

CHAPTER FIVE

STATUTORY SECTIONS

Chapter Five discusses the following topics that are required to be addressed by environmental impact statements by federal and/or California statutes, regulations, or policy:

- Relationship Between Short-Term Uses of the Environment and the Maintenance and Enhancement of Long-Term Productivity
- Irreversible and Irrecoverable Commitment of Resources
- Growth-Inducing Effects of the Proposed Action
- Public Participation

5.1 Relationship Between Local Short-Term Uses of the Environment and the Maintenance and Enhancement of Long-Term Productivity

In the short term, the project alternatives allow dispersed commercial and recreational uses to be made of desert lands, including off highway vehicle recreation, mining, livestock grazing, filming and other uses. Closure of off highway vehicle routes that do not contribute to the network goals, closure and limitation of those routes that affect sensitive resources, minimization of routes with regional network-wide and location-specific measures, in the long term would enhance habitat quality and maintain landscapes and watershed condition, including, soils and water quality. It would also minimize the loss of cultural sites, preserving their information and heritage values.

Transferring impacts from the most sensitive biological areas to less sensitive biological areas further contributes to landscape, habitat and watershed enhancement in DWMA and other sensitive areas over the long-term as well; however, long-term productivity closer to urban centers may continue to deteriorate as more use is directed to these areas, including the loss of cultural sites, semi-rural character, and intact habitat. More remote areas that are less sensitive may also experience some level of deterioration of productivity over the long-term. Working closely with local jurisdictions to coordinate strategies on outreach, education, key closures and limitation of routes to types of use that are less impacting, as well as minimization of routes with regional network-wide and location-specific measures, in the long term would minimize deterioration of habitat quality, landscapes, and watershed condition.

Long-term productivity of landscape, watershed and biological resources, as well as cultural resources in sensitive areas, will be enhanced by continuing implementation of other actions in the 2006 WEMO Plan, and if approved, the DRECP. Long-term productivity will also be enhanced by actions taken in conjunction with ongoing cultural surveys and response actions throughout the planning area. The short-term uses associated with project alternatives, with appropriate implementation strategies, are consistent with the goals of long-term productivity as outlined in these two Plans.

Appropriate access to some sites visited by the public would be maintained, thus minimizing losses of recreation and commercial access in other locations and maintaining the long-term recreational potential of the landscape. This would be accomplished by the design of a network

that provided appropriate access in a manner that avoided sensitive resource sites, limiting how the public uses routes near sensitive sites that remain accessible, directing use away from specific areas with significant habitat loss or watershed damage, and providing specific strategies in areas that have evidence of proliferation which are not closed. Access would continue to be provided for a variety of activities, including equestrian staging areas, recreational touring, motorcycling, hiking, rockhounding, mineral exploration, and other recreational uses. Commercial uses would continue to be provided appropriate access, and to the extent feasible, would generally be directed to the approved network to minimize impacts to long-term productivity.

5.2 Irreversible and Irretrievable Commitment of Resources

Designation of conservation areas and closure of routes within those areas would commit recreation opportunity resources to ecosystem conservation for the duration of the term of the West Mojave Plan and may result in long-term impacts to cultural resources as a result of changing use patterns on the route network. These impacts are not considered irreversible or irretrievable because changes may be made via plan amendment or through adaptive management.

Resource impacts associated with motorized vehicle use can be irreversible, or can take such a long period of time to be reversed that they are, in the timeframe of the WEMO Plan, effectively irreversible. In some cases, active re-vegetation efforts on closed routes can be effective in reducing the time needed for recovery. However, re-vegetation in desert environments is a slow process, and recovery of some resources, such as biological soil crusts, are expected to be irreversible long beyond the timeframe of the WEMO Plan.

The impacts of motor vehicle use on cultural resources also can be irreversible and irretrievable as well. In some cases data recovery may be possible. A decision to mitigate impacts to cultural resources by data recovery, instead of avoidance, constitutes a residual impact to a site. Sites are rarely, if ever, completely excavated. Mitigation by data recovery results in a steady loss of archaeological sites, and reduces opportunities for interpretation in their natural context. Data recovery may also negatively impact Native American values that cannot be mitigated.

Future undertakings to implement route designations that involve ground disturbing activities would require site-specific resources and cultural analysis that may include surveys, recording of historic and prehistoric sites, consultations, and determinations of eligibility of sites to the National Register of Historic Places. Potential impacts to Native American values would be analyzed. Such ground disturbing activities may also be subject to ESA Consultation with USFWS. Mitigation measures would be identified and implemented if necessary, including avoidance, where appropriate.

5.3 Growth-Inducing Effects

Population growth in the West Mojave is projected to range between 1.59% and 2.21% per year for the 30-year term of the West Mojave Plan. Based on previous growth figures and associated use estimates, population growth and economic activity are primary drivers of each other. Major access to areas also helps drive growth. However, the off-highway access network is not a major driver of growth. It is rather responding to the growth by serving the recreational and

commercial access needs brought by the increasing population needing commercial infrastructure and with leisure time.

One exception could be an enhancement of opportunities for the growth of the tourism industry on public lands. Establishment of a viable route network, publication of the opportunities it offers, and implementation of a desert user education program could increase use of certain areas of public lands near recreation areas of particular interest to visitors. This could have a spillover effect on nearby desert communities, which would be well positioned to provide services, information and supplies to desert users.

5.4 Public Participation

Prior to the start of the scoping period, the BLM mailed 51 Cooperating Agency invitation letters to federal, state, and local agencies identified as having special expertise or jurisdiction by law applicable to the WEMO Project. The letters notified potential Cooperating Agencies of the WEMO Project, provided an overview of the WMRNP, invited participation as a Cooperating Agency, and provided contact information to submit questions.

The BLM also mailed 16 Tribal consultation letters to potentially affected Tribes formally initiating government-to-government consultation regarding the WEMO Project. The Tribal consultation letters provided an overview of the WEMO Project; requested consultation and invited input; and provided contact information to submit any questions, concerns, or comments on the WEMO Project.

The DAC is a citizen-based Resource Advisory Council that provides recommendations on the management of public lands in the BLM's California Desert District. The DAC operates under a Charter established under Section 309 and Section 601 (g)(1) of the FLPMA, as amended (43 U.S. Code 1739); and all other provisions of the law. In December 2011, in response to the WEMO Project, the DAC established the WEMO Route Network Project Subgroup (WRNPS), which provides input regarding route-specific and network issues pertinent to the WEMO planning area for BLM to consider. The WRNPS is composed of members representing industry, recreation, conservation and the public at large and holds regularly scheduled meetings that are open to the public. The WRNPS has met more than a dozen times, held additional public outreach sessions, and prepared two reports for the District Manager identifying issues and providing recommendations and rationales for area-wide strategies and route-specific designations in the planning area.

The planning process was initiated by a Notice of Intent (NOI) to prepare a Supplemental Environmental Impact Statement and Proposed Plan Amendment to the 2006 WEMO Plan that was published in the Federal Register on September 13, 2011, and clarified on May 2, 2013. The NOI served as notification of the intent to prepare an EIS as required in 40 CFR 1501.7, as well as of potential amendments to the CDCA Plan, and requested comments on relevant issues, National Historic Preservation Act (NHPA) (16 U.S.C. 470(f) concerns, and initial planning criteria for the plan amendment.

The NOI indicated that the Proposed Plan Amendment and SEIS would consider the following:

- Amending the Motorized-Vehicle Access (MVA) Element of the CDCA Plan to modify the language regarding the process for designating routes in the West Mojave Planning Area;

- Reconsider other MVA Element land-use-planning level guidance and minimization strategies for the West Mojave Planning Area;
- Revisit the route designation process for the West Mojave Planning Area;
- Clarify the West Mojave Planning Area baseline for route designation and analysis;
- Establish a route network in the Planning Area consistent with current guidance and new information;
- Adopt travel management areas (TMA) to facilitate implementation of the West Mojave route network;
- Provide or modify network-wide and TMA-specific activity-plan level minimization, mitigation, and other implementation strategies for the West Mojave Planning Area; and
- Respond to specific issues related to the US District Court WEMO Remand Remedy Order issued in 2011.

Following the NOI, BLM held two overview public scoping meetings on September 27 and 29, 2011, in Ridgecrest and Barstow, California. Appendix A presents a summary of the scoping process, and the comments that were received during the process. As part of the scoping process, the BLM hosted scoping meetings and public workshops for the public and other interested parties to learn about and submit comments on the WMRNP. The BLM advertised the scoping meetings using a variety of outreach materials including the Project website and news releases. The outreach materials provided an overview of the proposed project; provided meeting locations, dates, and times; explained the purpose of the scoping meetings; identified methods for making comments; and provided contact information for questions regarding the WEMO Project. All materials provided an e-mail address for submitting comments (cawemopa@blm.gov) and a link to the Project website (http://www.blm.gov/ca/st/en/fo/cdd/west_mojave__wemo.html) which contained a comment form and additional project background information.

The BLM held 10 public scoping meetings to initiate the BLM's process for reconsidering motorized vehicle route designations in the WEMO Project planning area. The BLM held two overview open house public meetings September 27 and 29, 2011, in Ridgecrest and Barstow, California, and based on scoping comments and feedback from those meetings, followed with eight public travel designation workshops, also held in Ridgecrest and Barstow, in January and February 2012. A total of 299 people, not including BLM staff, attended the scoping meetings and workshops. Prior to the meetings, the BLM posted WEMO current maps and additional project information to the Project website for public review. Table 2 of the Scoping Report (Appendix A) provides the locations, dates, times, and number of attendees at each scoping meeting. On May 2, 2013 BLM published a clarified NOI to indicate the planning-level vs non-planning level decisions, and to clarify that the plan amendment would be an EIS-level amendment. Three additional public workshops were held in January 2014, in Barstow, Bishop, and Ridgecrest, which targeted tribal communities.

CHAPTER SIX CONSULTATION

6.1 Consultation

Federal Endangered Species Act (FESA)

The USFWS has jurisdiction to protect threatened and endangered species under the federal Endangered Species Act (ESA) [16 U.S.C Section 1531 et. seq.]. Formal consultation with the USFWS under Section 7 of the ESA is required for any federal action that may adversely affect a federally-listed species. BLM may re-initiate consultation on the 2006 BO based on changes proposed in this SEIS and such consultation shall be completed prior to the signing of any Record of Decision associated with the proposed changes.

National Historic Preservation Act (NHPA)

The National Historic Preservation Act (NHPA) (16 USC 470) requires Federal agencies with jurisdiction over a proposed Federal project to take into account the effect of the undertaking on cultural resources listed or eligible for listing on the National Register of Historic Places, and requires that the agencies afford the State Historic Preservation Office (SHPO), any affected Indian tribe, and the Advisory Council on Historic Preservation (ACHP) with an opportunity to comment on the undertaking. In addition to conducting Section 106 consultation in the development of the WEMO specific Programmatic Agreement, the BLM is utilizing and coordinating the NEPA commenting process to partially satisfy the public involvement requirements for Section 106 of the NHPA, as provided for in 36 CFR 800.2(d)(3).

BLM initiated the Section 106 consultation process by a letter to the California Office of Historic Preservation on February 16, 2012. BLM and the SHPO have cooperatively developed initial data acquisition and analysis needs, which have been acquired by BLM in support of the current planning effort. The ACHP was formally invited to participate in consultation by letter dated June 2, 2014 and has elected to participate by letter response dated June 24, 2014.

In coordination with the California SHPO and the ACHP, the BLM is complying with Section 106 through the negotiation of a WEMO specific Programmatic Agreement. The development of a Programmatic Agreement following the regulations at 36 C.F.R. §800.14 (b) is consistent with BLM guidance (IM-2012-067) for cultural resource considerations in off-highway vehicle designations and travel management.

To date, BLM has completed the records review for the Supplemental EIS, updated GIS information layers, and completed monitoring as outlined in the 2012 agreement with SHPO. A GIS-based sensitivity analysis and a more concentrated predictive modelling program are under development and will be utilized to identify inventory sites and evaluate cultural survey results to prioritize and direct inventory needs as part of the development of the Programmatic Agreement. This model will assist the BLM in designing inventory strategies where cultural resources are most likely to occur, so that additional minimization and mitigation measures can be applied where travel management is causing adverse effects to cultural properties.

Initial discussion and meetings have been held with SHPO to discuss contents of the Programmatic Agreement. Additional steps in the development of the agreement will be determined in consultation with SHPO, ACHP, and other consulting parties in upcoming discussions. To comply with Section 106, the WEMO Programmatic Agreement must be executed by the BLM, SHPO, ACHP and other invited signatories no later than March 31, 2015, prior to the Record of Decision.

The travel management decisions ordered for completion in May, 2015, will include the designation of off-highway routes in the West Mojave Desert and portions of the Great Basin Transition Zone. Pursuant to 36 C.F.R. §800.14(b)(1)(i) and (ii), the effects on historic properties are likely to be similar and repetitive, cross multiple regions, and cannot be fully determined prior to the approval of the undertaking. As allowed for under 36 CFR §800.4 (b)(2), the agreement is expected to include procedures for phasing the inventory and implementation plan for the identification of historic properties after the Record of Decision. The Programmatic Agreement will also specify programmatic procedures for how the BLM intends to address effects to historic properties.

Tribal Consultation

Tribal consultation is being conducted in accordance with policy, and tribal concerns, if any, are being given due consideration in evaluation of Plan amendment alternatives and development of the Programmatic Agreement. Consultation was initiated in 2011 with Federally and non-Federally recognized tribal groups. Five tribal outreach open house meetings were held in early 2014 to hear additional input from the tribes, in advance of the SHPO meeting to initiate development of the Programmatic Agreement. Consultation is ongoing and will continue throughout the development and implementation of the West Mojave Route Network Project and associated Programmatic Agreement.

6.2 List of Preparers

Though individuals have primary responsibility for preparing sections of the Proposed Programmatic Agreement and the EIS (Table 6.2-1), the document is an interdisciplinary team effort. In addition, internal review of the document occurs throughout preparation. Specialists at the BLM's Field Office, State Office, and Washington Office reviewed the analysis and supplied information, as well as provided document preparation oversight. Contributions by individual preparers may be subject to revision by other BLM specialists and by management during internal review.

Table 6.2-1. List of Preparers

Name	Primary Responsibility
<i>BLM – Barstow Field Office</i>	
Edy Seehafer	Project Manager
Anthony Chavez	Soil/Water/Air/Range
Jim Shearer	Cultural Resources
Birgit Hoover	Lands & Realty
Chris Otahal	Biological Resources
Shelly Jackson	Field Documentation (GIS)
<i>BLM – Ridgecrest Field Office</i>	
Craig Beck	Assistant Project Manager, Recreation
Glenn Harris	Soil/Water/Air
Jeff Gicklhorn	Range/Biological Resources
Ashley Blythe	Cultural Resources
Carrie Woods	Biological Resources
Marty Dickes	Wilderness/Recreation
<i>BLM – California Desert District Office</i>	
Jeff Childers	Project Manager
Larry LePre	Biological Resources
Peg Margosian	Support Staff (GIS)
<i>BLM – California State Office</i>	
James Weigand	Environmental Justice, Soils and Geology
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Elizabeth Meyer-Shields	Planning
<i>AECOM Environment</i>	
Robert Dover	Project Manager, Water Resources
Erika Grace	Project Coordinator
Annie Ferguson	Recreation, Travel, Visual
Melanie Martin	Planning
Brent Read	GIS Analysis
Bridget Ronayne	Access Database Development
Jim Harvey	Access Database Development
Patti Lorenz	Biological Resources
Sean Wazlaw	Air, Traffic, and Noise
Steve Graber	Socioeconomics and Environmental Justice
Rebecca Apple	Cultural Resources
Tanya Wayhoff	Cultural Resources
Regina Greer	Formatting, Production

CHAPTER SEVEN ACRONYMS AND GLOSSARY

7.1 List of Acronyms

Acronyms used throughout this document have been compiled and are provided in alphabetical order below in Table 7.1-1.

Table 7.1-1. List of Acronyms

Acronym	Definition
4WD	four-wheel-drive
ACHP	Advisory Council on Historic Preservation
AFB	Air Force Base
ATV	all-terrain vehicle
AUM	animal unit months
AVAQMD	Antelope Valley Portion of LA County Air Quality Management District
ACEC	Area of Critical Environmental Concern
APE	Area of Potential Effects
BMP	Best Management Practices
BA	Biological Assessment
BO	Biological Opinion
BLM	Bureau of Land Management
CBDT	California Backcountry Discovery Trail
CDAWG	California Desert Air Working Group
CDCA	California Desert Conservation Area
CDPA	California Desert Protection Act
CDFW	California Department of Fish and Wildlife
CHP	California Highway Patrol
CHU	Designated Critical Habitat Unit
CNDDB	California Natural Diversity Database
CRHR	California Register of Historical Resources
CO ₂	carbon dioxide
CO	carbon monoxide
CDC	Centers for Disease Control and Prevention
cm	centimeter
CFC	chlorofluorocarbon
CWA	Clean Water Act
CFR	Code of Federal Regulations
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CTTM	Comprehensive Travel and Transportation Management
CAPA	Coordinated/ Collaborative Access Planning Area
CEQ	Council on Environmental Quality

Table 7.1-1. List of Acronyms

Acronym	Definition
the Court	United States District Court for the Northern District of California
CH ₄	methane
DoD	Department of Defense
DOE	Department of Energy
DRECP	California Desert Renewable Energy Conservation Plan
DTNA	Desert Tortoise Natural Area
DWMA	Desert Wildlife Management Area
DEIS	Draft Environmental Impact Statement
EKAPCD	East Kern Air Pollution Control District
ESA	Endangered Species Act
EA	Environmental Assessment
EIS	Environmental Impact Statement
EPA	Environmental Protection Agency
FAMS	Facility Asset Management System
FESA	Federal Endangered Species Act
FHWA	Federal Highway Administration
FLPMA	Federal Land Management and Protection Act
GIS	Geographic Information Systems
GPS	global positioning system
GBUAPCD	Great Basin Unified Air Pollution Control District
GBVAB	Great Basin Valley Air Basin
GHG	Greenhouse Gas
GTLF	Ground Transportation Linear Features
HCFC	hydrochlorofluorocarbon
HFC	hydrofluorocarbon
IM	Instruction Memorandums
IMARS	Law Enforcement Reporting System
I-15	Interstate-15
I-40	Interstate-40
JD	jurisdictional determination
kV	kilovolt
L _{dn}	day-night average noise
L _{eq}	equivalent continuous sound level
LUP	Land Use Planning
MCAGCC	Marine Corps Air Ground Combat Center
MW	megawatt
MOU	Memorandum of Understanding
MPH	miles per hour
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MFTL	Mojave Fringed-toed lizard
MGS	Mohave ground squirrel

Table 7.1-1. List of Acronyms

Acronym	Definition
MVA	Motorized vehicle access
MUC	Multiple Use Class
NAIP	National Agriculture Imagery Program
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NHD	National Hydrography Dataset
NLCS	National Landscape Conservation System
NPS	National Park Service
NRHP	National Register of Historic Places
NAWS CL	Naval Air Weapons Station China Lake
NO ₂	nitrogen dioxide
NO _x	nitrogen oxide
N ₂ O	nitrous oxide
NGO	non-governmental organizations
NECO	Northern and Eastern Colorado
NEMO	Northern and Eastern Mojave
NA	Not Applicable
NECO	Northern and Eastern Colorado
NEMO	Northern and Eastern Mojave
NOI	Notice of Intent
OHV	off-highway vehicle
O ₃	Ozone
PDSI	Palmer Drought Severity Index
PM	particulate matter
PM _{2.5}	fine particulate matter
PM ₁₀	respirable particulate matter
PFC	perfluorocarbons
PSD	prevention of significant deterioration
PEIS	Programmatic Environmental Impact Statement
PFC	proper functioning condition
P.L.	Public Law
RHT	Rademacher Hills Trail
ROD	Record of Decision
ROV	recreational off-highway vehicle
RWQCB	Regional Water Quality Control
RCRA	Resource Conservation and Recovery Act
RMP	Resource Management Plan
ROW	right-of-way grant
SBNF	San Bernardino National Forest
SCAQMD	South Coast Air Quality Management District
SCAG	Southern California Association of Governments

Table 7.1-1. List of Acronyms

Acronym	Definition
SDWA	Safe Drinking Water Act
SEIS	Supplemental Environmental Impact Statement
SHPO	State Historic Preservation Office
SIP	State Implementation Plan
SO2	sulfur dioxide
SO4	sulfate
SRP	Special Recreation Perm
SUV	sport utility vehicle
SWRCB	State Water Resources Control Board
TMA	Travel Management Area
TTM	Travel and Transportation Management
USACE	United States Army Corps of Engineers
USDA	United States Department of Agriculture
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USFS	United States Forest Service
UPA	Unusual Plant Assemblages
VRI	Visual Resource Inventory
VRM	Visual Resource Management
VOC	volatile organic compounds
WEMO	West Mojave
WEMO Plan	2006 West Mojave Plan Amendment
WMRNP	West Mojave Route Network Project
WSA	Wilderness Study Area

7.2 Glossary

This section provides the definitions of terms used or referred to in this document that cannot be found in a standard dictionary. These terms augment or expand the scope of terms in the 2006 WEMO Plan to address the analysis in this Supplemental EIS.

Adaptive Management: Adaptive management is an integrated method for addressing uncertainty in natural resource management. It also refers to a structured process for learning by doing. Therefore, we are defining adaptive management broadly as a method for examining alternative strategies for meeting measurable goals and objectives, and then, if necessary, adjusting future management actions according to what is learned. An adaptive management strategy may (1) identify the uncertainty and the questions that need to be addressed to resolve the uncertainty; (2) develop alternative strategies and determine which experimental strategies to implement; (3) integrate a monitoring program that is able to detect the necessary information for strategy evaluation; and (4) incorporate feedback loops that link implementation and monitoring to a decision-making process (which may be similar to a dispute- resolution process) that result

in appropriate changes in management. (Adapted from the Final Addendum to the [USFWS] Handbook for Habitat Conservation Planning and Incidental Take Permitting Process.)

Allowable Ground Disturbance: This is a land development threshold (the current threshold for tortoise DWMA's is 1% of the total surface area of those DWMA's, that is, about 15,000 acres).

Area of Critical Environmental Concern: A BLM land use designation. Areas within the public lands where special management attention 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, or to protect life and safety from natural hazards. The identification of a potential ACEC shall not, of itself, change or prevent change of the management or use of public lands. ACECs can be located within any BLM multiple use class, and include areas that are popular recreational destinations or that are used for scientific investigations.

Assets – Term utilized to describe roads, primitive roads, and trails that comprise the transportation system. Also the general term utilized to describe all BLM constructed “Assets” contained within the Facility Asset Management System (FAMS).

Administrative Use: Official use related to management of the public lands and resources by Federal, State, or local government personnel in the performance of their official duties.

Animal Unit Month (AUM): The amount of forage needed to sustain one cow, five sheep, or five goats for a month. A full AUM's fee is charged for each month of grazing by adult animals if the grazing animal (1) is weaned, (2) is 6 months old or older when entering public land, or (3) will become 12 months old during the period of use. For fee purposes, an AUM is the amount of forage used by five weaned or adult sheep or goats or one cow, bull, steer, heifer, horse, or mule. The term AUM is commonly used in three ways: (1) stocking rate as in X acres per AUM, (b) forage allocation as in X AUM's in allotment A, and (3) utilization as in X AUM's consumed from Unit B.

Authorized Use: BLM issues leases, permits, rights-of-ways, and maintenance agreements to authorize certain kinds of development, uses, and/or occupancy of the public lands. Leases and permits are issued for such activities as temporary or permanent commercial facilities (except on mining claims), harvesting native or introduced species, residential occupancy, recreation (e.g., camping, ski resorts), agriculture (crops, apiaries), construction equipment storage, livestock holding or feeding areas not related to a grazing permit, water pipelines and well pumps (for irrigation or other purposes), and advertising displays. Rights-of-ways are issued for such things as roads, pipe lines, aqueducts, and power transmission lines.

Biological Opinion: The Federal Endangered Species Act (FESA) requires federal agencies to consult with the FWS to ensure that the actions they authorize, fund, or carry out will not jeopardize listed species (see below, Section 7 definition). Where the USFWS determines the proposed action will jeopardize the species, it must issue a biological opinion offering reasonable and prudent alternatives identifying measures that, if adopted, could avoid jeopardy to the listed species.

California Desert Conservation Area (CDCA): A region encompassing BLM- administered public lands within the Mojave and Colorado deserts of southern California. Congress designated the California Desert as a Conservation Area in 1976. In making that designation (in the Federal Land Policy and Management Act), Congress made the following findings:

- (1) The California desert contains historical, scenic, archaeological, environmental, biological, cultural, scientific, educational, recreational, and economic resources that are uniquely located adjacent to an area of large population;
- (2) The California desert environment is a total ecosystem that is extremely fragile, easily scarred, and slowly healed;
- (3) The California desert environment and its resources, including certain rare and endangered species of wildlife, plants and fishes, and numerous archaeological and historic sites, are seriously threatened by air pollution, inadequate Federal management authority, and pressures of increased use, particularly recreational use, which are certain to intensify because of the rapidly growing population of southern California [43 USC 1781(a)].

The purpose of the designation was “to provide for the immediate and future protection and administration of the public lands in the California desert within the framework of a program of multiple use and sustained yield, and the maintenance of environmental quality.” (43 USC 1781(b).)

California Desert Conservation Area Plan (CDCA Plan): In 1976, Congress found that:

- (1) The use of all California desert resources can and should be provided for in a multiple use and sustained yield management plan to conserve these resources for future generations, and to provide present and future use and enjoyment, particularly outdoor recreation uses, including the use, where appropriate, of off-road recreational vehicles [43 USC 1781(a)].

Congress directed the Secretary of the Interior to “prepare and implement a comprehensive, long-range plan for management, use, development, and protection of the public lands within the California Desert Conservation Area” (43 USC 1781(d)). The CDCA Plan was completed by the BLM and signed by the Secretary of the Interior in 1980. The CDCA Plan, as amended since its original adoption, serves as the BLM’s general land use plan for public lands in this region, including all public lands located within the western Mojave Desert.

Closed Area – As identified in 43 CFR 8342.1, an area closed to off-highway vehicle use. Public OHV use in these areas is prohibited. Use of off-highway vehicles in closed areas may be allowed for certain reasons; however, such use shall be made only with the approval of the authorized officer.

Closed Route – As identified in the CDCA Plan, a closed route is a route on which access is prohibited by motorized vehicles except: (1) fire, military, emergency or law enforcement vehicles when used for emergency purposes; (2) combat or combat support vehicles when used for national defense purposes; (3) vehicles whose use is expressly authorized by an agency head under a permit, lease, or contract; and (4) vehicles used for official purposes by employees, agents, or designated representatives of the Federal Government or one of its contractors. Use must be consistent with the multiple use guidelines for that area. This term is being supplanted by “Translinear Disturbance,” a term from the 2005 TTM guidance.

Comprehensive Transportation and Travel Management (CTTM) - The proactive interdisciplinary planning; on-the-ground management and administration of travel networks (both motorized and non-motorized) to ensure public access, natural resources, and regulatory needs are considered. It consists of inventory, planning, designation, implementation, education,

enforcement, monitoring, easement acquisition, mapping and signing, and other measures necessary to provide access to public lands for a wide variety of uses (including uses for recreational, traditional, casual, agricultural, commercial, educational, and other purposes).

Conserve: To allow natural habitat or species populations to remain in place.

Critical Habitat: FESA defines this as the specific areas within the geographical area occupied by a listed species on which are found those physical or biological features (I) essential to the conservation of the species and (II) which may require special management considerations or protection; and, specific areas outside the geographical area occupied by a listed species upon a determination by FWS that such areas are essential for the conservation of the species.

Designated Roads and Trails: Specific roads and trails identified by the BLM (or other agencies) where some type of motorized vehicle use is appropriate and allowed either seasonally or year-long. (BLM Manual H-1601-1 Land Use Planning Handbook).

Desert Wildlife Management Area (DWMA): administrative area within the recovery unit which is managed such that reserve-level protection is afforded to desert tortoise populations while maintaining and protecting other sensitive species and ecosystem functions; DWMA's are essential to the long-term recovery, viability, and genetic diversity of the species and are implemented to provide for the long-term viability of tortoise populations and the ecosystems upon which they depend.

Endangered Species: A species that is in danger of extinction throughout all, or a significant portion, of its range.

Goals and Objectives: Goals are the broad guiding principles for the transportation and travel management and grazing program strategies, as well as the biological conservation program of the 2006 WEMO Plan. They are the rationale behind the minimization and mitigation strategies that are developed for these programs. If the operating program is relatively complex, the goals are further divided into manageable, and, where appropriate, measurable objectives. Transportation and travel management objectives may apply planning area wide, by TMA, or to specific aspects of travel management. Grazing program objectives likewise may be program wide, by specific allotment, or to specific aspects of allotment management. Biological objectives are the different components needed to achieve the biological goal such as preserving sufficient habitat, managing the habitat to meet certain criteria, or ensuring the persistence of a specific minimum number of individuals. The biological goals and objectives may be either habitat or species based. (Adapted from the Final Addendum to the USFWS Handbook for Habitat Conservation Planning and Incidental Take Permitting Process.)

Habitat: The location where a particular taxon of plant or animal lives and its surroundings, both living and non-living; the term includes the presence of a group of particular environmental conditions surrounding an organism including air, water, soil, mineral elements, moisture, temperature, and topography.

Land Disturbance: Clearing, excavating, grading or other manipulation of the terrain.

Land Disturbing Activity: Any activity that results in the clearing, excavating or other manipulation of the terrain.

Land Tenure Adjustment (LTA) Program: Numerous land exchanges have been taking place within the Western Mojave Land Tenure Adjustment Area, pursuant to a joint BLM and Air

Force project initiated in the late 1980s. These exchanges, facilitated by Air Force funding, are intended to preclude land uses not compatible with the training/testing mission of Edwards AFB, to encourage private land development in appropriate locations, and to provide for more efficient management of public lands. The acquisition of land through LTA project exchanges does not, in and of itself, create a commitment for long-term management or prevent future development.

Lands with Wilderness Characteristics: Lands that have been inventoried and determined by the BLM to contain wilderness characteristics as defined in Section 2(c) of the Wilderness Act.

Limited Area – As identified in 43 CFR 8342.1, an area where vehicular access is limited to designated trails, and may be otherwise restricted at certain times, in certain areas, and/or to certain vehicular use.

Limited Route – Routes that are available for use, and the specific conditions or specific classes of users to which the route is available. These conditions may be of any type but can generally be accommodated within five categories: (1) to all users on designated trails, (2) to a specific subcategory of motorized users or specified numbers of vehicles, types of vehicles, time or season of vehicle use, (3) to permitted or licensed use or to administrative use only; (4) restricted to non-mechanized use, or (5) restricted to non-motorized use. All users are, at a minimum, restricted to the designated trail, except as identified for stopping, parking, and camping.

Linkage: Region connecting two or more conservation areas. Linkages may act as dispersal corridors for wide-ranging species, provide habitat for pollinators, or serve to maintain genetic continuity between major populations of a species. Some linkages, particularly large drainages, serve to connect several different habitats over an elevational gradient.

Maintain: To take routine actions to avoid the diminishing or decline of a species population, habitat, or natural community due to anthropogenic causes.

Maintenance Intensities – Transportation System Assets - BLM Route Maintenance Intensities provide guidance for appropriate “standards of care” to recognized routes within the BLM. Recognized Routes by definition include Roads, Primitive Roads, and Trails carried as Assets within the Bureau of Land Management Facility Asset Management System (FAMS).

Management Prescription: Discrete component of the West Mojave Plan’s habitat conservation strategy. A prescription could include take-avoidance measures intended to minimize and mitigate the impacts of a new development, as well as a proactive management program to be undertaken by land management agency (for example, to control raven populations).

Mechanized Travel: Moving by means of mechanical devices that are not powered by a motor or engine, such as a bicycle or landsailer.

Minimize Take: Measures that will be implemented on-site to minimize impacts to the desert tortoise and other special-status species (e.g., fencing, biological monitors, reduced speed limit, education programs, etc.).

Mitigate Take: Measures that will be implemented off-site to compensate for impacts to a special-status species (e.g. compensatory land purchase).

Mohave Ground Squirrel Habitat Conservation Area: An area identified to apply special measures to protect habitat and conserve the MGS and other special-status species occurring in that area.

Monitoring: Monitoring provides information necessary to assess plan compliance and project impacts, and to verify progress toward meeting plan goals and objectives. Monitoring also provides data to evaluate the success of the 2006 WEMO Plan operating program and to make appropriate adjustments to the program. Monitoring is divided into two types. Compliance monitoring is verifying that the terms of the Plan are being carried out. Effects and effectiveness monitoring evaluates the effects of the action and determines whether the effectiveness of the Plan strategies are consistent with the assumptions and predictions made when the plan is developed and approved; in other words, is the 2006 WEMO Plan achieving the goals and objectives as outlined in that plan and supplemented herein for travel management and grazing. (Adapted from the Final Addendum to the [USFWS] Handbook for Habitat Conservation Planning and Incidental Take Permitting Process).

Motorized Travel: Moving by means of vehicles that are propelled by motors or engines such as cars, trucks, OHVs, motorcycles, and motorhomes. Routes designated as motorized are available for all forms of motorized travel unless otherwise limited as indicated by a sub-designation. If a sub-designation is placed upon the route then that route is limited to that form of motorized travel only, such as a motorcycle only route. Routes designated as motorized are also available for non-motorized and non-mechanized travel.

Motorized Vehicle Access Network: A general term referring, collectively, to routes of travel (roads, ways, trails and washes) on BLM-administered public lands designated by that agency as either open for motor vehicle use, or open in a limited matter (e.g. subject to restrictions based upon vehicle numbers or type, time or season of use, permitted or licensed use, or subject to speed limits).

Multiple Use Class: A BLM land use planning designation. On the basis of uses and resource sensitivity, the BLM's CDCA Plan geographically designated nearly all public lands within the CDCA into four multiple-use classes (MUC). These MUC are being supplemented and clarified with many additional classifications such that the other features, such as access management area, bioregion, watershed, travel management area, special recreation management area, development focus area, etc., such that MUC are less emphasized.

Non-mechanized Travel: Moving by foot, horseback, other animal-powered travel, and cross-country skiing; travel not aided by mechanical means. Routes designated as non-mechanized are available for all forms of non-mechanized travel unless otherwise limited as indicated by a sub-designation. If a sub-designation is placed upon the route then that route is limited to that form of travel only such as a hiking only route.

Non-motorized Travel: Moving by foot, stock, or pack animal, or mechanized vehicle such as a bicycle or landsailer. Routes designated as non-motorized are available for all forms of non-motorized travel unless otherwise limited as indicated by a sub-designation. If a sub-designation is placed upon the route then that route is limited to that form of non-motorized travel only, such as a bicycle only route. Routes designated as non-motorized are also available for non-mechanized travel.

Off-Highway Vehicle (off-road vehicle) - Any motorized vehicle capable of, or designated for travel on or immediately over land, water or other natural terrain, excluding: (1) any non-amphibious registered motorboat; (2) any military, fire, emergency, or law enforcement vehicle while being used for emergency purposes; (3) any vehicle whose use is expressly authorized by

the authorized officer, or otherwise officially approved; (4) vehicles in official use; and (5) any combat or combat support vehicle when used for national defense.

Open Area: An area where all types of OHV vehicle use is permitted at all times, anywhere in the area subject to the operating regulations and vehicle standards set forth in 43 CFR 8341 and 8342, and subject to permission of private land owners if applicable. The CDCA Plan has designated OHV Open Areas for (1) those lands specifically designated as open for vehicle travel, and (2) certain sand dunes and dry lakebeds. (from CDCA Plan as amended, 1999 reprint, page 76.)

Open Route: As identified in the CDCA Plan, an open route is a route on which access by motorized vehicles is allowed. Special uses with potential for resource damage or significant conflict with other use may require specific authorization.. Open routes are no longer being designated. All routes are Limited to the designated trail and are therefore considered Limited Routes, consistent with the 2005 TTM guidance.

Primitive Road: A linear route managed for use by four-wheel drive or high clearance vehicles. These routes do not normally meet any BLM road design standards.

Primitive Trail - Roadlike feature on public land in wilderness study areas used by vehicles having four or more wheels, which receives no maintenance to guarantee regular and continuous use.

Protect: To take positive action to avoid harm to a covered species or to conserve its habitat in a natural and undisturbed condition.

Reclamation: Taking such reasonable measures as will prevent unnecessary or undue degradation of the Federal lands, including reshaping land disturbed by operations or activities to an appropriate contour and, where necessary, revegetating disturbed areas so as to provide a diverse vegetative cover and/or disguise previous activities/uses.

Recovery Plan: Plans developed by FWS that recommend a program to provide for the conservation and survival of listed species. These plans include site-specific management actions and recommendations to achieve the conservation and survival of the species; objective and measurable criteria for delisting; and time and cost estimates.

Recovery Unit: Distinct population segments of a listed species. The desert tortoise, for example, is listed as threatened by the Service within those portions of its range north and west of the Colorado River. This area is divided into six recovery units. The western Mojave Desert is one of those recovery units. Recovery is judged in the context of each of these units independently.

Rehabilitation: The site will be returned to a stable form, not necessarily to a condition that existed prior to surface disturbing operations. Land use alternatives may be considered in post operation or activity development plans. A second use may include a use not consistent with uses existing prior to disturbances, that do not substantially enhance the area of disturbance.

Restoration: Return the disturbed area as best able to a condition that existed prior to surface disturbing activities. Elements include revegetation or the ability to revegetate with species native to the area, and may include placement of vegetation in the same locations that existed prior to conduct of operations.

Road: A linear route declared a road by the owner, managed for use by low clearance vehicles having four or more wheels, and maintained for regular and continuous use.

Section 7 (FESA): The subdivision of FESA that describes the responsibilities of Federal agencies in conserving threatened and endangered species. It requires that any action authorized, funded, or carried out by the agency should not be likely to jeopardize the continued existence of any threatened or endangered species or result in the destruction or adverse modification of the species habitat. It includes a requirement that agencies consult with FWS if an action will likely affect a listed species that may be present in the area affected by the project. It requires FWS to issue a biological opinion stating how the action will affect the species or its critical habitat and, if jeopardy or adverse habitat modification is found, it suggests reasonable and prudent alternatives.

Special Areas: A land use designation applied by BLM to a variety of areas with unique features, plant communities, or other that support other resources. Special Areas are a tool to highlight areas known to be important for special consideration in the environmental assessment process for any kind of project. The multiple-use class or other federal or BLM guidelines for the class in which the area is located will provide the basic management direction for each Special Area. Where appropriate, activity plans will establish site-specific management directives.

Special Status Species: These include species:

- Listed as threatened or endangered (state and federal)
- Proposed for listing;
- Candidates for listing by the state and/or federal government;
- California species of concern;
- Designated as sensitive by the BLM; and,
- Plants identified by the California Native Plant Society as rare, threatened, endangered, or of limited distribution in California.

Standards and Guidelines: A Standard is an expression of the level of physical and biological condition or degree of function required for healthy, sustainable rangelands. Guidelines for grazing management are the types of grazing management activities and practices determined to be appropriate to ensure that the standards can be met or significant progress can be made toward meeting standards.

Subregion (Vehicle Access): Thirty-six geographic subdivisions covering various portions of public lands within the West Mojave planning area and that provide complete coverage of the planning area. These subdivisions were established for purposes of organizing the development of a network of motorized vehicle access routes on public lands, and to facilitate implementation of the route network. They generally coincide with law enforcement patrol sectors.

Threatened Species: A species is likely to become endangered within the foreseeable future. All species of plants and animals, except pest insects, are eligible for listing as endangered or threatened.

Tortoise Desert Wildlife Management Areas (Tortoise DWMAs): These conservation areas are designed to encompass essential tortoise habitats (particularly critical habitat) and be of sufficient size to ensure the recovery of the tortoise and conservation of other rare, unlisted species so as to prevent future listing.

Trail: A linear route managed for human-powered, stock, or off-highway vehicle forms of transportation or for historical or heritage values. Trails are not generally managed for use by four-wheel drive or high-clearance vehicles.

Transportation Linear Disturbances – Man-made linear features that are not part of the BLM’s Transportation System. Linear disturbances may include engineered (planned) as well as unplanned single- and two-track linear features. Even if previously authorized, these features are considered unauthorized, and suitable for removal and rehabilitation.

Transportation Linear Features – The broadest category of physical disturbance (planned and unplanned) on BLM land. Transportation-related linear features include engineered roads and trails, as well as user-defined, non-engineered roads and trails created as a result of the public use of BLM land. May include roads and trails identified for closure or removal as well as those that make up the BLM’s defined transportation system.

Transportation System – The sum of the BLM’s recognized inventory of linear features (roads, primitive roads, and trails) formally recognized and approved as part of the BLM’s transportation system.

Travel Management Areas - Polygons or delineated areas where a rational approach has been taken to classify areas open, closed or limited, and have identified and/or designated a network of roads, trails, ways, and other routes that provide for public access and travel across the planning area. All designated travel routes within travel management areas should have a clearly identified need and purpose as well as clearly defined activity types, modes of travel, and seasons or timeframes for allowable access or other limitations. (BLM Manual H-1601-1 Land Use Planning Handbook).

Utility Corridor: The CDCA Plan designated a regional network of nineteen utility planning corridors. Corridors are from two to five miles wide, and are several to hundreds of miles in length. They apply to electrical transmission towers and cables of 161-kV and above; pipelines with diameters greater than 12 inches, coaxial cables for interstate communications, and major aqueducts or canals for inter-basin transfers of water. Their purpose is to guide detailed planning and siting of utility projects requiring a right of way from the BLM. Location of a project within a corridor does not, without more, confer a right of way or fulfill environmental review requirements; however, projects subject to the corridor requirement are allowed outside of corridors only through an amendment to the CDCA Plan. BLM issues a permit that allows the construction of a new utility in these corridors only after FESA Section 7 consultation with FWS and Section 106 consultation with SHPO. Local distribution facilities may be located outside of designated corridors without a further land-use plan amendment. The CDCA Plan also identified several contingent corridors (routes having some potential for use in the future), which could be brought forward into the plan after successfully completing the Plan Amendment process. (CDCA Plan, pages 93-94.). At least one contingent corridor has already been activated in the WEMO Planning Area.

Voluntary Relinquishment: “the donation” of any valid existing grazing permit or lease within the CDCA. The term donation is interpreted by the BLM to mean “voluntary relinquishment” of the permit or lease to graze on a public land grazing allotment and the preferential position that the permittee or lessee enjoyed, in relation to other applicants, to receive that permit or lease.

West Mojave Amendment Web Page:

http://www.blm.gov/ca/st/en/fo/cdd/west_mojave_wemo.html

West Mojave 2006 Plan Web Page: <http://www.blm.gov/ca/st/en/fo/cdd/wemo.html>

Wilderness Area: A unit of the National Wilderness Preservation System. Wilderness areas are designated by Congressional action. It is a natural preserve with outstanding opportunities for solitude and unconfined primitive experience. Wilderness is a place to enjoy where ecological, geological and other features of scientific, scenic, educational and historical value are protected and their character retained. BLM manages wilderness in accordance with the provisions of the Wilderness Act of 1964 and approved wilderness management plans. These plans generally contain actions that:

- (1) Maintain an enduring system of high-quality wilderness;
- (2) Perpetuate the wilderness resource;
- (3) Provide, to the extent consistent with items 1 and 2, opportunities for public use, enjoyment, and understanding of wilderness, and the unique experiences dependent upon a wilderness setting;
- (4) Maintain plants and animals indigenous to the area;
- (5) Maintain stable watersheds within constraints of the Wilderness Act;
- (6) Consider protection needs for populations of threatened or endangered species and their habitats in management of wilderness;
- (7) Consider accessibility to all segments of the population (including the handicapped, elderly, and underprivileged) in the management of wilderness;
- (8) Consider valid nonconforming resource uses and activities in the management of wilderness so as to have the least possible adverse effect and/or wherever possible a positive effect; and
- (9) Provide access to inholdings of private lands and vehicle access required by many areas because of the lack of water and the harsh environment of the Desert. [CDCA Plan as amended, page 50.]

Wilderness Study Area (WSA): Wilderness Study Areas are public lands that Congress has directed remain unimpaired for Wilderness designation until such time as Congress decides whether or not they will become units of the National Wilderness Preservation System. BLM manages its WSAs pursuant to an interim management policy described in the CDCA Plan. Although Congress made a final designation decision with respect to most of the western Mojave Desert’s WSAs in 1994, five WSAs remain, all on BLM lands: Avawatz Mountains, Cady Mountains, Great Falls Basin, Soda Mountains and South Avawatz Mountains.