

California Native Plant Society

September 11, 2003

Mr. William Haigh
West Mojave Planning Team
22835 Calle San Juan De Los Lagos
Moreno Valley, CA 92553

RE: Comments on the Draft Environmental Impact Report and Statement for the West Mojave Plan – A Habitat Conservation Plan and California Desert Conservation Area Plan Amendment, Volumes 1 and 2

Dear West Mojave Planning Team,

The California Native Plant Society (CNPS) is a non-profit group dedicated to the conservation and protection of California's native plant life and to the education of members and the public about the uniqueness of the California flora. Despite long-term, active involvement in the West Mojave Plan Process, we remain very concerned about the state of plant conservation in the West Mojave Plan Proposed Action, and its ability to provide species protection. The Proposed Action appears to be more of a development plan than a conservation plan. While we have submitted comments throughout the steering committee, task groups and supergroup meetings either in writing or verbally, CNPS submits the many of the same comments as previously submitted, as well as additional comments on the Draft Environmental Impact Report and Statement for the West Mojave Plan – A Habitat Conservation Plan and California Desert Conservation Area Plan Amendment, Volumes 1 and 2.

Our comments are divided into general plan problems, and specific plant species problems, which are documented by page number. All of our comments are numbered for your convenience in responding to our comments.

1. Because HCP's are science-based, and adaptive management is a key to the success of this plan, CNPS still strongly supports surveys for all plant species in appropriate habitat outside of the Conservation Areas, ACEC's and DWMA's including the Incidental Take Areas (ITA's) to evaluate the impact to the species. Regardless of the "guiding principles", this basic data collection is imperative to the scientific basis of the plan and the equitable mitigation of impacts to the species. If you don't know how many individuals have been impacted, one can't analyze the impacts or evaluate the equitability of the mitigation. These data are an integral part of the adaptive management as well, considering that many of the species lack basic information on range, as well as ecological factors. Of course CNPS supports monitoring inside the Conservation Areas to evaluate conservation success. We request that surveys recommendations for all plant species be included as part of the conservation and adaptive management conservation strategy.
2. Although CNPS has repeatedly requested a vegetation map of the of the project area, none has been produced to date. We again request that a vegetation community map be prepared at the plant series. A vegetation map is required, so that analyses of impacts to the habitat and vegetation communities (including the Unusual Plant assemblages as identified in the 1980 California Desert Plan) level can be assessed. Between the advent of the planning process and now, many



Dedicated to the preservation of California native flora

resources have been mobilized to map the vegetation of the Mojave Desert. Those data are now available and should be a basic component of planning effort.

3. CNPS again requests that success criteria for conservation of each species be clearly identified, and complete maintenance and monitoring plans be included as part of each species analysis and conservation requirements. This plan should clearly lay out the monitoring, goals for conservation and adaptive management scenarios for the implementing group.
4. Many of the sensitive plant occurrences are located within the Desert Wildlife Management Areas (DWMA's) that are designated for desert tortoise. Any disturbance within the DWMA is proposed to be mitigated is at a single 5:1 ratio for all species. However, sensitive plant occurrences are often based on unique ecological/hydrological/geomorphological conditions...and therefore not all mitigation lands are created equal. Our grave concern is that the "covered" plant occurrences will be impacted, and a 5:1 mitigation will be put in place to off-set desert tortoise/plants impacts in an area where no plant habitat occurs, resulting in a net loss for the rare plant species - although the mitigation will meet the "conservation" criteria under the West Mojave Plan. This is a conservation scenario for plant extinction! A true Habitat Conservation Plan requires equitable mitigation – including a requirement that impacted lands supporting both rare plant occurrences and desert tortoise be mitigated at 5:1 with comparable lands that support both species, or that the rare plants habitat (that does not support tortoise) be conserved at a 5:1 ratio, in addition to a 5:1 mitigation for tortoise habitat (that does not support rare plants). This assures that both (or multiple) "covered" species are adequately conserved.
5. CNPS requests the addition of language that guarantees that equitable compensation for impacts to a particular species are directed to acquisition /conservation for that species. Development will occur in areas where land prices are generally greater than the average cost of land throughout the West Mojave Plan – due to nearby infrastructure advantages (roads, utilities etc.). Many of the plants that are on the list for conservation under the West Mojave Plan are there because of limited range and/or because populations have already been impacted by directly or indirectly by development activities which resulted in a decrease in the species numbers. CNPS' concern is that when the plants on more expensive lands are impacted, the more expensive lands will not be acquired to offset the impacts to the species, because more/cheaper land can be acquired elsewhere for the same price. Once again we see failure to guarantee species conservation for plants that occur on "expensive" lands and that those same species are also more likely to be impacted because of where they occur.
6. Because sensitive plants are often restricted to unique ecological/ hydrological/ geomorphological areas, CNPS requests that impacted occurrences be mitigated at 5:1 regardless of whether or not they are within a conservation area. Because of the dependence of rare plants on their local habitats, it is imperative that mitigation measures be developed on a site-specific basis. Local environmental conditions, species biology, land use patterns and other factors must be incorporated into the design of mitigation. The current mitigation ratio for undisturbed lands outside of the "Conservation Areas" is unacceptable to CNPS considering that over 50% of the currently known populations for most plants occur outside of the proposed conservation areas. In our view, that will appreciably reduce the likelihood of the survival of the species in the wild...not to mention any chance of recovery.
7. Each covered plant species needs to have a designated Conservation Area that will be designated as an Area of Critical Environmental Concern (ACEC), with similar

- management strategies applied within those Conservation Areas to assure conservation goals are met for all rare plant species
8. The 1% development cap must be applied to all Conservation Areas, not just DWMA's. In practice, for those rare plant species that occur in DWMA's, most all of the rare plant species occurrences could conceivably occur on acreage that makes up less than 1% of the DWMA. Under the current "conservation" scenario, they could all be impacted, and mitigated for with mitigations lands that do not contain plants or plant habitat, and the conservation goals of the West Mojave Plan would be met, but the plants would have suffered extinction within the DWMA. This is not a viable conservation strategy. A permanent 1% development cap in all of the Conservation Areas, both inside and outside the DWMA's, is the only way to achieve meaningful rare plant protection.
 9. CNPS does not support different jurisdictions "opting out" of different species coverage, regardless of jurisdictional area. This option is an incentive for unlisted species coverage to be "opted out" of, decreasing the conservation for these species. Because CEQA and NEPA do not have as stringent requirements to mitigate for these species as the ESAs, ultimately, this option moves the species closer to extinction and potential listing under the Endangered Species Acts...and defeats the purpose of this plan.
 10. CNPS requests the identification of sensitive botanical resources that require specific hydrology/substrates. Where hydrology is a factor, the West Mojave Plan should include the acquisition of water rights to sustain those plants in perpetuity. Additionally, substrate-specific species need to have assurances that substrate regimes (flood events, etc.) are retained to assure conservation.
 11. While CNPS recognizes that the Mojave River was left out of the Habitat Conservation Plan for political reasons, we request that the document now provide management strategies for all of the Category III B Unusual Plant Assemblages on BLM lands. These important desert resources must be managed even more carefully because they may be the only refugia left for species, if the Mojave River eventually fails to support mesic vegetation. We request that the Proper Functioning Condition (PFC) assessment process be updated annually for these areas, with special emphasis on Category III B Unusual Plant Assemblages that occur within grazing allotments. We also request that non-functioning and functioning-at-risk systems be ranked as high priority for repair and funding.
 12. CNPS requests that a section be included in the next draft document for continuing implementation of the 10-year saltcedar control schedule, originally developed in response to the Center for Biological Diversity/PEER/Sierra Club lawsuit and is currently being implemented throughout the Desert District. It is appropriate to include this strategy as part of the West Mojave Plan because it is an essential commitment to an on-going program, an essential commitment to sensitive desert resources, and a current area of interest to the Department of Interior.
 13. The CNPS requests the inclusion of the need for possible fencing of populations of special status plants as a tool for conservation, especially in areas with known conflicts.
 14. Scientific names for plant species must be referenced in the document to eliminate the confusion that comes from using common names. A single common name frequently represents a number of different species. This draft uses only common names for plants which may lead to confusion in the future.
 15. While CNPS does not support domestic or feral animal grazing in hot deserts including the Mojave, grazing is still proposed within the West Mojave Plan.

Therefore, we request that statistically viable large exclosures from grazing be established in each grazing allotment, especially in areas with special status plant species and Unusual Plant Assemblages. These “reference” sites are essential for proper range management (Holechek et al 1998).

16. Because the document has so many conflicting conservation scenarios (see document specific comments below), lacks species-specific biological goals and objectives for many of the plant species, and fails to provide basic information on how many plants/how much habitat is conserved compared to how many plants/how much habitat is allowed for development, we request an additional draft Environmental Impact Report and Statement for the West Mojave Plan – A Habitat Conservation Plan and California Desert Conservation Area Plan Amendment that includes these vital data, so that an accurate evaluation of the conservation benefit provided by this plan can be assessed.

While CNPS would be more likely to support the Enhanced Ecosystem Conservation Alternative, we submit comments on the Proposed Action Alternative and the BLM-Only Alternative because from our perspective those Alternatives are most likely to be implemented as part of this process.

Document specific comments:

17. Pages ES-11 through 14. Table ES-6. This table is confusing and not informative. The lack of units for the numbers in the “Cons” and “Take” columns make this table useless. 18. What is a “brown crested r”?

19. Page 1-2, Table 1-1. The 54,571 acre discrepancy between the left-hand column and the total “approximate acres” greater than many of the plant conservation area sizes, and in that context is of concern to the CNPS. Because these data are available on the BLM’s GIS we request that the actual areas within the boundaries of the plan be accurately calculated and included in the next draft document.

20. Page 1-13, 1.4.3 1997 Equitable Precepts, Principles 6. CNPS feels obligated to point out that “the [West Mojave] Plan will ensure that no one group of desert users will be singled out to disproportionately bear the burden of the [West Mojave] Plan implementation”. Unfortunately, it appears that this principle has not been applied to the flora and fauna of the West Mojave under the proposed action – the very organisms the plan proposes to protect. While we remain supportive of the West Mojave Plan in theory, we believe the proposed action will not guarantee true conservation, and therefore violate this equitable precept.

21. Pg 1-17, 1.5.1 2nd Paragraph While this paragraph indicates that the document “would serve as the ACEC management plan for 14 newly-designated ACEC’s”, Appendix D only mentions 10 new ACEC’s. Please include management plans for the other four ACEC’s.

22. Page 2-3, Table 2-1 Biological Goals and Objectives. Of the 25 plant species listed in the table, 15 of the species have general, unspecific goals, but NOT ONE OBJECTIVE on how/where those goals will be achieved. As you know, an unlisted

species is said to be “adequately covered” by an HCP when it is addressed “as if it was listed pursuant to section 4 of the ESA, and in which HCP measures for that species would satisfy permit issuance criteria under section 10(a)(1)(B) of the ESA if the species were listed.” Therefore, the inadequate treatment of over half of the plant species is unacceptable to the CNPS. We request cogent species-specific biological goals for each species, and species-specific objectives that support the biological goals. From currently accepted conservation biology tenets, goals need to conservation of the species across the range of occurrences as supported by current conservation biology tenets (Noss et al. 1997, Soule and Simberloff 1986) while reducing fragmentation (Noss et al. 1997, Thomas et al. 1990, Wilcove and Murphy 1991, Jules 1998, Lennartsson 2002). Plant conservation reserves need to be designed using the best available science (Jensen 1987, Lombard et al. 1997, Burgman et al 2001).

23. Page 2-11, 2.2.1.1.1 Overview, Last paragraph, last sentence under Conservation Areas. “Within such areas, all of the prescriptions associated with each overlapping conservation area apply.” We request that mitigation ratios be included for each overlapping conservation area and apply here as well.

24. Page 2-19, Table 2-4. For the Little San Bernardino Mountains Gilia habitat, the MUC needs to be changed from Unclassified to L for species protection. 25. For the San Gabriel Mountains Foothills, the MUC needs to be changed from Unclassified to L for species protection in the Big Rock Creek Conservation area, and to support the wildlife corridor from the San Gabriels to the buttes and beyond. 26. For the Los Angeles County SEA’s, the MUC needs to be changed from Unclassified to L for species protection. 27. For the North Edwards Conservation Area, the MUC needs to be changed from Unclassified to L for species protection, especially the desert cymopterus and Barstow woolly sunflower.

28. Page 2-28, 2.2.1.3 Allowable Ground Disturbance (AGD). CNPS supports a “one-percent” threshold for new ground disturbance within every Habitat Conservation Area, including but not limited to the Barstow Woolly Sunflower Conservation Area, the Lane Mountain Milkvetch Conservation Areas, and the Mohave Monkeyflower Conservation Areas.

29. Page 2-30, Non-participating Agencies. CNPS does not support the exclusion of projects that disturb HCA lands and are permitted outside the West Mojave Plan for the cumulative 1% AGD development cap. This provision essentially eliminates the 1% development cap.

30. Page 2-30, Periodic Review. CNPS requests a specified period – an annual assessment on success of restoration and rate of new ground disturbance and their affect on wildlife and plant populations – a “lock-step” check. Further definition of how the plan is amended requires a thorough discussion and public review, which this document fails to provide.

31. Page 2-32, 2.2.2.2 Mitigation fees. CNPS strongly opposes the proposed non-additive mitigation fee. As you know, many of the rare plants in the planning area are rare due to habitat preference – not development impacts. These regionally rare species are only found in certain niches in the larger landscape, not everywhere. A simplistic 5:1 mitigation ratio in the DWMA’s does not reflect the actual resource degradation that may occur. The mitigation is 5:1 if the impact affects only desert

tortoise habitat. It is still only 5:1 if it affects Mojave ground squirrel and tortoise habitat. It is still only 5:1 if impacts affect Desert cymopterus, Barstow woolly sunflower, Mojave ground squirrel and tortoise habitat. In fact, a project could extirpate one whole significant population of plants or a geographical range of a plant species, still be under the 1% development cap and only be mitigated at 5:1. This is NOT a fully mitigated standard, or even mitigated to the “extent practicable”. In fact, biodiversity “hot-spots” could actually be targeted to get this reduced mitigation benefit.

32. Page 2-34 (HCA-30) CNPS requests that the Survey Incentive Area be recognized as part of the Brisbane Valley Mojave Monkeyflower Conservation Area, because areas where monkeyflower occurs will be included in the conservation strategy.

33. Page 2-37 Identification of Degraded Habitat: While CNPS generally supports restoration of plant communities, what is the definition of “degraded habitats?”

34. Page 2-39 Partial Credit. CNPS does not support “partial credit”, and especially 1/3 credit for “trying”. The 1/3 credit essentially allows for a 3:1 loss of habitat. The scenario described in the 1/3 credit bullet is a recipe for exotic invasion and potential spread. This is unacceptable. Current mitigation requirements call for mitigation credit being received upon reaching success criteria. If success criteria are not met, then no credit is given. The success criteria must be tied to a reference site in order to accurately assess success. CNPS does not support any mitigation credit be given until success criteria have been met.

35. Page 2-42 2.2.3.3 Last Paragraph. CNPS requests that all plant species covered under this plan be included for additional biological surveys outside the HCA’s. The fact is that most of the plants species ranges covered by this HCP are not well defined. It is likely additional populations occur, and without additional surveys outside of conservation areas, we will never actually know how many plants/how much habitat exist(s) and have been extirpated.

36. Page 2-52. Mining Exploration Access (HCA-38). We recognize that exploratory drilling, development of access routes impacts habitat. The CNPS also recognizes that reclamation of these impacts does not ensure restoration of the habitat to its previous condition, and therefore recommends that until success criteria are established and met, that temporary impacts be included in the AGD.

37. Pages 2-153 through 157, Table 2-26 Monitoring. The CNPS requests that monitoring be implemented for each plant species that is covered under this HCP. The monitoring schedule must be clearly stated, such as annual, every 2 years, every 5 years - whatever is appropriate for the species. 38. Additionally, after each monitoring event, a report is required to be filed on the status of the species/populations. All “take” should be tracked, and an annual report of “take” issued as a public document.

39. Pages 2-166 through 170 Table 2-28 Adaptive Management. Some of the species are noted as potentially being affected by recreational, grazing, mining or other uses. None of the adaptive management strategies include eliminating the affecting use. For instance “Provide barriers to vehicles or livestock if monitoring shows damage to occupied habitat”. From our perspective a viable management strategy would be removing vehicular access and livestock. What we don’t want to see is implementable

adaptive management strategies eliminated from discussion because they aren't in the plan.

40. Page 2-169, Table 2-28, Adaptive Management , AM-71. We do not support the "salvage and re-locate plants within urban development areas" for the short-joint beavertail cactus. This is a habitat conservation plan, which should provide conservation of the species in its habitat, not create botanic gardens.

41. Page 2-171 AM-3 and AM-45. While we support flexible boundaries for Conservation Areas, the CNPS does not a negative finding for plants anywhere along the edges of the conservation area resulting in a reduction of the conservation designated area. Any conservation area is most vulnerable on its edges, that's why an undisputed tenet of conservation biology states that the smaller the edge to area ratio, the better the reserve design (Noss et al. 1997). Those populations at the edge are most likely to be impacted/extirpated, and under the proposed adaptive management scenario the loss of them could reduce the conservation area size, jeopardizing new populations to the same edge issues and precluding any opportunity for species re-establishment and recovery. Under the worst-case scenario, this incremental downsizing of the conservation areas could result in a conservation area's elimination. Additionally, the conservation areas are not only to conserve the species, but also to recover them to levels where we don't have to actively manage for them.

Species-Specific comments on Proposed Action Alternative Conservation Strategies:

Calochortus striatus (Alkali mariposa lily)

The "conservation strategy" proposes guarantees development of 17,051 acres of habitat within the city of Lancaster plus seven other sites where the species is known to occur (Green Springs, Playas 28-32 and Turner Springs). 42. What is the acreage of habitat that occurs at Green Springs, Playas 28-32 and Turner Springs? These types of data must be available to allow for full impact analysis to be evaluated.

43. Only 3,629 acres where the plants are known to occur will be set aside for conservation (minus 36 acres allowed under the 1% development cap). 23,810 acres of potential habitat are conserved pending surveys – so those areas may/may not have plants on them. If the 23,810 interim-protected acres are surveyed at the wrong time of year, or in a poor year for geophytes, that acreage could be released from conservation under this "conservation" scenario. Therefore, of the 20,680+ acres that currently have Alkali Mariposa lily on them, only 3629 acres will be conserved (17.5%). This is an unacceptable conservation scenario. Although Page 2-92 Objective 1, (P-4) suggests that a goal is 50% acquisition of the suitable habitat containing known occurrences, we fail to understand how that relates to the acreages in Table 2-11. 44. Please clearly define the strategy, and incorporate additional triggers to assure conservation of this species across its range.

45. An additional significant failure for the Alkali Mariposa Lily conservation strategy lies in the yet-to-be-identified mitigation ratio that will be determined by the City of Lancaster at some point in the future. Adequacy of mitigation cannot be evaluated without this integral piece of information. Therefore this conservation scenario and any evaluation of

environmental consequences are speculative at best. It provides no opportunity to assure species persistence in the landscape across its range.

46. Furthermore, although hydrology is as an essential component to maintain extant populations of *Calochortus striatus*, we do not recognize any guarantees of maintaining the sheet flows upon which this species depends. Therefore, we do not see how this conservation strategy provides any guarantees of long-term conservation of this species. Studies of hydrological needs are sensible, however, they are not mitigation for species (see above discussion under general comments). A prudent approach would be appropriating water rights for assuring continued water to these areas.

47. CNPS supports acquisition from willing sellers of isolated springs, seeps and meadows for conservation of this species. However, we have concerns that these types of acquisition/conservation areas are not assured, and therefore should not be “counted on” as assurances for conservation. Along those same lines, the current “conservation” on Edwards Air Force Base should not be “counted on” either. The military clearly is not participating in the WMP because of conservation conflict with the military mission. We support establishment of additional conservation areas across the range of the species where ever they occur on public lands as part of the conservation strategy, including the occurrences adjacent to Cuddeback dry lake.

48. At Green Springs in Kelso Valley, grazing restrictions should be implemented through the fruit maturation period to allow for seed dispersal – not take permits.

49. Page 4-68, 2nd paragraph, 1st sentence. CNPS takes exception to the statement that “few opportunities exist for conservation of undisturbed or fragmented habitat.” The West Mojave Plan is exactly the cooperative effort that has the opportunity to achieve “no surprises” conservation. 50. Furthermore in the 3rd sentence, the “high cost of land” needs to be addressed as part of the plan. If impacts affect *Calochortus striatus*, then adequate mitigation is required – regardless of land prices. Our grave concern remains, and is further re-enforced here, that severe impacts will be allowed (over 17,000 acres +) and collection of fees, based on the average cost of land in the West Mojave, will be inadequate to actually cover the cost of plant mitigation. The fees need to be based on the cost of land where the impact is occurring. 51. Of course, our other concern is that the high profile species will require all the meager funding that the West Mojave will produce through development fees, and no acquisition/mitigation will ever occur for the plants. Directed mitigation is the only way to assure equitable distribution of funds.

***Eriophyllum mohavense* (Barstow Woolly Sunflower)**

51. Page 2-94, 2.2.4.10.5 CNPS supports the elimination of the existing ACEC due to its small, inappropriate size and the designation of several conservation areas within DWMA's. 52. Additionally, we continue to request that the “core” ACEC boundaries be extended to include the “Transmission line (cluster 8)” to the south, because a majority of these sections are BLM lands (at least according to the Map 38, which also shows the existing ACEC on private land). 53. This core needs to also swoop south and connect with the “Harper Lake Rd. (cluster 4)” populations – again most of which are on public lands. 54. On the northeast, the core needs to include sections 4, 5 and 6, which are all public lands (BLM and State). 55. We also request that the following routes be closed

because they fragment the proposed Barstow Woolly Sunflower Conservation Area, and because these routes are only on BLM or State lands:

- a. F2053,
- b. F2046,
- c. F2042,
- j. F2081 where it dead-ends between section 17 and 18,
- k. F5008 and F5020 both below F5002 (they both dead end into closed routes)
- l. Preferably F5106 (which is longer) or F5016, which both dead-end into closed routes.
- d. F2005,
- e. F2004,
- f. F2037,
- g. F2028,
- h. F2046B,
- i. F2065,

56. We also continue to request the recognition of each of the other populations clusters on the map, within the DWMA's, as conservation areas for this species. Under the current conservation scenario, a 1% disturbance limit in the DWMA (approximately 5000 acres in the Fremont-Kramer DWMA for example) could potentially extirpate a population cluster (as identified on the 8/22/01 map). The establishment of these additional conservation areas will help to conserve the species across its range (a widely-accepted conservation biology tenet [Noss et al 1997]) with a 1% cap in each conservation area.

57. ITA areas for this species are not referenced or discussed in the text. They are discussed very vaguely in Table 2-11. Take on all private lands – 58. how many populations and how much habitat is that? 59. What is a “very low amount” allowed within utility corridors? 60. How was “take” evaluated without these data?

61. Because the actual acreages of conserved habitat versus acreage for permitted extirpation have not been identified, we cannot fully evaluate the conservation strategy for this species.

62. Page 4-69, 4.2.2.8.2 3rd paragraph. While CNPS supports the retirement of the Pilot Knob grazing allotment and the conservation protection for the area, it appears to us that the *Eriophyllum mohavense* population on that allotment are actually on DOD land, and therefore not a part of this plan.

63. Page 4-69, 4.2.2.8.2 last paragraph. Alternative A allows for the extirpation of *Eriophyllum mohavense*'s southeastern range (Cluster 1). We request that Cluster 1 be retained in a viable Conservation Area.

64. On AltA_Prop Act Route Map_38.pdf, route F2077 is a spur coming off of the Transmission Line that is in occupied habitat for the species and needs to be closed. Also the E-W portion (southern end) of F2079 dead ends into a closed route, which will likely leave trespass as the easiest alternative. The public lands portion of F2079 should end at Sec. 29, which is private property.

65. Fencing should be included as a conservation tool for this species.

***Phacelia nashiana* (Charlotte's phacelia)**

66. Page 2-96, 2.2.4.10.6 What is the total area of currently occupied habitat for *Phacelia nashiana*? 67. What is percentage of the habitat does 50 acres of “take” represent of the total habitat?

68. Page 4-71 4.2.2.8.4. 3rd paragraph, 1st sentence. This statement directly contradicts the threats mentioned on Page 3-183. Both instances are speculative because of lack of monitoring data. 69. Rare plant monitoring needs to be part of the Health Assessments, not financed by the WMP.

70. Fencing should be included as a conservation tool for this species.

***Castela emoryi* (Crucifixion Thorn)**

71. CNPS supports the establishment of the Pisgah ACEC to protect the population of Crucifixion Thorn. 72. Additionally, we strongly encourage the establishment of additional Conservation Areas for this Pleistocene relict species throughout their limited range within the plan area.

72. Page 2-96, 2.2.4.10.7. Exactly how many populations of what acreage are located where? This section identifies that 2 single plant locations are on private land, with the “remaining occurrences” in public ownership. On page 3-138, 3.3.8.5 three of ten occurrences are on private land. Page 4-72, 4.2.2.8.5 indicates that eight of nine sites occur within the Superior-Cronese DWMA and the Pisgah ACEC. This disparate references are confusing at best, and need to be clearly stated as to which populations are conserved, and which ones are slated for potential development.

73. Our concern remains that in the absence of a designated series of Conservation Areas for the *Castela emoryi*, the 1% cap of the Superior-Cronese DWMA (6,163 acres) could still allow the elimination of a substantial portion of the plants.

***Cymopterus deserticola* (Desert cymopterus)**

74. Page 2-97, 2.2.1-4.10.8. (p-21). Except for the incidental take limit of 50 acres, the prescriptions for surveys etc. are already happening under NEPA/CEQA statues. 75. How much habitat for the species is currently known? 76. What percentage does that 50 acres represent? 77. Is that 50 acres total, as it appears on Page 2-97, or is that 50 acres just on private land outside the DWMA’s and the North Edwards Conservation Area, as on Page 2-44, Table 2-11? 78. On that same table, “Avoidance of all occurrences on public land in DWMA’s” needs to have required added at the end of the sentence. 79. Is the 1% cap on lands within the North Edwards Conservation Area in addition to the 50 acres, or part of it. 80. The 50-acre take limit is not discussed in text on Page 4-72 through 4-73, 4.2.2.8.6, only the 1% cap on disturbance in the HCA’s.

81. Page 2-154, Table 2-26 Monitoring. While we support the determination of Rangeland Health on Harper Lake allotment, CNPS requests that monitoring of *Cymopterus deserticola* be implemented throughout its range, including those areas most susceptible to extirpation including the east-west energy corridor around Highway 58.

82. Page 4-73, second paragraph. The areas of estimated take and conservation are designated by “XXX” and “YYY” place holders, which does not engender the notion that a strong science-based conservation scenario has been developed for this species. These data – basic “take” and “conserved” plants are the basic information necessary to evaluate the effectiveness of this HCP. In this respect, the CNPS recognizes this document as a preliminary draft of the HCP. We look forward to the next draft’s completed conservation strategy for this very threatened species.

83. Page 4-73, 3rd paragraph, 2nd sentence. If, as proposed, the take is less than 10% of the habitat conserved, how does that meet the fully mitigate standard?

84. Page 4-73, 3rd paragraph, 3rd sentence. We agree that the 1% cap on AGD “within the conservation areas could differentially affect desert cymopterus”, and would therefore like to see a series of Desert Cymopterus Conservation Areas within the larger DWMA, akin to the Barstow Woolly Sunflower Conservation Area (including more of them).

85. Desert cymopterus conservation strategy is a mess, and impossible to understand what the conservation strategy actually is. In light of the fact that this species is currently petitioned for listing under the Federal Endangered Species Act, CNPS expects a more cohesive, comprehensive, science-based conservation strategy, based on the best available science and contemporary conservation biology principles. You are welcome to all of the information that we have and used in the listing petition.

86. Because grazing has been identified as impacting this species in the Black Mountain/Water Valley area of the Harper Lake allotment, fencing needs to be included as a conservation tool.

***Monardella linoides* ssp. *oblonga* (Flax-like Monardella)**

87. Page 2-97, 2.2.4.10.9 What is the total area of currently occupied habitat for *Monardella linoides* ssp. *oblonga*? 88. How many populations are currently known to occur within the West Mojave Plan? 89. What is percentage of the habitat will be allowed for “take”?

90. CNPS requests that a Conservation Area be identified for the Flax-like Monardella. The inclusion of the species within the Middle Knob ACEC does not assure conservation of this species.

***Mimulus shevockii* (Kelso Creek Monkeyflower)**

91. While the species is mentioned on Page 2-45, Table 2-11, it is not addressed in Chapter 2, and more information about this species needs to be discussed there. 92. Although a Kelso Creek Monkeyflower Conservation Areas are identified on Map 2-7, there is no mention of these Conservation Areas in the text anywhere. We strongly support establishment of Kelso Creek Monkeyflower Conservation Areas, and request that a full discussion of the issue and inclusion of a Conservation Area is included in the next draft document.

93. We request that grazing be eliminated from the potential and occupied habitat of this narrow endemic species during germination, flowering and fruiting seasons to minimize impacts.

94. Certain routes are not addressed on AltA_Prop Act Map_16.pdf that go right through known occurrences of *Mimulus shevockii*. SC36 is a redundant route with Kelso Valley Road, and occurs exclusively on public lands. We request that this route be closed and rehabilitated to help ensure conservation of this species. Likewise, SC37 is a deadend

route on public land that also bisects additional populations of *Mimulus shevockii*. We request that this route also be closed and rehabilitated.

95. Considering the restricted range and ecological requirements of this species, CNPS requests a “reserve level management” as the only option for conservation of this narrow endemic species.

***Eriogonum kennedyi* var. *pinicola* (Kern buckwheat)**

96. Page 2-45, Table 2-11. “Very minimal” needs to be defined. 97. CNPS fails to understand how a plant restoration project would impact the species. Please elaborate. 98. For a species that is only documented from 15 acres at the most within the project’s 9.2 million acres, and although it is known outside of the planning area, it is only documented at 4 sites totaling less than 15 acres in Sand Canyon, just west of the planning area, a true conservation alternative would not allow any “take” even for restoration purposes. Therefore we request that no-take is allowed for this species.

99. Page 2-98, 2nd bullet (p-25). The Sweet Ridge population is the end of the road – a dead end. We have great difficulty in understanding how you propose that “The vehicle turn around and parking area would be restored so that the traffic passes by, rather than on, the buckwheat habitat”. This scenario is infeasible on the ground. The road needs to be closed in this area, not re-routed because there is no “destination” for this road. It ends right at the Kern buckwheat population and is directly adjacent to the private wind-farm, which has its property fenced for security, and the designated non-motorized section of the Pacific Crest Trail (PCT), which has serious, uncontrolled trespass of OHV’s onto the PCT.

100. Page 3-186. The document notes that “other potential threats are off-highway vehicle (OHV) use, future construction and grazing.” However, it also needs to reflect the documented fact that OHV incursion into one of the two populations on public lands has already destroyed plants and habitat (CNDDDB, 2003) irreversibly to date.

101. Page 4-74 4.2.2.8.10 1st paragraph, last sentence. The statement that “No routes are designated as open within the occupied habitat for Kern Buckwheat...” is incorrect. In fact, on page 3-185, 3.3.8.9, third bullet indicates that Population C is “a 2-3 acre site, bisected by the road”, and on 2-98 it indicates that “main access road where it adjoins occupied habitat.”, which is true for Population C and D. The proposed route designation indicates that MK0010 is open.

102. CNPS continues to request seasonal closures for MK0010, during winter and spring months when the clayey soils that sustain the Kern buckwheat, are most vulnerable to disturbance. This is easily achievable by gating MK0010 at the pinch-point in the southwest corner of section 11.

103. While we generally support restoration projects, the Kern buckwheat with its unique habitat requirements is unproven as a species that could be restored, making protection of the existing populations even a higher priority. Incursion into these populations are accidents waiting to happen, and despite our decades-long efforts to work with the local field office, no protection has happened for these plants.

***Astragalus jaegerianus* (Lane Mountain Milkvetch)**

104. Page 2-98, 2.2.4.10.11. “This species is very poorly known, and should be conserved by adaptive management once a better understanding is reached of its natural history requirements and distribution” – this sentence clearly is not taking into consideration the best available science that the DOD has collected on the species over the last 3 years. *Astragalus jaegerianus*’ distribution is clearly defined, and natural history is being documented. Adaptive management is not the answer, and the conservation measures on 2-98 through 2-99 are quite specific.

While CNPS supports P-26, P-27, P-28, P-29, P-30, P-31 and P-32, we expected to see a much greater level of conservation for this imperiled species who is likely to lose over ½ of its known occurrences due to the Fort Irwin. Much greater conservation needs to occur for this species. We request the following issues to be included in the conservation area:

- 105. Include T31S,R47E, section 32 as part of the Lane Mountain Milkvetch Conservation Area to minimize the edge to area ratio of the Conservation Area and close and 106. rehabilitate SU5024 and SU5023 to reduce fragmentation within the Conservation Area,
- 107. Include T32S,R47E, sections 4, 9, 10, 15, 16, 20, 21, 22, 27 and 34 as part of the Lane Mountain Milkvetch Conservation Area. By including these areas primarily of public lands (state and BLM), a larger more manageable block is conserved, to help assure in perpetuity the species existence. It also provides linkage between the 2 proposed conservation areas. This type of design is in line with current conservation biology tenets that base optimal reserve designs on a low area to edge ratio. 108. Within these areas, we also request the closure and rehabilitation of the following routes to minimize the fragmentation of the reserve that is to conserve the Lane Mountain milkvetch in perpetuity:
 - SU 5005
 - SU 5004
 - SU 5034
 - SU 5058
 - SU 5061
 - SU 5048
 - SU 5022
 - SU 5002
 - SU 5042
 - SU 5055
 - SU5089
 - SU5081
 - SU5061
 - SU5119
- 109. Include T12N, R1E sections 18, 19 and 30 as part of the Lane Mountain Milkvetch Conservation Area to enhance the corridor between the two proposed conservation areas. 110. We also request the closure of and close and rehabilitate the following routes to minimize the fragmentation of the Conservation Area
 - SU 5200
 - SU5200A
 - SU 5073
 - SU 5074
 - SU 5072
 - SU 5076
 - SU 5071
 - SU 5077
 - SU 5279
 - SU 5113
 - SU 4014
 - SU 5120
 - SU 5122
 - SU 5121
 - SU 5123
 - SU 5007
- 111. In the proposed Lane Mountain Milkvetch Conservation Area, we request the modification of the following routes, to decrease fragmentation in the conservation Area, while providing access to private property if it is not acquired. Routes to be closed include:
 - SU5005
 - SU5229
 - SU5119
 - SU5022
 - SU5097
 - SU3082
 - SU5094
 - SU5096
 - SU5003

- | | | |
|----------|-----------|----------|
| ○ SU5006 | ○ SU4020 | ○ SU3082 |
| ○ SU5129 | ○ SU3084 | ○ SU3004 |
| ○ SU5143 | ○ SU3107 | ○ SU3003 |
| ○ SU5229 | ○ SU3084A | ○ SU3010 |
| ○ SU5138 | ○ SU3039 | ○ SU3103 |
| ○ SU5139 | ○ SU3139 | ○ SU3102 |

In all instances (including the closures requested above) these closed still provide a less than 3-mile walking distance between any two remaining open routes, which provides a measure of human safety factor as well.

- 112. We request the opening of SU5114 to access the private parcel. Otherwise all private parcels are accessible through our proposed route network.

***Linanthus maculatus* (formerly *Gilia maculata*) (Little San Bernardino Mountains Gilia)**

113. CNPS is surprised to see the deletion of any Conservation Area for *Linanthus maculatus*. We were supportive of the two proposed Conservation Areas as proposed on the Little San Bernardino Mountains Gilia map dated 10/4/01. The proposed conservation scenario provides no refugia for the species, and we strongly object to the deletion of the Conservation Areas. 114. The Special Review Area, which is primarily established for tortoise anyway, still does not include all of the species occurrences within the planning area. The occurrence, located north east of Coyote Lake, is not included - ensuring that the eastern most range of the species will be lost. 115. Conservation Areas must be clearly established for this species and include habitat east and northeast of Coyote Lake.

116. Pg 2-45, Table 2-11. While a “cap” on “take” of 50 acres is helpful for conservation, what loss of habitat does this 50 acres represent? 117. Because *Linanthus maculatus* has specific habitat requirements along the desert washes, how much habitat is actually occurs within the planning area?

118. Pg 2-99, 2.2.4.10.12 While we support using floodplain management rather than structural alternatives for flood control, we fail to see how restricting disturbance within 100’ of the banks of desert washes within the Conservation Area can actually be enforced. The influences of development and its associated effects (vehicle intrusion, exotic weed invasions, dumping, etc.) will impact the washes where this species occurs, despite the proposed sign posting. While CNPS supports maintaining existing hydrology to sustain this species, increased water from urbanization could alter the existing hydrology and potentially increase weeds as well. 119. Weed invasion, which is noted as an ecological threat to *Linanthus maculatus* (BLM 2001), would be exacerbated by increased water coupled with disturbance. There must be assurances to eliminate OHV travel in the washes, as well as minimizing other types of disturbance (biking, riding, hiking etc.) that could potentially increase the spread of weeds, especially as increased urbanization occurs. The effects of development in the *Linanthus maculatus* habitat is greater than direct disturbance to the washes. 120. Therefore, adequate and appropriate compensation for development is required within the species range. Considering that most of the known populations occur within the West Mojave Plan boundaries (10 out of 12- on the planet), it is incumbent upon this plan to provide adequate mitigation for impacts. Without designated conservation areas, a fragmented biologically unsustainable reserve could develop – the antithesis of an HCP.

121. Page 4-75 4.2.2.8.11, Last paragraph, last sentence. What is the proposed monitoring and 122. what is the adaptive management?

123. With regards to route designation in the general habitat area for *Linanthus maculatus*, we request that the redundant and unnumbered routes, designated as open on AltA_Prop Act Route Map_79 in T1NR7E sections 13 and 14 and T1NR8E and sections 6 and 7 that lead down to Coyote Lake and the other unnamed playa northeast of Coyote Lake be closed and rehabilitated. 124. South of Highway 46, the unnumbered routes that are designated open in T1SR7E section 5 need to be closed because they follow drainages and at least one population of *Linanthus maculatus* occur in the drainages of this section. 125. Additionally, a route in the northeast quarter of T1SR7E section 18, failed to be designated and part of it from the private property west towards Quail Spring Wash needs to be designated closed and rehabilitated because of the occurrence of *Linanthus maculatus* along that route. As you know, besides for potential direct impact from road maintenance, which has happened to this species in Joshua Tree National Park (Rodgers, 2001, personal communication), routes can alter hydrology and cause dust deposition on plants that lowers their photosynthetic/metabolic/reproductive capacity.

126. *Linanthus maculatus* only occurs in one of the faster developing areas of the desert, and on lands that are more expensive than the average land cost in the West Mojave. From our perspective, the lack of a designated conservation area, coupled with non-directed mitigation fees will doom the species to extinction under the proposed "conservation" strategy.

***Mimulus mohavensis* (Mojave monkeyflower)**

127. Page 2-46, Table 2-11. How can anyone evaluate the conservation strategy when the authorized "take" acreage is "not determined"? While we applaud the designation of Mojave monkeyflower Conservation Areas, an undetermined "take" is impossible to comment on.

128. The proposed Brisbane Valley Conservation Area needs to acquire all remaining populations of this species, despite that fact that the BLM has recently disposed of some of those sections. 129. As identified on Map 2-1, CNPS still has concerns about maintaining the viability of the proposed Brisbane Valley Conservation area over the long-term, in the context of fragmentation and the edge to area ratio. In that respect, we request the Conservation Area include additional sections as proposed on Mohave Monkeyflower map dated 4/11/02, which includes T7NR4W sections 1, 9, 13, 16, 17, 20, 21, 24, 25, 29, 32, 33, 36 and all of section 4, T7NR3W sections 6, 7, 18, 19, 30 and 31, T7NR4W section 1 and T6NR3W section 6.

130. Page 2-101 4. It is impossible for us to evaluate the associated impacts here, due to the fact that "County of San Bernardino would make a determination of what constitutes a significant population requiring this ratio". 131. We request that significance criteria be part of this document to provide the County of San Bernardino guidance. The County may not have an experienced botanist on staff to make this determination, and the purpose of this plan is to provide adequate evaluation of the impacts and associated mitigations.

132. With regards to route designation in our proposed Brisbane Valley Mojave Monkeyflower Conservation Area, we request that the following unnumbered routes be closed and rehabilitated, because they will help to minimize fragmentation within the Conservation area, and they are either redundant with other existing routes or they have no destination:

- a. The east-west trending route in T7NR4W section 4 for connects to SV2120
- b. The route in T7NR4W section 3
- c. The northern route in T7NR4W sections 14 and 15, and the connector routes between the pipeline route and the east-west trending route through those sections (these two routes intersect on the border between sections 13 and 14)
- d. The south trending route comes off on the south of the pipeline route in T7NR4W sections 14 and 23. The east trending road in Section 23 allows access to the prospects in this area and should remain open as the only route.
- e. The route from the prospect area in T7NR4W section 35 to the top of the hill in section 26.
- f. All routes in the lower half of T7NR4W section 34.
- g. The route in the southeast corner of T7NR4W section 35
- h. The east-west route in T7NR3W section 18 that eventually connects to the pipeline route.
- i. The southern east-west-north trending route in T7NR3W section 18 that eventually connects to Wild Wash Road.
- j. The northern east-west trending route in T7NR3W section 30.
- k. The two east-west trending routes west of the north-south route in T7NR3W section 31.

133. In the Ord-Rodman Mojave Monkeyflower Conservation Area – Daggett Ridge Unit, additional routes need to be closed and rehabilitated for the same reasons listed above. Those unnumbered routes include:

- The route in T8NR1W section 6.
- The north-south trending route in The route in T9NR1W section 28
- The two north-south trending routes in T8NR1W sections 2 and 3 north of the jeep trail.
- The southern look in T8NR1W section 2 south of the jeep trail.
- The north-south trending route in T9NR1E section 32
- The unnamed spurs coming off of Azucar Mine in T8NR2E section 19

134. The numbered route that needs to be closed and rehabilitated is NR1006 east of the intersection with NR1008.

135. The north-south trending route that bisects T8NR1E section 33, which is currently undesignated, needs to be designated closed.

136. The east-west trending route in a wash on the south end of T8NR1E section 34, appears to be designated limited, but needs to be designated closed.

137. The Waterman Hills needs to have a designated Mojave Monkeyflower Conservation Area. This consistency needs to be in line with the Daggett Ridge Unit, which is within the larger Ord-Rodman DWMA. Our concern remains here that even if the DWMA has a 1% cap on development, the Waterman Hills monkeyflower

populations could be totally eliminated, and the 1% cap still not met. 138. Additionally, mitigation would be 5:1, just like it would be anywhere else in the DWMA, except here the impact would affect multiple species as mentioned in the text on page 2-102, Objective 3, second paragraph, second sentence. At the least, we continue to request that if impacts “take” multiple species habitats, the mitigation should acquire the same multiple species habitats.

139. The CNPS requests that fencing be included as a conservation tool for the Mojave monkeyflower, particularly in the Waterman Hills site, where dumping, mining and OHV activities continue to impact the species.

140. CNPS also requests that impacts to the Mojave monkeyflower in one area of its range be mitigated for in that same area. This will reduce the possibility of one Conservation Area being completely eliminated.

141. If additional “new” populations are discovered, 50% of those populations need to be conserved.

Deinandra (formerly Hemizonia) mohavensis (Mojave tarplant)

143. Table 2-11 should reflect that of those “new” populations on private land where “take” is allowed that 50% of the occupied habitat is required to be set aside.

Phacelia novemmillensis (Nine-mile Canyon phacelia)

144. What is the total area of currently occupied habitat? 145. What is percentage of the habitat does 50 acres of “take” represent of the total habitat?

146. Page 2-46, Table 2-11 indicates that 50 acres of take allowed, but all of the occurrences are known from public lands only. With grazing being the primary reported impact on the species (BLM 2001), we strongly suggest that the BLM propose a modification in their grazing regime to ensure protection of this very narrow endemic – not a “take” permit.

147. Page 2-103 indicates that take will only happen on private lands. That needs to be explained in Table 2-11. 148. Additionally, Table 2-11 should reflect that of those “new” populations on private land where “take” is allowed that 50% of the occupied habitat is required to be set aside.

Puccinellia parishii (Parish’s alkali grass), Plagiobothrys parishii (Parish’s popcorn flower) and Sidalcea neomexicana (Salt Springs checkerbloom)

148. Because conservation for these species is limited to Rabbit Springs, an additional requirement for all of these species is that if the property is acquired, it must come with water rights.

Phacelia parishii (Parish’s phacelia)

149. We support the acquisition of private land to consolidate the Parish’s Phacelia Conservation Area.

150. Considering that two of the three occurrences of this species has been extirpated in California, we request that disturbance to the Parish's Phacelia Conservation Area be in line with the development caps in other HCA's – 1%. Considering that whole Parish's Phacelia Conservation Area, which is the only known location left in California, is less than 900 acres, the appropriate "take" of habitat needs to be limited to 9 acres.

151. Fencing needs to be included as a tool to enforce OHV restrictions on the dry lake bed.

***Eschscholzia minutiflora* var. *twisselmannii* (Red Rock poppy) and *Deinandra* (formerly *Hemizonia*) *arida* (Red Rock tarplant)**

152. For consistency sake with other plant conservation scenarios, the 50 acre "take" limit on "new" occurrences of the Red Rock poppy and Red Rock tarplant need to also include the 50% conservation of "new" occurrences.

***Eriogonum contiguum* (Reveal's buckwheat)**

153. Page 2-47, Table 2-11. Despite the fact that no "take" is anticipated, and it only occurs at a single location in the planning area on private land, much better information on how much habitat, and what percentage of that habitat can be extirpated without jeopardizing the species is the information necessary to evaluate the adequacy of conservation. Basically from the data presented there is not enough information known about this species to devise an adequate conservation scenario at this point.

***Opuntia basilaris* var. *brachyclada* (Short-joint beavertail cactus)**

154. What is the total area of currently occupied habitat? 155. What is the conserved occupied habitat provided by the Big Rock Conservation area? 156. The proposed Big Rock Creek is a much larger area than the Los Angeles County SEA, and if Los Angeles County will review only the SEA portion, a majority of the Conservation Area will not undergo review.

157. Furthermore, Los Angeles County has not traditionally been a conservation-oriented agency, and in fact has allowed developments to move forward in every case, except one, where the developer was required to re-design the project. In all the other cases, projects went forward as proposed, despite the SEA Technical Advisory Committee recommending significant changes to the projects to protect environmental resources. The CNPS has been dealing with this frustrating lack of environmental impact recognition in the County-designated SEA's for years. We find it highly unlikely that Los Angeles County would have any interest in enforcing the proposed conservation scenario. In other words, the current SEA designation will not enforce the conservation scenario proposed here.

158. Page 2-105, 2.2.4.10.20 CNPS requests that conservation for this species occur at multiple sites within its range, rather than at a single site in the Big Rock Creek Conservation Area, which covers only a small area of the species range. A Short-joint beaver-tail cactus Conservation Area needs to be established in San Bernardino County as well.

159. (P-52), because rural development is anticipated to occur in multiple areas of San Bernardino County including Pinon Hills, Oak Hills and Las Flores Ranch (Page 3-191), we request that review and avoidance occur within all of these areas by San Bernardino and the West Mojave Scientific Advisory Committee, to assure that the species is protected.

160. Pg 2-105 Second to last paragraph. What are “designated washes”? I couldn’t find them anywhere.

***Astragalus tricarinatus* (Triple-ribbed milkvetch)**

161. The “take” and “conservation” is not discussed in Table 2-11, nor is it definitively identified on page 2-105, 2.2.4.10.21. 162. CNPS requests a thorough discussion on how much occupied habitat is currently known for the species, and 163. how much take is permitted for it. 164. This incredibly rare species is reaches the limit of its range in the West Mojave Plan area, and because of the species rarity and limital range, no take should be allowed. 165. Also, what is the cumulative impact to this species considering the conservation scenario for the Coachella Valley Plan, where the species is primarily located? 166. What type of coordination between the plans will enable the species to survive?

167. In support of additional conservation for this rare species, the spurs coming off of Canyon House Road and Mockingbird Lane onto BLM lands that are currently proposed “open”, need to be closed, because they are right along the wash (Map AltA_Prop Act Route Map_82).

***Penstemon albomarginatus* (White-margined beardtongue)**

168. What is the total area of currently occupied habitat? 169. What is percentage of the habitat does 50 acres of “take” represent of the total habitat?

170. We support the establishment of the Pisgah Crater ACEC as a partial conservation strategy for this species. 171. In addition, we request that a White-margined Beardtongue Conservation Area be established north of I-40, along the wash into the Cady Mountains that is occupied habitat for this species. This ACEC should be an extension of the Pisgah Crater ACEC, but you need to identify it as a new White-margined Beardtongue Conservation Area consisting of T8NR6E sections 13, 14, 22, 23, 27, and all of 28 (currently south of I-40, it is in the proposed Pisgah Crater ACEC).

172. Because OHV activities are the primary threat to the species (page 3-192), we request the closure and rehabilitation of the following routes within the Pisgah ACEC to protect the white-margined beardtongue and reduce the fragmentation within the Conservation Area:

- NR3052
- NR3049 or 3021
- NR3064
- NR3062C
- NR3062
- NR3062A
- One side of the loop of NR3083
- NR3028
- NR3079
- NR3052
- NR3054
- NR3066
- NR3049B
- NR3058
- NR3066A
- NR3066
- NR3068A
- NR3021

- NR3030 between NR3030A and 3073
- One of the cutoff between I-40 and the pipeline road in T8NR6E sections 35 and 36

173. Additionally, while I originally supported a race route from Johnson Valley to points further east through this area, I was not aware that the proposed route bisected approximately one mile of occupied habitat for the white-margined beardtongue. CNPS cannot support a race corridor through the only population located in a Conservation Area.

174. Resource conflicts between OHV activity and *Penstemon albomarginatus* have already been documented as occurring in the Pisgah crater area. One tool that needs to be included in the conservation scenario is fencing.

175. Although *Arabis shockleyi* is lumped in with the conservation strategy for the carbonate endemic plants, this species was not the focus of the interagency agreement. 176. Therefore, the CNPS requests a full discussion of the conservation benefit to this species from the Carbonate Habitat Management Strategy (CHMS) in the next draft of the West Mojave Plan. 177. Additionally, the CHMS, should be an appendix to this plan, as part of the CEQA/NEPA review.

178. Appendix D.1 Jawbone-Butterbredt ACEC also need to reflect the protection and avoidance of populations of *Eriogonum contiguum*.

179. Appendix D.2.2. The full document of the CHMS needs to be included here. 180. The new ACEC plans need to be augmented, describing the full purpose and need for the new ACEC's, a set of clearly spelled-out goals for the ACEC and implementation actions. The management "plans" presented in this document fall short and are out-of-step with other ACEC management plans produced in the Desert District of the BLM. We request that each of these plans be re-written in a standard format including the above issues for inclusion.

181. Lastly, all private lands that come into public ownership as mitigation/conservation are required to be withdrawn from mineral entry in support of conservation. Alternative B. The CNPS submits the same comments on Alternative B as we do the Proposed Action where they are appropriate.

CNPS has consistently supported the West Mojave Plan through participation in a variety of Task Groups and Working Groups. By providing science-based input throughout the process, we look forward to the next draft of the Habitat Conservation Plan that provides substantially greater plant conservation – not the Proposed Action. We urge you to incorporate basic conservation biology principles into the plan to assure plant conservation. Thank you for the opportunity to submit these comments.

Sincerely,

Ileene Anderson
California Native Plant Society

cc: Ray Bransfield, USFWS

Becky Jones, CDFG

References:

Bureau of Land Management (BLM). 2001. West Mojave Plan, Species Accounts, Volume II: Plants. January 11, 2001.

Burgman, M.A., H.P. Possingham, A.J.J. Lynch, D.A. Keith, M.A. McCarthy, S.D. Hopper, W.L. Drury, J.A. Passioura and R.J. Devries. 2001. A Method for Setting the Size of Plant Conservation Target Areas. *Conservation Biology* 15(3): 603-616.

Holechek, J.L., R.D. Pieper and C.H. Herbel 1998. *Range Management: Principles and Practices*, 3rd edition. Prentice Hall, Inc.

Jensen, D.B. 1987. Concepts of Preserve Design: What We Have Learned. In: T. Elias. Ed. Conservation and Management of Rare and Endangered Plants. Proceedings from a Conference of the California Native Plant Society. California Native Plant Society, Sacramento, CA.

Jules, E.S. 1998. Habitat Fragmentation and Demographic Change for a Common Plant: Trillium in Old Growth Forest. *Ecology* 79(5): 1645-1656.

Lennartsson, T. 2002. Extinction Thresholds and Disrupted Plant-Pollinator Interactions in Fragmented Plant Populations. *Ecology* 83(11): 3060-3072.

Lombard, A.T., R.M. Cowling, R.I. Pressey and P.J. Mustart. 1997. Reserve Selection in a Species-Rich and Fragmented Landscape on the Agulhas Plain, South Africa. *Conservation Biology* 11(5): 1101-1116.

Noss, R.F., M.A. O'Connell and D.D. Murphy. 1997. *The Science of Conservation Planning: Habitat Conservation Under the Endangered Species Act*. Island Press, Washington D.C., pgs.246.

Rodgers, Jane. Vegetation Ecologist, Joshua Tree National Park. Personal communication - March 2001.

Soule M.A. and D. Simberloff 1986. What do genetics and ecology tells us about the design of nature reserves? *Biological Conservation* 35: 19-40

Thomas, J.W., E.D. Forsman, J.B. Lint, E.C. Meslow, B.R. Noon, and J. Verner. 1990. *A Conservation Strategy for the northern spotted owl*. USDA Forest Service, USDI Bureau of Land Management, USDI Fish and Wildlife Service, and USDI National Park Service, Portland, OR.

Wilcove, D.S. and D.D. Murphy. 1991. The spotted owl controversy and conservation biology. *Conservation Biology* 5:261-262.