



JOSHUA TREES ARE STATE AND COUNTY PROTECTED

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).



General Permitting

Ministerial projects will continue to proceed as prior to the Joshua tree listing. However, applicants **MUST** apply for an ITP with CDFW where Joshua trees may be affected. If an applicant knows or suspects they may need an ITP, they can contact Victoria Tang at Victoria.Tang@wildlife.ca.gov with questions or requests.

Within **Significant Ecological Areas (SEAs)**, Joshua trees are now a Category 1 SEA Resource, and 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 will not need the SEA CUP but will require an ITP from CDFW.

Discretionary projects inside and outside of the SEAs, may require mitigation for impacts to Joshua trees, subject to an ITP. As the CEQA lead agency, the County will work with applicants to develop and apply mitigation measures so that an ITP may be issued by CDFW without the project having to undergo major project revisions. Where mitigation is required, land acquisition is favored over translocation or replanting.

Emergency Exemption for Wildfire Debris Removal

Governor Newsom has issued an Order that allows for debris removal without permits within recently burned areas throughout California, and CDFW has determined removal of dead Joshua trees associated with debris removal will not require an ITP. **The debris removal exemption applies ONLY to trees or parts of trees that have BROKEN OFF AND ARE NO LONGER AFFIXED TO THE GROUND.** Due to the ability of Joshua trees to resprout after fire, any trees or stumps still affixed to the ground are capable of resprouting, and therefore cannot be removed as a part of debris removal without an ITP. Seeds located on the ground within the vicinity of the Joshua trees also need to remain undisturbed. Therefore, in order to avoid “take” of living Joshua trees or seedbank, the following should be used as a guide to determine where manual debris removal is employed and mechanized debris removal is excluded:

Joshua tree height	Minimum radius for manual debris removal
16.5 feet or greater	40 feet
3.4 – 16.4 feet	12 feet
3.3 feet or less	6 feet

If an area contains Joshua trees of varying height, the largest radius should be used for manual debris removal.



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(213) 974-6411

Enforcement: For suspected unpermitted Joshua tree removal, call the CALTip line: 1-888-334-CALTip (1-888-334-2258).