

STAFF SUMMARY FOR DECEMBER 14-15, 2022

13. TEMBLOR LEGLESS LIZARD (CONSENT)**Today's Item**Information ☐Action ☒

Consider approving DFW's request for a six-month extension to deliver its one-year status review report on the petition to list Temblor legless lizard (*Anniella alexanderae*) as endangered under the California Endangered Species Act (CESA).

Summary of Previous/Future Actions

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|---|-----------------------------------|
| • Received petition | Nov 18, 2021 |
| • Transmitted petition to DFW | Nov 29, 2021 |
| • Published notice of receipt | Dec 10, 2021 |
| • Received DFW 90-day evaluation report | Apr 20-21, 2022; Monterey |
| • FGC determined petitioned action may be warranted | Jun 15-16, 2022; Los Angeles |
| • Today consider granting six-month extension to complete status review report | Dec 14-15, 2022; San Diego |

Background

On Nov 18, 2021 FGC received a petition from the Center for Biological Diversity to list Temblor legless lizard as endangered under CESA.

At its Jun 2022 meeting, FGC determined that the petition contains sufficient information to indicate that the petitioned action may be warranted. FGC published a notice of its determination and of Temblor legless lizard's protected, candidate species status on Jun 20, 2022. Pursuant to California Fish and Game Code Section 2074.6, DFW has one year from the date of notice to complete a status review, unless FGC grants an extension of time.

Today, FGC will consider a request by DFW for a six-month extension to further analyze and evaluate the available science, to undergo the peer review process, and to complete its status review (Exhibit 1). FGC must receive the DFW status review report before FGC can make a final listing decision.

Significant Public Comments (N/A)

FGC staff: Approve request for a six-month extension to complete the status review report for Temblor legless lizard under a motion to adopt the consent calendar.

DFW: Approve request for a six-month extension to complete the status review report for Temblor legless lizard.

Exhibits

1. [DFW memo, received Nov 29, 2022](#)

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Motion

Moved by _____ and seconded by _____, that the Commission adopts the staff recommendations for items 11 through 15 on the consent calendar.

Memorandum

Date: November 14, 2022

To: Melissa Miller-Henson
Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director

Subject: Request for 6-Month Extension, Temblor Legless Lizard Status Review

The Department of Fish and Wildlife (Department) requests a 6-month extension of time pursuant to Fish and Game Code section 2074.6 to produce and make publicly available the final peer reviewed Temblor legless lizard (*Anniella alexanderae*) status review report. The Department anticipates receiving substantial comments and/or scientific information from tribes, stakeholders, and other interested parties regarding the petition to list Temblor legless lizard as threatened or endangered under the California Endangered Species Act (CESA). The Department has determined that an extension is necessary to complete independent peer review of the report and to provide a minimum of 30 days for public review prior to the hearing specified in Fish and Game Code section 2075. The requested extension would change the due date of the Department's status review report to January 1, 2024, which is 18 months from the date the Fish and Game Commission published the Notice of Findings that, in part, provided notice that Temblor legless lizard is a candidate species under CESA (July 1, 2022).

If you have any questions or need additional information, please contact Scott Gardner, Wildlife Branch, at wildlifemgt@wildlife.ca.gov, or (916) 801-6257.

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