



July 21, 2020

VIA EMAIL ONLY

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Re: Amendment of the Red Cliffs National Conservation Area Resource Management Plan; Issuance of Incidental Take Permit; Issuance of a Highway Right-of-Way, and Issuance of an Environmental Impact Statement to Facilitate Development and Construction of the Northern Corridor Highway

Acting Director Bilboa and Director Walsh:

In light of the ongoing and unknown impacts of the Turkey Farm Road and Cottonwood Trail wildfires on the Red Cliffs Desert Reserve (“Desert Reserve”), Red Cliffs National Conservation Area (“Red Cliffs NCA”), and the threatened Mojave desert tortoise populations and habitat, the undersigned local, regional and national organizations respectfully request the Bureau of Land Management (“BLM”) and the U.S. Fish and Wildlife Service (“Service”) immediately pause their respective environmental review processes for the Northern Corridor Highway.

On July 13, 2020, the Turkey Farm Road Fire ignited within the Desert Reserve and Red Cliffs NCA, and the fire has currently consumed 11,994 acres within Zone 3 of the Desert Reserve (as of July 21, 2020). It appears that the Turkey Farm Road Fire has burned medium density tortoise habitat, with the potential for impacting high density habitat. This area subject to this fire – within Zone 3 of the Desert Reserve – contains the largest contiguous area of desert tortoise habitat and is home to the greatest number of tortoises, approximating 1,181 individuals or 12.3 tortoises per square kilometer. This population of desert tortoise has declined by nearly 31 percent between 2017-2019. At

present, the full scope and impact of the Turkey Farm Road Fire on the threatened Mojave desert tortoise is unknown. Importantly, Zone 3 is also the preferred location for the Northern Corridor Highway.

On July 19, 2020, the separate Cottonwood Trail Fire spread into the Desert Preserve and Red Cliffs NCA, and as of this morning this fire has expanded to over 3,000 acres. The Cottonwood Trail Fire is clearly visible between from Interstate 15 between MP 21 and MP 17, and it appears this fire is also entirely within Zone 3 of the Desert Reserve. This area within the Red Cliffs NCA contains important recreational, cultural and riparian resources, including White Reef petroglyphs; Red Cliffs Recreation Area and Campground; Orson Adams Pioneer House; McMullin House; interpreted Ancestral Puebloan Pit House site; dinosaur track site; *They Came to Cordura* heritage public use site; Cottonwood Canyon Wilderness; Cottonwood Trailhead; portions of Quail creek and other streams; and portions of approximately 7 trails. The Cottonwood Trail Fire is about 35 percent contained.

Thus, in the last few days approximately 14,000 acres of the Red Cliffs NCA has burned, with untold and potentially devastating impacts on Mojave desert tortoise populations and habitat. It is reasonable to anticipate that these fires may cause a mortality rate in Mojave desert tortoise of 15% or more, especially since in 2005 wildfires burned approximately 11,500 acres of the Red Cliffs NCA, killing nearly 15% of desert tortoise population in the NCA.

In light of the current situation, we request BLM and the Service immediately and temporarily pause preparation of all required environmental analysis and review under the National Environmental Policy Act, 42 U.S.C. §§ 4321 *et seq.* (“NEPA”), the Endangered Species Act, 16 U.S.C. §§ 1531 *et seq.* (“ESA”), the Federal Land Policy and Management Act, 43 U.S.C. §§ 1701 *et seq.* (“FLPMA”), and the Omnibus Public Land Management Act of 2009, P.L. 111-11, 123 STAT. 991 (March 30, 2009), regarding the Northern Corridor Highway until the Turkey Farm Road and Cottonwood Trail wildfires are extinguished, BLM and the Service assess and examine the full ecological impacts of these fires and complete burned area assessments, BLM adopts Emergency Stabilization/Burned Area Emergency Response (ES/BAER) Plans and a Burned Area Rehabilitation (BAR) Plans, and BLM and the Service prepare and submit for public review and comment a supplemental draft environmental impact statement and habitat conservation plan.

Without a better understanding of the ecological impacts of the Turkey Farm Road and Cottonwood Trail wildfires, together with formalized and adopted plans to protect, remediate and rehabilitate the lands subject to these wildfires, BLM and the Service cannot adhere to their respective requirements under NEPA, FLPMA, ESA and the Omnibus Public Land Management Act of 2009. Note, too, that it is insufficient as a matter of law to consider this new information only in the final environmental impact statement (EIS), as BLM asserted during its recent public meeting. Deferring the consideration of significant new information – like the impacts of the Turkey Farm Road and Cottonwood Trail wildfires – until the final EIS will unavoidably taint the final

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product by ignoring key baseline information needed to inform the analysis of the affected environment and environmental consequences, and otherwise limiting consideration of reasonable alternatives and appropriate public engagement.

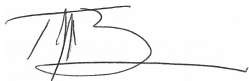
In these circumstances, NEPA requires an agency to consider significant new circumstances or information regarding the impacts of the Turkey Farm Road and Cottonwood Trail wildfires by preparing a supplemental draft environmental impact statement, and submitting this supplemental draft EIS for public notice and comment. *See* 40 C.F.R. § 1502.9(c).

We are eager to work with you to ensure that this process can be undertaken in a fair, open and expedited fashion; and we welcome any additional thoughts and ideas you may have on how to structure and expedite this process. Please feel free to reach out to us to let us know how we can help, and we look forward to hearing back from you without delay.



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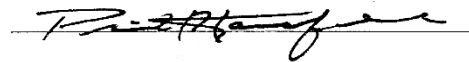
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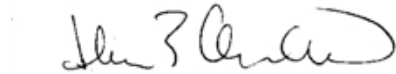
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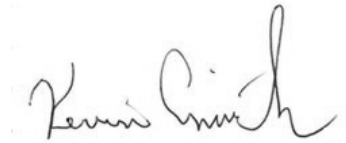
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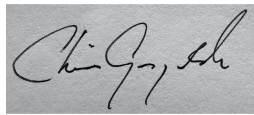
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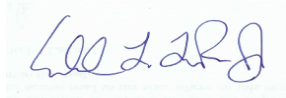
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