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FISH AND WILDLIFE SERVICE PROPOSES CRITICAL HABITAT FOR MOJAVE POPULATION OF DESERT TORTOISE; PUBLIC HEARINGS SCHEDULED

The U.S. Fish and Wildlife Service today proposed critical habitat for the Mojave population of the desert tortoise. The proposal encompasses primarily Federal lands in southwestern Utah, northwestern Arizona, southern Nevada, and California. This tortoise population was listed as threatened in 1990.

A designation of critical habitat has no effect upon private or state actions. Critical habitat provides additional protection to a listed species' habitat only with respect to actions that receive some form of Federal involvement. Such Federal involvement can include land ownership (such as Bureau of Land Management ownership), funding (such as various grants), or authorization (such as Federal Energy Regulatory Commission licenses). The Endangered Species Act requires that Federal agencies consult with the Service to ensure their activities would not adversely modify or destroy critical habitat.

"Critical habitat is widely misunderstood," said Marvin Plenert, Pacific Regional director of the Fish and Wildlife Service. "It basically outlines for Federal agencies the areas where they must be sensitive to the possible impacts of their activities on the desert tortoise and its habitat. In cases where the Fish and Wildlife Service determines a proposed Federal action would harm critical habitat, the Service is required to work with the involved agency to develop reasonable and prudent alternatives that would allow the project to go forward. It does not establish sanctuaries or prohibit activities by people."

Before a final designation of critical habitat is made, the Service will consider public comments received during a 60-day public comment period. The Service also will evaluate the economic impacts of the designation. The Endangered Species Act allows areas to be excluded from critical habitat if the economic costs of the designation outweigh the conservation benefits, as long as the exclusion does not result in extinction of the species.

The proposed critical habitat results from settlement of two lawsuits (Desert Tortoise et al. v. Lujan et al. and Natural Resources Defense Council v. Babbitt).

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Desert tortoises are long-lived terrestrial animals that spend much of their lives in burrows, emerging primarily during late winter and early spring to forage. The desert tortoise, a vegetarian, grows to about 15 inches in length. It is extremely vulnerable to human vandalism and collection because of its size and slow movement, and the fact that its only protection is its hard shell.

Tortoise habitat has been lost, degraded, and fragmented by livestock, wild horse, and burro grazing; urban development; off-highway-vehicle use; and other large surface-disturbing activities such as mining, agriculture, and military activities.

In California, the Fish and Wildlife Service proposes eight critical habitat units totalling 4,776,700 acres in Imperial, Kern, Los Angeles, Riverside, and San Bernardino counties. Of this, 3,341,500 acres are Bureau of Land Management land and 247,400 acres are military land. The remainder includes 132,900 acres of state land and 1,054,900 acres that are privately owned.

In Nevada, four units totaling 1,314,000 acres are proposed for Clark and Lincoln counties. Of this, 1,198,500 acres are Bureau of Land Management land, 107,600 acres are National Park Service land, and 7,900 acres are private.

In Utah, two units totaling 137,200 acres are proposed in Washington County. This consists of 91,400 acres of Bureau of Land Management land, 100 acres of Forest Service land, 28,000 acres of state land, 16,100 acres of private land, and 1,600 acres of Indian tribal lands.

In Arizona, two units totaling 417,400 acres are proposed in Mohave County. This consists of 364,000 acres of Bureau of Land Management land, 43,600 acres of National Park Service land, 9,200 acres state, and 600 acres private.

Public hearings addressing the desert tortoise critical habitat issue will be held from 1 to 4 p.m. and 6 to 8 p.m. at the following locations on the dates listed below:

- October 6 - Riverside Municipal Auditorium, 3485 7th Street, Riverside, California;

- October 12 - Clark County Commission Chambers, 225 Bridger Avenue, First Floor, Las Vegas, Nevada; and

- October 14 - Cox Auditorium, The Dixie Center, 425 South 700 East, St. George, Utah.

Individuals wishing to present testimony should bring copies of their statements with them. There is no limit to the length of written comments, but oral statements may be limited to 3 to 5 minutes. Written and oral comments will be given the same weight.

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Public comment regarding the proposal will be taken through October 29, 1993, and should be sent to the Field Supervisor, U.S. Fish and Wildlife Service, Nevada State Office, 4600 Kietzke Lane, C-125, Reno, Nevada 89502. A complete description of the proposed rule, as well as the critical habitat unit maps, will be available for public inspection by appointment during normal business hours at the above address. Copies of the economic analysis will be available upon written request to the above address.

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