
	Land Use Services Building and Safety Division Information Bulletin	Number: IB-0016
		Code References: 2019 CBC 2019 CRC
Building Official Signature: 		Original Effective Date: October 27, 2020
Subject: Joshua Trees		

1.0 PURPOSE

The purpose of this Information Bulletin is to clarify the requirements related to work conducted on a site designated as potentially including Joshua trees.

2.0 HISTORY

Original Effective Date: October 27, 2020

3.0 BACKGROUND

Joshua trees are now protected by the State of California as a candidate for listing as an endangered species. At this time, the County cannot issue a permit to take (by removal or transplanting) any Joshua tree. Also, construction activity near the Joshua may impact the roots and damage the plant. Therefore, any proposed construction within forty (40) feet of an existing Joshua tree must be evaluated by a Desert Native Plant Specialist to certify avoidance of impact to the Joshua tree.

Upon application for a building permit, Building and Safety will notify you if your parcel is within an area that potentially contains Joshua trees. If your parcel is within one of these areas, prior to proceeding with your project, there are two options available for your project to proceed: a) Field Investigation or b) Report by a Desert Native Plant Specialist determining no Joshua trees are affected by the proposed grading/construction.

3.1 EXCEPTION

If sufficient evidence can be presented to show that the proposed grading/structure is not within forty (40) feet of a Joshua tree, the Building Official may waive the requirement for a Field Investigation or Report. Evidence would include: On-site photos showing the location of the proposed grading/structure in relation to existing Joshua trees, with an accompanying site plan drawn to scale, showing the limits of grading/construction and all existing Joshua trees. If, after Building Official evaluation, it is determined that no Joshua trees will be affected by the development, the project can proceed without any Field Investigation or Report.

4.0 FIELD INVESTIGATION PROCESS

To request a Field Investigation, an applicant will need to apply for a Residential Alteration Permit through the County's EZOP website, listing the description as "Field Investigation to Determine On-Site Joshua Trees" and pay the investigation fee once invoiced by staff. A Building Inspector will coordinate the site visit with the applicant. The investigation will entail photo documentation and an evaluation on-site to determine if any Joshua tree will be affected by the project. Once the investigation is complete, the applicant will receive a "Field Investigation Report" outlining the finding.

The County's EZOP website can be accessed at the following link: <https://ezop.sbcounty.gov/citizenaccess>



4.1 FIELD INVESTIGATION FINDINGS

If it is determined that no Joshua trees will be affected by the proposed grading/construction, the project can proceed without any additional requirements.

If it is determined that the proposed grading/construction would require the taking (by removal or transplanting) of any Joshua tree, the project will have to be redesigned to avoid the impact to the trees.

If it is found that the proposed grading/construction is within forty (40) feet of a Joshua tree and the applicant does not desire to redesign the project, a report, prepared by a Desert Native Plant Specialist, can be submitted. In order for the project to proceed without redesign, the report must conclude that the proposed grading/construction will not detrimentally affect any Joshua tree.

5.0 REPORT BY A DESERT NATIVE PLANT SPECIALIST

An applicant has the option to submit a report, prepared by a Desert Native Plant Specialist, to the County for review. The report must include a site plan, drawn to scale, showing the location of proposed grading/construction, as well as all existing Joshua trees, on-site photos showing all Joshua trees on-site in relation to the proposed grading/construction. The Desert Native Plant Specialist must provide their findings, based on their evaluation, and the report must be signed and include all pertinent license/qualifications information.

5.1 DEFINITION OF DESERT NATIVE PLANT SPECIALIST

A Desert Native Plant Specialist includes the following:

- a) A certified arborist;
- b) An individual with a four-year college degree in ecology or fish and wildlife related biological science and at least two years of professional experience with relocation or restoration native California desert vegetation; or
- c) An individual with at least five-years professional experience with relocation or restoration of native California desert vegetation

6.0 REQUIREMENTS SUBJECT TO CHANGE

San Bernardino County Land Use Services Department and the State of California Fish & Game Commission are exploring mitigation measures related to relocation and/or removal of Joshua trees. Due to this, the above requirements may be subject to change.