Western Joshua Tree Conservation Act
ANNUAL REPORT TO THE LEGISLATURE

State of California
Natural Resources Agency
Department of Fish and Wildlife

2025 Report

Cover Photo: Western Joshua tree woodland landscape at sunset. Photo by Dmitry (Adobe Stock #555251447)

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Executive Summary

This annual report, required by Fish and Game Code section 1927.7, includes a description of the role of the California Department of Fish and Wildlife (CDFW) in the implementation of the Western Joshua Tree Conservation Act (WJTCA), and information on permits issued, fees collected, and conservation implemented between July 1, 2024 and June 30, 2025, state fiscal year 2024-2025 (FY 24-25).

Western Joshua tree (WJT) (*Yucca brevifolia*) is an iconic species in California that is both ecologically and culturally important. WJTs occur across a large portion of California's desert region (Figure 1). Yet, species distribution models suggest that by the end of the 21st century, much of the species' range may no longer be viable habitat (Barrows and Murphy-Mariscal 2012, Cole et al. 2011, Dole et al. 2003, Shafer et al. 2001, Sweet et al. 2019). The WJT is currently a candidate for listing as threatened or endangered under the California Endangered Species Act (CESA). As a candidate, the WJT is afforded all the protections of a listed species under CESA (Fish & G. Code, § 2085) while awaiting a final listing decision by the California Fish and Game Commission (Commission).

In 2023, the WJTCA was enacted to conserve WJT and its habitat while providing pathways for development with appropriate permitting and mitigation, including payment of mitigation fees for take of WJTs. The WJTCA required CDFW to establish a permit to authorize take of WJT, establish a permit to authorize take of hazardous WJT, collect and manage fees for WJT conservation, develop a plan for the conservation of WJT, submit an annual report to the Commission and State Legislature, and develop and submit to the Commission an updated status review of the WJT. CDFW continues to make great strides in implementing activities pursuant to the WJTCA.

During FY 24-25, CDFW continued the operation of two permitting programs and issued 288 permits pursuant to the WJTCA. Projects authorized under these permits approved the development of 3,979.71 acres of WJT woodland. In addition to the payment of the mitigation fees, permittees were required to comply with various mitigation measures as conditions of their permits, in order to protect WJT and their habitat to the greatest extent possible. During FY 24-25 two versions of the Western Joshua Tree Relocation Guidelines and Protocols (Relocation Guidelines and Protocols) were released. The Relocation Guidelines and Protocols provide best practices on relocation for WJT survival as well as post-relocation information on maintenance and monitoring. CDFW authorized 403 western Joshua trees for relocation during FY 24-25. CDFW administers the Western Joshua Tree Conservation Fund to accept mitigation fees in support of

conservation activities for WJT, including land acquisition and restoration projects. The Western Joshua Tree Conservation Funds are transferred to the National Fish and Wildlife Foundation (NFWF) to develop and maintain the investment strategy for these funds and administer the projects. Mitigation fees, fines, and investment earnings in the amount of $7,352,507.43 were remitted to CDFW during FY 24-25. Of this, $348,010.82 was expended from the NFWF account to pay for conservation activities. This included the real estate due diligence review of the 283 acres of "ecologically core" WJT habitat, located in Kern County purchased during FY 23-24. While no new land acquisition purchases were made during FY 24-25, the Department has finished setting up the land acquisition program to evaluate and secure additional properties for conservation moving forward.

Background

The WJTCA (Fish & G. Code, § 1927 et seq.) became effective on July 10, 2023 as a part of the Budget Trailer Bill (Senate Bill 122). The WJTCA promotes the conservation of WJT by prohibiting the import, export, take (Fish & G. Code, § 86), possession, purchase, or sale of any WJT in California, provides for the creation of a range-wide conservation plan for the species, and establishes the Western Joshua Tree Conservation Fund to pay for actions to conserve WJT and its habitat. The WJTCA also creates streamlined permitting options for the authorization of incidental take of WJT.

The WJTCA authorizes CDFW to issue permits for incidental take as long as certain conditions are met. Permittees pay specified fees in-lieu of conducting project-specific mitigation activities. Under the WJTCA, all mitigation fees collected are deposited into the Western Joshua Tree Conservation Fund, which is continuously appropriated to CDFW solely for the purposes of acquiring, conserving, and managing WJT conservation lands and completing other activities to conserve WJT, such as monitoring, restoration, and other reasonable expenditures to implement the Western Joshua Tree Conservation Plan (described below). The WJTCA also authorizes a streamlined process for CDFW to issue permits at no cost to the Permittee for the removal or trimming of dead WJTs and the trimming of live WJTs under certain hazardous circumstances.

Pursuant to the WJTCA, CDFW may enter into an agreement with any county or city to delegate limited authority to permit the taking of WJT associated with developing single-family residences, multifamily residences, accessory structures, and public works projects. CDFW may similarly enter into an agreement with any county or city to delegate limited authority to permit the removal or trimming of dead WJTs and the trimming of live WJTs under certain hazardous circumstances. To date, no delegation agreements have been approved and

CDFW continues to coordinate with interested local governments on this option.

Additionally, the WJTCA requires CDFW to develop and implement a WJT Conservation Plan in collaboration with the Commission, governmental agencies, California Native American tribes, and the public. The Conservation Plan must incorporate a description of management actions necessary to conserve WJT, objective and measurable criteria to assess the effectiveness of those actions, guidance to avoid and minimize impacts to WJT, protocols for the successful relocation of WJT, and include tribal co-management principles, traditional ecological knowledge, and provide for the relocation of WJT to tribal lands upon request from a tribe. CDFW submitted the draft Conservation Plan to the Commission in December 2024. After public review and revisions, CDFW presented the final draft Conservation Plan on June 12, 2025. The Commission approved the final Conservation Plan in August 2025, outside of the FY 24-25. CDFW must also develop an annual report assessing the conservation status of the WJT and submit it to the Commission and the State Legislature no later than January 31 of each year, starting in 2025.

Finally, the WJTCA requires CDFW to prepare an updated status review report by January 1, 2033, unless the Commission directs CDFW to complete it sooner, and directs the Commission to consider the effectiveness of the conservation measures of the WJTCA, the updated status review report, and other factors before deciding whether the current petition to list the WJT under CESA is warranted.

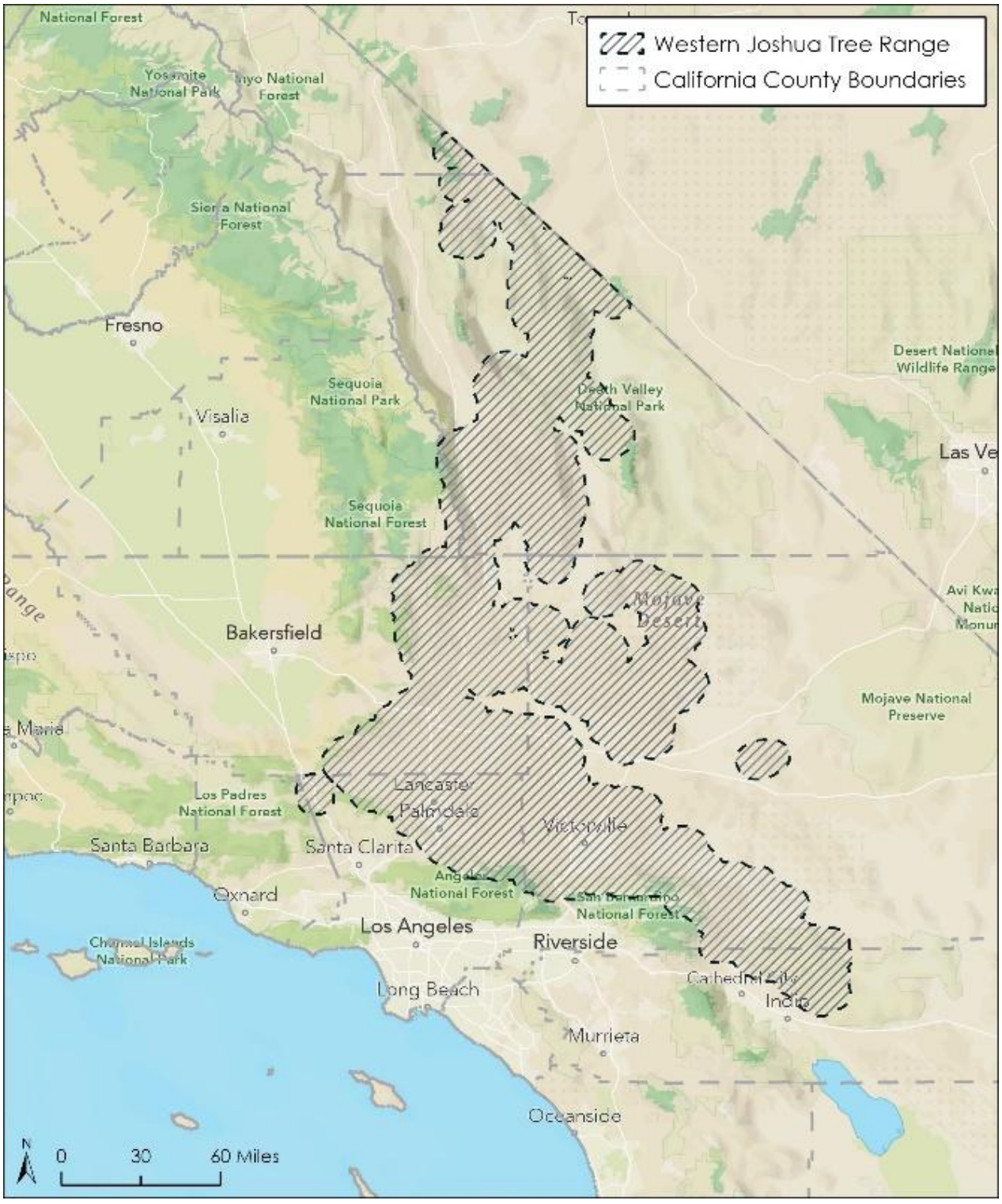

Figure 1: California range of the western Joshua tree

Legislative Reporting Requirements

The WJTCA, section 1927.7(a) requires:

> *Beginning in 2025, by January 31 of each calendar year, the department shall submit an annual report to the commission and the Legislature assessing the conservation status of the western Joshua tree, including, but not limited to, by detailing the number of permits issued, the number and size class of western Joshua trees authorized to be taken, the number of western Joshua trees lethally removed, the number and location of western Joshua trees relocated, the number and location of acres of western Joshua tree woodlands developed, the type, scope, and scale of mitigation measures undertaken by permittees, the number and location of acres of western Joshua tree woodlands conserved, the quality of the acres conserved, the amount of fees paid, the amount of all expenditures from the fund, the projects and actions funded by expenditures from the fund, the adequacy of the fees to conserve the western Joshua tree, actions taken pursuant to the conservation plan, and other relevant information. The department's annual report shall summarize the information provided by counties and cities pursuant to agreements entered into pursuant to subdivision (c) of Section 1927.3 and subdivision (b) of Section 1927.4.*

CDFW has organized the required information into three general categories for this annual report: permitting, fees, and conservation.

Permitting

Fish and Game Code section 1927.2, subdivision (a) states "No person or public agency shall import into this state, export out of this state, or take, possess, purchase, or sell within this state, a western Joshua tree or any part or product of the tree, except as authorized." Fish and Game Code sections 1927.3 et seq. and 1927.4 et seq. allow CDFW to authorize, by permit, the take of WJT under certain circumstances. Pursuant to these sections, CDFW developed the Western Joshua Tree Conservation Act Incidental Take Permit (WJTCA ITP) and the Hazard Management Permit (HMP). Both permits can authorize incidental take of WJT for qualifying activities.

WJTCA ITP (Fish & G. Code, § 1927.3) - Provides authorization for take of WJT in association with renewable energy, housing, public works, and other types of projects. This permit authorizes take (i.e., removal, trimming, encroachment upon, and relocation) of living and dead WJT that are not considered hazardous (i.e., posing a risk to public health or safety). The

WJTCA ITP streamlines the permitting process by allowing the payment of a statutorily prescribed mitigation fee rather than completing additional mitigation actions. During the period when WJT is a candidate for listing under CESA, entities seeking permits must pay the mitigation fees to obtain a WJTCA ITP or complete traditional permittee-responsible mitigation and obtain an ITP pursuant to CESA (Fish & G. Code, § 1927.2, subdivision (b)).

HMP (Fish & G. Code, § 1927.4) - Provides authorization to remove dead WJT or trim live or dead WJT that pose a risk to structures or public health and safety. No permit mitigation fee or mitigation is required for these permits.

Number of permits issued

CDFW issued 288 permits for take of WJT during FY 24-25, not including supplemental invoices or amendments (Table 1). During FY 24-25 CDFW issued three supplemental invoices and 11 amendments on previously issued WJTCA ITPs. A supplemental invoice is issued when project plans or permit conditions have not changed, but additional WJT are being authorized for take. A permit amendment is issued when project plans or permit conditions need to be changed from the original permit, which may include alteration to the number of WJT authorized for take. No supplemental or amendment actions were authorized on previously issued HMPs during FY 24-25. Figure 2 and Figure 3 show the general locations of WJTCA ITPs and HMPs issued.

Table 1: Permits issued by type for western Joshua tree during the 23-24 State fiscal year and 24-25 State fiscal year

Permit Type	**Number of Permits**	
	(FY 23-24)	**(FY 24-25)**
Western Joshua Tree Conservation Act Incidental Take Permit	9	41
Hazard Management Permit	249	247
Total	**258**	**288**

Figure 2: Location map of Western Joshua Tree Conservation Act Incidental Take Permits issued during the 24-25 state fiscal year

Figure 3: Density map of western Joshua tree Hazard Management Permits issued during the 24-25 state fiscal year

Number and size class of western Joshua trees authorized to be taken

CDFW authorized the take of 34,578 WJT during FY 24-25 (Table 2).

Table 2: Number of western Joshua trees authorized to be taken by permit type during the 23-24 State fiscal year and 24-25 State fiscal year

Permit Type	Number of trees	
	(FY 23-24)	(FY 24-25)
Western Joshua Tree Conservation Act Incidental Take Permit	2,792	34,106
Hazard Management Permit[1]	383	472
Total	**3,175**	**34,578**

When applying for a WJTCA ITP, the applicant submits a census that includes the number of trees that will be taken, reported by size class. The three size classes are defined in Fish and Game Code section 1927.3(a)(1) as: 1) less than one meter in height, 2) one meter or greater but less than five meters in height, and 3) five meters or greater in height. Each WJT size class has corresponding mitigation fees, which are specified in Fish and Game Code section 1927.3(d) and (e). WJTCA ITP size classes and their mitigation fee cost can be seen below in Figure 4. Tree size classes are not used for issuance of HMPs. Table 3 contains the number of WJT taken by WJTCA ITP size class for FY 24-25.

1: WJTs taken under HMPs fall under three categories: number of dead trees, number of individual dead limbs removed, and the number of trees trimmed. The number of WJTs taken under HMPs (Table 2) are the sum of these categories.

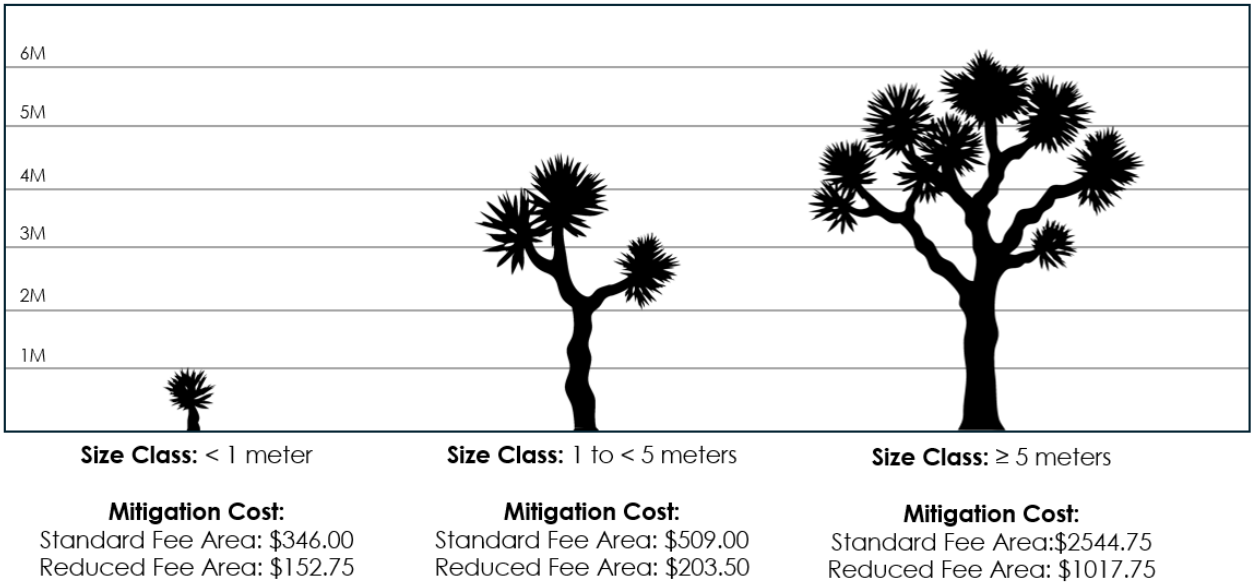

Figure 4: Graph displaying Western Joshua Tree Conservation Act Incidental Take Permit size classes and mitigation fee costs as of January 1, 2025

Table 3: Number of western Joshua trees in different size classes authorized to be taken via Western Joshua Tree Conservation Act Incidental Take Permits during the 23-24 State fiscal year and 24-25 State fiscal year

Size Class	Number of trees	
	(FY 23-24)	(FY 24-25)
≥ 5 meters	71	1,006
1 to < 5 meters	1,764	15,702
< 1 meter	957	17,398
Total	**2,792**	**34,106**

Number of western Joshua trees lethally removed

CDFW authorized the lethal removal of 21,666 living WJT during FY 24-25. This number does not include dead removed WJT, relocated WJT, or encroached upon WJT that are not removed, which are considered toward total take, as shown in Table 2 and Table 3 above. All lethally removed trees were authorized to be taken under WJTCA ITPs, as HMPs cannot authorize the removal of living WJTs.

Number and location of western Joshua trees relocated

CDFW adopted and released the Relocation Guidelines and Protocols on July 10, 2024, pursuant to the WJTCA. The Relocation Guidelines and Protocols are a

living document that can be updated at any time. After receiving feedback and comments from homeowners, industry, and developers, the amended Relocation Guidelines and Protocols were released on May 28, 2025, which incorporated the feedback received. The Western Joshua Tree Permitting website will always contain the most current version of the Relocation Guidelines and Protocols document. The Relocation Guidelines and Protocols provide guidance for the ITP permittee on the circumstances under which CDFW may require a project to relocate WJT, how and when to relocate WJT, a summary of best management practices for relocation, and information on post-relocation maintenance, monitoring, and reporting. During FY 24-25, ITP applicants may have been required to submit a relocation plan, depending on CDFW staff recommendation and the number of WJT lethally removed before issuance of their final ITP.

In FY 24-25, 14 relocation projects were approved under the July 2024 Relocation Guidelines and Protocols, and zero relocation projects were approved under the May 2025 Relocation Guidelines and Protocols for FY 24-25. Relocation projects approved under the May 2025 Relocation Guidelines will be reported in future reports. In total, 14 relocation projects were approved, and 403 trees were authorized for relocation during FY 24-25. CDFW receives annual reports on the status of relocated trees and will report status in future legislative reports. Table 4 contains the number of trees per county where relocation occurred. The general location where the relocation projects occurred is shown in Figure 5.

Table 4: Number and location of western Joshua trees relocated during the 23-24 State fiscal year and 24-25 State fiscal year

Location	(FY 23-24)		(FY 24-25)	
	Number of projects	Trees relocated	Number of projects	Trees relocated
San Bernardino County	1	5	12	328
Los Angeles County	0	0	2	75
Total	**1**	**5**	**14**	**403**

Figure 5. Location map of western Joshua tree relocation sites issued during the 24-25 State fiscal year

Number and location of acres of western Joshua tree woodlands developed

The term "western Joshua tree woodlands" is not defined within the WJTCA. The Manual of California Vegetation defines a Joshua tree (*Yucca brevifolia*) woodland vegetation alliance as an area where WJT is evenly distributed at one percent absolute cover or greater, and Juniper (*Juniperus* spp.) or Pine (*Pinus* spp.) trees are less than one percent absolute cover (Thomas et al. 2004). However, WJTs exist in many other vegetation alliances where their cover is less than one percent. CDFW believes the intent of this reporting provision in the WJTCA was to account for all acres that were developed or conserved (page 24) that support WJT, i.e., occupied WJT habitat. To facilitate the comparison of acres developed and conserved, this legislative report will consider WJT woodlands broadly as any parcel of land that is occupied by naturally growing WJT regardless of the percentage of WJT cover or type vegetation alliance.

During FY 24-25 CDFW issued WJTCA ITPs for one project in Inyo County, four projects in Kern County, seven projects in Los Angeles County, and 29 projects in San Bernardino County. A total of 3,979.71 acres of WJT woodland development was permitted. Because HMPs approve the removal of dead individual WJTs and WJT limbs, often in urban or developed areas, there is no WJT woodland acreage to report for these permits. Table 5 provides the number of acres per location for FY 23-24 and FY 24-25.

Table 5: Acres of western Joshua tree woodland developed during the 23-24 State fiscal year and 24-25 State fiscal year

Location	(FY 23-24)		(FY 24-25)	
	Number of projects	**Area of WJT woodland developed[2] (acres)**	**Number of projects**	**Area of WJT woodland developed[3] (acres)**
Inyo County	0	0	1	2.8
Kern County	3	2,807	4	2,668.07
Los Angeles County	1	18.7	7	98.49
San Bernardino County	5	62.6	29	1,210.35
Total	**9**	**2,888.3**	**41**	**3,979.71**

2 & 3: Permits under the WJTCA do not distinguish between WJT and WJT woodlands. Numbers represent acres of land occupied by naturally-growing WJT identified as project areas by permit applicants.

Type, scope, and scale of mitigation measures undertaken by permittees

The WJTCA requires that incidental take permittees mitigate all impacts to, and take of, WJT. The requirement does not apply to HMP permittees. For projects requiring incidental take authorization, permittees can choose between completing mitigation on their own and receiving an ITP pursuant to CESA or paying mitigation fees to the Western Joshua Tree Conservation Fund and receiving a WJTCA ITP (Fish & G. Code, § 1927.2, subdivision (b)). The mitigation fee is based on the number of individual (dead or living) WJTs taken, and their size class. The Western Joshua Tree Conservation Fund is used solely for the purposes of acquiring, conserving, and managing WJT conservation lands and completing other activities to conserve WJT. The amount of mitigation fees paid to the Western Joshua Tree Conservation Fund is detailed in the next section.

In addition to paying mitigation fees, project proponents must avoid and minimize impacts to and take of WJT to the "maximum extent practicable", and project-specific avoidance and minimization measures (AMMs) are included as conditions of approval in all WJTCA ITPs. Certain AMMs are included in WJTCA ITPs depending on project impacts and activities and are further described below.

General Provisions

General provisions are included in nearly all WJTCA ITPs. They include measures that require monitoring of project activities by designated personnel, education about WJT biology and protective measures for persons working on the project site, and general site maintenance measures to avoid adverse impacts to WJT. Below is a list of common general provisions from WJTCA ITPs issued in FY 24-25.

1. Designated Representative
2. Designated Biologist/ Botanist
3. Compliance Monitoring
4. Worker Environmental Education Program
5. Construction Monitoring Documentation
6. Project Access
7. Staging Areas
8. Topsoil Salvage
9. WJT Stockpiles
10. CDFW Access
11. Refuse Removal

Notification and Reporting Provisions

Notification and reporting provisions are included in all WJTCA ITPs in some variation, dependent on project scope and scale. Reports allow CDFW to verify

compliance with permit conditions and notify CDFW of project status. Below is a list of notification and reporting provisions from WJTCA ITPs issued in FY 24-25.

1. Notification Before Commencement
2. Notification of Non-compliance
3. Monthly/Quarterly Reporting
4. Relocation Reports
5. Annual Status Report
6. Recurring Assessment Report
7. Project Completion Report
8. Notification of Take or Damage

Take Minimization Measures

Take minimization measures are implemented on a project-by-project basis. These measures are designed to avoid and minimize impacts to, and the taking of, WJT, to the maximum extent practicable. Below are several examples of take minimization measures from WJTCA ITPs issued in FY 24-25.

1. Relocation

Relocation of WJTs that will be lethally removed from a project helps minimize impacts to the species by preventing habitat fragmentation and preserving connectivity corridors for gene flow and pollinator migration. Relocation is most commonly implemented in larger projects with high lethal take. WJTCA permittees must create a Relocation Plan following the most current CDFW WJT Relocation Guidelines and Protocols. Since some mortality of relocated individuals is always expected, relocation is deemed a method to minimize impacts to the western Joshua tree populations, rather than a substitution for mitigation through payment of fees.

Figure 6: Salvage tree being removed from the ground by an excavator (Photo credit: National Park Service)

Figure 7: Western Joshua trees that are being stabilized and braced after relocation (Photo credit: Drew Kaiser)

2. Seed Collection

Seed collection is included as a voluntary minimization measure in several WJTCA ITPs that have a high take of WJTs. Project proponents must submit a Seed Collection Plan for CDFW approval before conducting collection. Collecting and storing seeds can be useful for restoring degraded WJT woodlands and preserving genetic information of WJT for future research and other conservation activities.

Figure 8: Two individuals collecting seed pods from a western Joshua tree (Photo credit: National Park Service)

3. Flagging

Delineation of project site boundaries and flagging of WJT that will be taken are common measures in WJTCA ITPs. Using fencing, flags, or stakes to clearly indicate the project site boundary and which WJT are to be removed helps avoid accidental take of WJT.

4. Buffers

No-work buffers around trees designated to be preserved on site helps prevent accidental damage to the tree. Trenching buffers, implemented during storm events, help avoid damage to WJT roots as soil is more susceptible to erosion at that time.

5. Adverse impact mitigation

Fire prevention measures, such as maintaining appropriate fire prevention equipment on site and monitoring high fire risk activities, help to avoid inadvertent fires from igniting. Integrated pest management may be implemented at the site to control pests that may negatively harm WJT. Any chemical pesticide or herbicide used must be approved by CDFW.

Fees

Prior to the WJTCA, the Western Joshua Tree Mitigation Fund, was created pursuant to Section 749.10 of Title 14 of the California Code of Regulations for

the purpose of holding mitigation fees related to any Fish and Game Code Section 2084 regulation adopted by the Commission to allow take of WJT during its candidacy under CESA. Fish and Game Code section 1927.5 renamed the Western Joshua Tree Mitigation Fund to the Western Joshua Tree Conservation Fund.

The Western Joshua Tree Conservation Fund includes, or may in the future include: (1) fees collected prior to the WJTCA under the 2084 regulation; (2) mitigation fees collected pursuant to the WJTCA; (3) interest and earnings on the principal in the fund; and (4) penalties and settlement funds received pursuant to Natural Resource Damage Assessment cases, enforcement actions, and administrative hearings.

Mitigation fees are paid into the Western Joshua Tree Conservation Fund. WJTCA ITP applicants pay a statutorily prescribed mitigation fee per WJT that will be taken (living or dead) by their project. As noted above, the mitigation fee for each tree size class is defined in Fish and Game Code section 1927.3(d) and (e) and annually adjusted per Fish and Game Code section 1927.8(b).

Amount of fees paid

During FY 24-25, $7,352,507.43 was received from ITP applications, fines, and investment earnings.

Table 6: Fees paid into the Western Joshua Tree Conservation Fund and investment earnings in the National Fish and Wildlife Foundation account during the 24-25 State fiscal year

Western Joshua Tree Conservation Fund	Amount Received
Mitigation Fees	$6,779,479.25
Fines/ Penalties	$4,500.00
Investment Earnings	$568,528.18
Totals Received	**$7,352,507.43**

Amount of all expenditures from the National Fish and Wildlife Foundation account

During FY 24-25, $348,010.82 was expended from the NFWF account.

Projects and actions funded by expenditures from the National Fish and Wildlife Foundation account

Although no new land acquisition purchases occurred during FY 24-25, CDFW communicated with several landowners willing to sell their property for the benefit of WJT conservation and began reviewing title reports for those properties. WJT Conservation Fund Project #1, acquired in FY 23-24, had additional work towards the protection of the property through a conservation easement. Additional funds will be committed to cover in-perpetuity management costs for this property. Other Western Joshua Tree Conservation Fund expenditures not associated with a conservation project include the Fund Management Fee. Table 7 provides details of the corrected expenditures during FY 23-24, and expenditures during FY 24-25.

Table 7: National Fish and Wildlife Foundation account expenditures during the 23-24 State fiscal year and 24-25 State fiscal year

Project/Action	**Cost**	
	(FY 23-24 corrected)	**(FY 24-25)**
WJT Conservation Fund Project #1	**$410,178.96**	**$94,763.93**
Land Acquisition Purchase	$345,331.76	0
Property Protections	$7,644.70	0
Real Estate Due Diligence Review	$57,202.50	$94,763.93
National Fish and Wildlife Foundation	**~~$165,951.35~~ $145, 699.35**	**$253,246.89**
Fund Management Fee	$145,699.35	$253,246.89
~~Request for Qualification~~[4]	~~$20,252.00~~	0
Total Expenditures	**~~$576,130.31~~ $555,878.31**	**$348,010.82**

Adequacy of the fees to conserve the western Joshua tree

CDFW cannot yet assess if the current mitigation fees will be sufficient to conserve WJT. In accordance with Fish and Game Code section 1927.8, subdivision (b), CDFW must annually adjust the mitigation fees for inflation, and

4: Anticipated Request for Qualification charge was not completed in FY 23-24. Charge is expected to occur in FY 25-26.

by December 31, 2026, and every three years thereafter, CDFW shall adopt and subsequently amend regulations pursuant to section 702 adjusting the fees as necessary to ensure the conservation of the species. CDFW completed the first annual mitigation fee adjustment for inflation using the implicit price deflator index 0.017863. The new mitigation fees were implemented January 1, 2025. While the annual fee adjustment occurred, this process did not provide data to assess if the fees were sufficient for species conservation. CDFW is currently undergoing the rule making process to adjust western Joshua tree mitigation fees, which will consider the monitoring, fuel treatment, habitat restoration, and land acquisition, protection, and management costs for conservation. Neither the current statutory mitigation fees nor the fee adjustment include the cost of CDFW staff time to administer the WJTCA program.

Conservation

Pursuant to Fish and Game Code section 1927.6, subdivision (c), CDFW must use any fees deposited into the Western Joshua Tree Conservation Fund for the purpose of addressing threats to WJT, including, but not limited to, acquiring, conserving, and managing WJT conservation lands. Any land purchases funded by CDFW will be managed in perpetuity for the benefit of WJT. Guided by the Conservation Plan, CDFW looks forward to increasing the pace and scale of purchase and conservation of more WJT woodlands in the coming years.

Number and location of acres of western Joshua tree woodlands conserved

During FY 24-25,CDFW staff established a land acquisition program by developing protocols, templates, and standards for successful land acquisition processes in the future. CDFW also prepared contracts with six separate consultants to assist in the identification, title and property review, purchase and protection, restoration and enhancement, and a range-wide assessment of WJT lands. While getting the contracts in place, CDFW preliminarily evaluated five properties in order to fast track consultant engagement and allow them to immediately begin to work. With these consultant contracts in place, CDFW now has additional capacity and flexibility to pursue conservation and land acquisition opportunities for WJT and a dramatic increase in conservation actions is expected during the next reporting period. Land conservation and deed transfers take time and CDFW must ensure the properties are biologically appropriate for long-term conservation of WJT and that the real estate and title documents do not have any legal vulnerabilities or encumbrances that could put the conservation of WJT at risk. Additionally, CDFW is working with California Native American tribes and other entities to serve in roles of landowner, conservation easement grantee, and land manager. CDFW has one land acquisition, known as WJT Conservation Fund Project #1, consisting of three

parcels in Kern County totaling 283 acres purchased during FY 23-24. Table 8 contains the number and location of acres of conserved WJT woodlands as of the FY 24-25. Figure 6 identifies the generalized WJT conserved area as of the FY 24-25. Through the consultants, CDFW is evaluating over 3,500 acres of WJT habitat in San Bernardino and Los Angeles Counties, conducting a range-wide habitat assessment and establishing a range-wide seed collection project.

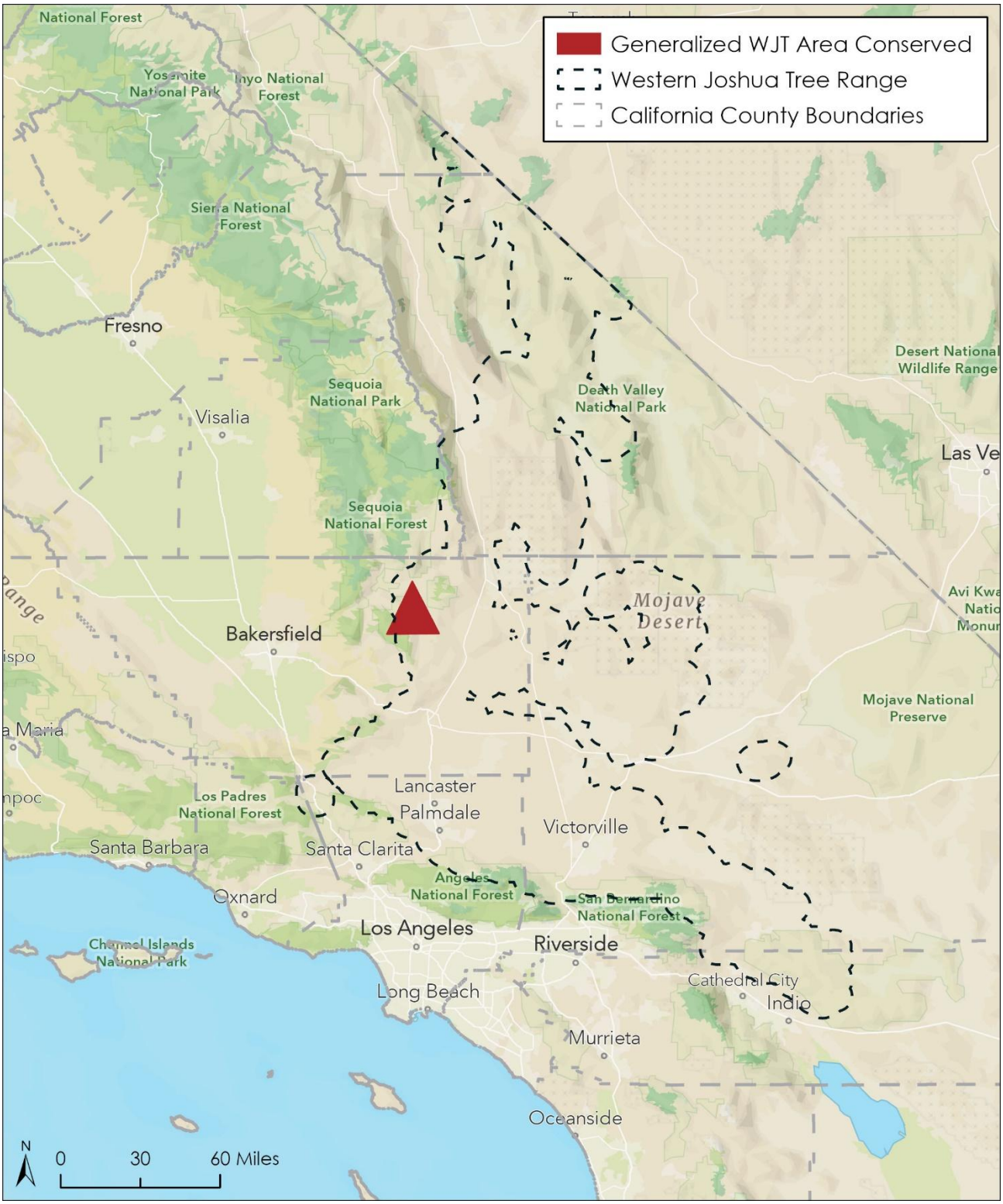

Figure 9: Location map of conserved land for western Joshua trees paid for by mitigation fees as of the 24-25 state fiscal year

Table 8: Acres of western Joshua tree woodlands conserved during the 23-24 State fiscal year and 24-25 State fiscal year

Location	(FY 23-24)		(FY 24-25)	
	Number of projects	Woodland conserved (acres)	Number of projects	Woodland conserved (acres)
Kern County	1	283	0	0

Quality of the acres conserved

The land acquisition parcels in WJT Conservation Fund Project #1, contain approximately 1.3 miles of dirt road and no permanent structures. The adjoined parcel A and B are surrounded on three of four sides by U.S. Forest Service land. Parcel C is surrounded on three of four sides by Bureau of Land Management land designated as wilderness under the federal Wilderness Act. There currently is no set of standards to determine WJT woodland quality. The Nature Conservancy of California conducted an ecoregional assessment that aimed to synthesize the distribution of biodiversity conservation values in the Mojave Desert region to help inform planning and management for land use and conservation investment across the region (Randall et. al 2010). The assessment assigned conservation value throughout the ecoregion according to the following classifications: ecologically core, ecologically intact, moderately degraded, and highly converted. For the purposes of this legislative report, the conservation value classifications defined in the 2010 assessment will serve as a proxy for WJT woodland quality. Using the definitions from the 2010 assessment, outlined in Appendix A, CDFW classified the 283-acre parcels in Kern County as "ecologically core" due to the little fragmentation, proximity to federal lands, and intact ecological services (i.e., water sources).

Actions taken pursuant to the conservation plan

During FY 24-25, the Conservation Plan was developed and finalized by CDFW, therefore no actions have yet to occur. CDFW released the first draft Conservation Plan on December 12, 2024. Throughout the first half of 2025, Department staff received and incorporated public feedback, revised the Conservation Plan, and presented the changes to the public over several Commission meetings. The final draft Conservation Plan was presented at the June 12, 2025 Commission meeting. The Commission approved the final Conservation Plan August 13, 2025, after FY 24-25, therefore no actions can be defined in this report. Actions taken as defined in the Conservation Plan will be included in future reports.

Summarized information provided by counties and cities pursuant to agreements entered into pursuant to subdivision (c) of section 1927.3 and subdivision (b) of section 1927.4

Pursuant to the WJTCA, CDFW may enter into an agreement with any county, city, or town to delegate limited authority to permit the taking of a WJT associated with developing single-family residences, multifamily residences, accessory structures, and public works projects. CDFW may similarly enter into an agreement with any county or city to delegate limited authority to permit the removal of dead WJTs and the trimming of live or dead WJTs.

During FY 24-25, no local agreements were entered into between CDFW and a county, city, or town. CDFW participated in several discussions with interested municipalities and continues to coordinate with local agencies that may be interested in this option. CDFW hopes to execute agreements in the future.

Conclusion

The WJTCA is an important step forward in addressing the conservation needs of WJT. As development progresses and encroaches WJT's habitat, the fees, resources, and monitoring outlined in the WJTCA will be increasingly necessary for conservation of the species. The WJTCA creates a path for permittees and project proponents who work and live within WJT habitat. The WJTCA created an entirely new way to permit take of WJT and to mitigate for impacts through fee collection. CDFW will continue to be responsive when challenges with program implementation are encountered, and work within the confines of the WJTCA to address concerns. Permitting, guidelines, and protocols have evolved and improved over the last two years to serve both the community and continued protection of the species.

During the second year of implementation, CDFW increased the number of WJT permits issued, released the Relocation Guidelines and Protocols, and developed contracts with consultants to increase the pace and scale of conservation and restoration of WJT habitat. With WJT permitting guidelines and practices streamlined, CDFW staff were able to expedite permit processing. As relocation projects are completed, the Department will analyze relocation project reporting data and continue to collaborate with permittees on relocation practices and sustainable WJT mitigation and conservation. CDFW continues to manage WJT conserved lands, evaluate conservation opportunities, and work with landowners willing to sell their property for the benefit of WJT conservation. CDFW continues to improve options for WJT permitting and is currently working on a programmatic Environmental Impact Report, which will serve as a creative solution to simplify CEQA compliance for

permitting construction and modification of single-family homes, accessory structures, and other low impact projects in the future. CDFW has and will continue to work on a project-specific basis to provide flexibility and creative solutions to help cities, counties, towns, and other local entities providing public services like water and utility infrastructure to homeowners and businesses in communities within the range of WJT.

For example, CDFW took a cooperative and flexible approach when working with the Hi-Desert Water District to permit their Wastewater Collection System Project to convert septic to sewer throughout Yucca Valley. This important regional project was mandated by a Regional Water Quality Control Board Order, funded in part by a Clean Water State Revolving Fund loan, and will provide 1447 individual connections to homeowners. The Project provides an opportunity to improve a high priority drinking water source while aligning with the State of California's goal for water quality, disadvantaged community assistance, and sustainable development.

As WJT conservation progresses, CDFW will continue to collaborate with various federal, state, and local agencies, researchers, the public, and California Native American tribes for successful and long-term management of WJT. The WJT is an iconic species with cultural and ecological value. It should continue to be managed for its longevity, and for the benefit and enjoyment of all Californians.

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APPENDIX A

WJT Woodland Quality Categories

Conservation Value Category	Definition
Ecologically core	These lands of highest conservation value are largely undisturbed and unfragmented and support the conservation targets (species, ecological systems, springs, and seeps). Their value is also dependent on the connectivity to other ecologically core areas and the amount of ecologically intact and even moderately degraded land that surround them. Their full protection is critical for long-term conservation of biodiversity in the Mojave Desert.
Ecologically intact	These lands of high conservation value are largely undisturbed and unfragmented and support conservation targets. They buffer ecologically core lands and require levels of protection that will allow them to remain relatively undisturbed to preserve ecological processes and to provide viable habitat and connectivity for native animals, plants, and communities. Most ecologically intact lands are functionally equivalent to ecologically core lands and may contain many of the same conservation targets, including sensitive species. However, they may have been classified as ecologically intact because they support more widespread ecological systems, are at higher risk of degradation, or support conservation targets for which the conservation goals have already been met on ecologically core lands.
Moderately degraded	These lands are fragmented by roads or off-road-vehicle trails or are in close proximity to urban, agricultural, or other developments. They often maintain ecological functionality (e.g., maintain groundwater infiltration and flow, serve as sand sources, provide connectivity) or provide habitat for native species, including the conservation targets selected for this analysis.
Highly converted	These urban, suburban, and agricultural lands are heavily altered. Whereas some can support important conservation targets, their ecological context is highly compromised.

Source: Randall et al. 2010