



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Wildlife Branch
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



May 27, 2022

SUBJECT: NOTIFICATION OF STATUS REVIEW FOR MOJAVE DESERT TORTOISE UNDER THE CALIFORNIA ENDANGERED SPECIES ACT

To Whom It May Concern:

The California Department of Fish and Wildlife (Department) has initiated a status review for the Mojave desert tortoise (*Gopherus agassizii*), pursuant to Fish and Game Code section 2074.6, and is providing this notice pursuant to Fish and Game Code section 2074.4 to solicit data and comments on the petitioned action from interested and affected parties.

The Department has initiated this status review following the Fish and Game Commission's (Commission) decision at its October 14, 2020 meeting to accept for consideration the petition to up-list the species from threatened to endangered under the California Endangered Species Act (CESA). Having provided public notice (Cal. Reg. Notice Reg. 2020, No. 44-Z, p. 1445; Fish & G. Code, § 2074.2), the Mojave desert tortoise is a candidate species under CESA, and as such, retains the same legal protection afforded to an endangered or threatened species (Fish & G. Code, §§ 2074.2 & 2085). The listing petition and the Department's petition evaluation report are available at: <https://fgc.ca.gov/CESA#adt>

Take (hunt, pursue, catch, capture, or kill, or attempt to do so) of the Mojave desert tortoise remains prohibited (Fish & Game Code § 86). However, Incidental Take may be authorized with appropriate permits (Fish & G. Code §§ 2081(b), 2080.1, 2089.2 et. seq., 2086). Activities conducted for scientific, educational, or management purposes including research and restoration, which may result in take of this species, can be authorized through permits or memorandums of understanding (Fish & G. Code § 2081(a)). For more information on take authorizations, visit <https://wildlife.ca.gov/Conservation/CESA/Permitting> or contact your regional Department office.

The Department requests any data or comments on the species' ecology, genetics, life history, distribution, abundance, habitat, the degree and immediacy of threats to its reproduction or survival, the adequacy of existing management, and recommendations for management of the species. Please provide such data or comments to the

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Department contact via email: Anne.Hilborn@wildlife.ca.gov, and include “Mojave desert tortoise” in the subject line. Comments may also be submitted by mail addressed to “Attn: Anne Hilborn” at the address in the letterhead.

The Department has 12 months to review the petition, evaluate the available information, and report back to the Commission whether the petitioned action is warranted (Fish & G. Code, § 2074.6). The written report will indicate, based on the best scientific information available, whether the Department concludes the petitioned action is warranted or not warranted. The Commission will place receipt of the report on the agenda for the next available Commission meeting after delivery. The report will be made available to the public at that meeting. Following receipt of the Department’s report, the Commission will allow a 30-day public comment period prior to taking any action on the Department’s recommendation.

The Department respectfully requests your responses and information before **June 25th, 2022**, to allow sufficient time to evaluate the information for possible incorporation in the Department’s final status review report to the Commission.

If you have any questions regarding this notice, please contact the Department via email at: Anne.Hilborn@wildlife.ca.gov.