

**JOSHUA TREES**  
**GENERAL CUSTOMER INFORMATION**

**Effective October 9, 2020, the western Joshua tree (“Joshua tree”) is a Candidate species for listing under the California Endangered Species Act (CESA). As a Candidate species, the Joshua tree has full protection under CESA, and any activity that results in the removal of a Joshua tree, or any part thereof, or impacts the seedbank surrounding one or more Joshua trees is subject to an Incidental Take Permit (ITP), which may be obtained from the California Department of Fish & Wildlife (CDFW).**

Since it is not a County code, we cannot enforce it. However, we can and should help to ensure that the customer is aware of the protections and is complying with the State’s requirements in our counselling, reviews, and approvals.

**Note:** Joshua trees are now a Category 1 SEA Resource and no longer just a native tree. For projects subject to the SEA Ordinance, impacts to Joshua trees will automatically require a SEA Conditional Use Permit (CUP). Single-family residences in the Antelope Valley Planning Area are still exempt from the ordinance, so they would not need the SEA CUP but would still require an ITP from CDFW.

**FREQUENTLY ASKED QUESTIONS:**

**There are Joshua trees in the way of my project, can I just transplant them somewhere else?** No, the CDFW would still require you to apply for an Incidental Take Permit (ITP) from them, and they do not accept transplantation as a means of mitigation. Instead, the CDFW will require preservation of Joshua tree woodlands to mitigate the impacts caused by the development.

**What do I need to show on my site plan?** Your site plan should show the locations of existing and newly proposed structures, driveways, walls/fences, pools, etc. as well as the locations of any *newly proposed* septic tanks, utility lines, grading, etc., and the location of all Joshua trees. All of these new development areas should be as far as possible from the Joshua trees. CDFW recommends the following minimum radius buffer around a Joshua tree:

1. Historically disturbed sites (the Planner will verify this by looking at past years of aerial imagery), areas with compacted soil, or areas historically used as dirt roads or storage:
  - Maintain 6 to 40 ft radius buffer based on height of the tree – Rhizome buffer

Joshua Tree Height	Minimum radius outside of SEA	Minimum radius within SEA
16.5 feet or greater	40 ft	40 ft
3.4 – 16.4 feet	12 ft	15 ft
3.3 feet or less	6 ft	15 ft

2. Undisturbed or recently disturbed areas (the Planner will verify this by looking at past years of aerial imagery):
  - Maintain 300 ft radius buffer for all sized Joshua trees – seed bank buffer

**I designed my project so that I won’t have to remove any Joshua trees, but how close can my (driveway, septic tank, building, etc.) be to the Joshua trees on my property?** The distance will depend on the state of the property. Please see the descriptions and associated minimum buffers, above.

**Can I clean up the area around the Joshua trees?** The CDFW recommends 300’ of undisturbed land around the Joshua’s, meaning there should be no grading, no brush clearing, no structures, driveways, etc. Joshua trees rely upon the plants around them for their survival.

**What about brush clearance required by Fire Department:** Fuel modification of existing trees in the Very High Fire Hazard Zones (VHFHSZ) are evaluated on a case by case basis. In many instances, established and existing trees for rebuilds may be allowed to be *kept* during fuel modification review. When you are asked by the Fire Department to submit plans for fuel modification review, you should identify on the site plan: all “existing to remain” plants, distinguish between "existing to remain" and proposed planting, and include any relevant environmental documents or information describing any conflicts with fuel mod. requirements, (such as the required preservation of oak and joshua trees), so that the Fire Dept is aware of the conflict.

**I think I might need an ITP, but I am not sure. Or I have more questions about the ITP process:** You are welcomed to contact Victoria Tang at [Victoria.Tang@wildlife.ca.gov](mailto:Victoria.Tang@wildlife.ca.gov) with questions or requests.