

STAFF SUMMARY FOR FEBRUARY 10-11, 2016

28. FLAT-TAILED HORNED LIZARD**Today's Item**Information Action

DFW requests an extension of time, by six months, to allow further analysis and evaluation of the available science, completion of the status review, and a peer review process for the flat-tailed horned lizard petition.

Summary of Previous/Future Actions

- | | |
|--|---------------------------------|
| • Received petition | Jun 10, 2014 |
| • FGC transmitted petition to DFW | Jun 12, 2014 |
| • Published notice of receipt of petition | Jul 11, 2014 |
| • DFW requested 30-day extension for evaluation | Oct 8, 2014 |
| • Received DFW's evaluation of petition | Dec 3, 2014; Van Nuys |
| • Warranted candidacy status | Feb 12, 2015; Sacramento |
| • Today DFW's request for six month extension | Feb 11, 2016; Sacramento |
| • Receive DFW's status review report | Oct 19-20, 2016; Crescent City |
| • Determine whether listing may be warranted | Dec 7-8, 2016; San Diego |

Background

On, Jun10, 2014, FGC received a petition from the Center for Biological Diversity to list the flat-tailed horned lizard as an endangered species under CESA. FGC warranted candidacy status at its Feb 12, 2015 meeting. In Jan 2016 DFW requested that FGC grant a six month extension of time to complete its review. If the extension is approved, FGC will consider the petition, DFW's evaluation and other information submitted to determine if listing may be warranted at its Dec 7-8, 2016, meeting in Crescent City.

Significant Public Comments

1. The City of Brawley City Council opposes the petition (Exhibit 2).

Recommendation

FGC staff: Approve DFW's request for a six month extension

Exhibits

1. [DFW memo, received Jan 11, 2016](#)
2. [Letter from City of Brawley City Council, received January 5, 2016](#)

Motion/Direction

Moved by _____ and seconded by _____ that the Commission adopts the consent calendar, items 27-28.

State of California
Department of Fish and Wildlife

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Memorandum

Date: January 06, 2016

To: Fish and Game Commission

From: Charlton H. Bonham
Director



Subject: Request for 6 Month Extension, Flat-tailed Horned Lizard Status Review

Per Section 2074.6 of the Fish and Game Code, the California Department of Fish and Wildlife (Department) requests an extension of time, by 6 months, to allow further analysis and evaluation of the available science, completion of the Flat-tailed Horned Lizard status review, and peer review process. Such extension would make the due date for the Department's evaluation to September 6, 2016, which is 18 months from the date the candidacy findings were published (March 6, 2015).

If you have any questions or need additional information, please contact Dr. Eric Loft at (916) 445-3555.



CITY OF BRAWLEY

ADMINISTRATIVE OFFICES

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28 December 2015

California Fish and Game Commission
1416 Ninth Street, Room 1320
Sacramento, CA 95814
fgc@fgc.ca.gov

Honorable President Jack Baylis and Commissioners:

On behalf of the City of Brawley City Council, I am writing to express opposition to the listing of the flat tailed horned lizard (FTHL) as an endangered species as proposed by the California Department of Fish and Wildlife (CDFW). The listing would have dire consequences for renewable energy development, jeopardizing the state's ability to meet its recently enacted 50 percent renewable portfolio standard by prohibiting or severely limiting renewable development in large desert areas of the Imperial County. The proposed listing would also negatively impact off road enthusiasts in the Ocotillo Wells State Vehicular Recreation Area, agriculture, and Imperial County's economy. Furthermore, it would weaken the existing multi-agency coordinated protections that now effectively protect the species.

For Imperial County, one of the poorest counties in California, the responsible use of the desert is vital to its economy and economic development. Yet, new rules imposed by CDFW in anticipation of FTHL listing have already hampered off road activity and cost solar developers hundreds of thousands of dollars for extra studies and permits to allow construction of previously approved projects.

The City of Brawley believes that current protections through the existing FTHL Rangewide Management Strategy administered by federal, state and Arizona agencies provide better protection for the species that what the CDFW proposes. Among other things, a 1 percent cap on development in FTHL habitat would be lost under the state proposal.

For these reasons, the City urges the Commission to protect the FTHL and California's ability to meet its renewable energy development goals by rejecting the CDFW proposed listing.

Sincerely,

Donald L. Wharton
Mayor

Cc: Brawley City Council
Assemblymember Eduardo Garcia, 56th District
Senator Ben Hueso, 40th District

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