survey lands that the BLM had already surveyed and found to meet the definition of LWC.

CalWild LWC	Acreage
Orocopia Mountains Additions	21,438
Osborne Canyon	7,433
Palen Lake	16,020
Palen-McCoy Additions	23,804
Pinto Mountains Additions	28,820
Ragtown	21,183
Red Mountain	10,360
Resting Spring Range Additions	7,391
Riverside Mountains Additions	5,357
Rodman Mountains	18,395
Sacramento Mountains	81,571
Ship Mountains	34,520
Snow Canyon	11,831
Stepladder Mountains Additions	65,602
Turtle Mountains Additions	87,840
Valley Mountain	15,058
Vidal	7,520
Whipple Mountains Additions	103,670
Wildrose Wash	20,238
Total	1,140,488

When the BLM's LWC surveys are complete, we intend to offer extensive comments on whether or not the areas listed above should be managed to retain their wilderness characteristics or should be protected in some other fashion. In the meantime, please note that we believe that the

following areas surveyed by CalWild contain superlative wilderness values and other resources that are worthy of the strongest possible administrative protections as LWCs.

Bighorn Mountain Additions: The Bighorn Mountain Wilderness and its adjacent roadless lands form an important ecological transition zone between the high country of the San Bernardino Mountains and the Mojave Desert. According to the CDFW’s NDD, the following



species of interest have been either recorded or have suitable habitat in the area: Baldwin Lake linanthus, Big Bear Valley milk-vetch, Big Bear Valley woollypod, Cienega Seca oxytheca, creamy blazing star, Cushenbury buckwheat, Cushenbury milk-vetch, desert tortoise (federal and state threatened), flat-seeded spurge, fringed myotis, golden eagle (a state fully-protected and watch-list species), Le Conte's thrasher (a state species of special concern), Lincoln rockcress,

Little San Bernardino Mountains linanthus, long-legged myotis, Mohave tui chub (federal and state endangered), Mojave monkeyflower, Parish's daisy, Parish's rockcress, pinyon rockcress, San Bernardino milk-vetch, San Bernardino Mountains dudleya, Shockley's rockcress, southern mountain buckwheat, summer tanager (a state species of special concern), thorny milkwort, Townsend's big-eared bat (a state species of special concern and a candidate for federal listing as threatened), western small-footed myotis and white-bracted spineflower.⁸⁰ While desert bighorn sheep were extirpated from the area, it is considered “transient bighorn sheep range” that could support the species again at some point in the future.⁸¹ The LWC units are also designated critical habitat for the Cushenbury buckwheat, Cushenbury milk-vetch and Parish's daisy, and it is also recognized by the CDFW as a wildlife migration corridor.⁸²

⁸⁰ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

⁸¹ USDI-BLM, *California Wilderness Study Report*, Part 4, Volume 6, Bighorn Mountains CDCA-217, page

3.

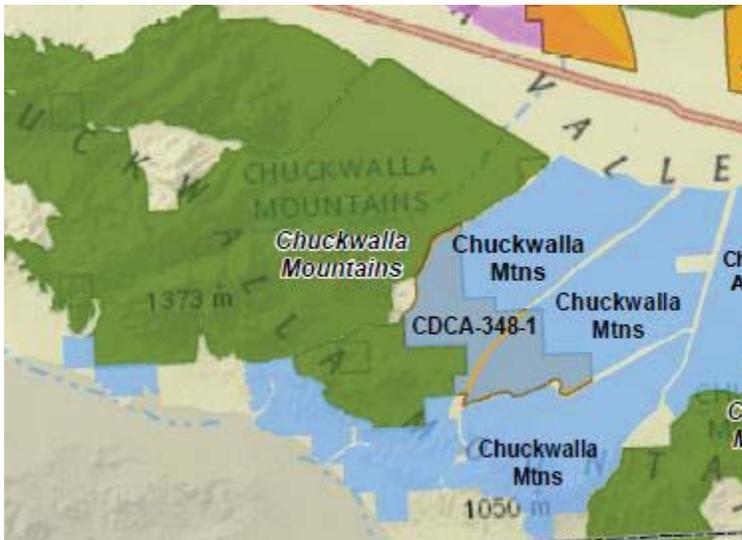
⁸² GIS analysis completed by Kurt Menke of Bird’s Eye View GIS on 12/10/13.



Chemehuevi Valley: While much of this vast desert valley

has been roaded and fragmented by various types of development, it still contains several roadless portions that offer visitors a rare opportunity to visit wild and intact bajadas. According to the CDFW’s NDD, the following species of interest have been either been recorded or have suitable habitat in the area: Arizona pholistoma, Bendire's thrasher (a state species of special concern), desert bighorn sheep (a state fully-protected species), desert tortoise (federal and state threatened), Emory's crucifixion-thorn,

glandular ditaxis, golden eagle (a state fully-protected and watch-list species), Le Conte's thrasher, loggerhead shrike (a state species of special concern), narrow-leaved psorothamnus, prairie falcon (a state watch-list species) and spiny-hair blazing star.⁸³ The LWC units are also designated critical habitat for the desert tortoise.⁸⁴ The importance of the Chemehuevi Valley to the continued viability of the desert tortoise cannot be exaggerated. Scientists note that the region contained some of the highest tortoise population densities in the eastern Mojave Desert with 115 tortoises per square-mile (densities exceeding 100 of the creatures per square-mile only occur in between 2-8% of tortoise habitats).⁸⁵ Biologists have determined that it is feasible to create corridors for the Chemehuevi Valley tortoise population and the populations in the Pinto Mountains, Chuckwalla Mountains and Ivanpah Valley.⁸⁶



Chuckwalla Mountains Additions:

The region offers one of the few remaining areas in the California desert where both rugged mountains and adjacent bajadas can still be managed as an intact ecosystem. The varied terrain of the Chuckwalla region supports a stunning array of plants and animals. According to the CDFW’s NDD, the following species of interest have been either been recorded or have suitable habitat in the area: Alverson's foxtail cactus, American badger (a state species of

⁸³ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

⁸⁴ GIS analysis completed by Kurt Menke of Bird’s Eye View GIS on 12/10/13.

⁸⁵ Grover, Mark C., *Desert Tortoise: Status-of-Knowledge Outline With References*, USDA-USFS, July, 1995, page 21.

⁸⁶ Averill-Murray, Roy C., “CONSERVING POPULATION LINKAGES FOR THE MOJAVE DESERT TORTOISE (GOPHERUS AGASSIZII),” *Herpetological Conservation and Biology* 8(1), page 2.

special concern), black-tailed gnatcatcher, California ayenia, California ditaxis, Colorado Valley woodrat, Cove's cassia, Crissal thrasher (a state species of special concern), desert beardtongue, desert bighorn sheep (a state fully-protected species), desert spike-moss, desert tortoise (a state and federal threatened species), elf owl (a state endangered species), glandular ditaxis, Harwood's milk-vetch, Las Animas colubrine, Le Conte's thrasher (a state species of special concern), Mojave fringe-toed lizard (a state species of special concern), Munz's cholla, pallid bat (a state species of special concern), pink fairy-duster, prairie falcon (a state watch-list species), roughstalk witch grass, sand evening-primrose, slender-spined all-thorn, spear-leaf matelea and western mastiff bat (a state species of special concern).⁸⁷ The LWC units are also designated critical habitat for the desert tortoise.⁸⁸ The Chuckwalla Mountains are an extremely important stronghold for the imperiled desert tortoise. The combined Pinto Mountains, Joshua Tree National Park and Chuckwalla Mountains tortoise population is one of only a few in the entire range of the species that includes more than 10,000 individuals.⁸⁹ A population minimum of 10,000 per population is considered critical for the continued viability of the desert tortoise.⁹⁰ The "Chuckwalla Bench" is an area of gentle terrain between the Chuckwalla Mountains and the Chocolate Mountains. The region is partially included in the LWC. Scientists and nature lovers have long noted its great biological diversity. For example:

The flora on the bench is one of the richest in the Colorado Desert within the State, and at least 158 plant species occur here. In the sandy, gravelly areas a number of shrubs and annuals are present including mesquite, *Prosopis glandulosa* var. *torreyana*, creosote bush, *Larrea tridentata*, catclaw, *Acacia greggii*, ocotillo, *Fouquieria splendens*, and nine species of cactus. In the washes palo verde, *Cercidium floridum*, smoke tree, *Psoralea argophylla*, and desert willow, *Chilopsis linearis*, are common. Four rare or endangered plants occur here, among them the Munz cholla, *Opuntia munzii*. The largest and densest known population of this plant is found on the bench. Other species include *Escoberia vivipara* var. *alversonii*, *Ditaxis californica* and *Ditaxis clariana*. Animal life is diversified and abundant. Of particular note is the dense population of the desert tortoise, *Gopherus agassizii*, found here, with up to 200 individuals per square mile (2.5 square kilometers). The pronghorn, *Antilocapra americana*, once was abundant on the bench but disappeared in the early 1950s. Proposals have been made to reintroduce it.⁹¹

The Chuckwalla Mountains region is popular among hikers, rock hounders, birders, equestrians, hunters, history buffs, off-road vehicle enthusiasts and people engaged in a wide variety of other recreational pursuits. The fact that it is near Interstate 10 and the Bradshaw Trail, among other

⁸⁷ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

⁸⁸ GIS analysis completed by Kurt Menke of Bird's Eye View GIS on 12/10/13.

⁸⁹ Averill-Murray, Roy C., "CONSERVING POPULATION LINKAGES FOR THE MOJAVE DESERT TORTOISE (*GOPHERUS AGASSIZII*)," *Herpetological Conservation and Biology* 8(1), page 2.

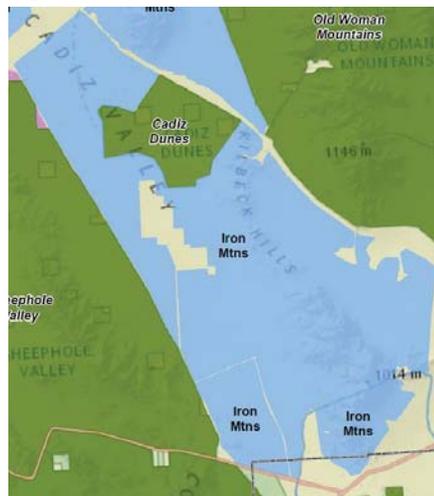
⁹⁰ Ibid.

⁹¹ http://biohere.com/natural_areas/california/Imperial_County/chuckwalla_bench.htm

routes, makes it a desirable location to explore. Existing legally-open routes can easily be cherrystemmed from the proposed LWC units.

Iron Mountains-Cadiz Valley: CalWild staff determined that the Iron Mountains-Cadiz Valley region includes three areas of LWC shown in blue on the map below that are a combined

188,538 acres in size. This makes the region the largest remaining non-wilderness BLM roadless area in the CDCA. According to the CDFW's NDD, the following species of interest have been either recorded or have suitable habitat in the area: desert bighorn sheep (a state fully-protected species), desert tortoise (a state and federal threatened species), Emory's crucifixion-thorn, Harwood's eriastrum, hepatic tanager (a state watch-list species), Mojave fringe-toed lizard (a state species of special concern) and prairie falcon (a state watch-list species).⁹² In 1999 a Gila monster was also observed in the Cadiz Valley.⁹³ The LWC is also recognized as a



wildlife migration corridor by the CDFW and it contains important wetlands.⁹⁴ Interestingly, the bighorn sheep in the Iron Mountains have been found to migrate between the Irons and the Old Woman Mountains.⁹⁵ The importance of this habitat link between the Iron and Old Woman mountains is dramatically illustrated by Clinton Wakefield Epps who wrote that:

Thus “sink” populations in lower, drier habitat may also play a critical role, by serving as reservoirs of healthy animals in the event of a disease outbreak in nearby higher, wetter habitat. For example, when a respiratory disease was suspected to kill a number of adult sheep in the Old Woman Mountains in summer of 2002, no evidence of the disease was found in the nearby Iron Mountains (B. Gonzales, personal communication). The Iron Mountain population has gone extinct at least once, being arid and poorly watered (Epps et al. 2004), and was recently recolonized by sheep from the Old Woman Mountains (Epps 2005). Had the disease in the Old Woman Mountains proved catastrophic, bighorn sheep from the Iron Mountains could potentially have recolonized the Old Woman Mountains.⁹⁶

Mr. Epps also theorized that, over time, the Iron Mountains bighorn sheep population may make contact with the population in the Granite Mountains in the Palen/McCoy Wilderness to the south.⁹⁷ It is imperative in our view that such migration corridors be protected and even

⁹² http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

⁹³ See [http://www.bioone.org/doi/abs/10.3160/0038-3872\(2007\)106%5B39:AHOGMH%5D2.0.CO%3B2](http://www.bioone.org/doi/abs/10.3160/0038-3872(2007)106%5B39:AHOGMH%5D2.0.CO%3B2)

⁹⁴ Menke, 12/10/13.

⁹⁵ Epps, Clinton W., “Status of bighorn sheep in California,” *Desert Bighorn Council Transactions*, Volume 47, page 24.

⁹⁶ Clinton W Epps, “Population Processes in a Changing Climate: Extinction, Dispersal, and Metapopulation, Dynamics of Desert Bighorn Sheep in California” (Ph.D. diss., University of California, Berkeley, 2004), page 67.

⁹⁷ Op cit., page 94.

improved, if possible. All legally-open roads in the area can easily be cherrystemmed from the proposed LWC lands.



Little Chuckwalla Mountains Additions: The bajadas sweeping north from the Little Chuckwalla Mountains contain washes where ecologically-important ironwood thickets thrive. According to the CDFW's NDD, the following species of interest have been either been recorded or have suitable habitat in the area: American badger (a state species of special concern), desert tortoise (a state and federal threatened species), Mojave fringe-toed lizard (a state species of special concern), pink fairy-duster, roughstalk witch grass, prairie falcon (a state watch list species) and sand evening-primrose.⁹⁸ The LWC unit is designated

critical habitat for the desert tortoise and it is recognized by the CDFW as a wildlife migration corridor.⁹⁹ The washes in the area teem with songbirds.

Pinto Mountains Additions: The Pinto Mountains Wilderness borders the northern boundary of Joshua Tree National Park. According to the CDFW's NDD, the following species of interest have been either been recorded or have suitable habitat in the area: Abram's spurge, Alverson's foxtail cactus, desert bighorn sheep (a state fully-protected species) and desert tortoise (state and federally-listed as threatened).¹⁰⁰ The LWC unit is designated critical habitat for the desert



tortoise.¹⁰¹ The Pinto Mountains are an extremely important stronghold for the imperiled desert tortoise. Desert tortoise population surveys found a density of 2.5 tortoises per square kilometer in the Pinto Mountains in 2008.¹⁰² This was the ninth highest population density found of the 17 sites sampled in the Mojave Desert (densities in the 17 sites ranged from five per square

kilometer to 0.4).¹⁰³ In 2009, the Pinto Mountains were found to have a population density of five tortoises per square kilometer, which was the sixth highest of the 15 sites sampled in the

⁹⁸ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

⁹⁹ Menke, 12/10/13.

¹⁰⁰ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

¹⁰¹ Menke, 12/10/13.

¹⁰² USFWS, Range-Wide Monitoring of the Mojave Desert Tortoise (*Gopherus agassizii*): 2008 AND 2009, Reporting Prepared by Linda Allison, Desert Tortoise Monitoring Coordinator, September, 2012, page 57.

¹⁰³ Ibid.

Mojave Desert.¹⁰⁴ The combined Pinto Mountains, Joshua Tree National Park and Chuckwalla Mountains tortoise population is one of only a few in the entire range of the species that includes more than 10,000 individuals.¹⁰⁵ A population minimum of 10,000 per population is considered critical for the continued viability of the desert tortoise.¹⁰⁶

Sacramento Mountains: The Sacramento Mountains are among the most scenic and remote regions in southeastern California. The area's striking rock formations and highly varied terrain makes it particularly scenic. According to the CDFW's NDD, the following species of interest have been either recorded or have suitable habitat in the area: Arizona Bell's vireo (a state endangered species), desert bighorn sheep (a state fully-protected species), desert tortoise (a state and federal threatened species), Gila woodpecker (a state endangered species), Le Conte's



thrasher (a state species of special concern), mountain plover (a state species of special concern), narrow-leaved psorothamnus, pallid bat (a state species of special concern), prairie falcon (a state watch-list species), spiny-hair blazing star, vermilion flycatcher (a state species of special concern) and yellow-breasted chat (a state species of special concern).¹⁰⁷ Two of the LWC units in the Sacramento Mountains are designated critical habitat for the desert

tortoise.¹⁰⁸ While there are legally-open vehicle routes in the Sacramento range that are important for recreation, these routes can easily be excluded from the proposed LWC by cherrystemming them.

¹⁰⁴ USFWS, page 58.

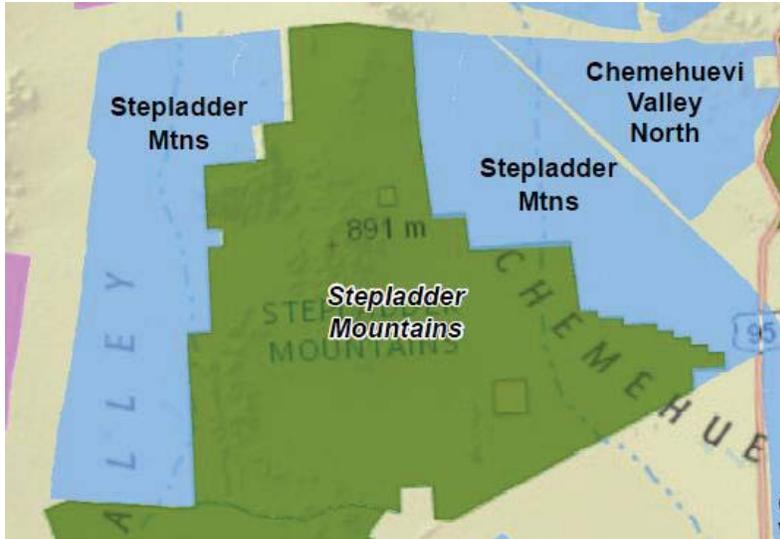
¹⁰⁵ Averill-Murray, Roy C., "CONSERVING POPULATION LINKAGES FOR THE MOJAVE DESERT TORTOISE (GOPHERUS AGASSIZII)," *Herpetological Conservation and Biology* 8(1), page 2.

¹⁰⁶ Ibid.

¹⁰⁷ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

¹⁰⁸ Menke, 12/10/13.

Stepladder Mountains Additions: The Stepladder-Turtle-Whipple region is one of the wildest remaining regions in the CDCA. According to the CDFW's NDD, the following species of interest have been either recorded or have suitable habitat in the area: desert bighorn sheep



(a state fully-protected species), desert tortoise (federal and state threatened), Emory's crucifixion-thorn, glandular ditaxis, golden eagle (a state fully-protected and watch-list species), Le Conte's thrasher, burrowing owl (a state species of special concern), lobed ground-cherry and prairie falcon (a state watch-list species).¹⁰⁹ The LWC units are also designated critical habitat for the desert tortoise and the CDFW considers them to be

wildlife migration corridors.¹¹⁰ The importance of the Chemehuevi Valley to the continued viability of the desert tortoise cannot be exaggerated. Scientists note that the region contained some of the highest tortoise population densities in the eastern Mojave Desert with 115 tortoises per square-mile (densities exceeding 100 of the creatures per square-mile only occur in between 2-8% of tortoise habitats).¹¹¹ Biologists have determined that it is feasible to create corridors for the Chemehuevi Valley tortoise population and the populations in the Pinto Mountains, Chuckwalla Mountains and Ivanpah Valley.¹¹² Additionally, the Western unit is in Ward Valley, a known sacred area for five Native American tribes.¹¹³

¹⁰⁹ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

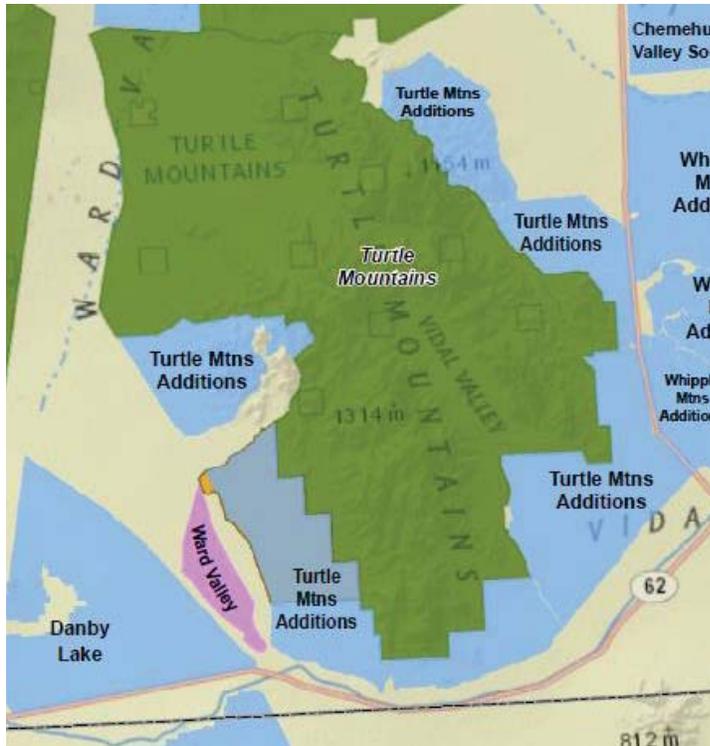
¹¹⁰ GIS analysis completed by Kurt Menke of Bird's Eye View GIS on 12/10/13.

¹¹¹ Grover, Mark C., *Desert Tortoise: Status-of-Knowledge Outline With References*, USDA-USFS, July, 1995, page 21.

¹¹² Averill-Murray, Roy C., "CONSERVING POPULATION LINKAGES FOR THE MOJAVE DESERT TORTOISE (GOPHERUS AGASSIZII)," *Herpetological Conservation and Biology* 8(1), page 2.

¹¹³ "Ward Valley Nuclear Waste Dump Defeated by Tribes," Healing Ourselves and Mother Earth (HOME) website: <http://www.h-o-m-e.org/nuclear-colonialism/ward-valley-ca.html>

Turtle Mountains Additions: The Turtle Mountains are characterized by numerous and highly scenic spires, pinnacles, mesas, and buttes and many of the rock formations are striped with red, orange, and purple hues. The area is rumored to have several natural arches. The Turtle Mountains Wilderness and its adjacent roadless lands form an important ecological connection



between the Colorado River and the inland Sonoran and Mojave deserts. Although scientists disagree on where the exact transition area is between the Mojave and Sonoran deserts, a map from the Arizona-Sonora Museum¹¹⁴ shows that the Turtle Mountains, Mopah Mountains, and surrounding LWC are within the transition zone between the Mojave and Sonoran deserts. Much of the area is designated critical habitat for the federally threatened Desert tortoise.¹¹⁵ Additionally, it is recognized by the CDFW as a wildlife migration corridor.¹¹⁶ According to the CDFW's NDD, the following species of interest have been either recorded or have

suitable habitat in the area: state and federally listed threatened desert tortoise, desert bighorn sheep, prairie falcon, Le Conte's thrasher, Cove's cassia, Arizona pholistoma, desert beardtongue, three-awned grama, burrowing owl, Bendire's thrasher, Mojave fringe-toed lizard, Abrams' spurge, Harwood's milk-vetch, Harwood's eriastrum, and Emory's crucifixion-thorn.¹¹⁷ Beyond these species, the BLM identifies other wildlife inhabitants of the area, including coyote, black-tailed jackrabbits, ground squirrels, kangaroo rats, quail, roadrunners, golden eagles, rattlesnakes, and several species of lizards.¹¹⁸ The Turtle Mountains were also the site of the discovery of ancient packrat middens that helped biologists better understand the vegetation of the area between 13,900 and 19,500 years ago.¹¹⁹ Mummified buds and seeds from pinyon pine were found at two packrat midden locations within the Turtle Mountains, suggesting that the tree existed at a lower latitude and elevation than scientists had previously thought.¹²⁰ This finding

¹¹⁴ Arizona-Sonora Museum http://www.desertmuseum.org/images/csds/sonoran_map-lg.jpg

¹¹⁵ US Fish and Wildlife Service Critical Habitat portal <http://ecos.fws.gov/crithab/>

¹¹⁶ GIS analysis completed by Kurt Menke of Bird's Eye View GIS on 12/10/13.

¹¹⁷ California Department of Fish and Wildlife's (CDFW) Natural Diversity Database

¹¹⁸ California BLM website Turtle Mountains Wilderness:

http://www.blm.gov/ca/st/en/fo/needles/wilderness/turtle_mountains.html

¹¹⁹ Berger, Rainer and Philip V. Wells, "Late Pleistocene History of Coniferous Woodlands in the Mohave Desert," *Science*, New Series, Vol. 155, No. 3770, 1967.

¹²⁰ Ibid

shifted scientific thinking regarding the range and extent of ancient woodlands in what is now the California desert.¹²¹ The area is crossed by one of the branches of the “Salt Song Trail,” a route used by early Native Americans to travel between the Colorado River and inland water sources and to gather salt at Danby Lake. Additionally, the lower elevations of this unit encompass portions of Ward Valley, a known sacred area for five local Native American tribes.¹²²

Whipple Mountains Additions: The Whipple Mountains form an important ecological connection between the Colorado River and the inland Sonoran and Mojave deserts. Although scientists disagree on where the exact transition area is between the Mojave and Sonoran deserts, a map from the Arizona-Sonora Museum¹²³ show the Whipple Mountains Wilderness and LWC are situated very close to the transition zone between the two deserts. Botanists also situate the



Whipples in a transition zone, and a floristic survey conducted in 2007 revealed plants from 383 taxa, including species from both the Sonoran and Mojave Deserts as well as several Arizona plants at the edges of their ranges.¹²⁴ According to the same study, the Whipple Mountains have more plants in common with Joshua Tree National Park than any other flora used in comparison.¹²⁵ The Whipple Mountains provide superior nesting and foraging habitat for a number of raptors; including prairie falcons, golden eagles, red-tailed hawks, and Cooper's hawks.¹²⁶ According to the CDFW's NDD, the following state and/or federally listed threatened and/or endangered species have been either been recorded or have suitable

habitat in the area: desert bighorn sheep, Colorado Valley woodrat, cheeseweed owlfly, bitter hymenoxys, saguaro, glandular ditaxis, vermilion flycatcher, California leaf-nose bat, Yuma myotis, Townsend's big-eared bat (candidate for state listing), western mastiff bat, Arizona woodland, Graham fishhook cactus, narrow-leaved psorothamnus, Aven Nelson's phacelia, desert germander, Darlington's blazing star, slender cottonheads, bare-stem larkspur, desert

¹²¹ Ibid

¹²² “Juggling a Hot Potato Named Nuclear Waste : Hearings on Ward Valley disposal site plan could have national impact on issues of safety and responsibility,” LA Times, April 20, 1992: http://articles.latimes.com/1992-04-20/local/me-262_1_ward-valley.

¹²³ Arizona-Sonora Museum http://www.desertmuseum.org/images/csds/sonoran_map-lg.jpg

¹²⁴ De Groot, Sarah J. (2007) "Vascular Plants of the Whipple Mountains," *Aliso: A Journal of Systematic and Evolutionary Botany*: Vol. 24: Iss. 1, Article 6.

¹²⁵ Ibid.

¹²⁶ Ibid

beardtongue, small-flowered androstephium, yellow-breasted chat, pallid bat, Colorado River cotton rat, desert pincushion, Emory's crucifixion-thorn, American badger, brown-crested flycatcher, Crissal thrasher, yellow-breasted chat, northern cardinal, cave myotis, white desert snail, Alverson's foxtail cactus, Abrams' spurge, wand-like fleabane daisy, Cove's cassia, Arizona pholistoma, bare-stem larkspur, three-awned grama, loggerhead shrike, spear-leaf matelea, Kofa barberry, spiny-hair blazing star, Bendire's thrasher, and Wiggins' cholla.¹²⁷ All but two of the LWC units are within designated critical habitat for the federally threatened desert tortoise.¹²⁸ The area is also recognized by the CDFW as a wildlife migration corridor.¹²⁹

B. Management

Manual 6320 guides management decisions for lands with wilderness characteristics; and BLM accurately quotes its options to: (1) emphasize other multiple uses as a priority over protecting wilderness characteristics, (2) emphasizing other multiple uses while applying management restrictions to reduce impacts to wilderness characteristics, and (3) protecting wilderness characteristics as a priority over other multiple uses. Draft plan, p. III.14-10. However, BLM also summarizes the standard making decisions regarding management as "Lands with wilderness characteristics may be considered in land use planning decisions when BLM determines that those characteristics are reasonably present, of sufficient value and need, and practical to manage." Draft plan, pp. III.14-1 – 14-2. This is not an accurate summary of the manner in which BLM is to make management decisions under Manual 6320. Rather, Manual 6320 prescribes that BLM should look at manageability and resources values and uses, balancing costs and benefits of management. Manual 6320, pp. 3-4. BLM should ensure that its management decisions are based on an accurate evaluation of manageability and impacts to other uses from protecting wilderness characteristics, both positive and negative.

1. Actions needed to comply with applicable law and guidance.
 - a. Maximize acreage managed to protect wilderness characteristics.

Under the preferred alternative, BLM would manage 298,000 acres of identified lands with wilderness characteristics to protect these characteristics. Draft plan, p. II.3-367. The entire range of management is as follows:

- Alternative 1 (no action alternative) - 0 acres
- Alternative 2 - 317,000 acres (all identified lands with wilderness characteristics except lands within DFAs and transmission corridors)
- Alternative 3 - 374,000 acres (all identified lands with wilderness characteristics except lands within DFAs and transmission corridors)
- Alternative 4 - 0 acres

¹²⁷ California Dept. of Fish and Wildlife Natural Diversity Database <http://www.dfg.ca.gov/biogeodata/cnddb/mapsanddata.asp>

¹²⁸ US Fish and Wildlife Service Critical Habitat portal <http://ecos.fws.gov/crithab/>

¹²⁹ GIS analysis completed by Kurt Menke of Bird's Eye View GIS on 12/10/13.

- Preferred Alternative – 298,000 acres

Manual 6320 states: “Managing the wilderness resource is part of the BLM’s multiple use mission.” Manual 6320, p. 2. By managing a significant portion of the lands identified to protect their wilderness characteristics and also incorporating management to avoid, reduce or mitigate for impacts, BLM acknowledges the significance of wilderness characteristics as an important value and multiple use. As BLM identifies additional lands with wilderness characteristics based on ongoing inventory and comments provided on its current inventory, we expect BLM to identify additional lands to be managed to protect those characteristics. BLM should maximize protection of this valuable resource. As discussed elsewhere in these comments, layering management that protects a variety of resources is an important tool that BLM consistently uses. Protection of wilderness characteristics can be effective as a standalone management approach but is also effective along with designation of ACECs, NCLs and other conservation-oriented designations, as well as portions of special and extensive recreation management areas.

- b. BLM’s evaluation of the impacts of managing lands to protect wilderness characteristics should examine the values of such management.

Pursuant to Manual 6320, BLM is required to examine both the benefits and restrictions to other uses and resources from protecting wilderness characteristics. However, in assessing impacts, the draft plan states:

Management of lands with wilderness characteristics varies by alternative, and these lands are not considered special designations. A primary consideration in quantifying impacts is the extent to which these BLM-administered lands are affected by or intersect with the proposed DFAs (within BLM-administered lands only) and approved transmission corridors under each alternative.

Draft plan, p. IV.14-1.

However, this evaluation does not fully describe the myriad benefits to other resources and uses from protecting wilderness characteristics, including protecting scenic values and cultural resources, providing high quality wildlife habitat and riparian areas, and supporting backcountry recreation. A complete evaluation of the potential benefits from protecting wilderness characteristics is vital for making management decisions.

All large roadless areas, including both designated wilderness and LWCs, offer a multitude of critically important social and ecological benefits. Unfortunately, the DRECP fails to discuss these values to any significant degree. Chapter 3, pages 3-7 of the Roadless Area Conservation Final Environmental Impact Statement (RACR FEIS) offers an excellent summary of these values:

- Clean water for domestic, agricultural, and industrial uses, that helps to maintain abundant and healthy fish and wildlife populations, and that provides the basis for many forms of outdoor recreation;

- Undisturbed or less disturbed habitat that conserves native biodiversity by providing areas where nonnative invasive species are rare, uncommon, or absent;
- Habitat for threatened, endangered, proposed, candidate, and sensitive species and for those species dependent on large, undisturbed areas of land;
- Opportunities for people to enjoy high-quality non-motorized recreation activities, including hiking, camping, mountain biking, picnicking, wildlife viewing, hunting, fishing, cross-country skiing, swimming and whitewater boating;
- “Reference landscapes” that can provide comparison areas for scientists seeking to evaluate and monitor the differences between natural settings and more intensely managed areas;
- High quality scenery that contributes directly to local tourism and to real estate values in neighboring communities; and
- Many important Native American cultural sites and valuable historical resources.

We request that the final DRECP and EIS/EIR include a discussion of the values of roadless lands.

- c. Prescriptions for areas managed to protect wilderness characteristics can and should be tailored to individual units.

The BLM’s Preferred Alternative Conservation and Management Actions (CMAs) for lands managed for wilderness characteristics include:

- No surface occupancy for mineral extraction, no exceptions, waivers or modifications
- Excluded from right-of-way development
- Closed to new roads/routes; vehicles are permitted only on existing roads/routes
- No mineral materials sales or commercial/personal-use extraction permits
- Areas must be Visual Resource Management (VRM) Classification II
- Any new structures must protect or enhance the wilderness characteristics being managed
- Land cannot be removed from federal ownership
- Recommendation that all areas managed to protect wilderness characteristics be withdrawn from mineral entry

Under Alternative 2 and 3, in addition to the CMAs in the Preferred Alternative, BLM would seek to acquire inholdings through purchase, exchange or donation in order to protect their wilderness characteristics and all mechanized and motorized transport on LWC lands would be prohibited. We recommend that BLM incorporate the direction regarding acquisition of inholdings into the final plan for all areas managed to protect wilderness characteristics. We also support the incorporation of all lands with wilderness characteristics as a screen to exclude lands from classification as DRECP Variance Lands. Draft plan, p. II.3-309.

- d. CMA and mitigation measures for impacts to wilderness characteristics should be retained in the final plan.

The Preferred Alternative sets out CMAs for the entire planning area, which apply to address impacts to wilderness characteristics, including:

- Complete an inventory of areas for proposed development that do not have an updated wilderness characteristics inventory.
- Employ avoidance measures as described under DFAs and approved transmission corridors.
- Compensation will be at a 2:1 ratio for impacts from any development that impacts wilderness characteristics.

Draft plan, p. II.3-423. The draft is not entirely clear on how the “compensation” will be calculated and applied. BLM should clarify that compensation can be through a variety of measures.

We direct the BLM to the range of mitigation measures for impacts to lands with wilderness characteristics set out in the Record of Decision for the Solar Programmatic EIS (Solar PEIS), which provides methods to mitigate unavoidable impacts on specially designated areas and lands with wilderness characteristics may include, but are not limited to, the following:

- Acquiring wilderness inholdings from willing sellers.
- Acquiring private lands from willing sellers adjacent to designated wilderness.
- Acquiring private lands from willing sellers within proposed wilderness or Wilderness Study Areas.
- Acquiring other lands containing important wilderness or related values, such as opportunities for solitude or a primitive, unconfined (type of) recreation.
- Restoring wilderness, for example, modifying routes or other structures that detract from wilderness character.
- Contributing mitigation monies to a “wilderness mitigation bank,” if one exists, to fund activities such as the ones described above.
- Enacting management to protect lands with wilderness characteristics in the same field office or region that are not currently being managed to protect wilderness character. Areas that are to be managed to protect wilderness characteristics under this approach must be of sufficient size to be manageable, which could also include areas adjacent to current WSAs or adjacent to areas currently being managed to protect wilderness characteristics.

Solar PEIS ROD, pp. 55-56.

We recommend including the full range of options as ways to achieve the compensation prescribed above.

However, within DFAs and approved transmission corridors, the draft plan provides that development in lands with wilderness characteristics is allowed. We recommend that identified lands with wilderness characteristics be excluded from proposed new DFAs and approved transmission corridors, consistent with the DRECP's approach to identifying variance lands. Where there are unavoidable impacts in DFAs and approved transmission corridors to wilderness characteristics, we recommend compensatory mitigation be applied. In the draft plan, there is an accompanying mitigation measure for impacts to wilderness characteristics within DFAs and approved transmission corridors that would apply, at a 1:1 ratio, through acquisition and donation to the federal government of:

- Wilderness inholdings;
- Wilderness edge holdings that have inventoried wilderness characteristics; or
- Other areas within the Plan Area that are managed to protect wilderness characteristics.

The plan also provides that restoration of existing impacts in wilderness or WSAs can substitute for acquisition. Draft plan, p. II.3-424. If there unavoidable impacts, then we recommend that compensation be subject to the range of options provided in the Solar PEIS, as set out above. We also recommend that BLM apply a 2:1 mitigation ratio for impacts to wilderness characteristics in DFAs and approved transmission corridors.

Recommendations: BLM should maximize opportunities to manage lands to protect wilderness characteristics, including through layering management within other designations. In evaluating management, BLM should fully examine the benefits to other uses and resources from protecting wilderness characteristics. BLM should incorporate direction to acquire inholdings within areas managed for wilderness characteristics, as set out in Alternatives 2 and 3, into the final plan, and also maintain the screen for lands with wilderness characteristics to be excluded from DRECP Variance Lands. Lands with wilderness characteristics should be excluded from DFAs and approved transmission corridors. However, where there are unavoidable impacts, we support BLM incorporating mitigation for impacts to lands with wilderness characteristics and recommend using the full range of mitigation approaches set out in the Solar PEIS ROD, as well as a 2:1 ratio for calculating compensatory mitigation.

2. Specific inventory unit comments.

a) *Comments on lands proposed for management of wilderness characteristics:*

We strongly support the Preferred Alternative's proposal to manage the following areas as LWC and we encourage the BLM to retain LWC status for these areas in the final plan.

Bighorn Mountains Additions: As is noted above in more detail, the region is a highly diverse ecological transition zone between the Mojave Desert and the San Bernardino Mountains. It is noted for its great botanical diversity. However, please note that there are additional lands in the area that should also be managed as LWCs as described above.

Cady Mountains Additions: These lands on the northern boundary of the Cady Mountains Wilderness Study Area include the southern rim of Afton Canyon, an area renowned for its striking scenery and the many ecological and cultural values associated with the Mojave River.

California Valley: This remote valley sandwiched between the Nopah Range and Kingston Range is a scenic jewel noted for its important tortoise habitat and Native American cultural values.

Golden Valley Additions: The endangered Mojave ground squirrel inhabits the area as does the desert tortoise. Christmas Canyon is noted for its important cultural resources.

Grass Valley Additions: These former private lands were acquired to maintain and restore the area's high-value desert tortoise habitat. Blackwater Well is a natural seep created by the Blackwater Fault and it provides one of the few year-round water sources in an otherwise arid region.

Indian Pass Additions: The area's close proximity to the Colorado River has given it both high cultural and ecological values. It is also noted for its scenic rock formations.

Milpitas Wash: The area supports the largest microphyll woodland in the United States. The abundance of legume trees gives the area a lush character rarely found in the desert. Milpitas Wash is one of the few areas in California where the Gila woodpecker is known to nest.

Palen/McCoy Additions: These ancient dunes along the shore of Palen Dry Lake are noted for their important cultural values and high botanical diversity.

Palo Verde Additions: The Palo Verde Mountains boast one of the few native populations of saguaro cactus in California.

Silurian Hills: These colorful and complex mountains are a natural extension of the Kingston Range Wilderness and form a striking backdrop for people visiting the vast Silurian Valley.

Slate Range: The region is one of the largest remaining unprotected roadless areas in the California desert. It rises dramatically from the floor of the scenic and popular Panamint Valley. It provides important connectivity with the wild lands of adjacent Death Valley National Park. Existing designated vehicle routes can easily be excluded from the LWC portions of the range.

Sleeping Beauty Mountains: The region is characterized by a large sweeping bajada and the Sleeping Beauty rock formation. Desert bighorn sheep inhabit the area. Visitors to the area may find an astounding assortment of stones, including agate, jasper and petrified palm trees.

Turtle Mountains Additions: The Turtle Mountains, along with the nearby Stepladder and Whipple ranges and the vast bajadas between them, form one of the largest remaining complexes of roadless and wilderness lands in southeastern California. The area provides critically-

important habitat for both bighorn sheep and desert tortoise. However, please note that there are additional lands in the area that should also be managed as LWCs as is described above.

b) Additional lands BLM should manage for wilderness characteristics

Of the lands surveyed by the BLM thus far, we request that the following areas also be managed as LWCs.

McCoy Wash: This roadless area east of the Palen/McCoy Wilderness is characterized by numerous washes sheltering extensive microphyll woodland habitat. Much of the roadless area is in the Riverside East SEZ/DFA, though developing solar or wind energy in the roadless area would involve the clearing of large areas of riparian habitat critical to wildlife and many bird species. We therefore request that the LWC within the Riverside East SEZ/DFA be classified as a non-development area within the SEZ/DFA.

Middle Knob: The Tehachapi Mountains are recognized as a globally-unique ecosystem where the Coast Range, desert, Central Valley and Sierra Nevada meet. Unfortunately, there is very little public land in the range, and much of the region has been developed for wind energy and a variety of other purposes. By managing the Middle Knob area to retain its wilderness characteristics, the BLM can help to retain a small vestige of wildness in an otherwise heavily-developed region that is still home to a variety of endangered species, including the California condor. Managing the area as LWC can also help to maintain the wild character of the Pacific Crest National Scenic Trail that passes through the roadless area. The section of the route in the Tehachapi Mountains is noted more for its views of wind turbines, aqueducts and highways, not for its solitude and natural beauty. The Middle Knob roadless area should be managed as an exception to this rule.

Riggs Wash-Silurian Valley: The Riggs Wash portion of the vast Silurian Valley is a natural extension of the Kingston Range-Sperry Hills-Hollow Hills-Silurian Hills complex of wilderness and roadless areas that helps to maintain the scenic beauty, recreation opportunities and ecological values of this important public gateway to Death Valley National Park. Riggs Wash is an integral part of this wild landscape and, despite the fact that it is has been proposed for renewable energy development, it is as deserving of protection as is the adjacent Silurian Hills. The final DRECP decision on this portion of Silurian Valley should be consistent with BLM's recent rejection of the variance right-of-way application for a proposed solar facility. In rejecting this application, BLM noted that:

The initial review and analysis indicated that the impacts to the Silurian Valley, a largely undisturbed valley that supports wildlife, an important piece of the Old Spanish National Historic Trail, and recreational and scenic values, had too great of an impact on the

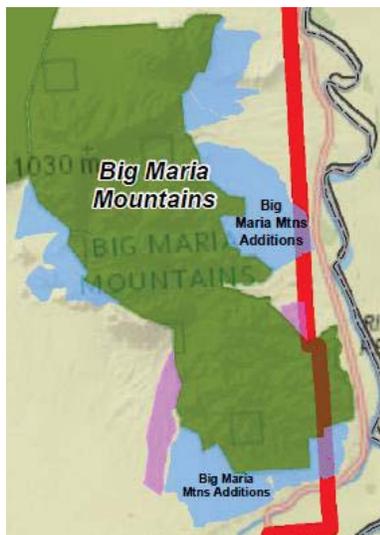
resources. The BLM concluded that these impacts likely could not be mitigated and that the project would not be in the public interest.

BLM California State Office News Release, 11/20/2014, available at <http://www.blm.gov/ca/st/en/info/newsroom/2014/november/siluranvalley.html>.

c) *Lands mistakenly found to not have wilderness characteristics*

Of the 3,096,000 acres surveyed thus far by the BLM in the DRECP Planning Area, 633,000 acres were found to meet the definition of LWC. While we concur with most of the BLM's findings, we are puzzled by the agency's failure to find wilderness characteristics in the following areas. We request that these lands be resurveyed prior to the approval of the DRECP ROD so that their wilderness values can be given appropriate consideration.

Big Maria Mountains Wilderness Additions: Using the standard outlined in BLM Manual 6310, CalWild staff determined that the Big Maria Mountains Additions contains 17,257 acres of



LWCs in seven units. CalWild's findings are documented in a 33-page report entitled *Lands with Wilderness Characteristics Recommendations for the Desert Renewable Energy Conservation Plan Process: Big Maria Mountains Additions Lands with Wilderness Characteristics* that was submitted to the BLM on January 28, 2014. A resurvey of the area is critically important given that all of the eastern units are less than a mile away from the Colorado River. This increases the probability that they possess important ecological and cultural resources. Note that the famous Blythe intaglio site is 1.7 miles from the easternmost unit. The BLM notes that "Important site complexes have been recorded on the flanks of the Big Marias and aboriginal trails are known to run into the mountains from both the east and west"¹³⁰

According to the CDFW's NDD, the following species of interest have been either recorded or have suitable habitat in the area: Abrams' spurge, Alverson's foxtail cactus, angel trumpets, bitter hymenoxys, Bradley's cuckoo wasp, brown-crested flycatcher (a state watch-list species), burrowing owl (a state species of special concern), California leaf-nosed bat (a state species of special concern), California satintail, Crissal thrasher (a state species of special concern), desert tortoise (federal and state threatened), dwarf germander, elf owl (a state endangered species), Gila woodpecker (a state endangered species), gilded flicker (a state endangered species), golden eagle (a state fully-protected and watch-list species), mountain plover (a state species of special concern), summer tanager (a state species of special concern), vermilion flycatcher (a state species of special concern), western yellow-billed cuckoo (a federal proposed threatened species and a state endangered species), yellow-breasted chat (a state species of special concern) and

¹³⁰ USDI-BLM, *California Wilderness Study Report*, Part 4, Volume 6, Big Maria Mountains CDCA-321, page 6.

Yuma clapper rail (a federal endangered species and a state endangered and fully-protected species).¹³¹

Danby Lake: Using the standard outlined in BLM Manual 6310, CalWild determined that 35,606 acres of Danby Lake met the definition of LWC. CalWild's findings are documented in a



29-page report entitled *Lands with Wilderness Characteristics Recommendations for the Desert Renewable Energy Conservation Plan Process: Danby Lake Lands with Wilderness Characteristics* that we submitted to the BLM on January 28, 2014. A resurvey for the area is critically important given that according to CDFW's NDD, the following species of interest have been either been recorded or have suitable habitat in the area: desert bighorn sheep (a state fully-protected species), Harwood's eriastrum, Harwood's milk-vetch, hepatic tanager (a state watch list species), prairie falcon (a state watch list species),

slender cottonheads and small-flowered androstephium.¹³² The area is also recognized as a wildlife migration corridor by the CDFW and it contains important wetlands.¹³³ The ancient shoreline of the lake has yielded several meteorite fragments.¹³⁴

Iron Mountains-Cadiz Valley: One of the most puzzling conclusions of the BLM's LWC surveys is that the truly vast Iron Mountains-Cadiz Valley region does not include any LWC. Using the standard outlined in BLM Manual 6310, CalWild staff determined that the Iron Mountains-Cadiz Valley region includes three areas of LWC shown in blue on the map below that are a combined 188,538 acres in size. This makes the region the largest remaining non-wilderness BLM roadless area in the CDCA. CalWild's findings are documented in a 81-page report entitled *Lands with Wilderness Characteristics Recommendations for the Desert Renewable Energy Conservation Plan Process: Iron Mountains Lands with Wilderness Characteristics* that was submitted to the BLM on January 28, 2014. A resurvey is critically important given the values of the area described above.



¹³¹ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

¹³² http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

¹³³ Menke, 12/10/13.

¹³⁴ <http://www.starcatching.com/mets.htm?danbydrylake>

Kingston Range Additions (Sperry Hills): Using the standard outlined in BLM Manual 6310, CalWild staff determined that 30,121 acres of the Sperry Hills met the definition of LWC. CalWild's findings are documented in a 23-page report entitled *Lands with Wilderness Characteristics Recommendations for the Desert Renewable Energy Conservation Plan Process: Kingston Range Additions Lands with Wilderness Characteristics* that was submitted to the BLM on January 28, 2014. According to the CDFW's NDD, the following species of interest have been either been recorded or have suitable habitat in the area: Amargosa naucorid bug,



Amargosa nitrophila (a state and federal endangered species), Amargosa vole (a state and federal endangered species), brown-crested flycatcher (a state watch list species), California saw-grass, Crissal thrasher (a state species of special concern), Death Valley June beetle, desert bighorn sheep (a state fully-protected species), golden eagle (a state fully-protected and watch list species), gray vireo (a state species of special concern), mountain plover (a state species of special concern), least Bell's vireo (a state and federal endangered species), Mojave fringe-toed lizard (a state species of special concern), long-eared owl (a state species of special concern), pallid bat (a state species of special concern), prairie falcon (a state watch list species), Ripley's aliciella, summer tanager (a state species of special concern), Tecopa salty bird's-beak, vermilion

flycatcher (a state species of special concern), western snowy plover (a federal threatened species and a state species of special concern), western yellow-billed cuckoo (a federal proposed threatened species and a state endangered species) and white bear poppy.¹³⁵ The area is also recognized as a wildlife migration corridor by the CDFW and it contains wetlands.¹³⁶ The LWC contains designated critical habitat for the Amargosa vole, and a full 2,250 acres of riparian habitat.¹³⁷ The Sperry Hills have also yielded fossilized camel prints.¹³⁸ The region can host hikers, rock hounders, birders, equestrians, hunters and people engaged in a wide variety of other recreational pursuits. The fact that it is near Tecopa, Highway 127 and Death Valley National Park and other attractions, makes it a desirable location to explore.

¹³⁵ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

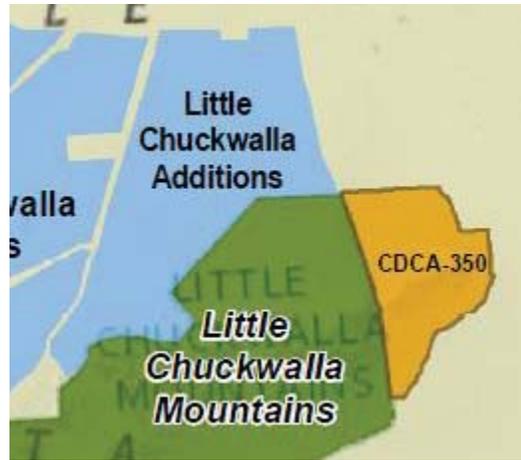
¹³⁶ Menke, 12/10/13.

¹³⁷ Ibid.

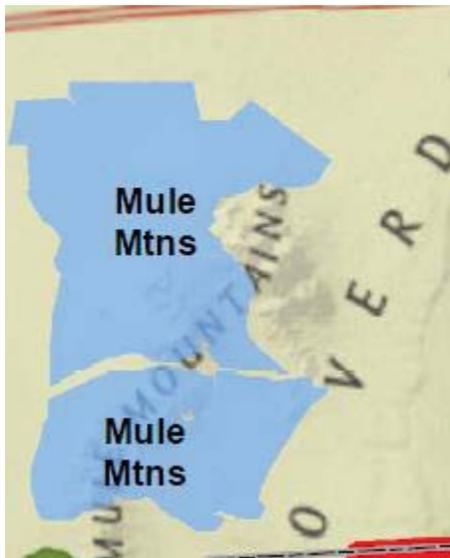
¹³⁸ See <http://biology.fullerton.edu/Dept/facilities/dsc/pdf/2006makingtracks.pdf#page=51>

Little Chuckwalla Mountain Wilderness Additions:

Using the standard outlined in BLM Manual 6310, CalWild staff determined that 14,058 acres of the vast bajada north of the Little Chuckwalla Mountains Wilderness met the definition of LWC. CalWild’s findings are documented in a 25-page report entitled *Lands with Wilderness Characteristics Recommendations for the Desert Renewable Energy Conservation Plan Process: Little Chuckwalla Mountains Additions Lands with Wilderness Characteristics* that was submitted to the BLM on January 28, 2014. A resurvey is critically important given the values of the area described above.



Mule Mountains: Using the standard outlined in BLM Manual 6310, CalWild staff determined that the Mule Mountains contains two areas of LWC encompassing approximately 24,577 acres



(the northern unit is 16,186 acres in size and the southern unit is 8,391 acres in size). CalWild’s findings are documented in a 63-page report entitled *Lands with Wilderness Characteristics Recommendations for the Desert Renewable Energy Conservation Plan Process: Mule Mountains Lands with Wilderness Characteristics* that was submitted to the BLM on January 28, 2014. A resurvey for the area is critically important given that according to the CDFW’s NDD, the following species of interest have been either been recorded or have suitable habitat in the Mule Mountains: Abrams’ spurge, American badger (a state species of special concern), bitter hymenoxys, black-tailed gnatcatcher, burrowing owl (a state species of special concern), California leaf-nosed bat, California mellitid bee,

cave myotis, Colorado River cotton rat (a state species of special concern), Colorado Valley woodrat, Couch’s spadefoot (a state species of special concern), Crissal thrasher (a state species of special concern), desert beardtongue, desert tortoise (a state and federal threatened species), dwarf germander, Emory’s crucifixion-thorn, Gila woodpecker (a state endangered species), gravel milk-vetch, Harwood’s eriastrum, Harwood’s milk-vetch, hoary bat, Le Conte’s thrasher (a state species of special concern), loggerhead shrike (a state species of special concern), merlin (a state watch list species), Mojave fringe-toed lizard (a state species of special concern), pallid bat (a state species of special concern), pallid San Diego pocket mouse (a state species of special concern), pink fairy-duster, prairie falcon, Riverside cuckoo wasp, roughstalk witch grass, Townsend’s big-eared bat (a state candidate threatened and species of special concern) and

vermillion flycatcher (a state species of special concern).¹³⁹ Both units are also designated critical habitat for the desert tortoise.¹⁴⁰ The area also has extensive woodlands along its washes. These woodland thickets are a haven for songbirds and other creatures. There is also some evidence that bighorn sheep use the mountains.¹⁴¹

Turtle Mountains Wilderness Additions: Using the standard outlined in BLM Manual 6310, CalWild staff determined that 87,840 acres in four units adjacent to the Turtle Mountains Wilderness met the definition of LWC (see map at right). CalWild’s findings are documented in a 40-page report entitled *Lands with Wilderness Characteristics Recommendations for the Desert Renewable Energy Conservation Plan Process: Turtle Mountains Additions Lands with Wilderness Characteristics* that was submitted to the BLM on January 28, 2014. A resurvey is critically important given the values of the area described above.



CONCLUSION

We appreciate much of the work that has been done in the draft DRECP. We look forward to working with BLM to ensure that all of the important and significant National Conservation Lands and lands with wilderness characteristics within the California Desert are managed for conservation. We would appreciate the opportunity to meet with BLM on these recommendations once the agency has had the chance to review them.

Sincerely,

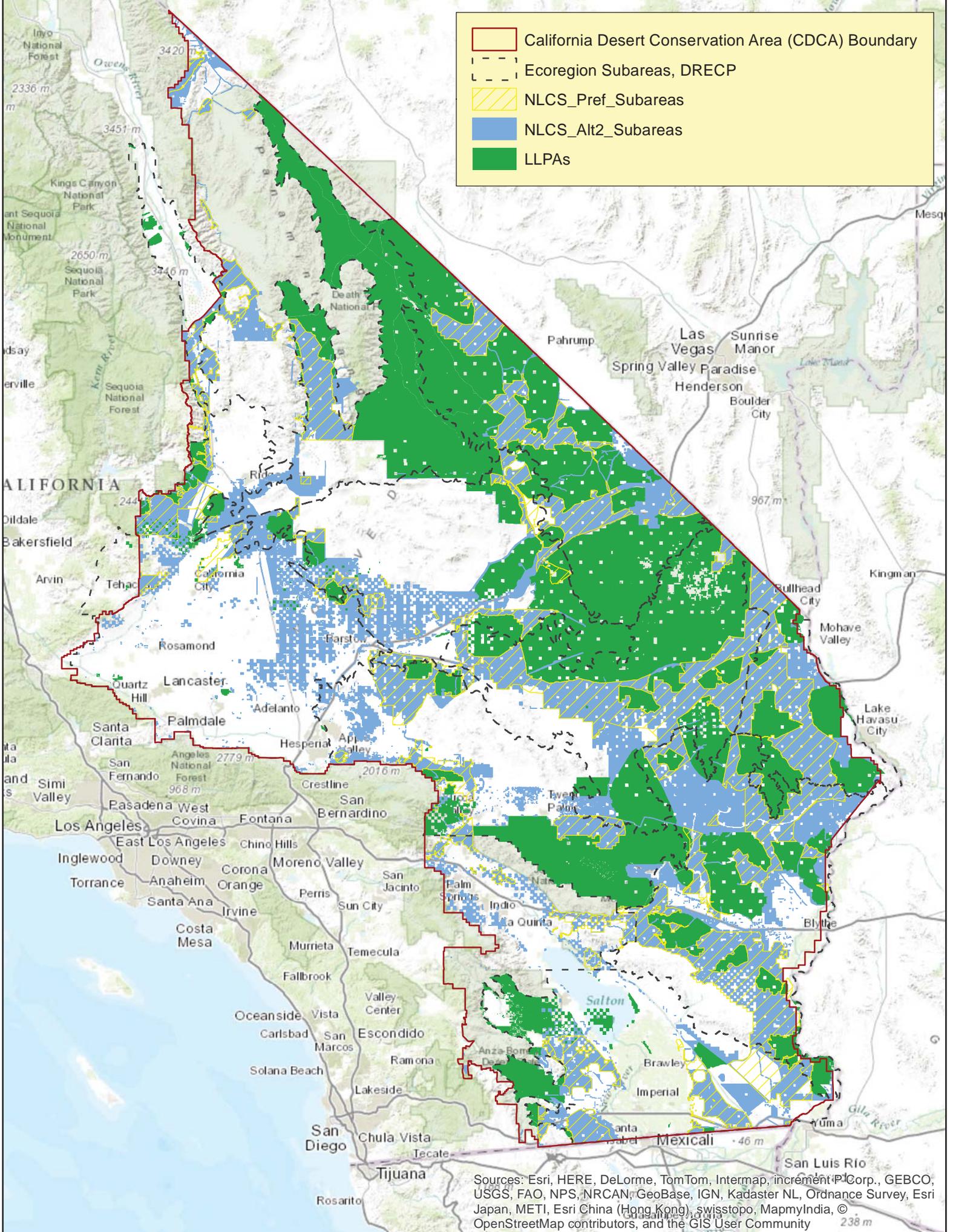
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¹³⁹ http://imaps.dfg.ca.gov/viewers/cnddb_quickviewer/app.asp

¹⁴⁰ Menke, 12/10/13.

¹⁴¹ Clinton W Epps, “Population Processes in a Changing Climate: Extinction, Dispersal, and Metapopulation, Dynamics of Desert Bighorn Sheep in California” (Ph.D. diss., University of California, Berkeley, 2004), page 19.



- California Desert Conservation Area (CDCA) Boundary
- Ecoregion Subareas, DRECP
- NLCS_Pref_Subareas
- NLCS_Alt2_Subareas
- LLPAs

Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community