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**"Biological integrity, fiscal accountability, and community transparency"**

April 29, 2024

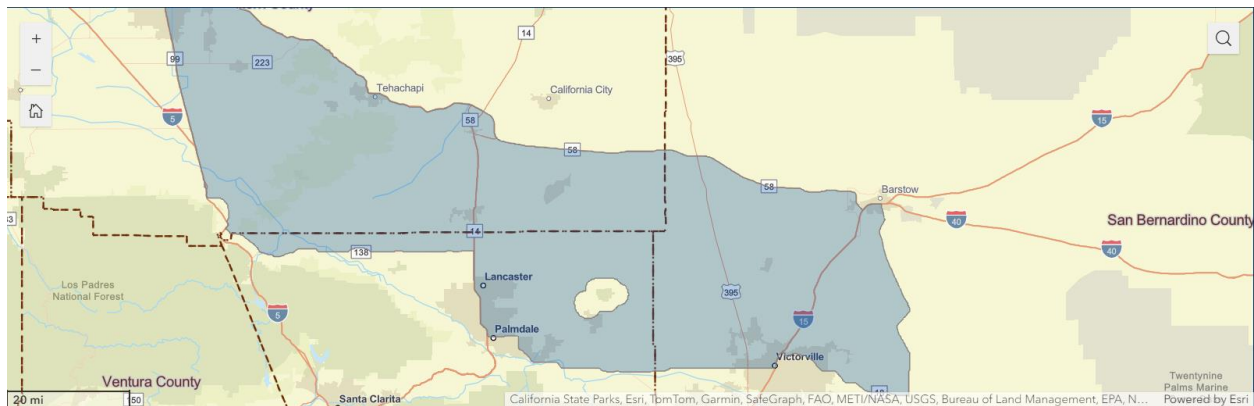
California Department of Fish and Wildlife  
Attn: Drew Kaiser, Senior Environmental Scientist  
Via [WJT@wildlife.ca.gov](mailto:WJT@wildlife.ca.gov)

Re: Western Joshua Tree Conservation Plan

Thank you for this opportunity to submit comment on the Western Joshua Tree Conservation Plan. Antelope Valley Conservancy appreciates the stated intent of the Western Joshua Tree Conservation Plan but has valid concerns about the extent to which it can adequately and fairly contribute to Joshua tree preservation in southern California.

Antelope Valley Conservancy is a public benefit corporation that has preserved Mojave Desert habitats since 2005. AVC has been authorized by the California Department of Fish and Wildlife to Hold Mitigation Lands and Endowments since 2008. AVC has fulfilled preservation and restoration mitigation for state agencies, counties, local agencies, and private landowners.

Unfortunately, AVC feels that the California Department of Fish and Wildlife's current approach to mitigation fees conflicts with its goal to "preserve functioning ecosystems that support western Joshua tree, and maintain sustainable populations of western Joshua tree in California in the long-term", as described during the webinar held on April 4<sup>th</sup>.



Pictured above is the California Department of Fish and Wildlife's Mitigation Fee Map. The current mitigation fee schedule appears to arbitrarily devalue Joshua trees in the western Mojave Desert. It should also be noted that there is currently no guarantee that funds collected from mitigation fees will be used to preserve Joshua tree woodlands within the same watershed that the Incidental Take Permit was issued in. Without this guarantee, the in-lieu mitigation fees encourage habitat fragmentation within the blue area. This contradicts established regional conservation planning, including the Los Angeles County Department of Regional Planning's Significant Ecological Areas Program, Desert Renewable Energy Conservation Plan, West Mojave Plan, and the Antelope Valley Regional Conservation Investment Strategy, among others.

(continued)

AVC believes that adjusting the fee schedule to increase fees in undeveloped areas of Joshua tree woodlands and to reduce them in developed areas will encourage infill development in locations where Joshua trees are mere landscape plants and do not provide functional habitat or connectivity for wildlife.

Repurposed urban infill containing small, transplanted or preserved stands of Joshua trees within neighborhoods and commercial areas should not be considered quality habitat under the future conservation plan. We cannot assume that isolated and scattered Joshua trees will reliably serve as stepping stones to larger areas of woodland habitat. Yet, the current fee schedule facilitates vast destruction and fragmentation of Joshua tree woodlands in the western Mojave Desert.

Additionally, the preservation of in situ, functioning habitat has been discouraged by the Department of Fish and Wildlife ratios for compensatory mitigation. By requiring permittees to fund the highest ratios for preservation, the Department encourages lower cost fulfillment through creation and restoration. This trend is unfortunately being repeated with the Western Joshua Tree Conservation Act's approach to mitigation.

In deserts like the western Mojave, only the preservation of in situ, functioning habitat has conservation value to sustain the western Joshua tree woodlands. As Joshua trees take decades to mature, the preservation of existing woodlands should be of the highest priority. To give western Joshua trees the best chance of surviving climate change, Antelope Valley Conservancy respectfully requests that the California Department of Fish and Wildlife prioritizes equitable preservation of the species throughout California.

By Resolution of the  
Board of Directors  
ANTELOPE VALLEY CONSERVANCY



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Attested By Wendy Schiff  
Director/Secretary